

MINUTES OF COMMISSIONERS' COURT MEETING

I.

Attached hereto is/are public notice(s) posted for the meeting of **February 13, 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: **Julie Karstedt, County Clerk; Mandy Kasper, Deputy County Clerk; Cassie Austin, Court Administrator; Lorri Grabowski, Assistant County Attorney; Kathy Kleiber, County Auditor; Gale Mersiovsky, Deputy County Auditor; Shelly Redding, Deputy County Auditor; Malissa Mieth, EMS Assistant Director; David Beyer, Lt. Deputy Sheriff; Randy Noviskie, Chief Deputy Sheriff; Harold Streicher, Assistant County Attorney; Sharon Muzny, EMS Director;**

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 **McBroom**, 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: Judge read a thank you note from Doady Sotebier, EMT;. He thanked Commissioners' Court for approving his attendance at NAEMSE Instructors Course. Judge closed public comments. See attachment hereto marked "Agenda Action 1 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 ___

2. **SUBJECT: Consider and take appropriate action concerning culverts and low-water crossings being replaced with bridges after flood damages have occurred within the County.**

ACTION: Deferred until next meeting.

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 ___

3. **SUBJECT: Consider and take appropriate action on request from Main Street & Tourism Assistant Manager, City of La Grange, to use the exterior grounds and north side of the Courthouse grounds to set-up tables, weather permitting, for the following event: Uncorked wine and Food Festival - Saturday, March 18, 2017.**

ACTION: Allowed Main Street & Tourism Assistant Manager, City of La Grange, to use the exterior grounds and north side of the Courthouse grounds to set-up tables, weather permitting, for the following event: Uncorked wine and Food Festival - Saturday, March 18, 2017. See attachment hereto marked "Agenda Action 3 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 ___

4. **SUBJECT: Consider and take appropriate action in approving Master Service Agreement with NewWave Communications Company for the Fayette County Commissioner, Precinct 4 located at 1801 Hwy 90 W, Schulenburg, Texas.**

ACTION: Signed Master Service Agreement with NewWave Communications Company for the Fayette County Commissioner, Precinct 4 located at 1801 Hwy 90 W, Schulenburg, Texas. See attachment hereto marked "Agenda Action 4 Exhibit".

PERSONS APPEARING BEFORE THE COURT:

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 ___

5. **SUBJECT:** Consider and take appropriate action in approving the written plan of Fayette Water Supply Corporation to bore under West Point Loop (Precinct 1), and place and install a new water service line for a new customer located at 296 West Point Loop, and for Fayette Water Supply Corporation to make repairs of any resultant damage done to West Point Loop.

ACTION: Allowed Fayette Water Supply Corporation to bore under West Point Loop (Precinct 1), and place and install a new water service line for a new customer located at 296 West Point Loop, and for Fayette Water Supply Corporation to make repairs of any resultant damage done to West Point Loop. 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 written plan of Lee County Water Supply Corporation to bore under Killian Road and in the right-of-way of Kirkham Road (Precinct 1), and place and install a new water service line for a new customer located at 1360 Kirkham Road, Winchester, Texas, and for Lee County Water to make repairs for any resultant damage done to Kirkham and Killian Roads.**

ACTION: Allowed of Lee County Water Supply Corporation to bore under Killian Road and in the right-of-way of Kirkham Road (Precinct 1), and place and install a new water service line for a new customer located at 1360 Kirkham Road, Winchester, Texas, and for Lee County Water to make repairs for any resultant damage done to Kirkham and Killian Roads. See attachment hereto marked "Agenda Action 6 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 ___

7. **SUBJECT: Consider and take appropriate action concerning Fayette County purchasing for Precinct 3 a used 2011 International Prostar Truck Tractor (VIN 1HSCUAPR3BJ362386), presently located at Herrmann International, 512 West Alamo Street, Brenham,, Texas 77833, for \$46,750.00 payable to Herrmann International, using Precinct 3 Road and Bridge funds that are available and in the 2017 Precinct 3 budget, and authorizing County personnel to sign all necessary and required paperwork.**

ACTION: Approved purchase Fayette County purchasing for Precinct 3 a used 2011 International Prostar Truck Tractor (VIN 1HSCUAPR3BJ362386), presently located at Herrmann International, 512 West Alamo Street, Brenham,, Texas 77833, for \$46,750.00 payable to Herrmann International, using Precinct 3 Road and Bridge funds that are available and in the 2017 Precinct 3 budget, and authorizing County personnel to sign all necessary and required paperwork. See attachment hereto marked "Agenda Action 7 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 ___

8. **SUBJECT: Consider and take appropriate action in approving Official Bond for Commissioner, Pct. 1.**

ACTION: Approved Official Bond for Commissioner, Pct. 1.

PERSONS APPEARING BEFORE THE COURT:

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 __

9. **SUBJECT: Consider and take appropriate action concerning the Engagement Letter from Trlicek & Co., P.C. for the Fayette County 2016 Financial Audit.**

ACTION: Approved Engagement Letter from Trlicek & Co., P.C. for the Fayette County 2016 Financial Audit. 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: Consider and take appropriate action concerning the Maintenance and Supply Contract for County Attorney Copier with Dewitt, Poth & Son.**

ACTION: Approved the Maintenance and Supply Contract for County Attorney Copier with Dewitt, Poth & Son. See attachment hereto marked "Agenda Action 10 Exhibit".

PERSONS APPEARING BEFORE THE COURT:

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 ___

11. **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 11 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 ___

12. **SUBJECT: Consider and take appropriate action on approval of the final version of the Employee Personnel Policy Manual to be distributed to all employees and set an effective date for the Employee Personnel Policy Manual.**

ACTION: No action taken.

PERSONS APPEARING BEFORE THE COURT:

MOVED BY COMMR. _____, SECONDED BY COMMR. _____
Commr. McBroom, vote for __, vote against. __
Commr. Weishuhn, vote for __, vote against
Commr. Berckenhoff, vote for __, vote against __
Commr. Muras, vote for __, vote against __
Judge Janecka, vote for __, vote against __

13. **SUBJECT: Consider and take appropriate action in approving a Holiday Schedule for EMS field employees, Jailers, and Deputies.**

ACTION: No action taken.

PERSONS APPEARING BEFORE THE COURT:

MOVED BY COMMR. _____, SECONDED BY COMMR. _____
Commr. McBroom, vote for __, vote against. __
Commr. Weishuhn, vote for __, vote against
Commr. Berckenhoff, vote for __, vote against __
Commr. Muras, vote for __, vote against __
Judge Janecka, vote for __, vote against __

14. **SUBJECT: Consider and take appropriate action in authorizing the County Auditor to advertise for bids for roof repairs/replacement to the County Clerk's Office located at 246 West Colorado Street, La Grange, Texas.**

ACTION: Authorized County Auditor to advertise for bids for roof repairs/replacement to the County Clerk's Office located at 246 West Colorado Street, La Grange, Texas.

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 ___

15. **SUBJECT: Consider and take appropriate action on property not sold a Sheriff's Sale - Cause No. 3284 - Flatonia ISD.**

ACTION: Accepted property not sold a Sheriff's Sale - Cause No. 3284 - Flatonia ISD. 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 authorizing the County Auditor to advertise for printing and office paper bids.**

ACTION: Authorized County Auditor to advertise for printing and office paper bids.

PERSONS APPEARING BEFORE THE COURT:

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 ___

17. **SUBJECT: Consider and take appropriate action in authorizing Dawn Moore, Fayette County 9-1-1 Addressing & Mapping Coordinator, to attend the 2017 Texas Public Safety Conference scheduled April 9-12, 2017 in Galveston, Texas.**

ACTION: Allowed Dawn Moore, Fayette County 9-1-1 Addressing & Mapping Coordinator, to attend the 2017 Texas Public Safety Conference scheduled April 9-12, 2017 in Galveston, Texas. See attachment hereto marked "Agenda Action 17 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 ___

18. **SUBJECT: Consider and take appropriate action in authorizing Kathy Kleiber, County Auditor and Shelley Redding, Assistant County Auditor to attend Texas Association of Counties Healthy County Boot Camp, Bastrop, Texas, February, 23-24, 2017.**

ACTION: Allowed Kathy Kleiber, County Auditor and Shelley Redding, Assistant County Auditor to attend Texas Association of Counties Healthy County Boot Camp, Bastrop, Texas, February, 23-24, 2017. See attachment hereto marked "Agenda Action 18 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 ___

19. **SUBJECT: Consider and take appropriate action in authorizing Assistant County Attorneys James Herbrich, Harold Streicher, and Lorri Grabowski, to attend the Continuing Legal Education Course sponsored by the Fayette County Bar Association, on February 24, 2017, to be held at the Fayette County Agriculture Building.**

ACTION: Allowed Assistant County Attorneys James Herbrich, Harold Streicher, and Lorri Grabowski, to attend the Continuing Legal Education Course sponsored by the Fayette County Bar Association, on February 24, 2017, to be held at the Fayette County Agriculture Building. See attachment hereto marked "Agenda Action 19 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 ___

20. **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 20 Exhibit".

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

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 ___

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

ACTION: Accepted all comments. See attachment hereto marked "Agenda Action 21 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 ___

VIII.

Meeting adjourned at **9:55 a.m., February 13, 2017**, on motion by Commissioner **Weishuhn**, 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