
MINUTES OF COMMISSIONERS COURT MEETING

I.

Attached hereto is/are public notice(s) posted for the meeting of **November 27, 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 **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; Mandy Kasper, Deputy County Clerk; Cassie Austin, Court Administrator; Kathy Kleiber, Auditor; Craig Moreau, Emergency Management Coordinator; Clint Sternadel, County Inspector; Blake Watson, Assistant County Attorney; Mark Zimmerman, Deputy Sheriff

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 **Berckenhoff**, seconded by Commissioner **McBroom**, 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. November 14, 2019 – Regular Meeting

ACTION: Approved minutes from previous 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. 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 comments from Judge Weber and Commissioner Muras thanking County Employees for hard work.

PERSONS APPEARING BEFORE THE COURT:

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 _____

3. **SUBJECT: Consider and take appropriate action on request from Relay for Life of La Grange to display a Holiday Tree on the Courthouse grounds, near the Veterans Memorial, beginning December 5, 2019, through January 3, 2020.**

ACTION: Approved request from Relay for Life of La Grange to display a Holiday Tree on the Courthouse grounds, near the Veterans Memorial, beginning December 5, 2019, through January 3, 2020. "See attachment hereto marked Agenda Action 3 Exhibit."

PERSONS APPEARING BEFORE THE COURT: Eileen Behrens, Relay for Life; Cassie Austin, Court Administrator

MOVED BY COMMR. Berckenhoff, SECONDED BY COMMR. Muras.

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 concerning the application from William Karisch, requesting a variance to allow the subdivision of their real property.**

ACTION: Approved application from William Karisch, requesting a variance to allow the subdivision of their real property. "See attachment hereto marked Agenda Action 4 Exhibit."

PERSONS APPEARING BEFORE THE COURT: Clint Sternadel, County Inspector

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 _____

5. **SUBJECT: Consider and take appropriate action in (1) approving the final Plat of The Compound Subdivision; (2) acknowledging the Certification of Construction Completion, issued by BEFCO Engineering, Inc., for Compound Lane; and (3) in setting the one year probationary warranty and maintenance term beginning November 20, 2019 and ending on November 20, 2020, requiring the developer to be responsible for maintenance of Compound Lane during the one year term and to warrant that Compound Lane meets Fayette County’s minimum standards for roadway construction, and at the end of the one year term, provided Compound Lane meets the minimum standards, Compound Lane will be accepted as a county road and the County will take over maintenance of Compound Lane.**

ACTION: Approved the final Plat of The Compound Subdivision; (2) Acknowledged the Certification of Construction Completion, issued by BEFCO Engineering, Inc., for Compound Lane; and (3) in setting the one year probationary warranty and maintenance term beginning November 20, 2019 and ending on November 20, 2020, Required the developer to be responsible for maintenance of Compound Lane during the one year term and to warrant that Compound Lane meets Fayette County’s minimum standards for roadway construction, and at the end of the one year term, provided Compound Lane meets the minimum standards, Compound Lane will be accepted as a county road and the County will take over maintenance of Compound Lane. “See attachment hereto marked Agenda Action 5 Exhibit.”

PERSONS APPEARING BEFORE THE COURT: Clint Sternadel, County Inspector; Mark Massey, The Compound

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 _____

6. **SUBJECT: Discuss, consider, and take appropriate action concerning the EMS Headquarters and Station One Construction Project.**

ACTION: Approved items 1-18 to be paid from Contingency Fund. Deferred Items 19-21 from Contingency Log. "See attachment hereto marked Agenda Action 6 Exhibit."

ADDITIONAL COMMENTS: Get BBA Architects LP and Krueger to come to Commissioners Court to discuss further.

PERSONS APPEARING BEFORE THE COURT: Clint Sternadel, County Inspector; Tommy Hudson; Kathy Klieber, Auditor; Black Watson, Assistant County Attorney

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 _____

7. **SUBJECT: Consider and take appropriate action concerning the Schulenburg First Responders Blanket Accident Policy with The Nitsche Group for the 2020-2021 Renewal to be effective 01/01/2020.**

ACTION: Approved to pay Schulenburg First Responders Blanket Accident Policy with The Nitsche Group for the 2020-2021 Renewal to be effective 01/01/2020. "See attachment hereto marked Agenda Action 7 Exhibit."

PERSONS APPEARING BEFORE THE COURT: Kathy Kleiber, Auditor

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 _____

8. **SUBJECT: Consider and take appropriate action in accepting bids and awarding a bid for a New EMS Ambulance Chassis.**

ACTION: Deferred until next regular meeting with EMS in attendance “See attachment hereto marked Agenda Action 8 Exhibit.”

PERSONS APPEARING BEFORE THE COURT: Kathy Kleiber, Auditor

MOVED BY JUDGE Weber, 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 _____

9. **SUBJECT: Consider and take appropriate action in accepting bids and awarding a bid for financing of a 2019 John Deere 524L Loader for Fayette County Precinct No. 2 Road & Bridge.**

ACTION: Accepted all bids and Awarded bid to Carmine State Bank for financing of a 2019 John Deere 524L Loader for Fayette County Precinct No. 3 Road & Bridge. “See attachment hereto marked Agenda Action 9 Exhibit.”

PERSONS APPEARING BEFORE THE COURT: Kathy Kleiber, Auditor

MOVED BY COMMR. Berckenhoff, SECONDED BY COMMR. Muras.

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 approving the Pitney Bowes Postage Meter Leasing Agreement Renewal for the Fayette County Clerk.**

ACTION: Approved the Pitney Bowes Postage Meter Leasing Agreement Renewal for the Fayette County Clerk.

PERSONS APPEARING BEFORE THE COURT: Brenda Fietsam, County Clerk; Kathy Kleiber, 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. Muras, vote for **X**, vote against _____

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

11. **SUBJECT: Consider and take appropriate action in (1) signing a Resolution and Order authorizing the filing of a grant application with the Capital Area Council of Governments (CAPCOG) for a regional solid waste grants program grant; (2) authorizing Commissioner Tom Muras to act on behalf of Fayette County, Texas in all matters related to the application; and (3) pledging that if a grant is received, Fayette County will comply with the grant requirements of CAPCOG, the Texas Commission On Environmental Quality (TCEQ), and the State of Texas.**

ACTION: Signed a Resolution and Order authorizing the filing of a grant application with the Capital Area Council of Governments (CAPCOG) for a regional solid waste grants program grant; (2) Authorized Commissioner Tom Muras to act on behalf of Fayette County, Texas in all matters related to the application; and (3) Pledged that if a grant is received, Fayette County will comply with the grant requirements of CAPCOG, the Texas Commission On Environmental Quality (TCEQ), and the State of Texas. "See attachment hereto marked Agenda Action 11 Exhibit."

PERSONS APPEARING BEFORE THE COURT: Commissioner Muras

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 _____

12. **SUBJECT: Discussion with appropriate action setting the date of December 12, 2019, at 9:00 a.m., for a public hearing concerning setting a speed limit on the following road: Reiss Road (Precinct 1), and for authorization to publish notice of said hearing in the newspaper.**

ACTION: Discussed and set the date of December 12, 2019, at 9:00 a.m., for a public hearing concerning setting a speed limit on the following road: Reiss Road (Precinct 1), and for authorization to publish notice of said hearing in the newspaper.

PERSONS APPEARING BEFORE THE COURT:

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 _____

Recessed at 10:04 a.m...

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 _____

Reconvened at 10:19 a.m...

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 _____

13. **SUBJECT: Consider and take appropriate action concerning approving the termination letter to be sent to Gorman’s Laundry regarding the Rental & Services Order Agreement.**

ACTION: Approved the termination letter to be sent to Gorman’s Laundry regarding the Rental & Services Order Agreement. “See attachment hereto marked Agenda Action 13 Exhibit.”

PERSONS APPEARING BEFORE THE COURT: 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 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): Muzny Lane, N Von Minden Rd (Precinct 1), and Rauch Rd, (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 fiber optic cables within the corridors of the following road(s): Muzny Lane, N Von Minden Rd (Precinct 1), and Rauch Rd, (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. “See attachment hereto marked Agenda Action 14 Exhibit.”

PERSONS APPEARING BEFORE THE COURT:

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 _____

15. **SUBJECT: Consider and take appropriate action concerning granting five Applications for Pipeline Public Road Bored Crossing Permits, submitted by AMP Texas Pipelines, LLC, for said pipeline to cross under Leslie Rd, Old Park Rd (at two different locations), Lakeview Rd, and Burnside Rd (Precinct 2), all public county roads located in Fayette County, Texas.**

ACTION: Granted five Applications for Pipeline Public Road Bored Crossing Permits, submitted by AMP Texas Pipelines, LLC, for said pipeline to cross under Leslie Rd, Old Park Rd (at two different locations), Lakeview Rd, and Burnside Rd (Precinct 2), all public county roads located in Fayette County, Texas. "See attachment hereto marked Agenda Action 15 Exhibit."

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

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

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 authorizing Terri Hefner, Elections Administrator, to attend the Texas Registered Official (REO) Program, January 6 – 8, 2020 in College Station, Texas.**

ACTION: Authorized Terri Hefner, Elections Administrator, to attend the Texas Registered Official (REO) Program, January 6 – 8, 2020 in College Station, 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 _____

17. **SUBJECT: Consider and take appropriate action in authorizing Clint Sternadel, County Inspector, to attend the Texas On-Site Wastewater Association's 2020 Annual Conference March 10-11, 2020, in Waco, Texas.**

ACTION: Authorized Clint Sternadel, County Inspector, to attend the Texas On-Site Wastewater Association's 2020 Annual Conference March 10-11, 2020, in Waco, Texas.

PERSONS APPEARING BEFORE THE COURT:

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 _____

18. **SUBJECT: Consider and take appropriate action in authorizing Cassie Austin, Court Administrator, to attend the County Court Assistants Training Conference February 19-21, 2020, in Georgetown, Texas.**

ACTION: Authorized Cassie Austin, Court Administrator, to attend the County Court Assistants Training Conference February 19-21, 2020, in Georgetown, Texas.

PERSONS APPEARING BEFORE THE COURT:

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 _____

19. **SUBJECT: Consider and take appropriate action concerning salary changes, if any, made in the period of 10/21/2019 through 11/22/2019.**

ACTION: Approved salary changes made in the period of 10/21/2019 through 11/22/2019. "See attachment hereto marked Agenda Action 19 Exhibit."

PERSONS APPEARING BEFORE THE COURT: Kathy Kleiber, 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. Muras, vote for **X**, vote against _____

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

20. **SUBJECT: Consider and take appropriate action concerning in approving the payment of currently due Fayette County bills and expenses.**

ACTION: Approved the payment of currently due Fayette County bills and expenses. "See attachment 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 _____

VIII.

Meeting adjourned at **10:33 a.m., November 27, 2019**, on motion by Commissioner **Sternadel**, seconded by Commissioner **McBroom**, votes for **5**, votes against **0**.

APPROVED this **12th day of December, 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