

MINUTES OF COMMISSIONERS COURT MEETING

I.

Attached hereto is/are public notice(s) posted for the meeting of **October 27, 2022.**

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, Drew Brossmann **Present**

IV.

County Officials/County Personnel present during all or any part of the meeting:
Brenda Fietsam, County Clerk; Cassie Austin, Court Administrator;
Craig Moreau, Emergency Management Coordinator; Angela Hahn, Grant Specialist;
Blake Watson, Assistant County Attorney; Cindy Havelka, County Auditor;
Clint Sternadel, County Inspector & Office of Development & Permitting;
Billy Roensch, Constable Precinct 1

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 **Brossmann**, 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.”

INVOCATION

AGENDA ACTION:

1. **SUBJECT: Consider and take appropriate action in approving the following minutes from previous meetings:**
 - i. **October 13, 2022 – Regular Meeting**
 - ii. **October 20, 2022 – Special Meeting**

ACTION: Approved 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. Brossmann, vote for **X**, vote against _____

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

2. **SUBJECT: Open public comments – petitions, requests or statements by the public. Close.**

ACTION: Opened Public Comments.

Accepted All Public Comments.

Closed Public Comments.

**PERSONS APPEARING BEFORE THE COURT: Rodney Read, Ledbetter VFD;
Commissioner Harvey Berckenhoff**

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. Brossmann, vote for **X**, vote against _____

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

3. **SUBJECT: Consider and take appropriate action concerning the request from Catholic Daughters of the Americas Court Annunciation #1962, to place a poster and white ribbons on the trees on the Courthouse lawn during the week of October 31st to November 6, 2022, to raise awareness for the White Ribbon Against Pornography Campaign.**

ACTION: Approved the request from Catholic Daughters of the Americas Court Annunciation #1962, to place a poster and white ribbons on the trees on the Courthouse lawn during the week of October 31st to November 6, 2022, to raise awareness for the White Ribbon Against Pornography Campaign.

See attached hereto marked "Agenda Action 3 Exhibit"

PERSONS APPEARING BEFORE THE COURT: Cassie Austin, Court Administrator; Brenda Fietsam, County Clerk

MOVED BY COMMR. Berckenhoff, SECONDED BY COMMR. Brossmann

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

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

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

Commr. Brossmann, vote for **X**, vote against _____

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

4. **SUBJECT: Consider and take appropriate action on application from Brown Ranch through representative Cheryl A. Brown to adopt Bohuslav Road from Hwy 1383 to Anders Bottom Road for the County's "Adopt a County Road Program".**

ACTION: Approved application from Brown Ranch through representative Cheryl A. Brown to adopt Bohuslav Road from FM 1383 to Anders Bottom Road for the County's "Adopt a County Road Program".

See attached hereto marked "Agenda Action 4 Exhibit"

PERSONS APPEARING BEFORE THE COURT: Mark Brown

MOVED BY COMMR. Brossmann, 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. Brossmann, vote for **X**, vote against _____

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

5. **SUBJECT: Discuss, consider and take appropriate action concerning Lease Agreement between Fayette County and Gardenia Janssen Animal Shelter.**

ACTION: Approved an Extension to the Lease Agreement between Fayette County and Gardenia Janssen Animal Shelter for an additional 25 years; and Authorized the County Judge to sign the agreement.

See attached hereto marked "Agenda Action 5 Exhibit"

PERSONS APPEARING BEFORE THE COURT: Blake Watson, Assistant County Attorney; Craig Moreau, Emergency Management Coordinator

MOVED BY COMMR. Berckenhoff, SECONDED BY COMMR. Brossmann

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

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

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

Commr. Brossmann, vote for **X**, vote against _____

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

6. **SUBJECT: Consider and take appropriate action in approving the preliminary plat of Tree Tops subdivision from Jim Kastlemann.**

ACTION: Approved the preliminary plat of Tree Tops subdivision from Jim Kastlemann.

See attached hereto marked "Agenda Action 6 Exhibit"

PERSONS APPEARING BEFORE THE COURT: Clint Sternadel, County Inspector & Office of Development & Permitting; James Rebecsek, Fayette Water Supply

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. Brossmann, vote for **X**, vote against _____
Judge Weber, vote for **X**, vote against _____

7. **SUBJECT: Consider and take appropriate action concerning the application from Juan Carlos Defilippi requesting the division of real property located in Precinct 2.**

ACTION: Granted the application from Juan Carlos Defilippi requesting the division of real property located in Precinct 2.

See attached hereto marked "Agenda Action 7 Exhibit"

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. Brossmann, vote for **X**, vote against _____
Judge Weber, vote for **X**, vote against _____

8. **SUBJECT: Approve two (2) Routing Agreements and Road Use Bond Agreements submitted by GeoSouthern Operating, LLC, for said Company's overweight loads to travel, as indicated on the attached map, on the following roads: Burnside Rd and Old Park Rd (Precinct 2), all public county roads in Fayette County, Texas.**

ACTION: Approved two (2) Routing Agreements and Road Use Bond Agreements submitted by GeoSouthern Operating, LLC, for said Company's overweight loads to travel, as indicated on the attached map, on the following roads: Burnside Rd and Old Park Rd (Precinct 2), all public county roads in Fayette County, Texas.

See attached hereto marked "Agenda Action 8 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. Brossmann, vote for **X**, vote against _____

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

9. **SUBJECT: Approve the Routing Agreement and Road Use Bond Agreement submitted by Riley Permian Operating Co., LLC, for said Company's overweight loads to travel, as indicated on the attached map, on the following roads: Pin Oak Branch Rd and Jurk Rd (Precinct 1), all public county road in Fayette County, Texas.**

ACTION: Approved the Routing Agreement and Road Use Bond Agreement submitted by Riley Permian Operating Co., LLC, for said Company's overweight loads to travel, as indicated on the attached map, on the following roads: Pin Oak Branch Rd and Jurk Rd (Precinct 1), all public county road in Fayette County, Texas.

See attached hereto marked "Agenda Action 9 Exhibit"

PERSONS APPEARING BEFORE THE COURT: Clint Sternadel, County Inspector & Office of Development & Permitting

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. Brossmann, vote for **X**, vote against _____

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

10. **SUBJECT: Consider and take appropriate action concerning granting Application for Pipeline Public Road Bored Crossing Permit, submitted by ETC Texas Pipeline, LTD, for said pipeline to cross under Raymond-Lehmann Road (Precinct 2), a public county road located in Fayette County, Texas.**

ACTION: Approved granting Application for Pipeline Public Road Bored Crossing Permit, submitted by ETC Texas Pipeline, LTD, for said pipeline to cross under Raymond-Lehmann Road (Precinct 2), a public county road located in Fayette County, Texas.

See attached hereto marked "Agenda Action 10 Exhibit"

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. Brossmann, vote for **X**, vote against _____

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

11. **SUBJECT: Hear report from Angela Hahn, Grant Specialist.**

ACTION: Accepted report from Angela Hahn, Grant Specialist.

See attached hereto marked "Agenda Action 11 Exhibit"

PERSONS APPEARING BEFORE THE COURT: Angela Hahn, Grant Specialist; James Rebecsek, Fayette Water Supply

MOVED BY COMMR. Brossmann, 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. Brossmann, vote for **X**, vote against _____

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

12. **SUBJECT: Hear report from Craig Moreau, Emergency Management Coordinator.**

ACTION: Accepted report from Craig Moreau, Emergency Management Coordinator.

See attached hereto marked "Agenda Action 12 Exhibit"

PERSONS APPEARING BEFORE THE COURT: Craig Moreau, Emergency Management Coordinator

MOVED BY COMMR. Brossmann, 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. Brossmann, vote for **X**, vote against _____
Judge Weber, vote for **X**, vote against _____

13. **SUBJECT: Review and approve the Revised Order of Appointment For Elections Judges and Alternates.**

ACTION: Approved the Revised Order of Appointment For Elections Judges and Alternates.

See attached hereto marked "Agenda Action 13 Exhibit"

PERSONS APPEARING BEFORE THE COURT: Cassie Austin, Court Administrator

MOVED BY COMMR. Berckenhoff, SECONDED BY COMMR. Brossmann
Commr. McBroom, vote for **X**, vote against _____
Commr. Sternadel, vote for **X**, vote against _____
Commr. Berckenhoff, vote for **X**, vote against _____
Commr. Brossmann, vote for **X**, vote against _____
Judge Weber, vote for **X**, vote against _____

14. **SUBJECT: Discuss, consider and take appropriate action concerning Burn Ban.**

ACTION: No Action Taken.

PERSONS APPEARING BEFORE THE COURT: None

MOVED BY COMMR. _____, SECONDED BY COMMR. _____
Commr. McBroom, vote for ____, vote against _____
Commr. Sternadel, vote for ____, vote against _____
Commr. Berckenhoff, vote for ____, vote against _____
Commr. Brossmann, vote for ____, vote against _____
Judge Weber, vote for _____, vote against _____

15. **SUBJECT: Acknowledge the dates for the 2022 Fayette County Tire Disposal.**

ACTION: Acknowledged the dates for the 2022 Fayette County Tire Disposal.

See attached hereto marked "Agenda Action 15 Exhibit"

PERSONS APPEARING BEFORE THE COURT: Commissioner Drew Brossmann

MOVED BY COMMR. **Brossmann**, 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. Brossmann, vote for **X**, vote against _____
Judge Weber, vote for **X**, vote against _____

16. **SUBJECT: Consider and take appropriate action by accepting and approving the written plan of Fayette Water Supply Corporation to bore under Fritsch Road (Precinct 2), and to place and install a new water service line for a 26 lot subdivision located at property ID R95395, and requiring Fayette Water Supply Corporation to make repairs of any resultant damage done to the roadway, sides, ditches, and right-of-way of Fritsch Road, and to do paving work, compacting, and restoring the roadway, sides, ditches, and right-of-way, all back to a finished natural grade.**

ACTION: Considered the written plan of Fayette Water Supply Corporation to bore under Fritsch Road (Precinct 2), and to place and install a new water service line for a 26 lot subdivision located at property ID R95395, and Granted easement down Fritsch Road providing they bore all driveways; and

Required Fayette Water Supply Corporation to make repairs of any resultant damage done to the roadway, sides, ditches, and right-of-way of Fritsch Road, and to do paving work, compacting, and restoring the roadway, sides, ditches, and right-of-way, all back to a finished natural grade.

See attached hereto marked "Agenda Action 16 Exhibit"

PERSONS APPEARING BEFORE THE COURT: James Rebecsek, Fayette Water Supply; Clint Sternadel, County Inspector & Office of Development & Permitting; Craig Moreau, Emergency Management Coordinator; Angela Hahn, Grant Specialist

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. Brossmann, vote for **X**, vote against _____

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

17. **SUBJECT: Consider and take appropriate action in setting a date for a public hearing concerning setting speed limit on the following roads: Teinert Rd (Precinct 1) East Parker Road and Bittner Road (Precinct 3), and for authorization to publish notice of said hearing in the newspaper.**

ACTION: Set a date for November 23, 2022 to hold a public hearing concerning setting speed limit on the following roads: Teinert Rd (Precinct 1) East Parker Road and Bittner Road (Precinct 3); and

Authorized to publish notice of said hearing in the newspaper.

PERSONS APPEARING BEFORE THE COURT: Commissioner Jason McBroom; Commissioner Harvey Berckenhoff; 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. Brossmann, vote for **X**, vote against _____
Judge Weber, vote for **X**, vote against _____

18. **SUBJECT: Consider and take appropriate action in approving the quote form Artcom Communication East for the data cabling located at the Main Street Annex for the Tax Assessor-Collector's office.**

ACTION: Approved the quote from Artcom Communication East for the data cabling located at the Main Street Annex for the Tax Assessor-Collector's office; and

Requested that ARPA Funds be utilized if possible.

See attached hereto marked "Agenda Action 18 Exhibit"

PERSONS APPEARING BEFORE THE COURT: Commissioner Jason McBroom; Angela Hahn, Grant Specialist

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. Brossmann, vote for **X**, vote against _____
Judge Weber, vote for **X**, vote against _____

19. **SUBJECT: Consider and take appropriate action in authorizing funds to be expended from the County Attorney's Office Forfeiture Funds to pay for the purchase of a digital camera and drug detection equipment, including all hardware and software, to be utilized by the Fayette County Sheriff's Office and Fayette County Narcotics Unit.**

ACTION: Authorized funds to be expended from the County Attorney's Office Forfeiture Funds to pay for the purchase of a digital camera and drug detection equipment, including all hardware and software, to be utilized by the Fayette County Sheriff's Office and Fayette County Narcotics Unit.

See attached hereto marked "Agenda Action 19 Exhibit"

PERSONS APPEARING BEFORE THE COURT: Blake Watson, Assistant County Attorney; 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. Brossmann, vote for **X**, vote against _____
Judge Weber, vote for **X**, vote against _____

20. **SUBJECT: Authorize County Attorney's staff members, Carol Friedrich, Bridgette Gaertner and Stacey Olenick to attend the 2022 Key Personnel and Victim Assistance Coordinator Seminar November 2-4, 2022 in San Antonio, Texas.**

ACTION: Authorized County Attorney's staff members, Carol Friedrich, Bridgette Gaertner and Stacey Olenick to attend the 2022 Key Personnel and Victim Assistance Coordinator Seminar November 2-4, 2022 in San Antonio, Texas.

See attached hereto marked "Agenda Action 20 Exhibit"

PERSONS APPEARING BEFORE THE COURT: **None**

MOVED BY COMMR. **Brossmann**, 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. Brossmann, vote for **X**, vote against _____

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

21. **SUBJECT: Consider and take appropriate action in approving 2022 Budget Amendments.**

ACTION: Approved 2022 Budget Amendments.

See attached hereto marked "Agenda Action 21 Exhibit"

PERSONS APPEARING BEFORE THE COURT: **Cindy Havelka, County Auditor; William Bernsen**

MOVED BY COMMR. **Berckenhoff**, SECONDED BY COMMR. **Brossmann**

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

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

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

Commr. Brossmann, vote for **X**, vote against _____

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

22. **SUBJECT: Consider and take appropriate action in approving 2021 Budget Amendments as per the auditing firm of Trlicek and Company.**

ACTION: Approved 2021 Budget Amendments as per the auditing firm of Trlicek and Company.

See attached hereto marked "Agenda Action 22 Exhibit"

PERSONS APPEARING BEFORE THE COURT: Cindy Havelka, County Auditor

MOVED BY COMMR. Brossmann, 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. Brossmann, vote for **X**, vote against _____

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

23. **SUBJECT: Consider and take appropriate action in approving the audit and subsequent FY 2021 Chapter 59 Asset Forfeiture Report, of the County Attorney, who is the attorney representing the State, as required by Article 59.06, Code of Criminal Procedure.**

ACTION: Approved the audit and subsequent FY 2021 Chapter 59 Asset Forfeiture Report, of the County Attorney, who is the attorney representing the State, as required by Article 59.06, Code of Criminal Procedure.

See attached hereto marked "Agenda Action 23 Exhibit"

PERSONS APPEARING BEFORE THE COURT: Cindy Havelka, County Auditor

MOVED BY COMMR. Berckenhoff, SECONDED BY COMMR. Brossmann

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

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

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

Commr. Brossmann, vote for **X**, vote against _____

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

24. **SUBJECT: Consider and take appropriate action in approving audit and FY2021 Chapter 59 Asset Forfeiture Reports by Law Enforcement Agencies (Sheriff & Fayette County Narcotics Unit) as required by Article 59.06 of the Code of Criminal Procedure.**

ACTION: Deferred to a future meeting.

PERSONS APPEARING BEFORE THE COURT: Cindy Havelka, County 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. Brossmann, vote for **X**, vote against _____

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

25. **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 25 Exhibit"

PERSONS APPEARING BEFORE THE COURT: Cindy Havelka, County 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 _____

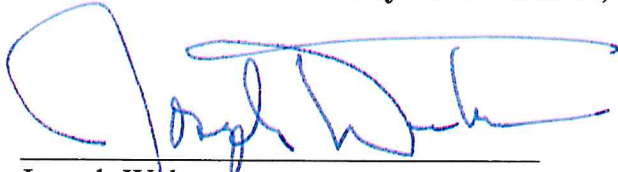
Commr. Brossmann, vote for **X**, vote against _____

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

VIII.

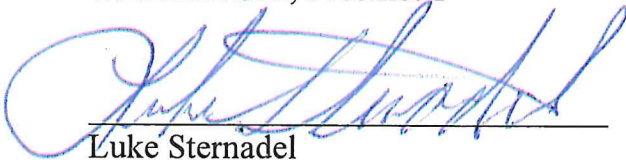
Meeting adjourned at 10:08 a.m., October 27, 2022, on motion by Commissioner Brossmann, seconded by Commissioner McBroom, votes for 5, votes against 0.

APPROVED this 10th day of November, 2022.

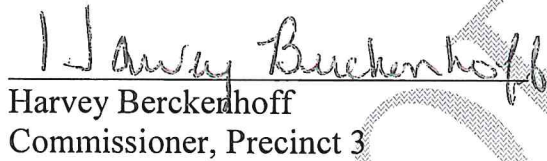


Joseph Weber
Fayette County Judge

Jason McBroom
Commissioner, Precinct 1



Luke Sternadel
Commissioner, Precinct 2



Harvey Berckenhoff
Commissioner, Precinct 3



Drew Brossmann
Commissioner, Precinct 4

ATTEST:



Brenda Fietsam
County Clerk

