

MINUTES OF COMMISSIONERS' COURT MEETING

I.

Attached hereto is/are public notice(s) posted for the meeting of **March 12, 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; Ruth Ann Wessels, 1st Assistant County Auditor; Skip Caldwell, Airport Manager; Cassie Austin, Court Administrator; Harold Streicher, Assistant County Attorney; Randy Noviskie, Chief Deputy Sheriff; Clint Sternadel, Designated Representative Subdivision Enforcement; Hanah Bellue, County Judge Assistant Part Time;**

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 **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: Accepted comments from Lisa Hibbeler.

PERSONS APPEARING BEFORE THE COURT: Lisa Hibbeler

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 __

- 2. SUBJECT: Consider and take appropriate action concerning the application from Kiesha Youens, requesting a variance of the subdivision of real property.**

ACTION: Deferred until later meeting.

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 __

3. **SUBJECT: Consider and take appropriate action concerning the application from Matt Diehl, (444 Plum LLC), requesting a variance of the subdivision of real property.**

ACTION: Approved application from Matt Diehl, (444 Plum LLC), requesting a variance of the subdivision of real property. See attachment hereto marked "Agenda Action 3 Exhibit".

PERSONS APPEARING BEFORE THE COURT: Matt Diehl, 444 Plum LLC;

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 __

4. **SUBJECT: Consider and take appropriate action concerning request from BEFCO Engineering, Inc, on behalf of Ronny Sacks (Sacks Family LTD), to proceed with the construction of waterline improvements for the platted subdivision (Boggy Branch Business Development) near the town of Round Top.**

ACTION: Approved plat. If there are any changes in the road then approval is necessary. See attachment hereto marked "Agenda Action 4 Exhibit".

PERSONS APPEARING BEFORE THE COURT: Tim Sanders

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 __

5. **SUBJECT: Consider and take appropriate action in approving the Plat for Pin Oak Estates.**

ACTION: Approved plat for Pin Oak Estates. See attachment hereto marked "Agenda Action 5 Exhibit".

PERSONS APPEARING BEFORE THE COURT: Mark Foster; Kevin Von Minden

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 __

6. **SUBJECT: Consider and take appropriate action on Lease Agreement between Fayette County, Lessor, owner of the Fayette Regional Air Center Airport, and Robert W. Anderson, Lessee, for lease of airport hangar #17.**

ACTION: Approved Lease Agreement between Fayette County, Lessor, owner of the Fayette Regional Air Center Airport, and Robert W. Anderson, Lessee, for lease of airport hangar #17. See attachment hereto marked "Agenda Action 6 Exhibit".

PERSONS APPEARING BEFORE THE COURT: Skip Caldwell, Airport Manager;

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 __

7. **SUBJECT: Consider and take appropriate action on entering into an Agreement with RSINet for delivery of hardware and services to provide Automated Weather Observations (AWOS) data reports from the Fayette Regional Air Center to the FAA's National Airspace Data Interchange Network (NADIN).**

ACTION: Entered into Agreement with RSINet for delivery of hardware and services to provide Automated Weather Observations (AWOS) data reports from the Fayette Regional Air Center to the FAA's National Airspace Data Interchange Network (NADIN). See attachment hereto marked "Agenda Action 7 Exhibit".

PERSONS APPEARING BEFORE THE COURT: Skip Caldwell, Airport Manager;

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

8. **SUBJECT: Consider and take appropriate action in authorizing Fayette County Employees, upon coordination with their supervisor, to attend the Heartsaver CPR/AED Training on April 11, 12, 17, or 18, 2018, held at the EMS Station 1, 750 E. Camp St., La Grange, Texas.**

ACTION: Allowed Fayette County Employees, upon coordination with their supervisor, to attend the Heartsaver CPR/AED Training on April 11, 12, 17, or 18, 2018, held at the EMS Station 1, 750 E. Camp St., La Grange, Texas.

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

9. **SUBJECT: Consider and take appropriate action in approving the written plan of Fayette Water Supply Corporation to bore under West Plant Lane (Precinct 1), and place and install a new water service line and meter for a customer located at Property ID #74404, and requiring Fayette Water Supply Corporation to make repairs of any resultant damage done to West Plant Lane.**

ACTION: Allowed Fayette Water Supply Corporation to bore under West Plant Lane (Precinct 1), and place and install a new water service line and meter for a customer located at Property ID #74404, and requiring Fayette Water Supply Corporation to make repairs of any resultant damage done to West Plant Lane. See attachment hereto marked "Agenda Action 9 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 __

10. **SUBJECT: Discussion with possible action concerning the Johnson Controls Energy Audit presentation given on February 26, 2018.**

ACTION: Deferred until next regular meeting. See attachment hereto marked "Agenda Action 10 Exhibit".

PERSONS APPEARING BEFORE THE COURT: Richard Gibbons, Johnson Controls Energy Audit

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 __

11. **SUBJECT: Consider and take appropriate action in authorizing the four County Commissioners to attend training for road building techniques at the Agriculture Building, 255 Svoboda Lane, La Grange, March 21, 2018, 10:00 a.m. to 1:00 p.m.**

ACTION: Authorized County Commissioners and Road & Bridge employees to attend free training for road building techniques at the Agriculture Building, 255 Svoboda Lane, La Grange, March 21, 2018, 10:00 a.m. to 1:00 p.m.

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 ___

12. **SUBJECT: Consider and take appropriate action on written request from Rotary Club of La Grange to use the Courthouse grounds and Founders Park as stated in their letter for Oktoberfest festivities on Saturday, October 6, 2018 from 3:00 p.m.-8:00 p.m. with set up beginning Friday, October 5, 2018 at 5:00 p.m.**

ACTION: Allowed Rotary Club of La Grange to use the Courthouse grounds and Founders Park as stated in their letter for Oktoberfest festivities on Saturday, October 6, 2018 from 3:00 p.m.-8:00 p.m. with set up beginning Friday, October 5, 2018 at 5:00 p.m.

PERSONS APPEARING BEFORE THE COURT: **John Wied**

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 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: Acknowledge 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. See attachment hereto marked "Agenda Action 13 Exhibit".

PERSONS APPEARING BEFORE THE COURT: Matthew Diehl

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 ___

14. **SUBJECT: Consider and take appropriate action on property not sold at Sheriff's Sale-Cause No. 2755-Flatonia ISD.**

ACTION: Accepted all bids awarded bid to Lorenzo Collins. See attachment hereto marked "Agenda Action 14 Exhibit".

PERSONS APPEARING BEFORE THE COURT:

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 ___

15. **SUBJECT: Consider and take appropriate action in approving the Fayette County VINE Service Agreement Renewal Notice.**

ACTION: Approved Fayette County VINE Service Agreement Renewal Notice. See attachment hereto marked "Agenda Action 15 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 ___

16. **SUBJECT: Consider and take appropriate action accepting and possibly awarding bids for a Jail Transport Vehicle as per the 2018 Adopted Budget.**

ACTION: Accepted bids awarded bid to Chuck Brown. See attachment hereto marked "Agenda Action 16 Exhibit".

PERSONS APPEARING BEFORE THE COURT: **Ruth Ann Wessels, 1st Assistant County 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 ___

17. **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 17 Exhibit".

PERSONS APPEARING BEFORE THE COURT: Ruth Ann Wessels, 1st Assistant 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 __

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

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

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 __

19. **SUBJECT: Enter into closed (executive) session pursuant to Government Code, Section 551.074 (a) (1), to deliberate the appointment, employment, or duties of an employee, with final action to be taken in open session.**

ACTION: Entered into executive session at 9:27 a.m. pursuant to Government Code, Section 551.074 (a)(1), to deliberate the appointment, employment, or duties of an employee, with final action to be taken in open session.

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 __

20. **SUBJECT: Return and reconvene to open meeting.**

ACTION: Reconvened at 9:39 a.m..

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 __

21. **SUBJECT: Consider and take appropriate action deemed necessary, including a final action, decision or vote on the matters deliberated in closed session.**

ACTION: Increased salary of IT Coordinator to \$65,000 effective April 1, 2018.

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 __

VIII.

Meeting adjourned at **9:40 a.m., March 12, 2018**, on motion by Commissioner **McBroom**, 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