
MINUTES OF COMMISSIONERS COURT MEETING

I.

Attached hereto is/are public notice(s) posted for the meeting of **June 8, 2023**.

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 Dan Mueller **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; Paula Vogel, Human Resources Manager;
Cindy Havelka, County Auditor; Randy Noviskie, Chief Deputy Sheriff;
Roger Wunderlich, Constable Precinct 2; Billy Roensch, Constable Precinct 1;
Cassie Austin, Court Administrator; Josh Vandever, EMS Director;
Angela Hahn, Emergency Management Coordinator & Grant Specialist;
Clint Sternadel, County Inspector & Office of Development & Permitting

V.

Persons in attendance during all of any part of the meeting:
See Attached Exhibit A

VI.

Meeting opened at **9:01 a.m.** on motion by Commissioner **Berckenhoff**, seconded by Commissioner **Brossmann**, 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. May 25, 2023 – Regular Meeting

ACTION: Approved minutes from the May 25, 2023 Regular Meeting

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

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

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

ACTION: Opened Public Comments.

Closed Public Comments.

PERSONS APPEARING BEFORE THE COURT: None

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 Mueller, vote for **X**, vote against _____

3. **SUBJECT: Consider and take appropriate action concerning the following application(s) requesting the division of real property: Derrick Harvey located in Precinct 3.**

ACTION: Approved application requesting the division of real property for Derrick Harvey located in Precinct 3.

See attached hereto marked "Agenda Action 3 Exhibit"

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

See attached hereto marked "Exhibit B"

MOVED BY COMMR. Berckenhoff, SECONDED BY JUDGE Mueller

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 Mueller, vote for **X**, vote against _____

4. **SUBJECT: Consider and take appropriate action in approving the Final Plat from Jim Green of Hilltop Meadow subdivision located in Precinct 4.**

ACTION: Approved the Final Plat from Jim Green of Hilltop Meadow subdivision located in Precinct 4.

See attached hereto marked "Agenda Action 4 Exhibit"

PERSONS APPEARING BEFORE THE COURT: Clint Sternadel, County Inspector & Office of Development & Permitting; Tim Sanders, BEFCO Engineering

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 Mueller, vote for **X**, vote against _____

5. **SUBJECT: Consider and take appropriate action in recognizing the following private road, for mapping purposes only: Harvell Lane (Precinct 3).**

ACTION: Approved the following private road, for mapping purposes only: Harvell Lane (Precinct 4).

See attached hereto marked "Agenda Action 5 Exhibit"

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

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 Mueller, vote for **X**, vote against _____

6. **SUBJECT: Consider and take appropriate action in recognizing the following private road, for mapping purposes only: Round Top Springs Drive (Precinct 2) for the Round Top Springs subdivision.**

ACTION: Approved the following private road, for mapping purposes only: Round Top Springs Drive (Precinct 2) for the Round Top Springs subdivision.

See attached hereto marked "Agenda Action 6 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 Mueller, vote for **X**, vote against _____

7. **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 7 Exhibit"

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

MOVED BY JUDGE **Mueller**, 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 Mueller, vote for **X**, vote against _____

8. **SUBJECT: Approve the Application for Permit to Lay Temporary Water Line in Road Right-of-Way, submitted by ROCC Oil and Gas, LP for said water line to be placed along Vyvjala Lane (Precinct 3), a public county road located in Fayette County, Texas.**

ACTION: Approved the Application for Permit to Lay Temporary Water Line in Road Right-of-Way, submitted by ROCC Oil and Gas, LP for said water line to be placed along Vyvjala Lane (Precinct 3), a public county road located 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. **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 Mueller, vote for **X**, vote against _____

9. **SUBJECT: Discuss and take appropriate action on a contract with Langford Community Management Services for Administrative Management Services for Hazard Mitigation Grant Program Project DR-4332-0153 for Fayette County’s Master Drainage Plan.**

ACTION: Approved a contract with Langford Community Management Services for Administrative Management Services for Hazard Mitigation Grant Program Project DR-4332-0153 for Fayette County’s Master Drainage Plan.

See attached hereto marked “Agenda Action 9 Exhibit”

PERSONS APPEARING BEFORE THE COURT: Angela Hahn, Emergency Management Coordinator & 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 Mueller, vote for **X**, vote against _____

10. **SUBJECT: Consider and take appropriate action in approving Contract renewal with Colorado Valley Communications for fiber internet at the Ag Building, JP2, JP4, EMS2 and Juvenile Probation.**

ACTION: Approved Contract renewal with Colorado Valley Communications for fiber internet at the Ag Building, JP2, JP4, EMS2 and Juvenile Probation.

See attached hereto marked “Agenda Action 10 Exhibit”

PERSONS APPEARING BEFORE THE COURT: Karen Gunkel, Colorado Valley Communications

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 Mueller, vote for **X**, vote against _____

11. **SUBJECT: Consider, discuss, and take appropriate action in potentially approving payment for a survey of real property to be donated to Fayette County by Mary Frazee.**

ACTION: Tabled until next scheduled meeting.

PERSONS APPEARING BEFORE THE COURT: Judge Dan Mueller; Cassie Austin, Court Administrator

MOVED BY JUDGE Mueller, 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 Mueller, vote for **X**, vote against _____

12. **SUBJECT:** Accept and approve the written plan of Fayette Water Supply Corporation to place a new 4” waterline in the County right-of-way on Waldeck Road and to bore under Waldeck Road (Precinct 2), and to place and install new water service line and meter to property located at ID 114234, and requiring Fayette Water Supply Corporation to make repairs of any resultant damage done to the roadway, sides, ditches, and right-of-way of Waldeck 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: Accepted and Approved the written plan of Fayette Water Supply Corporation to place a new 4” waterline in the County right-of-way on Waldeck Road and to bore under Waldeck Road (Precinct 2), and to place and install new water service line and meter to property located at ID 114234; and

Required Fayette Water Supply Corporation to make repairs of any resultant damage done to the roadway, sides, ditches, and right-of-way of Waldeck 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 12 Exhibit”

PERSONS APPEARING BEFORE THE COURT: None

MOVED BY COMMR. Sternadel, 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 Mueller, vote for **X**, vote against _____

13. **SUBJECT: Authorize the following class requests: Jan Rodriquez, Clerk J.P. #3, to attend the New Court Personnel Seminar August 7-9, 2023 in Austin; Bethany Kaspar, District Court Coordinator, to attend the 24th Annual rural Association for Court Administration Conference September 5-8, 2023 in Waco; County Judge Dan Mueller to attend the DWI Summit June 23, 2023 in College Station.**

ACTION: Authorized the following class requests: Jan Rodriquez, Clerk J.P. #3, to attend the New Court Personnel Seminar August 7-9, 2023 in Austin; Bethany Kaspar, District Court Coordinator, to attend the 24th Annual rural Association for Court Administration Conference September 5-8, 2023 in Waco; County Judge Dan Mueller to attend the DWI Summit June 23, 2023 in College Station.

PERSONS APPEARING BEFORE THE COURT: None

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 Mueller, vote for **X**, vote against _____

14. **SUBJECT: Consider and take appropriate action concerning approving of the 3 year Crime Insurance for the Fayette County Ambulance Fee Collectors proposal by The Nitsche Group.**

ACTION: Tabled until next scheduled meeting.

PERSONS APPEARING BEFORE THE COURT: Cindy Havelka, County Auditor; Josh Vandever, EMS Director; William Bernsen

See attached hereto marked "Exhibit B"

MOVED BY JUDGE Mueller, 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 Mueller, vote for **X**, vote against _____

15. **SUBJECT: Consider and take appropriate action concerning purchasing a radio for Constable Precinct #2 out of his budget and declaring the old radio as surplus.**

ACTION: Approved purchase of a radio for Constable Precinct #2 out of his budget and declaring the old radio as surplus.

See attached hereto marked “Agenda Action 15 Exhibit”

PERSONS APPEARING BEFORE THE COURT: Cindy Havelka, County Auditor; Roger Wunderlich, Constable Precinct 2

MOVED BY JUDGE Mueller, 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 Mueller, vote for **X**, vote against _____

16. **SUBJECT: Consider and take appropriate action concerning renewal of Fayette County Employee Health, Dental & Vision Insurance for 2023 – 2024 presented by Texas Association of County Health and Employee Benefits Pool (TAC HEBP) representative.**

ACTION: Accepted a presentation concerning the renewal of Fayette County Employee Health, Dental & Vision Insurance for 2023 – 2024 presented by Texas Association of County Health and Employee Benefits Pool (TAC HEBP) representative, Orlando Espinoza.

See attached hereto marked “Agenda Action 16 Exhibit”

PERSONS APPEARING BEFORE THE COURT: Orlando Espinoza, Texas Association of Counties; Paula Vogel, Human Resources Manager; Angela Hahn, Emergency Management Coordinator & Grant Specialist; Cassie Austin, Court Administrator

MOVED BY JUDGE Mueller, 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 Mueller, vote for **X**, vote against _____

17. **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 17 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 Mueller, vote for **X**, vote against _____

Break at 9:25 a.m.

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 Mueller, vote for **X**, vote against _____

Reconvened at 9:34 a.m.

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 Mueller, vote for **X**, vote against _____

18. SUBJECT: Budget Workshop.

ACTION: Opened Budget Workshop for 2024.

**Accepted all comments of the 2024 Budget Workshop.
Closed Budget Workshop.**

See attached hereto marked "Agenda Action 18 Exhibit"

PERSONS APPEARING BEFORE THE COURT: Cindy Havelka, County Auditor; Cassie Austin, Court Administrator; Paula Vogel, Human Resources Manager; Josh Vandever, EMS Director; Orlando Espinoza, Texas Association of Counties; William Bernsen

See attached hereto marked "Exhibit B"

MOVED BY JUDGE Mueller, 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 Mueller, vote for **X**, vote against _____

19. **SUBJECT: Enter into closed (executive) session pursuant to Government Code, Section 551.0785, to deliberate a matter that includes a consideration of information in the medical records of an employee for a benefit from the plan, including a benefit provided by the Sick Leave Pool, Section 2.18 of the Fayette County Personnel Policy Manual, with final action to be taken in open session.**

ACTION: Entered into closed (executive) session at 10:22 a.m. to deliberate a matter that includes a consideration of information in the medical records of an employee for a benefit from the plan, including a benefit provided by the Sick Leave Pool, Section 2B-9 of the Fayette County Personnel Policy Manual, with final action to be taken in open session.

PERSONS APPEARING BEFORE THE COURT: None

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

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

20. **SUBJECT: Return and reconvene to open meeting.**

ACTION: Reconvened into open meeting at 10:27 a.m.

PERSONS APPEARING BEFORE THE COURT: None

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 Mueller, vote for **X**, vote against _____

21. **SUBJECT: Consider and take appropriate action deemed necessary, including a final action, decision or vote on the matters deliberated in closed session.**

ACTION: Approved a benefit from the Sick Leave Pool, Section 2B-9 of the Fayette County Personnel Policy Manual, for an employee, up to 40 hours.

PERSONS APPEARING BEFORE THE COURT: None

MOVED BY JUDGE Mueller, 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 Mueller, vote for **X**, vote against _____

VIII.

Meeting adjourned at 10:28 a.m., June 8, 2023, on motion by Commissioner Berckenhoff, seconded by Commissioner McBroom, votes for 5, votes against 0.

APPROVED this 22nd day of June, 2023.

Dan Mueller

Dan Mueller
Fayette County Judge

Absent

Jason McBroom
Commissioner, Precinct 1

Luke Sternadel

Luke Sternadel
Commissioner, Precinct 2

Harvey Berckenhoff

Harvey Berckenhoff
Commissioner, Precinct 3

Drew Brossmann

Drew Brossmann
Commissioner, Precinct 4

ATTEST:

Brenda Fietsam

Brenda Fietsam
County Clerk

