MINUTES OF COMMISSIONERS COURT MEETING

I.

Attached hereto is/are public notice(s) posted for the meeting of June 13, 2019.

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 Joe Weber Present

County Commissioner – Precinct No. 1, Jason McBroom Absent

County Commissioner - Precinct No. 2, Luke Sternadel Present

County Commissioner – Precinct No. 3, Harvey Berckenhoff **Absent**

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; Brenda Fietsam, County Clerk; Kathy Kleiber, Auditor; Cassie Austin, Court Administrator; Harold Streicher, Assistant County Attorney; Blake Watson, Assistant County Attorney; Sharon Muzny, EMS Director; Malissa Mieth; Assistant EMS Director; Janet Carrigan, Emergency Management Coordinator/Floodplain Administrator;

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 Sternadel, seconded by Commissioner Muras, votes for 3, 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." I N V O C A T I O N

AGENDA ACTION:

- 1. SUBJECT: Consider and take appropriate action in approving the following minutes from previous meetings:
 - I. May 30, 2019 Regular Meeting
 - II. June 3, 2019 Special Meeting
 - III. June 4, 2019 Special Meeting

ACTION: Approved the following minutes from previous meetings.

PERSONS APPEARING BEFORE THE COURT: Brenda Fietsam, County Clerk;

MOVED BY COMMR. Muras, SECONDED BY COMMR. Sternadel.

Commr. McBroom, vote for ____, vote against Absent

Commr. Sternadel, vote for X, vote against

Commr. Berckenhoff, vote for , vote against Absent

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

Judge Weber, vote for X, vote against

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

ACTION: Accepted comments from Judge Weber about the flags that will be around the Courthouse tomorrow for Flag Day. He will be cooking hot dogs on the Courthouse lawn around noon tomorrow.

PERSONS APPEARING BEFORE THE COURT:

MOVED BY COMMR. Sternadel, SECONDED BY COMMR. Muras.

Commr. McBroom, vote for ____, vote against **Absent**

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

Commr. Berckenhoff, vote for , vote against Absent

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

Judge Weber, vote for X, vote against

3. SUBJECT: Discuss, consider, and take appropriate action concerning the EMS Headquarters and Station One Construction Project.

ACTION: Accepted update on EMS Headquarters and Station One Construction Project. See attachment hereto marked "Agenda Action 3 Exhibit".

ADDITIONAL COMMENTS: Jerry Bond, Project Manager, informed the Court that the roof is being finished, parking lot poles are up and waiting for electricity, plumbing inspection should be next week by the City, concrete is being poured in the back and the side sidewalks, overhead doors should be in soon, windows will be fixed, insulation will be fixed, mold on the sheetrock will be cut out and replaced, and the doors should be in soon. He also expressed concern with the company installing the metal but doesn't want to change because of warranty issues and that they are waiting for pricing on concrete and asphalt.

PERSONS APPEARING BEFORE THE COURT: Jerry Bond, Don Krueger Construction; Darren Heine, BBA;

MOVED BY COMMR. Muras, SECONDED BY COMMR. Sternadel
Commr. McBroom, vote for, vote against Absent
Commr. Sternadel, vote for X , vote against
Commr. Berckenhoff, vote for, vote against Absent
Commr. Muras, vote for X , vote against
Judge Weber, vote for X, vote against _

4. SUBJECT: Acknowledge monthly report from Clint Sternadel, Designated Representative Sewage and Subdivision Regulation Inspection Enforcement.

ACTION: Accepted report from Clint Sternadel, Designated Representative Sewage and Subdivision Regulation Inspection Enforcement. See attachment hereto marked "Agenda Action 4 Exhibit".

PERSONS APPEARING BEFORE THE COURT:

MOVED BY COMMR. Sternadel, SECONDED BY COMMR. Muras.
Commr. McBroom, vote for, vote against Absent
Commr. Sternadel, vote for X , vote against
Commr. Berckenhoff, vote for, vote against Absent
Commr. Muras, vote for X , vote against
Judge Weber, vote for X , vote against

5. SUBJECT: Hear status report from Janet Carrigan, Emergency Management Coordinator and Floodplain Administrator.

ACTION: Accepted report from Janet Carrigan, Emergency Management Coordinator and Floodplain Administrator.

ADDITIONAL COMMENTS: Janet Carrigan commented on how much Oil & Gas activity is going on in Precinct 2. Judge Weber said we need to do everything we can for these companies. Nathan Gomez stated that there will be 3 lines about 40 to 50 miles long. Janet told the court that there will be an Archeological Dig around the bridge on Krenek Rd. that the state is requiring. She also informed the Court that although Fayette County qualified for HMPG Buy-out & Acquisition through the State of Texas, she and Judge Weber were told by the Chief of Emergency Management that the County didn't sustain enough damage from Hurricane Harvey to be allocated for HMPG funds. We are going to continue to apply for grants and other funding for Hurricane Harvey. Fayette County will be be applying for CDBG funds through Texas GLO on behalf of the County and City of La Grange

PERSONS APPEARING BEFORE THE COURT: Janet Carrigan, Emergency Management Coordinator/Floodplain Administrator; Nathan Gomez, Aspen Midstream; Harold Streicher, Assistant County Attorney;

MOVED BY COMMR. Sternadel, SECONDED BY COMMR. Muras
Commr. McBroom, vote for, vote against Absent
Commr. Sternadel, vote for X , vote against
Commr. Berckenhoff, vote for, vote against Absent
Commr. Muras, vote for X , vote against
Judge Weber, vote for X, vote against

6. SUBJECT: Consider, discuss and take appropriate action concerning approval of a Resolution authorizing the submission of the Hurricane Harvey Community Development Block Grant (CDBG) – DR4332 Application to the General Land Office.

ACTION: Approved and signed a Resolution authorizing the submission of the Hurricane Harvey Community Development Block Grant (CDBG) – DR4332 Application to the General Land Office. See attachment hereto marked "Agenda Action 6 Exhibit".

ADDITIONAL COMMENTS: The County and City are filing as one entity.

PERSONS APPEARING BEFORE THE COURT: Harold Streicher, Assistant County Attorney; Janet Carrigan, Emergency Management Coordinator/Floodplain Administrator;

MOVED BY COMMR. Muras, SECONDED BY COMMR. Sternadel.

Commr. McBroom, vote for ____, vote against Absent

Commr. Sternadel, vote for X, vote against

Commr. Berckenhoff, vote for ___, vote against Absent

Commr. Muras, vote for X, vote against ___

Judge Weber, vote for X, vote against

7. SUBJECT: Consider, discuss and take appropriate action concerning approval of a Resolution authorizing and appointing the Fayette County Judge as the Authorized Representative to act on behalf of Fayette County in all matters in connection with the Hurricane Harvey Community Development Block Grant (CDBG) – DR4332 Project, including signing all contracts, agreements, requests for payment, requests for reimbursement, and other documents concerning the CDBG – DR4332 Project.

ACTION: Authorized signing of a Resolution authorizing and appointing the Fayette County Judge as the Authorized Representative to act on behalf of Fayette County in all matters in connection with the Hurricane Harvey Community Development Block Grant (CDBG) – DR4332 Project, including signing all contracts, agreements, requests for payment, requests for reimbursement, and other documents concerning the CDBG – DR4332 Project. See attachment hereto marked "Agenda Action 7 Exhibit".

ADDITIONAL COMMENTS: The County and City are acting as one entity.

PERSONS APPEARING BEFORE THE COURT: Harold Streicher, Assistant County Attorney;

MOVED BY COMMR. Sternadel, SECONDED BY COMMR. Muras. Commr. McBroom, vote for ____, vote against Absent Commr. Sternadel, vote for X, vote against ___ Commr. Berckenhoff, vote for ___, vote against Absent Commr. Muras, vote for X, vote against ___ Judge Weber, vote for X, vote against ___

8. SUBJECT: Consider, discuss and take appropriate action in authorizing the Fayette County Auditor to advertise for requests for proposals concerning Grant Administrator for project submission and administration of the Hurricane Harvey Community Development Block Grant (CDBG) – DR4332 Application to the General Land Office.

ACTION: Authorized Fayette County Auditor to advertise for requests for proposals concerning Grant Administrator for project submission and administration of the Hurricane Harvey Community Development Block Grant (CDBG) – DR4332 Application to the General Land Office.

ADDITIONAL COMMENTS: Usually Langford helps with grants but can't help this time.

PERSONS APPEARING BEFORE THE COURT: Kathy Kleiber, Auditor; Harold Streicher, Assistant County Attorney; Janet Carrigan, Emergency Management Coordinator/Floodplain Administrator;

MOVED BY COMMR. Muras, SECONDED BY COMMR. Sternadel. Commr. McBroom, vote for , vote against Absent

Commr. Sternadel, vote for **X**, vote against __

Commr. Berckenhoff, vote for ___, vote against Absent

Commr. Muras, vote for **X**, vote against ___ Judge Weber, vote for **X**, vote against __

9. SUBJECT: Consider, discuss and take appropriate action in authorizing the Fayette County Auditor to advertise for requests for proposals concerning the Engineer to enter into contract negotiations for engineering services for the Hurricane Harvey Community Development Block Grant (CDBG) – DR4332 Application to the General Land Office.

ACTION: Authorized Fayette County Auditor to advertise for requests for proposals concerning the Engineer to enter into contract negotiations for engineering services for the Hurricane Harvey Community Development Block Grant (CDBG) – DR4332 Application to the General Land Office.

PERSONS APPEARING BEFORE THE COURT: Harold Streicher, Assistant County Attorney; Janet Carrigan, Emergency Management Coordinator/Floodplain Administrator;

MOVED BY COMMR. Sternadel. SECONDED BY COMMR. Muras.

Commr. McBroom, vote for , vote against Absent

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

Commr. Berckenhoff, vote for , vote against Absent

Commr. Muras, vote for **X**, vote against ____ Judge Weber, vote for **X**, vote against ___ 10. SUBJECT: Consider and take appropriate action concerning three Routing Agreements and Road Use Bond Agreements, submitted by Magnolia Oil & Gas Operating, LLC, for said Company's overweight loads to travel on, as indicated on the attached maps, the following roads: Schubert Rd (Precinct 1), Rocky Creek Rd, Round Top Rd, and Deer Haven Rd (Precinct 2), all public county roads in Fayette County, Texas.

ACTION: Approved three Routing Agreements and Road Use Bond Agreements, submitted by Magnolia Oil & Gas Operating, LLC, for said Company's overweight loads to travel on, as indicated on the attached maps, the following roads: Schubert Rd (Precinct 1), Rocky Creek Rd, Round Top Rd, and Deer Haven Rd (Precinct 2), all public county roads in Fayette County, Texas. It was stated the Commissioners need the routes before the permit is granted. See attachment hereto marked "Agenda Action 10 Exhibit".

ADDITION COMMENTS: It was brought to the Courts attention that the permit is given by DPS, and the Court would like to see the routes before the permit is granted. Commissioners know the roads better and know what roads would be better to travel down with less damage to the roads.

PERSONS APPEARING BEFORE THE COURT: Harold Streicher, Assistant County Attorney; Blake Watson, Assistant County Attorney;

MOVED BY COMMR. Sternadel , SECONDED BY COMMR. Mura s
Commr. McBroom, vote for, vote against Absent
Commr. Sternadel, vote for X , vote against
Commr. Berckenhoff, vote for, vote against Absent
Commr. Muras, vote for X , vote against
Judge Weber, vote for X , vote against _

11. SUBJECT: Consider and take appropriate action concerning Routing Agreement and Road Use Bond Agreement, submitted by Verdun Oil Company, for said Company's overweight loads to travel on, as indicated on the attached map, the following road: Wunderlich Rd (Precinct 2), a public county road in Fayette County, Texas.

ACTION: Approved conditionally the Routing Agreement and Road Use Bond Agreement, submitted by Verdun Oil Company, for said Company's overweight loads to travel on, as indicated on the attached map, the following road: Wunderlich Rd (Precinct 2), a public county road in Fayette County, Texas. The paperwork needs to be completed before proceeding with this project. See attachment hereto marked "Agenda Action 11 Exhibit".

ADDITIONAL COMMENTS: A Bond is a requirement for the permit application. Commissioner Sternadel is going to speak with the company to see about getting the required paperwork. The Bond was produced and submitted to the County Attorney's Office on June 14, 2019.

PERSONS APPEARING BEFORE THE COURT: Harold Streicher, Assistant County Attorney; Blake Watson, Assistant County Attorney; Janet Carrigan, Emergency Management Coordinator/Floodplain Administrator;

MOVED BY COMMR. Sternadel, SECONDED BY COMMR. Muras
Commr. McBroom, vote for, vote against Absent
Commr. Sternadel, vote for X , vote against
Commr. Berckenhoff, vote for, vote against Absent
Commr. Muras, vote for X , vote against
Judge Weber, vote for X, vote against

12. SUBJECT: Consider and take appropriate action concerning the Renewal Application for Permit to Lay Temporary Water Line in Road Right-of-Way, submitted by GeoSouthern Operating II, LLC, for said water line to be placed along Sykora Road, Coufal Road, Haw Creek Road and Klaus Road (Precinct 2), public county roads located in Fayette County, Texas.

ACTION: Approved Renewal Application for Permit to Lay Temporary Water Line in Road Right-of-Way, submitted by GeoSouthern Operating II, LLC, for said water line to be placed along Sykora Road, Coufal Road, Haw Creek Road and Klaus Road (Precinct 2), public county roads located in Fayette County, Texas. See attachment hereto marked "Agenda Action 12 Exhibit".

ADDITIONAL COMMENTS: 90 day extension, beginning June 25, 2019 - September 23, 2019 was granted with the understanding that regulations have to followed, if not there will be penalties.

PERSONS APPEARING BEFORE THE COURT: Blake Watson, Assistant County Attorney;

MOVED BY COMMR. Sternadel, SECONDED BY COMMR. Muras.
Commr. McBroom, vote for, vote against Absent
Commr. Sternadel, vote for X, vote against
Commr. Berckenhoff, vote for, vote against Absent
Commr. Muras, vote for X , vote against
Judge Weber, vote for X, vote against

13.	SUBJECT: Consider and take appropriate action concerning the Application for Permit to Lay Temporary Water Line in Road Right-of-Way, submitted by GeoSouthern Operating II, LLC, for said water line to be placed along Hills Road, Finke Road, Andreas Road, and Round Top Road (Precinct 2), public county roads located in Fayette County, Texas.
	ACTION: Approved the Application for Permit to Lay Temporary Water Line in Road Right-of-Way, submitted by GeoSouthern Operating II, LLC, for said water line to be placed along Hills Road, Finke Road, Andreas Road, and Round Top Road (Precinct 2), public county roads located in Fayette County, Texas. Secattachment hereto marked "Agenda Action 1 Exhibit".
	PERSONS APPEARING BEFORE THE COURT: Blake Watson, Assistant County Attorney;
	MOVED BY COMMR. Sternadel, SECONDED BY COMMR. Muras. Commr. McBroom, vote for, vote against Absent Commr. Sternadel, vote for X, vote against Commr. Berckenhoff, vote for, vote against Absent Commr. Muras, vote for X, vote against Judge Weber, vote for X, vote against

14. SUBJECT: Consider and take appropriate action in approving an Order for Payment, an Amendment of Paid-Up Oil and Gas Lease, and a Memorandum of Amendment of Paid-Up Oil & Gas Lease of a tract of land comprising a total of one (1) acre, the mineral estate of which one acre tract is owned 100% by Fayette County, Texas, in the J.F. Berry League, A-16, Fayette County, Texas, (said one acre tract being further described in the Deed recorded at Volume 1039, Page 862, Official Records, Fayette County, Texas), said Lease being between Fayette County and Riley Exploration Group, L.L.C., for a bonus of \$425.00 per acre, a 1/5th royalty interest and a Primary Term of three (3) years.

ACTION: Approved Order for Payment, an Amendment of Paid-Up Oil and Gas Lease, and a Memorandum of Amendment of Paid-Up Oil & Gas Lease of a tract of land comprising a total of one (1) acre, the mineral estate of which one acre tract is owned 100% by Fayette County, Texas, in the J.F. Berry League, A-16, Fayette County, Texas, (said one acre tract being further described in the Deed recorded at Volume 1039, Page 862, Official Records, Fayette County, Texas), said Lease being between Fayette County and Riley Exploration Group, L.L.C., for a bonus of \$425.00 per acre, a 1/5th royalty interest and a Primary Term of three (3) years. See attachment hereto marked "Agenda Action 15 Exhibit".

PERSONS APPEARING BEFORE THE COURT: Harold Streicher, Assistant County Attorney;

MOVED BY COMMR. Muras, SECONDED BY COMMR. Sternadel.
Commr. McBroom, vote for, vote against Absent
Commr. Sternadel, vote for X , vote against
Commr. Berckenhoff, vote for, vote against Absent
Commr. Muras, vote for X , vote against
Judge Weber, vote for X, vote against

AMENDED ACTION: Approved signing an Amendment of Paid-Up Oil and Gas Lease, and a Memorandum of Amendment of Paid-Up Oil & Gas Lease.

MOVED BY COMMR. Muras, SECONDED BY COMMR. Sternadel.
Commr. McBroom, vote for, vote against Absent
Commr. Sternadel, vote for X , vote against
Commr. Berckenhoff, vote for, vote against Absent
Commr. Muras, vote for X, vote against
Judge Weber, vote for X, vote against

15. SUBJECT: Consider and take appropriate action concerning Fayette County purchasing for Precinct 4 a used 2012 Mack Truck Tractor (VIN 1M1AN07Y7CM010815), presently located at Oliver Truck Center, LLC, 9702 Interstate 10 East, Converse, Texas 78109, for \$29,055.00 payable to Oliver Truck Center, LLC, using Precinct 4 Road and Bridge funds that are available and in the 2019 Precinct 4 budget, and authorizing County personnel to sign all necessary and required paperwork.

ACTION: Approved Fayette County purchasing for Precinct 4 a used 2012 Mack Truck Tractor (VIN 1M1AN07Y7CM010815), presently located at Oliver Truck Center, LLC, 9702 Interstate 10 East, Converse, Texas 78109, for \$29,055.00 payable to Oliver Truck Center, LLC, using Precinct 4 Road and Bridge funds that are available and in the 2019 Precinct 4 budget, and authorizing County personnel to sign all necessary and required paperwork. See attachment hereto marked "Agenda Action 15 Exhibit".

PERSONS APPEARING BEFORE THE COURT: Kathy Kleiber, Auditor;

MOVED BY COMMR. Muras, SECONDED BY COMMR. Sternadel.

Commr. McBroom, vote for ____, vote against Absent

Commr. Sternadel, vote for X, vote against

Commr. Berckenhoff, vote for ___, vote against Absent

Commr. Muras, vote for **X**, vote against ____ Judge Weber, vote for **X**, vote against **16.** SUBJECT: Consider and take appropriate action in authorizing Bethany Zapalac, Court Coordinator of the 155th Judicial District Court, to attend the Texas Association for Court Administration's 43rd Annual Education Conference October 8-11, 2019, in San Antonio, Texas. ACTION: Approved Bethany Zapalac, Court Coordinator of the 155th Judicial District Court, to attend the Texas Association for Court Administration's 43rd Annual Education Conference October 8-11, 2019, in San Antonio, Texas. PERSONS APPEARING BEFORE THE COURT: MOVED BY COMMR. Muras, SECONDED BY COMMR. Sternadel. Commr. McBroom, vote for , vote against **Absent** Commr. Sternadel, vote for X, vote against Commr. Berckenhoff, vote for , vote against Absent Commr. Muras, vote for X, vote against Judge Weber, vote for X, vote against **17.** SUBJECT: Consider and take appropriate action in authorizing Sheila Coufal, Justice of the Peace Precinct 2, to attend the 2019 Legislative Update Workshop August 5, 2019, in Bryan, Texas. ACTION: Approved Sheila Coufal, Justice of the Peace Precinct 2, to attend the 2019 Legislative Update Workshop August 5, 2019, in Bryan, Texas. PERSONS APPEARING BEFORE THE COURT: MOVED BY COMMR. Sternadel, SECONDED BY COMMR. Muras. Commr. McBroom, vote for , vote against **Absent** Commr. Sternadel, vote for X, vote against Commr. Berckenhoff, vote for , vote against Absent Commr. Muras, vote for **X**, vote against

Judge Weber, vote for **X**, vote against

18.	SUBJECT: Consider and take appropriate action, including authorizing gift cards for employees who participate and providing refreshments to be paid by funds in the Health Insurance Fund, concerning the approved Catapult Employee Checkups to be held on July 9-11, 2019.
	ACTION: Approved gift cards for employees who participate and providing refreshments to be paid by funds in the Health Insurance Fund, concerning the approved Catapult Employee Checkups to be held on July 9-11, 2019.
	PERSONS APPEARING BEFORE THE COURT: Kathy Kleiber, Auditor;
	MOVED BY COMMR. Sternadel, SECONDED BY COMMR. Muras. Commr. McBroom, vote for, vote against Absent Commr. Sternadel, vote for X, vote against Commr. Berckenhoff, vote for, vote against Absent Commr. Muras, vote for X, vote against Judge Weber, vote for X, vote against Judge Weber, vote for X, vote against
19.	SUBJECT: Consider and take appropriate action in approving the payment of currently due Fayette County bills and expenses.
	ACTION: Approved the payment of currently due Fayette County bills and expenses. See attachment hereto marked "Agenda Action 19 Exhibit".
	PERSONS APPEARING BEFORE THE COURT: Kathy Kleiber, Auditor;
	MOVED BY COMMR. Sternadel, SECONDED BY COMMR. Muras. Commr. McBroom, vote for, vote against Absent Commr. Sternadel, vote for X, vote against Commr. Berckenhoff, vote for, vote against Absent Commr. Muras, vote for X, vote against Judge Weber, vote for X, vote against

VIII.

Meeting adjourned at 10:26 a.m., June 13, 2019, on motion by Commissioner Muras, seconded by Commissioner Sternadel, votes for 3, votes against 0.

APPROVED this 27th day of June, 2019
Joseph Weber
Fayette County Judge
Jason McBroom
Commissioner, Precinct 1
Luke Sternadel
Commissioner, Precinct 2
Harvey Berckenhoff
Commissioner, Precinct 3
Tom Muras
Commissioner, Precinct 4
ATTEST:
Brenda Fietsam

County Clerk