

MINUTES OF COMMISSIONERS' COURT MEETING

I.

Attached hereto is/are public notice(s) posted for the meeting of **November 26, 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; Randy Noviskie, Chief Deputy Sheriff; Luke Sternadel, Road and Bridge Precinct 2; Janet Carrigan Emergency Management Coordinator/Floodplain Administrator; Sally Garrett, County Extension Agent-Family and Consumer Sciences; Clint Sternadel, Designated Representative Subdivision Enforcement; Harold Streicher, Assistant County Attorney;**

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: Accepted Commissioner Muras' comments on mulching at Recycling Center.

PERSONS APPEARING BEFORE THE COURT: Tom Muras, County Commissioner Precinct 4;

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 __

2. **SUBJECT: Hear Presentation from Sally Garrett, County Extension Agent, concerning District 11 County Judges & Commissioners Conference.**

ACTION: Accepted Sally Garrett's comments about an in-service training conference for District 11 Judges and Commissioners Thursday December 13, 2018, 9-4 in Edna. See attachment hereto marked "Agenda Action 2 Exhibit".

PERSONS APPEARING BEFORE THE COURT: Sally Garrett, County Extension Agent-Family and Consumer Sciences;

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 __

3. **SUBJECT: Consider and take appropriate action, including placing requirements, concerning Preliminary Plat of "Round Top Place" from Lee McIntosh.**

ACTION: Approved Preliminary Plat of "Round Top Place".

PERSONS APPEARING BEFORE THE COURT: Lee McIntosh;

MOVED BY JUDGE Janacka, 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: Hear monthly report from Janet Carrigan, Emergency Management Coordinator and Floodplain Administrator.**

ACTION: Accepted Janet Carrigan's presentation on U.S. Army Corp. of Engineers workshop held last November. She reported on radios, buyout procedures, hiring a part time employee, and thanked Fire Departments and Sheriff's Offices for the job they do. See attachment hereto marked "Agenda Action 4 Exhibit".

PERSONS APPEARING BEFORE THE COURT: Janet Carrigan, Emergency Management Coordinator/Floodplain Administrator;

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 __

5. **SUBJECT: Consider and take appropriate action concerning Agreement between the Texas Department of Agriculture and Fayette County, Texas regarding Contract No. 7218149 for the Community Development Fund.**

ACTION: Deferred until next regular meeting. See attachment hereto marked "Agenda Action 5 Exhibit".

PERSONS APPEARING BEFORE THE COURT: 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 __

6. **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: Acknowledged 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 Fayette County Inspector. See attachment hereto marked "Agenda Action 6 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 __

7. **SUBJECT: Consider and take appropriate action in approving the written plan of Fayette Water Supply Corporation (FWSC) to bore under Kallus Road (Precinct 3), and place and install a new water service line and meter for a customer located at property ID R62756, and requiring Fayette Water Supply Corporation to make repairs of any resultant damage done to the roadway, sides, ditches, and right-of-way of Kallus Road, and FWSC to do paving work, compacting, and restoring the roadway, sides, ditches, and right-of-way to the conditions that existed prior to the installation work being done by FWSC, and finished to a smoothed natural grade.**

ACTION: Approved written plan of Fayette Water Supply Corporation (FWSC) to bore under Kallus Road (Precinct 3), and place and install a new water service line and meter for a customer located at property ID R62756, and requiring Fayette Water Supply Corporation to make repairs of any resultant damage done to the roadway, sides, ditches, and right-of-way of Kallus Road, and FWSC to do paving work, compacting, and restoring the roadway, sides, ditches, and right-of-way to, the conditions that existed prior to the installation work being done by FWSC, and finished to a smoothed natural grade. See attachment hereto marked "Agenda Action 7 Exhibit".

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 ___

8. **SUBJECT: Consider and take appropriate action in approving the written plan of Fayette Water Supply Corporation (FWSC) to bore under Pin Oak Road Road (Precinct 3), and place and install a new water service line and meter for a customer located at property ID R24662, and requiring Fayette Water Supply Corporation to make repairs of any resultant damage done to the roadway, sides, ditches, and right-of-way of Pin Oak Road, and FWSC to do paving work, compacting, and restoring the roadway, sides, ditches, and right-of-way to the conditions that existed prior to the installation work being done by FWSC, and finished to a smoothed natural grade.**

ACTION: Approved the written plan of Fayette Water Supply Corporation (FWSC) to bore under Pin Oak Road (Precinct 3), and place and install a new water service line and meter for a customer located at property ID R24662, and requiring Fayette Water Supply Corporation to make repairs of any resultant damage done to the roadway, sides, ditches, and right-of-way of Pin Oak Road, and FWSC to do paving work, compacting, and restoring the roadway, sides, ditches, and right-of-way to the conditions that existed prior to the installation work being done by FWSC, and finished to a smooth natural grade. See attachment hereto marked "Agenda Action 8 Exhibit".

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

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 __

9. **SUBJECT: Consider and take appropriate action in authorizing Shelia Coufal, Justice of the Peace Precinct 2, to attend Texas Justice Court Training, February 10-13, 2019, to be held in Austin, Texas.**

ACTION: Approved Shelia Coufal, Justice of the Peace Precinct 2, to attend Texas Justice Court Training, February 10-13, 2019, to be held in Austin, Texas. See attachment hereto marked "Agenda Action 9 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 ___

10. **SUBJECT: Consider and take appropriate action accepting and possibly awarding bids for (3) New Sheriff Pursuit Vehicles.**

ACTION: Accepted all bids and awarded bid to Oviedo Dodge. See attachment hereto marked "Agenda Action 10 Exhibit".

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

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 ___

11. **SUBJECT: Consider and take appropriate action concerning salary changes, if any, made during the period of October 22, 2018 through November 25, 2018.**

ACTION: Approved salary changes, if any, made during the period of October 22, 2018 through November 25, 2018. See attachment hereto marked "Agenda Action 11 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 __

12. **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 12 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 __

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

ACTION: Accepted comments concerning EMS Headquarters and Station One Construction Project, The bulk of the building is here and construction should get started this week.

PERSONS APPEARING BEFORE THE COURT: Clint Sternadel, Designated Representative Subdivision Enforcement; Harold Streicher, Assistant County Attorney;

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 __

14. **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 Christmas Party (not funded by Fayette County).

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 __

15. **SUBJECT: Consider and take appropriate action in approving the following minutes from previous meetings:**

- I. **October 8, 2018 - Regular Meeting**
- II. **October 22, 2018 – Regular Meeting**

ACTION: Approved minutes from previous meetings.

PERSONS APPEARING BEFORE THE COURT: Julie Karstedt, County Clerk;

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 ___

SUPPLEMENTAL AGENDA ITEM

1. **SUBJECT: Consider and take appropriate action in authorizing Dan Mueller, Justice of the Peace, Precinct 4, to attend Mandatory J.P. School, December 2-5, 2018, to be held in Galveston, Texas.**

ACTION: This item was heard at 2:19 p.m.. Approved Dan Mueller Justice of the Peace, Precinct 4, to attend Mandatory J.P. School, December 2-5 2018, to be held in Galveston, Texas. See attachment hereto marked "Agenda Action 1 Supplemental Agenda Item Exhibit".

PERSONS APPEARING BEFORE THE COURT:

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 ___

VIII.

Meeting adjourned at **9:38 a.m., November 26, 2018**, on motion by Commissioner **Muras**, seconded by Commissioner **McBroom**, 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