
MINUTES OF COMMISSIONERS COURT MEETING

I.

Attached hereto is/are public notice(s) posted for the meeting of **August 29, 2019.**

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 **Absent**
County Commissioner – Precinct No. 2, Luke Sternadel **Present**
County Commissioner – Precinct No. 3, Harvey Berckenhoff **Absent**
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; Clint Sternadel, Designated Representative Subdivision Enforcement; Harold Streicher, Assistant County Attorney; Blake Watson, Assistant County Attorney; Janet Carrigan, Emergency Management Coordinator/Floodplain Administrator; Garrett Durrenberger, Detective; Jackie Wessels, Veterans Service Officer; Marlana Fajkus, Commissioners' Court PDP Coordinator**

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 **Muras**, votes for **3**, 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. **August 15, 2019 – Regular Meeting**
 - ii. **August 19, 2019 – Special Meeting**

ACTION: Approved minutes from previous meetings.

PERSONS APPEARING BEFORE THE COURT: Brenda Fietsam, County Clerk

MOVED BY COMMR. Sternadel, SECONDED BY COMMR. Muras.

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

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

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

Commr. Muras, 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: Accepted public comments from Janet Carrigan concerning the Texas Division of Emergency Management Organization Chart and the current Hurricane situation.

PERSONS APPEARING BEFORE THE COURT: Janet Carrigan, Emergency Management Coordinator/Floodplain Administrator

MOVED BY COMMR. Muras, SECONDED BY COMMR. Sternadel.

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

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

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

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

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

3. **SUBJECT: Consider and take appropriate action in signing proclamation proclaiming September as "Childhood Cancer Awareness Month".**

ACTION: Signed the Proclamation proclaiming September as "Childhood Cancer Awareness Month".

PERSONS APPEARING BEFORE THE COURT: Jackie Wessels, Marlana Fajkus, and Kim Pape

MOVED BY COMMR. Sternadel, SECONDED BY COMMR. Muras.

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

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

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

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

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

4. **SUBJECT: Consider and take appropriate action on request from Jackie Wessels to place a single gold ribbon on an oak tree on the Courthouse lawn, along with a sign recognizing September as Childhood Cancer Awareness Month in Fayette County.**

ACTION: Allowed Jackie Wessels to place a single gold ribbon on an oak tree on the Courthouse lawn, along with a sign recognizing September as Childhood Cancer Awareness Month in Fayette County.

PERSONS APPEARING BEFORE THE COURT: Jackie Wessels

MOVED BY COMMR. Muras, SECONDED BY COMMR. Sternadel.

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

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

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

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

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

5. **SUBJECT: Consider and take appropriate action in signing proclamation proclaiming the week of September 15-21, 2019 as American Legion Week in Fayette County.**

ACTION: Signed a Proclamation proclaiming the week of September 15-21, 2019 as American Legion Week in Fayette County and honoring the McBride Post #143 in its 100 years of existence.

ADDITIONAL COMMENTS: Bob Heinrich invited the Court to join the McBride Post #143 Centennial Celebration on Sunday, September 15 at Senglemann Hall.

PERSONS APPEARING BEFORE THE COURT: Bob Heinrich

MOVED BY COMMR. Muras, SECONDED BY COMMR. Sternadel.

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

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

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

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

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

6. **SUBJECT: Consider and take appropriate action concerning the application from John Kelly, requesting a variance of the subdivision of real property.**

ACTION: Accepted the application from John Kelly, requesting a variance of the subdivision of real property.

PERSONS APPEARING BEFORE THE COURT: Clint Sternadel, Designated Representative Subdivision Enforcement

MOVED BY COMMR. Sternadel, SECONDED BY COMMR. Muras.

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

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

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

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

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

7. **SUBJECT: Consider and take appropriate action by accepting and approving the plan of Colorado Valley Telephone Cooperative, Inc. (CVTC) to install new buried copper cables within the corridors of the following road(s): C H Allen Road and Kneip Road (Precinct 2), 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 roads, 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 copper cables within the corridors of the following road(s): C H Allen Road and Kneip Road (Precinct 2), 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 roads, and to other utilities utilizing the public right-of-ways.

PERSONS APPEARING BEFORE THE COURT: Brian Mueller, CVTC

MOVED BY COMMR. Sternadel, SECONDED BY COMMR. Muras.

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

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

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

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

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

8. **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 within the corridors of the following road(s): Rauch Road, Laird Road, McCormick Road, S Weyand Road, Schuster Road (Precinct 2), Boulton Creek Road (Precinct 3), and Oakland Road (Precinct 4), 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 roads, 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 within the corridors of the following road(s): Rauch Road, Laird Road, McCormick Road, S Weyand Road, Schuster Road (Precinct 2), Boulton Creek Road (Precinct 3), and Oakland Road (Precinct 4), 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 roads, and to other utilities utilizing the public right-of-ways.

PERSONS APPEARING BEFORE THE COURT: Brian Mueller, CVTC

MOVED BY COMMR. Muras, SECONDED BY COMMR. Sternadel.

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

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

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

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

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

9. **SUBJECT: Consider and take appropriate action by accepting and approving the plan of Colorado Valley Telephone Cooperative, Inc. (CVTC) to install a Digital Loop Carrier (DLC) housing within the right-of-way of the following county road: Oakland Road (Precinct 4), 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 Oakland Road, 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 a Digital Loop Carrier (DLC) housing within the right-of-way of the following county road: Oakland Road (Precinct 4), 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 Oakland Road, and to other utilities utilizing the public right-of-ways.

PERSONS APPEARING BEFORE THE COURT: Brian Mueller, CVTC

MOVED BY COMMR. Muras, SECONDED BY COMMR. Sternadel.

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

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

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

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

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

10. **SUBJECT: Consider and take appropriate action by accepting and approving the plan of Fayette Electric Cooperative, Inc., to set one secondary pole in the county right-of-way along Oakland Road (Precinct 4), to extend electric service to communication equipment of Colorado Valley Telephone Cooperative, Inc.**

ACTION: Accepted and Approved the plan of Fayette Electric Cooperative, Inc., to set one secondary pole in the county right-of-way along Oakland Road (Precinct 4), to extend electric service to communication equipment of Colorado Valley Telephone Cooperative, Inc.

PERSONS APPEARING BEFORE THE COURT:

MOVED BY COMMR. Muras, SECONDED BY COMMR. Sternadel.

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

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

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

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

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

11. **SUBJECT:** Consider and take appropriate action concerning Routing Agreement and Road Use Bond Agreement submitted by Magnolia Oil & Gas Operating, LLC, for said Company's overweight loads to travel, as indicated on the attached map, on the following road: Raymond-Lehmann Road (Precinct 2), a public county road in Fayette County, Texas.

ACTION: Accepted Routing Agreement and Road Use Bond Agreement submitted by Magnolia Oil & Gas Operating, LLC, for said Company's overweight loads to travel, as indicated on the attached map, on the following road: Raymond-Lehmann Road (Precinct 2), a public county road in Fayette County, Texas.

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

MOVED BY COMMR. Sternadel, SECONDED BY COMMR. Muras.

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

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

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

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

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

VIII.

Meeting adjourned at **9:40 a.m., August 29, 2019**, on motion by Commissioner **Muras**, seconded by Commissioner **Sternadel**, votes for **3**, votes against **0**.

APPROVED this **12th** day of **September, 2019**.

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