MINUTES OF COMMISSIONERS COURT MEETING

I.

Attached hereto is/are public notice(s) posted for the meeting of July 23, 2020.

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 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 Absent

IV.

County Officials/County Personnel present during all or any part of the meeting:

Brenda Fietsam, County Clerk; Clint Sternadel, County Inspector & Office Development & Permitting; Blake Watson, Assistant County Attorney; Kathy Kleiber, Auditor; Craig Moreau, Emergency Management Coordinator; Brenden Gilbreath, Part Time Assistant Emergency Management; Randy Noviskie, Chief Deputy Sheriff; Josh Vandever, EMS Director; Kim Von Minden, EMS Captain; Cindy Havelka, First Assistant Auditor; Cassie Austin, Court Administrator

V.

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

VI.

Meeting opened at 9:00 a.m. on motion by Commissioner Sternadel, seconded by Commissioner Berckenhoff, votes for 4, 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." I N V O C A T I O N

AGENDA ACTION:

1.	SUBJECT: Consider and take appropriate action regarding extending, modifying and revising, if necessary, the Declaration of Local Disaster for Fayette County, Texas that was signed into order on July 9, 2020.
	ACTION: Extended the Declaration of Local Disaster for Fayette County, Texas that was signed into order on July 9, 2020 for an additional 14 days.
	PERSONS APPEARING BEFORE THE COURT: Blake Watson, Assistant County Attorney
	MOVED BY JUDGE Weber , 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, vote against Judge Weber, vote for X , vote against
2.	SUBJECT: Consider and take appropriate action in approving the following minutes from previous meetings:
	I. July 9, 2020 – Regular MeetingII. July 15, 2020 – Special Meeting

ACTION: Approved the minutes from previous meetings.

PERSONS APPEARING BEFORE THE COURT: Brenda Fietsam, County Clerk

MOVED BY COMMR. Sternadel, 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, vote against Absent
Judge Weber, vote for X , vote against

3.	SUBJECT: Open public comments – petitions, requests or statements by the public. Close.
	ACTION: Accepted all comments from Edward Alvarez concerning Sheriff Department salaries. Closed public comments.
	PERSONS APPEARING BEFORE THE COURT: Edward Alvarez
	MOVED BY COMMR. Berckenhoff , 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, vote against Judge Weber, vote for X , vote against
4.	SUBJECT: Open and hold public hearing to consider and accept comments, both written and oral, from members of the public concerning an appropriate speed limit for the following County Road: Makinson Road (Precinct 1).
	ACTION: Opened public hearing to consider and accept comments, both written and oral, from members of the public concerning an appropriate speed limit for the following County Road: Makinson Road (Precinct 1).
	PERSONS APPEARING BEFORE THE COURT: Commissioner Jason McBroom
	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, vote against Absent Judge Weber, vote for X, vote against

4A.	SUBJECT: Accept comments and close public hearing.
	ACTION: Accepted all comments. Closed public hearing.
	PERSONS APPEARING BEFORE THE COURT:
	MOVED BY COMMR. Berckenhoff , 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, vote against Judge Weber, vote for X , vote against
5.	SUBJECT: Consider and take appropriate action in making a finding and determination that the prima facie speed limit concerning the following named road is unreasonable or unsafe, and in making and in signing an order concerning an appropriate speed limit for the following County Road: Makinson Road (Precinct 1).
	ACTION: Determined that the prima facie speed limit concerning the following named road is unreasonable or unsafe.
	Signed an order concerning an appropriate speed limit for the following County Road: Makinson Road (Precinct 1) to 35mph for entire road.
	PERSONS APPEARING BEFORE THE COURT: Commissioner Jason McBroom
	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, vote against Absent

6.	SUBJECT: Hear report from Craig Moreau, Emergency Management Coordinator.
	ACTION: Accepted report from Craig Moreau, Emergency Management Coordinator and comments from Judge Joe Weber.
	PERSONS APPEARING BEFORE THE COURT: Craig Moreau, Emergency Management Coordinator; Judge Joe Weber
	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, vote against Absent Judge Weber, vote for X, vote against
7.	SUBJECT: Consider and take appropriate action concerning the application from Peggy Johnson requesting a variance to allow the division of real property. ACTION: Granted variance to Peggy Johnson to allow the division of real
	property.
~	PERSONS APPEARING BEFORE THE COURT: Clint Sternadel, County Inspector & Office Development & Permitting
	MOVED BY COMMR. Sternadel , 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, vote against <u>Absent</u> Judge Weber, vote for X , vote against

8.	SUBJECT: Consider and take appropriate action concerning the application from Linda Mueck requesting a variance to allow the division of real property.
	ACTION: Granted variance to Linda Mueck to allow the division of real property.
	PERSONS APPEARING BEFORE THE COURT: Clint Sternadel, County Inspector & Office Development & Permitting
	MOVED BY COMMR. Sternadel, 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, vote against Judge Weber, vote for X, vote against
9.	SUBJECT: Acknowledge monthly financial report from EMS Director Josh Vandever.
	ACTION: Accepted comments from Josh Vandever, EMS Director.
	PERSONS APPEARING BEFORE THE COURT: Josh Vandever, EMS Director; Kim Von Minden, Captain EMS; Craig Moreau, Emergency Management Coordinator
	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, vote against Judge Weber, vote for X , vote against

10. SUBJECT: Consider and take appropriate action concerning a renewal contract between Fayette County and Stryker Medical for the maintenance and service of EMS LifePaks.

ACTION: Approved the renewal contract between Fayette County and Stryker Medical for the maintenance and service of EMS LifePaks.

PERSONS APPEARING BEFORE THE COURT: Blake Watson, Assistant County Attorney; Kim Von Minden, Captain EMS; Cassie Austin, Court Administrator; Josh Vandever, EMS Director

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, vote against Absent
Judge Weber, vote for X , vote against

11. SUBJECT: Consider and take appropriate action in signing a Resolution and entering into a County Transportation Infrastructure Fund Grant Agreement with the State, acting by and through Texas Department of Transportation, in regard to receiving allowable reimbursement from the grant of \$620,843.40 awarded to Fayette County, and designating the County Judge and County Auditor as having signature authority and as being authorized to sign all Project related documents, invoices, certifications, submissions and all other documents the County Transportation Infrastructure Fund Grant Program Project.

ACTION: Signed a Resolution and Entered into a County Transportation Infrastructure Fund Grant Agreement with the State, acting by and through Texas Department of Transportation, in regard to receiving allowable reimbursement from the grant of \$620,843.40 awarded to Fayette County.

Designated the County Judge and County Auditor as having signature authority and as being authorized to sign all Project related documents, invoices, certifications, submissions and all other documents the County Transportation Infrastructure Fund Grant Program Project.

PERSONS APPEARING BEFORE THE COURT: Cassie Austin, Court Administrator

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, vote against Absent
Judge Weber, vote for X, vote against

12. SUBJECT: Consider and take appropriate action in applying for LCRA's Community Development Partnership Program (CDPP) Grant.

ACTION: Approved the application for LCRA's Community Development Partnership Program (CDPP) Grant.

PERSONS APPEARING BEFORE THE COURT: Cassie Austin, Court Administrator

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, vote against Absent
Judge Weber, vote for X , vote against

13. SUBJECT: Consider and take appropriate action by accepting and approving the written plan of Fayette Water Supply Corporation (FWSC) to bore under East Parker Road (Precinct 3), and to place and install a new water service line and meter for a customer located at property ID R48264, and requiring Fayette Water Supply Corporation to make repairs of any resultant damage done to the roadway, sides, ditches, and right-of-way of East Parker Road, all back to a finished natural grade, and requiring FWSC to continue to return and do paving work, compacting, restoring, and monitoring of the roadway, sides, ditches, and right-of-way of said County Road so that said County Road continues to remain in the condition it was in prior to the work by FWSC.

ACTION: Accepted and Approved the written plan of Fayette Water Supply Corporation (FWSC) to bore under East Parker Road (Precinct 3), and to place and install a new water service line and meter for a customer located at property ID R48264.

Required Fayette Water Supply Corporation to make repairs of any resultant damage done to the roadway, sides, ditches, and right-of-way of East Parker Road, all back to a finished natural grade.

Required FWSC to continue to return and do paving work, compacting, restoring, and monitoring of the roadway, sides, ditches, and right-of-way of said County Road so that said County Road continues to remain in the condition it was in prior to the work by FWSC.

PERSONS APPEARING BEFORE THE COURT:

MOVED BY COMMR. Berckenhoff, 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, vote against Absent
Judge Weber, vote for X, vote against

14. SUBJECT: Acknowledge the new service drop plans of Colorado Valley Telephone Cooperative, Inc (CVTC) to install new buried fiber optic cables and copper cables within the corridors of the following road(s): Jaster Rd, Waldeck Rd (Precinct 2), Bryant Rd, Petter Rainosek Loop, Seydler Rd (Precinct 4).

ACTION: Acknowledged the new service drop plans of Colorado Valley Telephone Cooperative, Inc (CVTC) to install new buried fiber optic cables and copper cables within the corridors of the following road(s): Jaster Rd, Waldeck Rd (Precinct 2), Bryant Rd, Petter Rainosek Loop, Seydler Rd (Precinct 4).

PERSONS APPEARING BEFORE THE COURT:
MOVED BY COMMR. Sternadel, 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, vote against Absent Judge Weber, vote for X, vote against SUBJECT: Consider and take appropriate action concerning the Lease
Agreement between Fayette County and The American National Red Cross, a nonprofit corporation, a Federally chartered instrumentality of the United States, and a body corporate and politic under the laws of the United States (36 U.S.C. §§ 300101-300111 (1998)), to utilize a space located at the Fayette County Agricultural Building for a term of one year beginning August 1, 2020 through July 31, 2021.
ACTION: Deferred until later meeting.
PERSONS APPEARING PERSONS THE COLUMN C
PERSONS APPEARING BEFORE THE COURT: Cassie Austin, Court Administrator; Craig Moreau, Emergency Management Coordinator; Kathy Kleiber, Auditor

15.

16. SUBJECT: Consider and take appropriate action by signing an Order and Easement, granted to Fayette County, to include the following road: Grande Drive (Precinct 4), as a County owned and maintained road. ACTION: Declined an Order and Easement, granted to Fayette County, to include the following road: Grande Drive (Precinct 4), as a County owned and maintained road and Encouraged land owners to seek out a private contractor to build the road up to county specs, maintain for one year, and then present to **Commissioners Court** PERSONS APPEARING BEFORE THE COURT: Blake Watson, 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 _____, vote against Absent Judge Weber, vote for **X**, vote against SUBJECT: Authorize Linda Svrcek, District Clerk, to attend the 2020 County **17.** & District Clerks' Association of Texas Annual Conference & Fall Conference September 13-17, 2020, in College Station, Texas. ACTION: Authorized Linda Svrcek, District Clerk, to attend the 2020 County & District Clerks' Association of Texas Annual Conference & Fall Conference September 13-17, 2020, in College Station, Texas. PERSONS APPEARING BEFORE THE COURT: Brenda Fietsam, County Clerk; Cassie Austin, Court Administrator 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 _____, vote against **Absent** Judge Weber, vote for **X**, vote against _____

18.	SUBJECT: Consider and take appropriate action in approving the Texas Association of Counties Auto & Liability Questionnaire for the November, 2020 Renewal.
	ACTION: Approved the Texas Association of Counties Auto & Liability Questionnaire for the November, 2020 Renewal.
	PERSONS APPEARING BEFORE THE COURT: Kathy Kleiber, Auditor
	MOVED BY COMMR. Berckenhoff , 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, vote against Judge Weber, vote for X , vote against
19.	SUBJECT: Consider and take appropriate action concerning the AIG Retirement Services CARES Act Plan Provision Selection with Fayette County. ACTION: Approved the AIG Retirement Services CARES Act Plan Provision Selection with Fayette County.
4	PERSONS APPEARING BEFORE THE COURT: Kathy Kleiber, Auditor
	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, vote against Absent Judge Weber, vote for X, vote against

20.	SUBJECT: Consider and take appropriate action concerning the fines and fees collected for the period of April 01, 2020 to June 30, 2020.
	ACTION: Accepted the fines and fees collected for the period of April 01, 2020 to June 30, 2020.
	PERSONS APPEARING BEFORE THE COURT: Kathy Kleiber, Auditor; Brenda Fietsam, County Clerk
	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, vote against Absent Judge Weber, vote for X, vote against
21.	SUBJECT: Consider and take appropriate action approving any Salary changes, if any for the period of June 01, 2020 to July 18, 2020.
	ACTION: Approved Salary changes, for the period of June 01, 2020 to July 18, 2020.
_	PERSONS APPEARING BEFORE THE COURT: Kathy Kleiber, Auditor
	MOVED BY COMMR. Sternadel , 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, vote against Judge Weber, vote for X , vote against

22.	SUBJECT: Consider and take appropriate action concerning approving the payment of currently due Fayette County bills and expenses.
	ACTION: Approved the payment of currently due Fayette County bills and expenses.
	PERSONS APPEARING BEFORE THE COURT: Kathy Kleiber, Auditor; Cassie Austin, Court Administrator; Craig Moreau, Emergency Management Coordinator; Randy Noviskie, Chief Deputy Sheriff; Josh Vandever, EMS Director; Cindy Havelka, First Assistant Auditor
	MOVED BY COMMR. Berckenhoff , SECONDED BY COMMR. Sternadel. Commr. McBroom, vote for, vote against <u>Recused</u> Commr. Sternadel, vote for X, vote against Commr. Berckenhoff, vote for X, vote against Commr. Muras, vote for, vote against <u>Absent</u> Judge Weber, vote for X, vote against
	Recessed at 10:18 a.m.
	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, vote against Judge Weber, vote for X , vote against
	Reconvened at 10:37 p.m.
	MOVED BY COMMR. Berckenhoff , 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, vote against Judge Weber, vote for X , vote against

23. SUBJECT: Budget Workshop to discuss all expected, approximate revenues and expenditures, and tax rate, for the Fayette County 2020 Budget and take any action the Commissioners Court deems necessary.

ACTION: Accepted all comments on 2021 Budget.

PERSONS APPEARING BEFORE THE COURT: Kathy Kleiber, Auditor; Cassie Austin, Court Administrator; Randy Noviskie, Chief Deputy Sheriff; Brenda Fietsam, County Clerk; Blake Watson, Assistant County Attorney

ff.

24.	SUBJECT: Consider and take appropriate action to propose salaries, expenses and allowances of elected county and precinct officers for the year 2021.
	ACTION: No action.
	PERSONS APPEARING BEFORE THE COURT:
	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, vote against Judge Weber, vote for X , vote against
25.	SUBJECT: Consider and take appropriate action in authorizing the County Auditor to publish proposed salaries, expenses, and allowances of elected county and precinct officers for the year 2021. ACTION: No action
	PERSONS APPEARING BEFORE THE COURT:
~	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, vote against Absent Judge Weber, vote for X, vote against

26. SUBJECT: Consider and take appropriate action concerning: a) placing a proposal on the agenda of a future meeting to adopt a specific tax rate for Fayette County; b) concerning setting the date and time of a public hearing on the proposed tax rate, if necessary; and c) authorizing publishing notices in the newspaper concerning the proposed tax rate and public hearings, if necessary; and to take other appropriate action, all in accordance with and as required by law.

ACTION: Deferred till future meeting.

PERSONS APPEARING BEFORE THE COURT: Blake Watson, Assistant County Attorney; Kathy Kleiber, Auditor; Cassie Austin, Court Administrator

MOVED BY COMMR. McBroom, SECONDED BY COMMR. Berckenho	ff.
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, vote against Absent	
Judge Weber, vote for X , vote against	

VIII.

Meeting adjourned at 12:02 p.m.., July 23, 2020, on motion by Commissioner Berckenhoff, seconded by Commissioner Sternadel, votes for 4, votes against 0.

APPROVED this 13th day of August, 2020.

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