
MINUTES OF COMMISSIONERS COURT MEETING

I.

Attached hereto is/are public notice(s) posted for the meeting of **April 23, 2020**.

II.

The minutes of the Regular Meeting of Fayette County, Texas, Commissioners Court held in the District Court Courtroom (2nd floor) 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 **Absent**

IV.

County Officials/County Personnel present during all or any part of the meeting:
Brenda Fietsam, County Clerk; Cassie Austin, Court Administrator; Blake Watson, Assistant County Attorney; Randy Noviskie, Chief Deputy Sheriff; Clint Sternadel, County Inspector & Office Development & Permitting; Kathy Kleiber, Auditor

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 **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 regarding extending, modifying and revising, if necessary, the Declaration of Local Disaster for Fayette County, Texas that was signed into order on April 9, 2020.**

ACTION: Extended the Declaration of Local Disaster for Fayette County, Texas that was signed into order on April 9, 2020 for an additional 14 days with the modification to the restrictions on companies providing overnight hospitality services in Fayette County.

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

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 _____

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

- I. **April 9, 2020 – Regular Meeting**

ACTION: Approved minutes from previous meeting.

PERSONS APPEARING BEFORE THE COURT: Brenda Fietsam, County Clerk

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 _____

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

ACTION: Accepted comments – petitions, requests or statements by the public. Closed public comments.

PERSONS APPEARING BEFORE THE COURT: Commissioner Tom Muras; Randy Noviskie, Chief Deputy Sheriff; Kathy Kleiber, Auditor

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

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

4. **SUBJECT: Discuss, consider and adopt Resolution to Designate authorized signatories for the Hurricane Harvey – Buyout/Acquisition CDBG Disaster Recovery program contract 20-066-010-C063.**

ACTION: Adopted the Resolution to designate the County Judge, County Judge Pro Tem, County Auditor and First Assistant Auditor as Authorized signatories for the Hurricane Harvey – Buyout/Acquisition CDBG Disaster Recovery program contract 20-066-010-C063.

PERSONS APPEARING BEFORE THE COURT: Blake Watson, Assistant County Attorney; Kathy Kleiber, Auditor; 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. Muras, vote for **X**, vote against _____

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

5. **SUBJECT: Discuss, consider and approve a Resolution adopting required CDBG-DR Civil Rights Policies.**

ACTION: No Action.

PERSONS APPEARING BEFORE THE COURT: Blake Watson, Assistant County Attorney; Cassie Austin, Court Administrator

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 _____

6. **SUBJECT: Consider and take appropriate action in signing a Proclamation proclaiming April as Fair Housing Month in Fayette County, Texas.**

ACTION: No Action.

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 _____

7. **SUBJECT: Consider and take appropriate action in signing proclamation proclaiming the month of April, 2020 as Child Abuse Prevention Month in Fayette County.**

ACTION: Signed a proclamation proclaiming the month of April, 2020 as Child Abuse Prevention Month in Fayette County.

PERSONS APPEARING BEFORE THE COURT: Cassie Austin, Court Administrator

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 _____

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

ACTION: Accepted all comments concerning the EMS Headquarters and Station One Construction Project.

ADDITIONAL COMMENTS: Commissioners Court suggested taking a look at all EMS Stations in the County to see if there are any matters that need to be addressed.

PERSONS APPEARING BEFORE THE COURT: Clint Sternadel, County Inspector & Office Development & Permitting; Blake Watson, Assistant County Attorney

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 _____

9. **SUBJECT: Consider and take appropriate action concerning the application from Eden Farms, requesting a variance to allow the division of their real property.**

ACTION: Accepted application from Eden Farms, requesting a variance to allow the division of their real property.

PERSONS APPEARING BEFORE THE COURT: Clint Sternadel, County Inspector & Office 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. Muras, vote for **X**, vote against _____

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

10. **SUBJECT: Discuss, consider and take appropriate action concerning AMP Pipeline construction project in Precinct 1 & 2 in Fayette County.**

ACTION: Accepted comments concerning AMP Pipeline construction project in Precinct 1 & 2 in Fayette County.

Authorized the County Attorney's Office to file an injunction with the District Judge's Office.

PERSONS APPEARING BEFORE THE COURT Clint Sternadel, County Inspector & Office 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. Muras, vote for **X**, vote against _____

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

11. SUBJECT: Consider and take appropriate action in releasing the portion of Owl Creek Road only of the Routing Agreement & Road Use Bond Agreement with Magnolia Oil & Gas Operating, LLC, approved in Commissioners Court on October 17, 2019.

ACTION: Released the portion of Owl Creek Road and West End Road only of the Routing Agreement & Road Use Bond Agreement with Magnolia Oil & Gas Operating, LLC, approved in Commissioners Court on October 17, 2019.

PERSONS APPEARING BEFORE THE COURT: Commissioner Luke Sternadel

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 _____

12. SUBJECT: Consider and take appropriate action concerning approving the Routing Agreement and Road Use Bond Agreement submitted by INEOUS USA Oil & Gas, LLC, for said Company's overweight loads to travel, as indicated on the attached map, on the following roads: Old Lockhart Rd and Morgan Rd (Precinct 1), all public county roads in Fayette County, Texas.

ACTION: Approved the Routing Agreement and Road Use Bond Agreement submitted by INEOUS USA Oil & Gas, LLC, for said Company's overweight loads to travel, as indicated on the attached map, on the following roads: Old Lockhart Rd and Morgan Rd (Precinct 1), all public county roads in Fayette County, Texas.

PERSONS APPEARING BEFORE THE COURT: Commissioner Luke Sternadel

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 _____

13. **SUBJECT: Consider and take appropriate action approving the 2020 Fayette County Sheriff's Department Forfeiture Budget and salary increase for the positions of Interdiction Officer #1 and Interdiction Officer #2 to be made from the Forfeiture Fund.**

ACTION: Deferred to the next scheduled meeting in order for the County Attorney's Office to clarify the legality of the salary increases coming from the Forfeiture Fund and to present to Commissioners Court a line item budget for the Forfeiture Fund.

PERSONS APPEARING BEFORE THE COURT: Randy Noviskie, Chief Deputy Sheriff; Blake Watson, Assistant County Attorney; 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 _____

14. **SUBJECT: Consider and take appropriate action in approving the contract with Carmine State Bank for the financing of a Road & Bridge Maintainer for Road and Bridge, Prect. No, 4.**

ACTION: Approved the contract with Carmine State Bank for the financing of a Road & Bridge Maintainer for Road and Bridge, Prect. No, 4.

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 _____

15. **SUBJECT: Consider and take appropriate action approving any Salary changes, if any for the period of March 22, 2020 to April 18, 2020.**

ACTION: Approved Salary changes, for March 22, 2020 to April 18, 2020.

PERSONS APPEARING BEFORE THE COURT: Kathy Kleiber, Auditor; Blake Watson, Assistant County Attorney

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 _____

16. **SUBJECT: Consider and take appropriate action concerning the fines and fees collected for the period of January 01, 2020 to March 31, 2020.**

ACTION: Accepted all comments concerning the fines and fees collected for the period of January 01, 2020 to March 31, 2020.

PERSONS APPEARING BEFORE THE COURT: Kathy Kleiber, Auditor

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 _____

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.

PERSONS APPEARING BEFORE THE COURT: Kathy Kleiber, Auditor

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 _____

18. **SUBJECT: Consider and take appropriate action concerning update from Craig Moreau, Emergency Management Coordinator.**

ACTION: Accepted update from the office of Emergency Management.

PERSONS APPEARING BEFORE THE COURT: Judge Joe Weber; 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 _____

VIII.

Meeting adjourned at **10:22 a.m., April 23, 2020**, on motion by Commissioner **Muras**, seconded by Commissioner **Berckenhoff**, votes for **5**, votes against **0**.

APPROVED this 14th day of May, 2020.

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