
MINUTES OF COMMISSIONERS COURT MEETING

I.

Attached hereto is/are public notice(s) posted for the meeting of **May 22, 2019**.

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 Joe Weber **Present**
County Commissioner – Precinct No. 1, Jason McBroom **Present**
County Commissioner – Precinct No. 2, Luke Sternadel **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: **Brenda Fietsam, County Clerk; Mandy Kasper, Deputy County Clerk; Cassie Austin, Court Administrator; Kathy Kleiber, County Auditor; Blake Watson, Assistant County Attorney; Harold Streicher, Assistant County Attorney; Debra Maddox, Airport Manager; Terri Hefner, Elections Administrator;**

V.

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

VI.

Meeting opened at **1:33 p.m.** on motion by Commissioner **Muras**, 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: Consider and take appropriate action in entering into a Mutual Consent and Agreement to Terminate and Cancel Lease and/or associated documents in order to terminate the lease of Mike Kulhanek, of FAYCO, Inc. dba Fayette Aviation, and/or of Mico Machine Company with Fayette County, said lease concerning a land lease and property interests at the Fayette Regional Air Center, and to terminate all involvement and obligations of Mike Kulhanek and of the aforesaid entities concerning said lease and property interests.**

ACTION: Entered into a Mutual Consent and Agreement to Terminate and Cancel Lease and/or associated documents in order to terminate the lease of Mike Kulhanek, of FAYCO, Inc. dba Fayette Aviation, and/or of Mico Machine Company with Fayette County, said lease concerning a land lease and property interests at the Fayette Regional Air Center, and to terminate all involvement and obligations of Mike Kulhanek and of the aforesaid entities concerning said lease and property interests.

ADDITIONAL COMMENTS: Discussion included reviewing all leases to be either renegotiated or eliminated. Leases need to be structured going forward.

PERSONS APPEARING BEFORE THE COURT: Kathy Kleiber, County Auditor; Debra Maddox, Airport Manager; Harold Streicher, Assistant County Attorney;

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

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

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

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

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

Judge Weber, vote for **X**, vote against _

2. **SUBJECT: Consider and take appropriate action concerning entering into a land lease between Wallace Albrecht and Fayette County, to enable Wallace Albrecht to lease the land, owned by Fayette County, under Hanger Number 11 at the Fayette Regional Air Center, said land lease to be for a term of twenty years, with one five-year option extension, said land lease providing that the sole ownership of the Hanger Number 11 structure shall pass to, and vest in, Fayette County, Texas at the end of the twenty year lease, or at the end of the twenty-five year lease if the option is exercised.**

ACTION: Deferred until next regular scheduled meeting.

ADDITIONAL COMMENTS: Discussion included that the lease needs to state that the property reverts back to the County at the end of term.

PERSONS APPEARING BEFORE THE COURT: Debra Maddox, Airport Manager; Harold Streicher, Assistant County Attorney;

MOVED BY COMMR. McBroom, SECONDED BY COMMR. Sternadel.

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

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

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

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

Judge Weber, vote for **X**, vote against _

3. **SUBJECT: Consider and take appropriate action in approving, adopting and signing an Order adopting the Election Systems & Software (ES&S) ExpressVote Ballot Marking Device System Version 6000, the DS450 High Speed Digital Image Central Scanner, ElectionWare Management System, and all other ES&S equipment, as the official Voting System for use in all Fayette County general elections for federal, state, and county officers, primary elections, special elections, constitutional elections, and for use in all other elections ordered by the Commissioners Court; said adoption of the Voting System is for use in early voting, election day voting, and in run-off voting; and the Voting System is adopted for use in all elections held by all other governmental entities with whom the Fayette County Elections Administrator enters into an agreement to provide voting system equipment and services.**

ACTION: Approved, adopted, and signed an Order adopting the Election Systems & Software (ES&S) ExpressVote Ballot Marking Device System Version 6000, the DS450 High Speed Digital Image Central Scanner, ElectionWare Management System, and all other ES&S equipment, as the official Voting System for use in all Fayette County general elections for federal, state, and county officers, primary elections, special elections, constitutional elections, and for use in all other elections ordered by the Commissioners Court; said adoption of the Voting System is for use in early voting, election day voting, and in run-off voting; and the Voting System is adopted for use in all elections held by all other governmental entities with whom the Fayette County Elections Administrator enters into an agreement to provide voting system equipment and services.

PERSONS APPEARING BEFORE THE COURT: Terri Hefner, Elections Administrator; Harold Streicher, Assistant County Attorney;

MOVED BY COMMR. McBroom, SECONDED BY COMMR. Muras.

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

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

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

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

Judge Weber, vote for **X**, vote against _

4. **SUBJECT: Consider and take appropriate action to approve and authorize the Fayette County Judge to sign a Commercial Contract – Improved Property, (the “Contract”), concerning the property owned by Pioneer Bank at 143 N. Main St., La Grange, TX 78945, (the “Pioneer Bank Property”), for the sole purpose to begin negotiations on the Pioneer Bank Property, and in the event Pioneer Bank accepts the offer and approves the Contract, to take further action at a future Commissioners Court Meeting for Fayette County to approve the Contract and authorize the County Judge to enter into the Contract on behalf of Fayette County, and at that said future meeting to also authorize the deposit by the County of earnest money.**

ACTION: Authorized the Fayette County Judge to sign a Commercial Contract – Improved Property, (the “Contract”), concerning the property owned by Pioneer Bank at 143 N. Main St., La Grange, TX 78945, (the “Pioneer Bank Property”), for the sole purpose to begin negotiations on the Pioneer Bank Property, and in the event Pioneer Bank accepts the offer and approves the Contract, to take further action at a future Commissioners Court Meeting for Fayette County to approve the Contract and authorize the County Judge to enter into the Contract on behalf of Fayette County, and at that said future meeting to also authorize the deposit by the County of earnest money.

ADDITIONAL COMMENTS: Judge Weber assured the court that this contract was just to start negotiations. Once a negotiated price is agreed upon, it will be brought before Commissioners Court for final approval.

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

MOVED BY COMMR. Berckenhoff, SECONDED BY COMMR. Muras.

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

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

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

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

Judge Weber, vote for **X**, vote against _

5. **SUBJECT: Consider and take appropriate action concerning discussing applications, procedures, and fees for road bonds (road use agreement) regarding damage to county roads caused by, or to be caused by oil exploration and production, and by other heavy equipment, and also discussing applications, procedures and fees for entering into road usage agreements.**

ACTION: Adopted applications, procedures, and fees for road bonds (road use agreement) regarding damage to county roads caused by, or to be caused by oil exploration and production, and by other heavy equipment, and also discussing applications, procedures and fees for entering into road usage agreements.

ADDITIONAL COMMENTS: Commissioners were advised to be more proactive in getting the word out that the oil companies need to go to the County to get permits.

PERSONS APPEARING BEFORE THE COURT: Harold Streicher, Assistant County Attorney, Blake Watson, Assistant County Attorney; Kathy Kleiber, County Auditor;

MOVED BY COMMR. Muras, SECONDED BY COMMR. Sternadel.

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

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

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

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

Judge Weber, vote for **X**, vote against _

6. **SUBJECT: Consider and discuss setting a date, time and location for a Payroll Workshop to be held by the Commissioners Court.**

ACTION: Set date of June 3, 2019 at 9 a.m. for Payroll Workshop and any possible extra agenda items.

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

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

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

Commr. Sternadel, vote for **X**, vote against ___

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

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

Judge Weber, vote for **X**, vote against ___

VIII.

Meeting adjourned at **2:33 p.m., May 22, 2019**, on motion by Commissioner **Berckenhoff**, seconded by Commissioner **Sternadel**, votes for **5**, votes against **0**.

APPROVED this _____ day of _____, 2019.

Joseph Weber
Fayette County Judge

Jason McBroom
Commissioner, Precinct 1

Luke Sternadel
Commissioner, Precinct 2

Harvey Berckenhoff
Commissioner, Precinct 3

Tom Muras
Commissioner, Precinct 4

ATTEST:

Brenda Fietsam
County Clerk