MINUTES OF COMMISSIONERS COURT MEETING

I.

Attached hereto is/are public notice(s) posted for the meeting of **June 11, 2020.**

II.

The minutes of the Regular Meeting of Fayette County, Texas, Commissioners Court held in the District Court Courtroom (2nd floor) 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; Cassie Austin, Court Administrator; Kathy Kleiber, Auditor; Craig Moreau, Emergency Management Coordinator; Terri Hefner, Elections Administrator; Malissa Mieth, Interim EMS Director; Judy Blaha, EMS; Randy Noviskie, Chief Deputy Sheriff; Debra Maddox, Airport Manager; Blake Watson, Assistant County Attorney; Clint Sternadel, County Inspector & Office Development & Permitting

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 **McBroom**, seconded by Commissioner **Sternadel**, 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." I N V O C A T I O N

Commissioners Court June 11, 2020

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 May 28, 2020.

ACTION: Extended the Declaration of Local Disaster for Fayette County, Texas that was signed into order on May 28, 2020 an additional 14 days.

PERSONS APPEARING BEFORE THE COURT: Judge Joe Weber; Blake Watson, Assistant County Attorney

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

- 2. SUBJECT: Consider and take appropriate action in approving the following minutes from previous meetings:
 - I. May 28, 2020 Regular Meeting
 - II. June 2, 2020 Special Meeting
 - III. June 4, 2020 Special Meeting

ACTION: Approved the minutes from previous meetings.

PERSONS APPEARING BEFORE THE COURT: Brenda Fietsam, County Clerk

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: Open public comments – petitions, requests or statements by the public. Close.
	ACTION: Accepted all comments. Closed public comments.
	PERSONS APPEARING BEFORE THE COURT: Eugene Niemeyer; Brenda Fietsam, County Clerk
	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 X , vote against Judge Weber, vote for X , vote against
4.	SUBJECT: Consider and take appropriate action on proclamation proclaiming June 19, 2020, as "Emancipation Day" in Fayette County.
	ACTION: Proclaimed June 19, 2020, as "Emancipation Day" in Fayette County and Signed proclamation. "See attached hereto marked Agenda Action 4 Exhibit."
	PERSONS APPEARING BEFORE THE COURT:
_	MOVED BY COMMR. Muras , 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

5.	SUBJECT: Hear report from Craig Moreau, Emergency Management Coordinator.
	ACTION: Accepted report from Craig Moreau, Emergency Management Coordinator.
	PERSONS APPEARING BEFORE THE COURT: 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 X , vote against Judge Weber, vote for X , vote against
6.	SUBJECT: Consider and take appropriate action in signing two Resolutions of approval and support for the submission of a grant application for Coronavirus Emergency Supplemental Funding Program to the U.S. Department of Justice Office of Justice Programs, Bureau of Justice Assistance.
	ACTION: Signed two Resolutions of approval and support for the submission of a grant application for Coronavirus Emergency Supplemental Funding Program to the U.S. Department of Justice, Office of Justice Programs, and Bureau of Justice Assistance.
	PERSONS APPEARING BEFORE THE COURT: Craig Moreau, Emergency Management Coordinator
	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 X, vote against Judge Weber, vote for X, vote against

7.	SUBJECT: Consider and take appropriate action in approving amendments made to the Fayette Regional Air Center Rules and Regulations.
	ACTION: Approved amendments made to the Fayette Regional Air Center Rules and Regulations. "See attached hereto marked Agenda Action 7 Exhibit."
	PERSONS APPEARING BEFORE THE COURT: Blake Watson, Assistant County Attorney; Debra Maddox, Airport Manager
	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
8.	SUBJECT: Acknowledge monthly calls, collection, and financial report from interim EMS Director Malissa Mieth.
	ACTION: Accepted monthly calls, collection, and financial report from Interim EMS Director Malissa Mieth. "See attached hereto marked Agenda Action 8 Exhibit."
_	PERSONS APPEARING BEFORE THE COURT: Malissa Mieth, Interim EMS Director; Blake Watson, Assistant County Attorney; Judy Blaha, EMS
	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 X , vote against Judge Weber, vote for X , vote against

9.	SUBJECT: Hear monthly report from Clint Sternadel, County Inspector & Office of Development & Permitting.
	ACTION: Accepted monthly report from Clint Sternadel, County Inspector & Office of Development & Permitting. "See attached hereto marked Agenda Action 9 Exhibit."
	PERSONS APPEARING BEFORE THE COURT: Clint Sternadel, County Inspector & Office of Development & Permitting
	MOVED BY COMMR. Muras, 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
10.	SUBJECT: Consider and take appropriate action concerning the application from Jon Perez requesting a variance to allow the division of their real property.
	ACTION: Approved the application from Jon Perez requesting a variance to allow the division of their real property. "See attached hereto marked Agenda Action 10 Exhibit."
4	PERSONS APPEARING BEFORE THE COURT: Clint Sternadel, County Inspector & Office of 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 X, vote against Judge Weber, vote for X, vote against

11. SUBJECT: Consider and take appropriate action in acknowledging that the variance for the division of property from Eden Farms, approved by Commissioners Court on April 23, 2020, has been rescinded. ACTION: Approved the rescinding of the variance for the division of property from Eden Farms, approved by Commissioners Court on April 23, 2020. "See attached hereto marked Agenda Action 11 Exhibit." PERSONS APPEARING BEFORE THE COURT: Clint Sternadel, County **Inspector & Office of 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 **X**, vote against Judge Weber, vote for **X**, vote against _____ **12.** SUBJECT: Consider and take appropriate action in resetting a public hearing date to consider and potentially enter into a Tax Abatement Agreement and to establish a reinvestment zone as required by Texas Tax Code Chapter 312; and to authorize corrected public notices regarding the public hearing to be placed in the newspaper. ACTION: Reset the public hearings date to July 23, 2020 to consider and potentially enter into a Tax Abatement Agreement and to establish a reinvestment zone as required by Texas Tax Code Chapter 312; and Authorized corrected public notices regarding the public hearings to be placed in the newspaper. PERSONS APPEARING BEFORE THE COURT: Blake Watson, Assistant County Attorney; Cassie Austin, Court Administrator 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 **X**, vote against _____ Judge Weber, vote for **X**, vote against

13. SUBJECT: Consider and take appropriate action in possibly approving Election Services Contract between the Incorporated Cities of Fayetteville, Round Top, and Schulenburg and Fayette County, Texas for the Fayette County Elections Office to provide early voting and election day voting services for the November 3, 2020 City, Schools, and Political Subdivision Election. **ACTION: Approved Election Services Contract between the Incorporated Cities** of Fayetteville, Round Top, and Schulenburg and Fayette County, Texas for the Favette County Elections Office to provide early voting and election day voting services for the November 3, 2020 City, Schools, and Political Subdivision Election. "See attached hereto marked Agenda Action 13 Exhibit." PERSONS APPEARING BEFORE THE COURT: Terri Hefner, Elections Administrator; Blake Watson, 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 14. SUBJECT: Consider and take appropriate action in possibly approving an **Election Services Contract between the Incorporated City of Flatonia and Fayette** County, Texas for the Fayette County Elections Office to provide voting equipment only for the November 3, 2020 City, Schools, and Political Subdivision Election. ACTION: No action taken. PERSONS APPEARING BEFORE THE COURT: Cassie Austin, 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 X, vote against _____ Judge Weber, vote for X, vote against _____ Judge Weber, vote for X, vote against _____

15.	SUBJECT: Consider and take appropriate action in possibly approving an Election Services Contract between the Flatonia Independent School District and Fayette County, Texas for the Fayette County Elections Office to provide voting equipment only for the November 3, 2020 City, Schools, and Political Subdivision Election.
	ACTION: No action taken.
	PERSONS APPEARING BEFORE THE COURT: Cassie Austin, Court Administrator
	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 X , vote against Judge Weber, vote for X , vote against
16.	SUBJECT: Consider and take appropriate action in possibly approving an Election Services Contract between the Monument Hill and Fayette County, Texas for the Fayette County Elections Office to provide early voting and election day voting services for the November 3, 2020 City, Schools, and Political Subdivision Election.
	ACTION: Approved an Election Services Contract between the Monument Hill and Fayette County, Texas for the Fayette County Elections Office to provide early voting and election day voting services for the November 3, 2020 City, Schools, and Political Subdivision Election. "See attached hereto marked Agenda Action 16 Exhibit."
	PERSONS APPEARING BEFORE THE COURT: Terri Hefner, Elections Administrator; Blake Watson, 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

17. Acknowledge the new service drop plans of Colorado Valley **SUBJECT:** Telephone Cooperative, Inc (CVTC) to install new buried fiber optic cables and copper cables within the corridors of the following road(s): Old Lockhart Rd (Precinct 1), Haw Creek Rd, Goehring Rd (two Locations), Waldeck Cemetery Rd, Keilers Ln, (Precinct 2), Bridge Valley Rd (Precinct 3), West Sedan Rd (two locations) Guenther Rd (two locations) and West Guenther 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): Old Lockhart Rd (Precinct 1), Haw Creek Rd, Goehring Rd (two Locations), Waldeck Cemetery Rd, Keilers Ln, (Precinct 2), Bridge Valley Rd (Precinct 3), West Sedan Rd (two locations) Guenther Rd (two locations) and West Guenther Rd (Precinct 4).

"See attached 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. 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

18. SUBJECT: Consider and take appropriate action by accepting and approving the plan of Colorado Valley Telephone Cooperative, Inc (CVTC) to install new buried fiber optic cables (upgrades) within the corridors of the following road(s): West Old Lockhart Rd, Race Track Rd, Gray Ln, Schramm Rd, (Precinct 1), Valenta Rd, and Skillet Rd (Precinct 3), and requiring CVTC to be responsible for repairs, and/or being required to make repairs, of direct or collateral damage, if any, caused by CVTC, and/or its contractors, to the preceding road(s), and to other utilities utilizing the public right-of-ways.

ACTION: Accepted and Approved the plan of Colorado Valley Telephone Cooperative, Inc. (CVTC) to install new buried fiber optic cables (upgrades) within the corridors of the following road(s): West Old Lockhart Rd, Race Track Rd, Gray Ln, Schramm Rd, (Precinct 1), Valenta Rd, and Skillet Rd (Precinct 3), and Required CVTC to be responsible for repairs, and/or being required to make repairs, of direct or collateral damage, if any, caused by CVTC, and/or its contractors, to the preceding road(s), and to other utilities utilizing the public right-of-ways.

"See attached hereto marked Agenda Action 18 Exhibit."

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

19.	SUBJECT: Authorize Bethany Zapalac, District Court Coordinator, to attend the Texas Association of Court Administration 44 th Annual Education Conference October 6-9, 2020, in Galveston, Texas.
	ACTION: Authorized Bethany Zapalac, District Court Coordinator, to attend the Texas Association of Court Administration 44 th Annual Education Conference October 6-9, 2020, in Galveston, Texas.
	PERSONS APPEARING BEFORE THE COURT:
	MOVED BY COMMR. Muras, 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
20.	SUBJECT: Consider and take appropriate action concerning the Fayette County Employee Health Insurance Renewal with the Texas Association of County Health and Employee Benefits Pool (TAC HEBP) effective 10/01/20.
	ACTION: Accepted all comments from the auditor concerning the Fayette County Employee Health Insurance Renewal with the Texas Association of County Health and Employee Benefits Pool (TAC HEBP) effective 10/01/20 and kept the employee contribution rates the same as last year's. "See attached hereto marked Agenda Action 20 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. 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

21. 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.

"See attached hereto marked Agenda Action 21 Exhibit."

PERSONS APPEARING BEFORE THE COURT: Kathy Kleiber, Auditor

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

SUPPLEMENTAL AGENDA ITEM – to be heard after 10:05 a.m.

1. SUBJECT: Consider and take appropriate action in possibly approving an Election Services Contract between the Cummins Creek Water District and Fayette County, Texas for the Fayette County Elections Office to provide early voting and election day voting services for the November 3, 2020 City, Schools, and Political Subdivision Election.

ACTION: Approved an Election Services Contract between the Cummins Creek Water District and Fayette County, Texas for the Fayette County Elections Office to provide early voting and election day voting services for the November 3, 2020 City, Schools, and Political Subdivision Election.

"See attached hereto marked Agenda Action 1 Exhibit."

PERSONS APPEARING BEFORE THE COURT: Blake Watson, Assistant County Attorney

2. SUBJECT: Consider and take appropriate action in possibly approving an **Election Services Contract between the Incorporated City of Flatonia and Fayette** County, Texas for the Fayette County Elections Office to provide early voting and election day voting services for the November 3, 2020 City, Schools, and Political **Subdivision Election.**

ACTION: Approved an Election Services Contract between the Incorporated City of Flatonia and Fayette County, Texas for the Fayette County Elections Office to provide early voting and election day voting services for the November 3, 2020 City, Schools, and Political Subdivision Election.

"See attached hereto marked Agenda Action 2 Exhibit."

PERSONS APPEARING BEFORE THE COURT: Blake Watson, Assistant County

Attorney; 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 X, vote against Judge Weber, vote for X, vote against
SUBJECT: Consider and take appropriate action in possibly approving an Election Services Contract between the Flatonia Independent School District and Fayette County, Texas for the Fayette County Elections Office to provide early voting and election day voting services for the November 3, 2020 City, Schools, and Political Subdivision Election.
ACTION: Approved an Election Services Contract between the Flatonia Independent School District and Fayette County, Texas for the Fayette County Elections Office to provide early voting and election day voting services for the November 3, 2020 City, Schools, and Political Subdivision Election. "See attached hereto marked Agenda Action 3 Exhibit."
PERSONS APPEARING BEFORE THE COURT: Blake Watson, Assistant County Attorney
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 X , vote against Judge Weber, vote for X , vote against

3.

Meeting adjourned at 10:33 a.m., June 11, 2020, on motion by Commissioner McBroom, seconded by Commissioner Sternadel, votes for 5, votes against 0.

APPROVED this 25th day of June, 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