

MINUTES OF COMMISSIONERS' COURT MEETING

I.

Attached hereto is/are public notice(s) posted for the meeting of **July 3, 2017**.

II.

The minutes of the Special 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; Janet Carrigan, Emergency Management Coordinator; Theresa Wolff, Justice of the Peace #1 Assistant; Sharon Muzny, EMS Director; Kathy Kleiber, County Auditor; Harold Streicher, Assistant County Attorney; Randy Noviskie, Chief Deputy Sheriff;**

V.

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

VI.

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

VII.

PLEDGE OF ALLEGIANCE

PLEDGE OF ALLEGIANCE TO THE AMERICAN FLAG

PLEDGE OF ALLEGIANCE TO THE TEXAS FLAG

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

INVOCATION

AGENDA ACTION:

1. **SUBJECT: Enter into closed (executive) session pursuant to Government Code, Section 551.074 (a)(1), to deliberate the appointment, employment, or duties of a public officer or employee, to fill the vacancy of the Office of Justice of the Peace, Precinct 1, with final action to be taken in open session.**

ACTION: Entered into closed (executive) session @ 9:01 a.m. pursuant to Government Code, Section 551.074 (a)(1), to deliberate the appointment, employment, or duties of a public officer or employee, to fill the vacancy of the Office of Justice of the Peace, Precinct 1, with final action to be taken in open session.

PERSONS APPEARING BEFORE THE COURT:

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

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

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

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

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

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

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

ACTION: Reconvened @ 9:58 a.m. to open meeting.

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 __

3. **SUBJECT: Consider and take appropriate action deemed necessary, including a final action, decision or vote on the matters deliberated in closed session, including the possible appointment of a person to fill the vacant Office of Justice of the Peace, Precinct 1.**

ACTION: Appointed Dr. Randy Albers to fill the vacant Office of Justice of the Peace, Precinct 1, and to serve in that Office beginning immediately.

PERSONS APPEARING BEFORE THE COURT: Dr. Randy Albers; Dr. Albers was sworn in by Judge Janecka and took his Oath of Office.

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

4. **SUBJECT: Consider and take appropriate action regarding a resolution authorizing the County's obligations to be done in exchange for TXDOT waiving the local match fund participation requirement on Federal Off-System Bridge Program Project (Mulberry Creek on South Knezek Road, Cummins Creek on Willow Springs Road, and Piney Creek on Piney Creek Road); and allowing the County Judge to sign a letter to TXDOT requesting approval of the waiver.**

ACTION: Approved a resolution authorizing the County's obligations to be done in exchange for TXDOT waiving the local match fund participation requirement on Federal Off-System Bridge Program Project (Mulberry Creek on South Knezek Road, Cummins Creek on Willow Springs Road, and Piney Creek on Piney Creek Road); and allowing the County Judge to sign a letter to TXDOT requesting approval of the waiver. See attachment hereto marked "Agenda Action 4 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 ___

5. **SUBJECT: Consider and take appropriate action concerning the employees to be covered by the renewal of the Airmed Care (AirEvac) Fayette County Employee Membership.**

ACTION: Approved to pay Airmed Care (AirEvac) for Fayette County Employees that do not have MESA for one more year.

PERSONS APPEARING BEFORE THE COURT: Kathy Kleiber, County 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 ___

6. **SUBJECT: Consider and take appropriate action in accepting proposed Construction Manager at Risk bids and possibly awarding a Construction Manager at Risk bid to serve as the General Contractor; to perform any and all necessary services of a Construction Manager at Risk for the Fayette County EMS Headquarters and Station Number One project.**

ACTION: Accepted all bids and awarded bid to Don Krueger Construction. See attachment hereto marked "Agenda Action 6 Exhibit".

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

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 __

7. **SUBJECT: Consider and take appropriate action regarding the approval and adoption of the Flood Damage Prevention Regulations Regarding Development in the Unincorporated Areas of Fayette County.**

ACTION: Approved and adopted the Flood Damage Prevention Regulations Regarding Development in the Unincorporated Areas of Fayette County. See attachment hereto marked "Agenda Action 7 Exhibit".

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

MOVED BY COMMR. Berckenhoff, SECONDED BY JUDGE Janecka.

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

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

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

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

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

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

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

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 __

9. **SUBJECT: Budget Workshop to discuss all revenues/expenditures for 2018 budget and take any action the Commissioners' Court deems necessary.**

ACTION: Accepted all comments. See attachment hereto marked "Agenda Action 9 Exhibit".

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

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

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

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

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

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

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

VIII.

Meeting adjourned at **11:31 a.m., July 3, 2017**, on motion by Commissioner **McBroom**, 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