

MINUTES OF COMMISSIONERS' COURT MEETING

I.

Attached hereto is/are public notice(s) posted for the meeting of **January 23, 2017**.

II.

The minutes of the Regular Meeting of Fayette County, Texas, Commissioners' Court held in the Commissioners' Courtroom (3rd floor – Room 303) at the Fayette County Courthouse located at 151 North Washington Street, La Grange, Texas

III.

Attendance: County Judge Ed Janecka, **Present**
County Commissioner – Precinct No. 1, Jason McBroom, **Present**
County Commissioner – Precinct No. 2, Gary Weishuhn, **Present**
County Commissioner – Precinct No. 3, Harvey Berckenhoff, **Present**
County Commissioner – Precinct No. 4, Tom Muras, **Present**

IV.

County Officials/County Personnel present during all or any part of the meeting: **Mandy Kasper, Deputy County Clerk; Cassie Austin, Court Administrator; Kathy Kleiber, County Auditor; Sharon Muzny, EMS Director; Malissa Mieth, EMS Assistant Director; Harold Streicher, Assistant County Attorney; Lorri Grabowski, Assistant County Attorney; Janet Carrigan, Emergency Management Coordinator; Randy Noviskie, Chief Deputy Sheriff;**

V.

Persons in attendance during all of any part of the meeting: **See attached "Exhibit A"**.

VI.

Meeting opened at **9 a.m.** on motion by Commissioner **Berckenhoff**, seconded by Commissioner **Weishuhn**, votes for **5**, votes against **0**.

VII.

PLEDGE OF ALLEGIANCE

PLEDGE OF ALLEGIANCE TO THE AMERICAN FLAG

PLEDGE OF ALLEGIANCE TO THE TEXAS FLAG

“Honor the Texas Flag; I pledge allegiance to thee, Texas, one state under God, one and indivisible.”

INVOCATION

AGENDA ACTION:

1. **SUBJECT: Open public comments – petitions, requests or statements by the public. Close.**

ACTION: Closed. No public comments.

PERSONS APPEARING BEFORE THE COURT:

MOVED BY COMMR. McBroom, SECONDED BY COMMR. Berckenhoff.

Commr. McBroom, vote for **X**, vote against. ___

Commr. Weishuhn, vote for **X**, vote against ___

Commr. Berckenhoff, vote for **X**, vote against ___

Commr. Muras, vote for **X**, vote against ___

Judge Janecka, vote for **X**, vote against ___

2. **SUBJECT: Hear monthly report from Janet Carrigan, Emergency Management Coordinator/Floodplain Administrator.**

ACTION: Accepted report about flood plains, FEMA, and oil spill on Scott Rd. See attachment hereto marked "Agenda Action 2 Exhibit".

PERSONS APPEARING BEFORE THE COURT: Janet Carrigan, Emergency Management Coordinator;

MOVED BY COMMR. Berckenhoff, SECONDED BY COMMR. Muras.

Commr. McBroom, vote for **X**, vote against. ___

Commr. Weishuhn, vote for **X**, vote against ___

Commr. Berckenhoff, vote for **X**, vote against ___

Commr. Muras, vote for **X**, vote against ___

Judge Janecka, vote for **X**, vote against ___

3. **SUBJECT: Acknowledge monthly calls, collections, and financial report from EMS Director, Sharon Muzny.**

ACTION: Accepted monthly calls, collections, and financial report. See attachment hereto marked "Agenda Action 3 Exhibit".

PERSONS APPEARING BEFORE THE COURT: Sharon Muzny, EMS Director;

MOVED BY COMMR. Muras, SECONDED BY COMMR. McBroom.

Commr. McBroom, vote for **X**, vote against. ___

Commr. Weishuhn, vote for **X**, vote against ___

Commr. Berckenhoff, vote for **X**, vote against ___

Commr. Muras, vote for **X**, vote against ___

Judge Janecka, vote for **X**, vote against ___

4. **SUBJECT: Consider and take appropriate action in selecting an Architect Firm for the building of the EMS Headquarters and Station One.**

ACTION: Approved the selection of Brown Reynolds Watford Architects located in College Station, Texas, as the Architect Firm for the EMS Headquarters and Station One.

PERSONS APPEARING BEFORE THE COURT: Sharon Muzny, EMS Director; Janet Carrigan, Emergency Management Coordinator;

MOVED BY COMMR. Muras, SECONDED BY COMMR. Weishuhn.

Commr. McBroom, vote for ___, vote against. **X**

Commr. Weishuhn, vote for **X**, vote against ___

Commr. Berckenhoff, vote for **X**, vote against ___

Commr. Muras, vote for **X**, vote against ___

Judge Janecka, vote for **X**, vote against ___

5. **SUBJECT: Consider and take appropriate action in appointing/re-appointing members to the Fayette County Historical Commission for the 2017-2018 Term of Service for the Fayette County Historical Commission.**

ACTION: Approved the reappointment of members to the Fayette County Historical Commission for the 2017-2018 term of service. See attachment hereto marked "Agenda Action 5 Exhibit".

PERSONS APPEARING BEFORE THE COURT:

MOVED BY COMMR. McBroom, SECONDED BY COMMR. Berckenhoff.

Commr. McBroom, vote for **X**, vote against. ___

Commr. Weishuhn, vote for **X**, vote against ___

Commr. Berckenhoff, vote for **X**, vote against ___

Commr. Muras, vote for **X**, vote against ___

Judge Janecka, vote for **X**, vote against ___

6. **SUBJECT: Consider and take appropriate action in approving the Master Service Agreement, between Fayette County and NewWave Communications Company, that services the Fayette County Veterans Service and Prescription Assistance Offices located at 275 Ellinger Road, La Grange, Texas.**

ACTION: Approved the Master Service Agreement, between Fayette County and NewWave Communications Company, that services the Fayette County Veterans Service and Prescription Assistance Offices located at 275 Ellinger Road, La Grange, Texas. See attachment hereto marked "Agenda Action 6 Exhibit".

PERSONS APPEARING BEFORE THE COURT:

MOVED BY COMMR. Berckenhoff, SECONDED BY COMMR. Weishuhn.

Commr. McBroom, vote for **X**, vote against. ___

Commr. Weishuhn, vote for **X**, vote against ___

Commr. Berckenhoff, vote for **X**, vote against ___

Commr. Muras, vote for **X**, vote against ___

Judge Janecka, vote for **X**, vote against ___

7. **SUBJECT: Consider and take appropriate action concerning setting a policy/specification of a minimum of 24 feet in width with regard to Fayette County's policy on the width of a total bridge replacement to accommodate 2 lanes of traffic.**

ACTION: Approved policy/specification of a minimum of 24 feet in width with regard to Fayette County's policy on the width of a total bridge replacement to accommodate 2 lanes of traffic

PERSONS APPEARING BEFORE THE COURT:

MOVED BY COMMR. McBroom, SECONDED BY COMMR. Berckenhoff.

Commr. McBroom, vote for **X**, vote against ___

Commr. Weishuhn, vote for **X**, vote against ___

Commr. Berckenhoff, vote for **X**, vote against ___

Commr. Muras, vote for **X**, vote against ___

Judge Janecka, vote for **X**, vote against ___

8. **SUBJECT: Consider and take appropriate action on approving a contract for construction of a replacement bridge, by Wakefield Bridge, Inc., on Hertel Road Bridge, at Fosters Creek, in Precinct 4.**

ACTION: Approved a contract for construction of a replacement bridge, by Wakefield Bridge, Inc., on Hertel Road Bridge, at Fosters Creek, in Precinct 4. See attachment hereto marked "Agenda Action 8 Exhibit".

PERSONS APPEARING BEFORE THE COURT:

MOVED BY COMMR. Muras, SECONDED BY COMMR. Berckenhoff.

Commr. McBroom, vote for **X**, vote against ___

Commr. Weishuhn, vote for **X**, vote against ___

Commr. Berckenhoff, vote for **X**, vote against ___

Commr. Muras, vote for **X**, vote against ___

Judge Janecka, vote for **X**, vote against ___

9. **SUBJECT: Consider and take appropriate action in acknowledging the 2016 Racial Profiling Report, as submitted by the Fayette County Sheriff's Department.**

ACTION: Accepted action in acknowledging the 2016 Racial Profiling Report, as submitted by the Fayette County Sheriff's Department.

PERSONS APPEARING BEFORE THE COURT: Randy Noviskie, Chief Deputy Sheriff;

MOVED BY COMMR. Weishuhn, SECONDED BY COMMR. Muras.

Commr. McBroom, vote for **X**, vote against. ___

Commr. Weishuhn, vote for **X**, vote against

Commr. Berckenhoff, vote for **X**, vote against ___

Commr. Muras, vote for **X**, vote against ___

Judge Janecka, vote for **X**, vote against ___

10. **SUBJECT: Consider and take appropriate action concerning the Memorandum of Understanding between Indigent Healthcare Solutions and Fayette County, Texas.**

ACTION: Entered into Memorandum of Understanding between Indigent Healthcare Solutions and Fayette County, Texas. See attachment hereto marked "Agenda Action 10 Exhibit".

PERSONS APPEARING BEFORE THE COURT:

MOVED BY COMMR. McBroom, SECONDED BY COMMR. Berckenhoff.

Commr. McBroom, vote for **X**, vote against. ___

Commr. Weishuhn, vote for **X**, vote against

Commr. Berckenhoff, vote for **X**, vote against ___

Commr. Muras, vote for **X**, vote against ___

Judge Janecka, vote for **X**, vote against ___

11. **SUBJECT: Consider and take appropriate action in approving all Fayette County Official's Bonds.**

ACTION: Approved all Fayette County Official's Bonds.

PERSONS APPEARING BEFORE THE COURT: Kathy Kleiber, County Auditor;

MOVED BY COMMR. Muras, SECONDED BY COMMR. Weishuhn.

Commr. McBroom, vote for **X**, vote against. ___
Commr. Weishuhn, vote for **X**, vote against ___
Commr. Berckenhoff, vote for **X**, vote against ___
Commr. Muras, vote for **X**, vote against ___
Judge Janecka, vote for **X**, vote against ___

12. **SUBJECT: Consider and take appropriate action in authorizing Linda Svrcek, District Clerk, and Julie Karstedt, County Clerk, to attend the County & District Clerk's Association Winter Conference, February 7-10, 2017, in San Marcos, Texas; and Kelly Blackwell, Deputy Clerk, to attend on February 9, 2017 for criminal topics.**

ACTION: Allowed Linda Svrcek, District Clerk, and Julie Karstedt, County Clerk, to attend the County & District Clerk's Association Winter Conference, February 7-10, 2017, in San Marcos, Texas; and Kelly Blackwell, Deputy Clerk, to attend on February 9, 2017 for criminal topics. See attachment hereto marked "Agenda Action 12 Exhibit".

PERSONS APPEARING BEFORE THE COURT:

MOVED BY COMMR. Berckenhoff, SECONDED BY COMMR. McBroom.

Commr. McBroom, vote for **X**, vote against. ___
Commr. Weishuhn, vote for **X**, vote against ___
Commr. Berckenhoff, vote for **X**, vote against ___
Commr. Muras, vote for **X**, vote against ___
Judge Janecka, vote for **X**, vote against ___

13. **SUBJECT: Consider and take appropriate action in authorizing Doady Sotebier, EMT, to attend the National Association of EMS Educators Level 1 Instructor Course, February 3-5, 2017, in Rosenberg, Texas.**

ACTION: Allowed Doady Sotebier, EMT, to attend the National Association of EMS Educators Level 1 Instructor Course, February 3-5, 2017, in Rosenberg, Texas. See attachment hereto marked "Agenda Action 13 Exhibit".

PERSONS APPEARING BEFORE THE COURT:

MOVED BY COMMR. Muras, SECONDED BY COMMR. McBroom.

Commr. McBroom, vote for **X**, vote against. ___

Commr. Weishuhn, vote for **X**, vote against ___

Commr. Berckenhoff, vote for **X**, vote against ___

Commr. Muras, vote for **X**, vote against ___

Judge Janecka, vote for **X**, vote against ___

14. **SUBJECT: Consider and take appropriate action concerning fines and fees collected for the period of November 1, 2016 through November 30, 2016, and also December 1, 2016 through December 31, 2016.**

ACTION: Approved fines and fees collected for the period of November 1, 2016 through November 30, 2016, and also December 1, 2016 through December 31, 2016. See attachment hereto marked "Agenda Action 14 Exhibit".

PERSONS APPEARING BEFORE THE COURT: Kathy Kleiber, County Auditor;

MOVED BY COMMR. Berckenhoff, SECONDED BY COMMR. Weishuhn.

Commr. McBroom, vote for **X**, vote against. ___

Commr. Weishuhn, vote for **X**, vote against ___

Commr. Berckenhoff, vote for **X**, vote against ___

Commr. Muras, vote for **X**, vote against ___

Judge Janecka, vote for **X**, vote against ___

15. **SUBJECT: Consider and take appropriate action in approving the payment of currently due Fayette County bills and expenses.**

ACTION: Approved payment of currently due Fayette County bills and expenses. See attachment hereto marked "Agenda Action 15 Exhibit".

PERSONS APPEARING BEFORE THE COURT: Kathy Kleiber, County Auditor;

MOVED BY COMMR. Berckenhoff, SECONDED BY COMMR. McBroom.

Commr. McBroom, vote for **X**, vote against. ___

Commr. Weishuhn, vote for **X**, vote against ___

Commr. Berckenhoff, vote for **X**, vote against ___

Commr. Muras, vote for **X**, vote against ___

Judge Janecka, vote for **X**, vote against ___

16. **SUBJECT: Consider and take appropriate action concerning 2016 Budget Amendments.**

ACTION: Approved 2016 Budget Amendments. See attachment hereto marked "Agenda Action 16 Exhibit".

PERSONS APPEARING BEFORE THE COURT: Kathy Kleiber, County Auditor;

MOVED BY COMMR. Muras, SECONDED BY COMMR. Weishuhn.

Commr. McBroom, vote for **X**, vote against. ___

Commr. Weishuhn, vote for **X**, vote against ___

Commr. Berckenhoff, vote for **X**, vote against ___

Commr. Muras, vote for **X**, vote against ___

Judge Janecka, vote for **X**, vote against ___

17. **SUBJECT: Consider and take appropriate action in approving the following minutes from previous meetings:**

- I. **December 12, 2016 Special Meeting 8:00 a.m.**
- II. **December 12, 2016 Regular Meeting 9:00 a.m.**
- III. **December 27, 2016 Regular Meeting 9:00 a.m.**

ACTION: Approved the following minutes from previous meetings:

PERSONS APPEARING BEFORE THE COURT: Mandy Kasper, Deputy County Clerk;

MOVED BY COMMR. McBroom, SECONDED BY COMMR. Berckenhoff.

Commr. McBroom, vote for **X**, vote against. ___

Commr. Weishuhn, vote for **X**, vote against ___

Commr. Berckenhoff, vote for **X**, vote against ___

Commr. Muras, vote for **X**, vote against ___

Judge Janecka, vote for **X**, vote against ___

VIII.

Meeting adjourned at **9:56 a.m., January 23, 2017**, on motion by Commissioner **Muras**, seconded by Commissioner **Berckenhoff.**, votes for **5**, votes against **0**.

APPROVED this ____ day of _____, 2017.

Edward F. Janecka
Fayette County Judge

Jason McBroom
Commissioner, Precinct 1

Gary Weishuhn
Commissioner, Precinct 2

Harvey Berckenhoff
Commissioner, Precinct 3

Tom Muras
Commissioner, Precinct 4

ATTEST:

Julie Karstedt
County Clerk