

MINUTES OF COMMISSIONERS' COURT MEETING

I.

Attached hereto is/are public notice(s) posted for the meeting of **November 13, 2018.**

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: **Julie Karstedt, County Clerk; Mandy Kasper, Deputy County Clerk; Sharon Muzny, EMS Director; Luke Sternadel, Road & Bridge #2; Harold Streicher, Assistant County Attorney; Jo Ann Fishbeck, CSCD Director; Randy Noviskie, Chief Deputy Sheriff; Kathy Kleiber, Auditor; Clint Sternadel, Designated Representative Subdivision Enforcement; Cassie Austin, Court Administrator;**

V.

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

VI.

Meeting opened at **9:30 a.m.** on motion by Commissioner **McBroom**, seconded by Commissioner **Berckenhoff**, 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 public comments.

PERSONS APPEARING BEFORE THE COURT:

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 ___

2. **SUBJECT: Consider and take appropriate action in signing a Certificate of Appreciation for former Precinct 1 Justice of the Peace, Dr. Randy Albers' faithful service to Fayette County.**

ACTION: Signed Certificate of Appreciation for former Precinct 1 Justice of the Peace, Dr. Randy Albers, faithful service to Fayette County. See attachment hereto marked "Agenda Action 2 Exhibit".

PERSONS APPEARING BEFORE THE COURT: Dr. Randy Albers;

MOVED BY COMMR. McBroom, 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 ___

3. **SUBJECT: Acknowledge receipt of the 2018 Statement of Financial Position of the 115th Judicial District Community Service and Corrections Department, pursuant to Texas Local Government Code 140.004.**

ACTION: Acknowledged receipt of the 2018 Statement of Financial Position of the 115th Judicial District Community Service and Corrections pursuant to Texas Local Government Code 140.004. See attachment hereto marked "Agenda Action 3 Exhibit".

PERSONS APPEARING BEFORE THE COURT: Jo Ann Fishbeck, CSCD Director;

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 __

4. **SUBJECT: Consider and take appropriate action concerning the application from Ricardo Garcia, requesting a variance of the subdivision of real property.**

ACTION: Approved application from Ricardo Garcia, requesting a variance of the subdivision of real property. See attachment hereto marked "Agenda Action 4 Exhibit".

PERSONS APPEARING BEFORE THE COURT: Ricardo Garcia;

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 __

5. **SUBJECT: Consider and take appropriate action concerning the application from DJP Properties, John Haworth, requesting a variance of the subdivision of real property.**

ACTION: Approved application from DJP Properties, John Haworth, requesting a variance of subdivision of real property. See attachment hereto marked "Agenda Action 5 Exhibit".

PERSONS APPEARING BEFORE THE COURT: John Haworth, DJP Properties;

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, including placing requirements, concerning Preliminary Plat of "Round Top Place" from Lee McIntosh.**

ACTION: Accepted all comments concerning Preliminary Plat of "Round Top Place" from Lee McIntosh. See attachment hereto marked "Agenda Action 6 Exhibit".

PERSONS APPEARING BEFORE THE COURT: Lee McIntosh; Clint Sternadel, Designated Representative Subdivision Enforcement;

MOVED BY COMMR. Weishuhn, 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 ___

7. **SUBJECT: Consider and take appropriate action concerning the final approval stage for Sacks Family LTD regarding a platted subdivision near the town of Round Top (Boggy Branch Business Development); BEFCO Engineering, Inc., having issued a Certificate of Construction Completion dated June 28, 2018; Sacks Family LTD being responsible for the maintenance of Gretchen's Way and Rebekah's Crossing for one year until June 28, 2019, at which time the roads may be accepted for county maintenance into the county road system.**

ACTION: Accepted final approval for Sacks Family LTD regarding a platted subdivision near town of Round Top (Boggy Branch Business Development); BEFCO Engineering, Inc., having issued a Certificate of Construction Completion dated June 28, 2018; Sacks Family LTD being responsible for the maintenance of Gretchen's Way and Rebekah's Crossing for one year until June 28, 2019, at which time the roads may be accepted for county maintenance into county road system. See attachment hereto marked "Agenda Action 7 Exhibit".

PERSONS APPEARING BEFORE THE COURT:

MOVED BY COMMR. Weishuhn, 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 ___

8. **SUBJECT: Consider and take appropriate action, including placing requirements, on request from Mark Massey to amend his variance application for the subdivision of real property, and acknowledge letter from BEFCO Engineering, Inc., concerning Compound Road Extension, conditional approval of a prior variance request having been granted on December 27, 2017.**

ACTION: Approved amended variance application from Mark Massey for the subdivision of real property, and acknowledge letter from BEFCO Engineering, Inc., concerning Compound Road Extension, conditional approval of prior variance request having been granted on December 27, 2017. See attachment hereto marked "Agenda Action 8 Exhibit".

PERSONS APPEARING BEFORE THE COURT: Mark Massey; Kevin Von Minden, BEFCO Engineering; Clint Sternadel, Designated Representative Subdivision Enforcement;

MOVED BY JUDGE Janecka, 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 ___

9. **SUBJECT: Consider and take appropriate action in recognizing the following private roads, for mapping purposes only: Gretchen's Way, Rebekah's Crossing, and Compound Lane (Precinct 2).**

ACTION: Recognized the following private roads for mapping purposes only: Gretchens Way, Rebekah's Crossing, and Compound Lane (Precinct 2).

PERSONS APPEARING BEFORE THE COURT:

MOVED BY COMMR. Weishuhn, 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 ___

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

ACTION: Accepted monthly calls, collection, and financial report from EMS Director Sharon Muzny. See attachment hereto marked "Agenda Action 10 Exhibit".

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

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 ___

11. **SUBJECT: Consider and take appropriate action in entering into an Education Affiliation Agreement with Victoria College to allow students and faculty of the College to utilize the Fayette County EMS as clinical teaching environment.**

ACTION: Entered into an Education Affiliation Agreement with Victoria College to allow students and faculty of the College to utilize the Fayette County EMS as clinical teaching environment. See attachment hereto marked "Agenda Action 11 Exhibit".

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

MOVED BY JUDGE Janecka, 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 ___

12. **SUBJECT: Consider and take appropriate action on the Interlocal Cooperation Agreement for Detention Services with Bastrop County, Texas, in order to house inmates from the Fayette County Jail in the Bastrop County Jail, and for the purposes stated in the Agreement.**

ACTION: Entered into Interlocal Cooperation Agreement for Detention Services with Bastrop County, Texas, in order to house inmates from the Fayette County Jail in the Bastrop County Jail, and for the purposes stated in the Agreement. See attachment hereto marked "Agenda Action 12 Exhibit".

PERSONS APPEARING BEFORE THE COURT: Randy Noviskie, Chief Deputy Sheriff; Harold Streicher, Assistant County Attorney;

MOVED BY COMMR. McBroom, 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 ___

13. **SUBJECT: Consider and take appropriate action concerning authorizing annual \$1200.00 compensation of a proposed third Juvenile Board member to be available in the event the Legislature approves a third member to the board, such \$1200.00 annual compensation being same amount currently compensated to the current two board members.**

ACTION: Approved a change to the 2019 budget adding in \$1200 for a third Juvenile Board member in the event that it is passed in the legislation.

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

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 ___

14. **SUBJECT: Discuss, consider and take appropriate action concerning mulching the brush located at the Recycling Center in La Grange.**

ACTION: Accepted all comments concerning mulching the brush located at the Recycling Center in La Grange.

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

MOVED BY COMMR. Weishuhn, 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 ___

15. **SUBJECT: Consider and take appropriate action concerning the plan and request of Fiberlight, Inc., to install and place two (2) underground 1-1/4" conduits and fiber optic cable to serve a cell tower, using directional bore and trenching method, in the county right-of-way of the following roads: E Mill Street, Kneip Road, Weigelt Lane, Round Top Road, Schoenst Road, Hills Road, Carmine Cemetery Road, and Ullrich Road (Precinct 2), to be used to transport telecommunication data from cell towers to central office locations.**

ACTION: Allowed request of Fiberlight, Inc., to install and place two (2) underground 1-1/4" conduits and fiber optic cable to serve a cell tower, using directional bore and trenching method, in the county right-of-way of the following roads: E Mill Street, Kneip Road, Weigelt Lane, Round Top Road, Schoenst Road, Hills Road, Carmine Cemetery Road, and Ullrich Road (Precinct 2), to be used to transport telecommunication data from cell towers to central office locations. See attachment hereto marked "Agenda Action 15 Exhibit".

PERSONS APPEARING BEFORE THE COURT:

MOVED BY COMMR. Weishuhn, 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 ___

16. **SUBJECT: Consider and take appropriate action concerning the Application for Pipeline Public Road Crossing Permit, submitted by ETC Texas Pipeline, LTD, for said pipeline to cross under Halamicek Road (Precinct 2), a public county road located in Fayette County, Texas.**

ACTION: Allowed Application for Pipeline Public Road Crossing Permit, submitted by ETC Texas Pipeline, LTD, for said pipeline to cross under Halamicek Road (Precinct 2), a public county road located in Fayette County, Texas. See attachment hereto marked "Agenda Action 16 Exhibit".

PERSONS APPEARING BEFORE THE COURT:

MOVED BY COMMR. Weishuhn, 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 ___

17. **SUBJECT: Consider and take appropriate action concerning the Application for Pipeline Public Road Crossing Permit, submitted by ETC Texas Pipeline, LTD, for said pipeline to cross under Haw Creek Road (Precinct 2), a public county road located in Fayette County, Texas.**

ACTION: Allowed the Application for Pipeline Public Road Crossing Permit, submitted by ETC Texas Pipeline, LTD, for said pipeline to cross under Haw Creek Road (Precinct 2), a public county road located in Fayette County, Texas. See attachment hereto marked "Agenda Action 17 Exhibit".

PERSONS APPEARING BEFORE THE COURT:

MOVED BY COMMR. Weishuhn, 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 ___

18. **SUBJECT: Consider and take appropriate action concerning the plan of Colorado Valley Telephone Cooperative, Inc (CVTC) to install new buried copper cable within the corridors of the following roads: Anders Daniels Road, Owl Creek Road (Precinct 1), Waldeck Cemetery Road, Haw Creek Road, and Lange Road, (Precinct 2), with CVTC being required to make repairs of direct or collateral damage, if any, caused by CVTC to the county roads listed above.**

ACTION: Allowed Colorado Valley Telephone Cooperative, Inc (CVTC) to install new buried copper cable within the corridors of the following roads: Anders Daniels Road, Owl Creek Road (Precinct 1), Waldeck Cemetery Road, Haw Creek Road (Precinct 2), with CVTC being required to make repairs of direct or collateral damage, if any, caused by CVTC to the county roads listed above. See attachment hereto marked "Agenda Action 18 Exhibit".

PERSONS APPEARING BEFORE THE COURT: Brian Mueller, CVTC;

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 ___

19. **SUBJECT: Consider and take appropriate action concerning the plan of Colorado Valley Telephone Cooperative, Inc (CVTC) to install new buried fiber optic cable within the corridors of the following roads: Plum Main Street, Old Plum Highway, (Precinct 1), and Konetzke Lane (Precinct 2), with CVTC being required to make repairs of direct or collateral damage, if any, caused by CVTC to the county roads listed above.**

ACTION: Allowed Colorado Valley Telephone Cooperative, Inc. (CVTC) to install new buried fiber optic cable within the corridors of the following roads: Plum Main Street, Old Plum Highway, (Precinct 1), and Konetzke Lane (Precinct 2), with CVTC being required to make repairs of direct or collateral damage, if any, caused by CVTC to the county roads listed above. See attachment hereto marked "Agenda Action 19 Exhibit".

PERSONS APPEARING BEFORE THE COURT: Brian Mueller, CVTC;

MOVED BY COMMR. McBroom, 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 ___

20. **SUBJECT: Consider and take appropriate action on request from Main Street & Tourism, City of La Grange, to use the entire exterior of the Courthouse grounds, the sound system, and the Founders Park for food booth set-up, and to use the second floor balcony on the east side of the Courthouse for a snowball drop for the following event: Schmeckenfest - Thursday, December 6, 2018, from approximately 5:00-8:00 p.m.**

ACTION: Allowed Main Street & Tourism, City of La Grange, to use the entire exterior of the Courthouse grounds, the sound system, and the Founders Park for food booth set-up, and to use the second floor balcony on the east side of the Courthouse for a snowball drop for the following event; Schmeckenfest-Thursday, December 6, 2018, from approximately 5:00-8:00 p.m.. See attachment hereto marked "Agenda Action 20 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 ___

21. **SUBJECT: Consider and take notice of the subdivision of real property applications that have been acknowledged as exempt from the Fayette County Subdivision Regulations by statute, as provided to the Fayette County Commissioners' Court by the Fayette County Inspector.**

ACTION: Approved subdivision of real property applications that have been acknowledged as exempt from the Fayette County Subdivision Regulations by statute, as provided to the Fayette County Commissioners Court by the Fayette County Inspector. See attachment hereto marked "Agenda Action 21 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 ___

22. **SUBJECT: Consider and take appropriate action in authorizing County Commissioners Court members, to attend the 61st Annual V.G. Young School for County Commissioners Courts, February 19-21, 2019, in College Station, TX.**

ACTION: Allowed County Commissioners Court members, to attend the 61st Annual V.G. Young School for County Commissioners Courts, February 19-21, 2019, in College Station, TX. See attachment hereto marked "Agenda Action 22 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 ___

23. **SUBJECT: Consider and take appropriate action in authorizing Kyle Hartmann, Justice of the Peace Precinct 1, to attend New Judge's Training, December 9-13, 2018, January 13-17, 2019, and April 8-11, 2019, to be held in Austin, Texas.**

ACTION: Approved Kyle Hartmann, Justice of the Peace Precinct 1, to attend New Judge's Training December 9-13, 2018, January 13-17, 2019,. See attachment hereto marked "Agenda Action 23 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 ___

24. **SUBJECT: Consider and take appropriate action in authorizing Cassie Austin, Court Administrator, to attend the County Court Assistants Training Conference February 13-15, 2019 in San Marcos, Texas.**

ACTION: Approved Cassie Austin, Court Administrator, to attend the County Court Assistants Training Conference February 13-15, 2019 in San Marcos. See attachment hereto marked "Agenda Action 24 Exhibit".

PERSONS APPEARING BEFORE THE COURT:

MOVED BY COMMR. Weishuhn, 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 ___

25. **SUBJECT: Consider and take appropriate action in authorizing funds to be expended from the County Attorney's Office Forfeiture Funds to pay for virtual training subscription with Police Academy One to complete mandated continuing education hours for Sheriff's Department Officers, Dispatchers, Jailers and County Prosecutors.**

ACTION: Authorized funds to be expended from the County Attorney's Office Forfeiture Funds to pay for virtual training subscription with Police Academy One to complete mandated continuing education hours for Sheriff's Department Officers, Dispatchers, Jailers and County Prosecutors. See attachment hereto marked "Agenda Action 25 Exhibit".

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

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 __

26. **SUBJECT: Consider and take appropriate action approving the Texas Association of Counties 2019 Silver County Choice Retiree Medical Program Renewal.**

ACTION: Approved Texas Association of Counties 2019 Silver County Choice Retiree Medical Program Renewal. See attachment hereto marked "Agenda Action 26 Exhibit".

PERSONS APPEARING BEFORE THE COURT: Kathy Kleiber, 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 __

27. **SUBJECT: Consider and take appropriate action approving Airport Liability Renewal Policy with The Nitsche Group for the term of 11/09/18 to 11/09/19.**

ACTION: Approved Airport Liability Renewal Policy with The Nitsche Group for the term of 11/09/18 to 11/09/19. See attachment hereto marked "Agenda Action 27 Exhibit".

PERSONS APPEARING BEFORE THE COURT: Kathy Kleiber, 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 ___

28. **SUBJECT: Consider and take appropriate action accepting and possibly awarding bids for MC30 Road Oil.**

ACTION: Accepted all bids and awarded bid to Martin Asphalt. See attachment hereto marked "Agenda Action 28 Exhibit".

PERSONS APPEARING BEFORE THE COURT: Kathy Kleiber, Auditor;

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 ___

29. **SUBJECT: Consider and take appropriate action accepting and possibly awarding bids for AC-5 Liquid Asphalt.**

ACTION: Accepted all bids and awarded bid to Martin Asphalt. See attachment hereto marked "Agenda Action 29 Exhibit".

PERSONS APPEARING BEFORE THE COURT: Kathy Kleiber, Auditor;

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 __

30. **SUBJECT: Consider and take appropriate action accepting and possibly awarding bids for MC-1 Liquid Asphalt.**

ACTION: Accepted bid and awarded bid for MS-1 to Cleveland Asphalt. See attachment hereto marked "Agenda Action 30 Exhibit".

PERSONS APPEARING BEFORE THE COURT: Kathy Kleiber, Auditor;

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 __

31. **SUBJECT: Consider and take appropriate action accepting and possibly awarding bids for CRS-2 Road Oil.**

ACTION: Accepted all bids and awarded to Cleveland Asphalt and Martin Asphalt. See attachment hereto marked "Agenda Action 31 Exhibit".

PERSONS APPEARING BEFORE THE COURT: Kathy Kleiber, Auditor;

MOVED BY COMMR. McBroom, 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 ___

32. **SUBJECT: Consider and take appropriate action accepting and possibly awarding bids for CRS-2P Road Oil.**

ACTION: Accepted all bids and awarded to Cleveland Asphalt and Martin Asphalt delivered only. See attachment hereto marked "Agenda Action 32 Exhibit".

PERSONS APPEARING BEFORE THE COURT: Kathy Kleiber, Auditor;

MOVED BY COMMR. McBroom, 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 ___

- 33. SUBJECT: Consider and take appropriate action accepting and possibly awarding bids for Commercial Base Limestone.**

ACTION: Accepted and awarded all bids. See attachment hereto marked "Agenda Action 33 Exhibit".

PERSONS APPEARING BEFORE THE COURT: Kathy Kleiber, Auditor;

MOVED BY JUDGE Janecka, 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 ___

- 34. SUBJECT: Consider and take appropriate action accepting and possibly awarding bids for Grade 3 Limestone.**

ACTION: Accepted all bids and awarded to Colorado Materials-Comal County and Midtex Materials-New Braunfels. See attachment hereto marked "Agenda Action 34 Exhibit".

PERSONS APPEARING BEFORE THE COURT: Kathy Kleiber, Auditor;

MOVED BY JUDGE Janecka, 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 ___

35. **SUBJECT: Consider and take appropriate action accepting and possibly awarding bids for Grade 4 Limestone.**

ACTION: Accepted all bids and awarded bids to Brauntex-New Braunfels at plant, Colorado Materials-New Braunfels at plant, and Midtex Materials- New Braunfels delivered. See attachment hereto marked "Agenda Action 35 Exhibit".

PERSONS APPEARING BEFORE THE COURT: Kathy Kleiber, Auditor;

MOVED BY JUDGE Janecka, 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 ___

36. **SUBJECT: Consider and take appropriate action accepting and possibly awarding bids for ½ to Dust Limestone.**

ACTION: Accepted and awarded all bids. See attachment hereto marked "Agenda Action 36 Exhibit".

PERSONS APPEARING BEFORE THE COURT: Kathy Kleiber, Auditor;

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 ___

37. **SUBJECT: Consider and take appropriate action accepting and possibly awarding bids for ¾ to Dust Limestone.**

ACTION: Accepted all bids and awarded to all at Plant and Delivered except Bauntex. Accepted Brauntex bid at plant only. See attachment hereto marked "Agenda Action 37 Exhibit".

PERSONS APPEARING BEFORE THE COURT: Kathy Kleiber, Auditor;

MOVED BY COMMR. McBroom, 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 ___

38. **SUBJECT: Consider and take appropriate action accepting and possibly awarding bids for Hot Mix.**

ACTION: Accepted all bids and awarded to Texas Materials-Manor and Quality Hot Mix-New Taiton. See attachment hereto marked "Agenda Action 38 Exhibit".

PERSONS APPEARING BEFORE THE COURT: Kathy Kleiber, Auditor;

MOVED BY JUDGE Janecka, 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 ___

39. **SUBJECT: Consider and take appropriate action accepting and possibly awarding bids for Premix Type D.**

ACTION: Accepted and awarded all bids. See attachment hereto marked "Agenda Action 39 Exhibit".

PERSONS APPEARING BEFORE THE COURT: Kathy Kleiber, Auditor;

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 ___

40. **SUBJECT: Consider and take appropriate action accepting and possibly awarding bids for AES 300.**

ACTION: Accepted all bids and awarded to Cleveland Asphalt Products, Inc. at plant. See attachment hereto marked "Agenda Action 40 Exhibit".

PERSONS APPEARING BEFORE THE COURT: Kathy Kleiber, 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 ___

41. **SUBJECT: Consider and take appropriate action accepting and possibly awarding bids for Paving.**

ACTION: Accepted all bids and awarded to H & C Construction Co. Inc.. See attachment hereto marked "Agenda Action 41 Exhibit".

PERSONS APPEARING BEFORE THE COURT: Kathy Kleiber, Auditor;

MOVED BY JUDGE Janecka, 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 ___

42. **SUBJECT: Consider and take appropriate action accepting and possibly awarding bids for "CWE-2" Cold Weather Chip Seal.**

ACTION: Accepted all bids and awarded to P2 Emulsions LLC. See attachment hereto marked "Agenda Action 42 Exhibit".

PERSONS APPEARING BEFORE THE COURT: Kathy Kleiber, Auditor.

MOVED BY JUDGE Janecka, 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 ___

43. **SUBJECT: Consider and take appropriate action accepting and possibly awarding bids for "ROC" Road Over Coat Seal.**

ACTION: Accepted and awarded to P2 Emulsions LLC.. See attachment hereto marked "Agenda Action 43 Exhibit".

PERSONS APPEARING BEFORE THE COURT: Kathy Kleiber, Auditor;

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 ___

44. **SUBJECT: Consider and take appropriate action concerning salary changes, if any, made during the period of September 24, 2018 through October 21, 2018.**

ACTION: Approved salary changes, if any, made during the period of September 24, 2018 through October 21, 2018. See attachment hereto marked "Agenda Action 44 Exhibit".

PERSONS APPEARING BEFORE THE COURT: Kathy Kleiber, 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 ___

45. **SUBJECT: Consider and take appropriate action concerning fines and fees collected for the period of July 01, 2018 through September 30, 2018.**

ACTION: Accepted fines and fees collected for the period of July 01, 2018 through September 30, 2018. See attachment hereto marked "Agenda Action 45 Exhibit".

PERSONS APPEARING BEFORE THE COURT: Kathy Kleiber, Auditor;

MOVED BY JUDGE Janecka, 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 ___

46. **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 46 Exhibit".

PERSONS APPEARING BEFORE THE COURT: Kathy Kleiber, Auditor;

MOVED BY COMMR. McBroom, 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 ___

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

ACTION: Accepted comments concerning the EMS Headquarters and Station One Construction Project.

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

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 ___

48. **SUBJECT: Discuss, consider, and take appropriate action concerning the 2018 Fayette County Employee Christmas Party (not funded by Fayette County).**

ACTION: Accepted all comments concerning the 2018 Fayette County Employee Christmas Party (not funded by Fayette County).

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 ___

49. **SUBJECT: Discuss, consider and take appropriate action concerning the Walk of History around the Courthouse.**

ACTION: Accepted all comments concerning the Walk of History around the Courthouse.

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 __

VIII.

Meeting adjourned at **10:45 a.m., November 13, 2018**, on motion by Commissioner **Weishuhn**, seconded by Commissioner **Berckenhoff**, votes for **5**, votes against **0**.

APPROVED this _____ day of _____, 2018.

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