
MINUTES OF COMMISSIONERS COURT MEETING

I.

Attached hereto is/are public notice(s) posted for the meeting of **March 28, 2024**.

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; Gary Daniels, Assistant EMS Director;
Cassie Austin, Court Administrator; Cindy Havelka, County Auditor;
Jeremey Castleberry, CIT Investigator & Deputy Sheriff;
Angela Hahn, Emergency Management Coordinator;
Terri Hefner, Elections Administrator; Blake Watson, Assistant County Attorney;
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.

INVOCATION

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.”

VII.

Meeting opened at **1:30 p.m.** on motion by Commissioner **Brossmann**, seconded by Commissioner **Berckenhoff**, votes for **5**, votes against **0**.

AGENDA ACTION:

1. **SUBJECT: Consider and take appropriate action in approving the following minutes from previous meetings:**

- i. **March 14, 2024 – Regular Meeting**

ACTION: Approved minutes from the March 14, 2024 Regular Meeting.

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

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

ACTION: Opened 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 _____

**ACTION: Accepted all public comments.
Closed public comments.**

PERSONS APPEARING BEFORE THE COURT: Michael Schlabach, Fayette County Republican Chairman Elect

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 _____

3. **SUBJECT: Sign proclamation proclaiming the month of April, 2024 as Fair Housing Month in Fayette County.**

ACTION: Signed proclamation proclaiming the month of April, 2024 as Fair Housing Month in Fayette County.

See attached hereto marked "Agenda Action 3 Exhibit"

PERSONS APPEARING BEFORE THE COURT: Hannah Mica, South Central Board of Realtors; Jack Maddox, South Central Board of Realtors; Samantha Pietsch, South Central Board of Realtors

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 _____

4. **SUBJECT: Consider and take appropriate action on request from Glenda Munch, Relay for Life of La Grange Event Chair, to wrap purple ribbons around the trees on the Courthouse lawn for the month of April; and to use the Courthouse grounds on the south side, electricity and the Founders Park restrooms for the following event: Relay For Life – Saturday, April 20, 2024.**

ACTION: Approved request from Glenda Munsch, Relay for Life of La Grange Event Chair, to wrap purple ribbons around the trees on the Courthouse lawn for the month of April; and to use the Courthouse grounds on the south side, electricity and the Founders Park restrooms for the following event: Relay For Life – Saturday, April 20, 2024.

See attached hereto marked “Agenda Action 4 Exhibit”

PERSONS APPEARING BEFORE THE COURT: Glenda Munsch, Relay for Life of La Grange Event Chair

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: Review and approve the Fayette County Elections Office Continuity of Operations Plan.**

ACTION: Tabled to next scheduled meeting to review and approve.

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

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

6. **SUBJECT: Discuss and review plans for upcoming May 4 and May 28 elections.**

ACTION: Accepted plans presented by Terri Hefner, Elections Administrator, for upcoming May 4 and May 28 elections.

PERSONS APPEARING BEFORE THE COURT: Terri Hefner, Elections Administrator

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 _____

7. **SUBJECT: Consider and take appropriate action concerning the following applications requesting the division of real property: DBDK Holdings located in Precinct 4; Shirley Behrens located in Precinct 3.**

ACTION: Approved the following applications requesting the division of real property: DBDK Holdings located in Precinct 4; Shirley Behrens located in Precinct 3.

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. 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 _____

8. **SUBJECT: Consider and take appropriate action concerning the final approval stage for Titan Financing Group regarding a platted subdivision Country Reserve Subdivision; BEFCO Engineering, Inc., having issued a letter of substantial completion dated March 18, 2024; Titan Financing Group being responsible for the maintenance of Country View Lane for one year until March 18, 2025, at which time the road may be accepted for county maintenance into the county road system.**

ACTION: Approved the final approval stage for Titan Financing Group regarding a platted subdivision Country Reserve Subdivision; BEFCO Engineering, Inc., having issued a letter of substantial completion dated March 18, 2024; Titan Financing Group being responsible for the maintenance of Country View Lane for one year until March 18, 2025, at which time the road may be accepted for county maintenance into the county road system.

See attached hereto marked "Agenda Action 8 Exhibit"

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

MOVED BY COMMR. Brossmann, 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 _____

9. **SUBJECT: Consider and take appropriate action concerning the final approval stage for Jim Green regarding a platted subdivision Hilltop Meadow Subdivision; BEFCO Engineering, Inc., having issued a letter of substantial completion dated March 18, 2024; Jim Green being responsible for the maintenance of Harvell Lane for one year until March 18, 2025, at which time the road may be accepted for county maintenance into the county road system.**

ACTION: Approved the final approval stage for Jim Green regarding a platted subdivision Hilltop Meadow Subdivision; BEFCO Engineering, Inc., having issued a letter of substantial completion dated March 18, 2024; Jim Green being responsible for the maintenance of Harvell Lane for one year until March 18, 2025, at which time the road may be accepted for county maintenance into the county road system.

See attached hereto marked "Agenda Action 9 Exhibit"

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

MOVED BY COMMR. Brossmann, 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 _____

10. **SUBJECT: Hear report from Fayette County Sheriff's Office.**

ACTION: Accepted report from Fayette County Sheriff's Office.

See attached hereto marked "Agenda Action 10 Exhibit"

PERSONS APPEARING BEFORE THE COURT: Jeremey Castleberry, CIT Investigator & Deputy Sheriff

MOVED BY COMMR. **Brossmann**, 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 _____

11. **SUBJECT: Hear report from Josh Vandever, EMS Director.**

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 Mueller, vote for _____, vote against _____

12. **SUBJECT: Discuss, consider and take appropriate action in signing Voluntary Annexation Petition for Schulenburg EMS Station 4.**

ACTION: Signed Voluntary Annexation Petition for Schulenburg EMS Station 4.

See attached hereto marked "Agenda Action 12 Exhibit"

PERSONS APPEARING BEFORE THE COURT: Gary Daniels, Assistant EMS Director

MOVED BY JUDGE Mueller, 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: Consider and take appropriate action on Resolution Authorizing the Disposition of Salvage and Surplus Property, in accordance with Local Government Code 263.152-158, with said property to be offered for sale to Colorado County.**

ACTION: Signed Resolution Authorizing the Disposition of Salvage and Surplus Property, in accordance with Local Government Code 263.152-158, with said property to be offered for sale to Colorado County.

See attached hereto marked "Agenda Action 13 Exhibit"

PERSONS APPEARING BEFORE THE COURT: Gary Daniels, Assistant EMS Director

MOVED BY COMMR. Brossmann, 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: Hear report from Angela Hahn, Emergency Management Coordinator & Grant Specialist.

ACTION: Accepted report from Angela Hahn, Emergency Management Coordinator & Grant Specialist.

See attached hereto marked "Agenda Action 14 Exhibit"

PERSONS APPEARING BEFORE THE COURT: Angela Hahn, Emergency Management Coordinator

MOVED BY COMMR. McBroom, 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 _____

15. SUBJECT: Discuss and take appropriate action concerning the revision of the application for the GLO MIT funds.

ACTION: Approved the revision of the application for the GLO MIT funds.

PERSONS APPEARING BEFORE THE COURT: Commissioner Jason McBroom; Angela Hahn, Emergency Management Coordinator

MOVED BY JUDGE Mueller, 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 _____

16. **SUBJECT: Consider and take appropriate action in approving three Resolutions submitting applications to the Rural Law Enforcement Grants program for the Fayette County Constables Precinct 1 and 2 and Fayette County Attorney’s Office.**

ACTION: Approved two Grant Agreements submitting applications to the Rural Law Enforcement Grants program for the Fayette County Constables Precinct 1 and 2 and Fayette County Attorney’s Office.

See attached hereto marked “Agenda Action 16 Exhibit”

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

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: Authorize the purchase of a baler in the amount of \$15,385.00 for the Recycle Center using grants funds that were awarded to the County by Keep Texas Beautiful for the HEB Community Recycling Grant Program.**

ACTION: Authorized the purchase of a baler in the amount of \$15,385.00 for the Recycle Center using grants funds that were awarded to the County by Keep Texas Beautiful for the HEB Community Recycling Grant Program.

See attached hereto marked “Agenda Action 17 Exhibit”

PERSONS APPEARING BEFORE THE COURT: Cassie Austin, Court Administrator

MOVED BY COMMR. Brossmann, 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 _____

18. **SUBJECT: Consider, discuss, and take appropriate action regarding approving a work easement across Bill and Ann Goldsmith’s property located in precinct 3, for creation of two low water crossings.**

ACTION: Approved a work easement across Bill and Ann Goldsmith’s property located in precinct 3, for creation of two low water crossings.

See attached hereto marked “Agenda Action 18 Exhibit”

PERSONS APPEARING BEFORE THE COURT: Blake Watson, Assistant County Attorney; Commissioner Harvey Berckenhoff

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

19. **SUBJECT: Consider and take appropriate action in signing an Affidavit certifying that the County made a grant in the amount of \$8,000.00 to Combined Community Action, Inc./Meals on Wheel Rural Capital Area for the Texas Department of Agriculture Texas Feeding Texas: Home Delivered Meal Grant Program.**

ACTION: Signed an Affidavit certifying that the County made a grant in the amount of \$8,000.00 to Combined Community Action, Inc./Meals on Wheel Rural Capital Area for the Texas Department of Agriculture Texas Feeding Texas: Home Delivered Meal Grant Program.

See attached hereto marked “Agenda Action 19 Exhibit”

PERSONS APPEARING BEFORE THE COURT: Cassie Austin, Court Administrator

MOVED BY JUDGE Mueller, 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 _____

20. **SUBJECT: Acknowledge the fiber upgrades and 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 Plum Hwy Rd, JZJ Ln, West Point Loop (2 sections), Mc Duffy Ln, Bush Rd (2 sections), West Point North Loop (2 sections), West Point River Rd, West Plant Rd, West Point School Ln, Belota Walla Rd, Frances Rd, Baar Farm Ln, Drisdale Rd, Williams Rd (2 sections), Vacula Ln, Prairie Valley Rd (Precinct 1), E. Mill St, Round Top Rd, and Wied Rd (Precinct 2).**

ACTION: Acknowledged the fiber upgrades and 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 Plum Hwy Rd, JZJ Ln, West Point Loop (2 sections), Mc Duffy Ln, Bush Rd (2 sections), West Point North Loop (2 sections), West Point River Rd, West Plant Rd, West Point School Ln, Belota Walla Rd, Frances Rd, Baar Farm Ln, Drisdale Rd, Williams Rd (2 sections), Vacula Ln, Prairie Valley Rd (Precinct 1), E. Mill St, Round Top Rd, and Wied Rd (Precinct 2).

See attached hereto marked "Agenda Action 20 Exhibit"

PERSONS APPEARING BEFORE THE COURT: None

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 Mueller, **Recused**

21. **SUBJECT: Consider and take appropriate action in allowing Fayette County Groundwater Conservation District to utilize vacant office space, room 121, at the Fayette County Agricultural Building for expanding files and equipment.**

ACTION: Allowed Fayette County Groundwater Conservation District to utilize vacant office space, room 121, at the Fayette County Agricultural Building for expanding files and equipment.

PERSONS APPEARING BEFORE THE COURT: Cassie Austin, Court Administrator

MOVED BY JUDGE Mueller, 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 _____

22. **SUBJECT: Consider and take appropriate action in approving the Property and Liability Renewal with the Texas Association of Counties for year 2023-2024.**

ACTION: Approved the Property and Liability Renewal with the Texas Association of Counties for year 2023-2024.

See attached hereto marked "Agenda Action 22 Exhibit"

PERSONS APPEARING BEFORE THE COURT: Cindy Havelka, County Auditor; Blake Watson, Assistant County Attorney

MOVED BY JUDGE Mueller, 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 _____

23. **SUBJECT: Consider and take appropriate action concerning the agreement with Dewitt Poth & Son, Inc. for Supplies and maintenance for the Justice Center Copier and for the Elections Copier.**

ACTION: Entered the agreement with Dewitt Poth & Son, Inc. for Supplies and maintenance for the Justice Center Copier and for the Elections Copier.

See attached hereto marked "Agenda Action 23 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 Mueller, vote for **X**, vote against _____

24. **SUBJECT: Consider and take appropriate action authorizing the County Judge to approve and sign the Texas Department of State Health Services Tobacco Settlement Distribution Program Expenditure Statement for Counties.**

ACTION: Authorized the County Judge to approve and sign the Texas Department of State Health Services Tobacco Settlement Distribution Program Expenditure Statement for Counties.

See attached hereto marked "Agenda Action 24 Exhibit"

PERSONS APPEARING BEFORE THE COURT: Cindy Havelka, County Auditor

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 _____

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

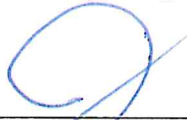
VIII.

Meeting adjourned at 2:19 p.m., March 28, 2024, on motion by Commissioner **Brossmann**, seconded by Commissioner **Berckenhoff**, votes for 5, votes against 0.

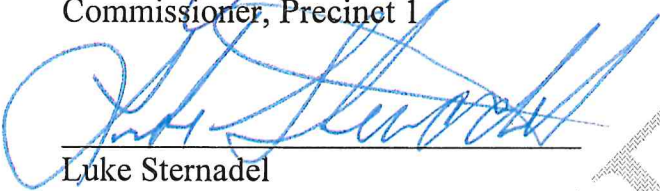
APPROVED this 11th day of April, 2024.



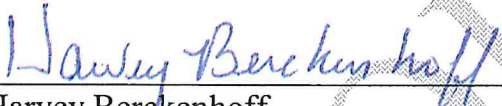
Dan Mueller
Fayette County Judge



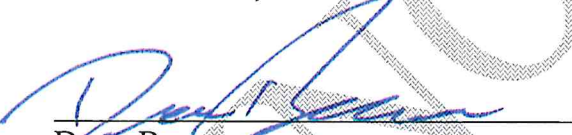
Jason McBroom
Commissioner, Precinct 1



Luke Sternadel
Commissioner, Precinct 2



Harvey Berckenhoff
Commissioner, Precinct 3



Drew Brossmann
Commissioner, Precinct 4

ATTEST:



Brenda Fietsam
County Clerk

Commissioners Court March 28, 2024