
MINUTES OF COMMISSIONERS COURT MEETING

I.

Attached hereto is/are public notice(s) posted for the meeting of **January 9, 2020**.

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; Craig Moreau, Emergency Management Coordinator; Clint Sternadel, County Inspector; Blake Watson, Assistant County Attorney; Harold Streicher, Assistant County Attorney; Randy Noviskie, Chief Deputy Sheriff; Cindy Havelka, First Assistant 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 **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. December 23, 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 public comments. Rodney Read thanked Commissioners' Court on behalf of Fayette County Firefighters. He commented on his concerns for the Fire Departments 2020 accounts and Cummins Creek Bridge Project. Commissioner McBroom thanked the employees and Sheriff Department for how quickly they recovered a truck and trailer that was stolen from Precinct 1. Judge Weber brought to the courts attention that today is National Law Enforcement Day and publicly thanked Law Enforcement of the City and County. Closed public comments.

PERSONS APPEARING BEFORE THE COURT: Rodney Read, County Judge Joe Weber; Commissioner McBroom

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 _____

3. **SUBJECT: Consider and take appropriate action in appointing Commissioner Tom Muras as County Judge Pro-Tem for 2020.**

ACTION: Appointed Commissioner Tom Muras as County Judge Pro-Tem for 2020.

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 _____

4. **SUBJECT: Consider and take appropriate action in re-appointing Commissioner Jason McBroom as the Fayette County Commissioners Court Representative on the Combined Community Action Inc., Board of Directors.**

ACTION: Re-appointed Commissioner Jason McBroom as the Fayette County Commissioners Court Representative on the Combined Community Action Inc., Board of Directors. "See attachment hereto marked Agenda Action 4 Exhibit."

PERSONS APPEARING BEFORE THE COURT:

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 _____

5. **SUBJECT:** Consider and take appropriate action concerning the amount and type of residence homestead exemptions granted by Fayette County concerning property taxes, in order to be fully compliant with Section 11.13, Texas Tax Code.

ACTION: Adopted \$10,500 as the amount of the residence homestead exemption from taxation of the appraised value of the residence homestead applicable to the Road and Bridge portion of the ad valorem property taxes levied and imposed by Fayette County on the property of those individuals entitled to a homestead exemption who are also 65 years of age or older, effective beginning January 1, 2020, and that as provided by Section 11.13(g), Texas Tax Code, the \$10,500 exemption cannot be aggregated with the \$3,000 exemption that is provided by Section 11.13(a). Authorized Judge Weber to sign an order, once the Assistant County Attorney's Office has it prepared. "See attachment hereto marked Agenda Action 5 Exhibit."

PERSONS APPEARING BEFORE THE COURT: Harold Streicher, Assistant County Attorney; Richard Moring, Chief Appraiser, Fayette County Appraisal District.

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 _____

6. **SUBJECT: Consider and take appropriate action in appointing Kelly Franke to the Capital Area Council of Governments' Aging Advisory Council.**

ACTION: Appointed Kelly Franke to Capital Area Council of Governments' Aging Advisory Council.

PERSONS APPEARING BEFORE THE COURT: Cassie Austin, Court Administrator

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 _____

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

ACTION: Accepted all comments. As discussed at prior meetings a solution was found for the miss-located drains, at the Contractors expense. "See attachment hereto marked Agenda Action 7 Exhibit."

PERSONS APPEARING BEFORE THE COURT: Clint Sternadel, County Inspector

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 _____

8. **SUBJECT: Acknowledge monthly calls, collection, and financial report from EMS Director Sharon Muzny.**

ACTION: Deferred until next meeting.

PERSONS APPEARING BEFORE THE COURT: Cassie Austin, Court Administrator

MOVED BY COMMR. Muras, 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: Hear monthly report from Clint Sternadel, Designated Representative Sewage and Subdivision Regulation Inspection Enforcement.**

ACTION: Accepted monthly report from Clint Sternadel, Designated Representative Sewage and Subdivision Regulation Inspection Enforcement. "See attachment hereto marked Agenda Action 9 Exhibit."

PERSONS APPEARING BEFORE THE COURT: Clint Sternadel, County Inspector

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 _____

10. **SUBJECT: Consider and take appropriate action in approving and signing an Agreement with Texas Disposal Systems, Inc., for waste management services provided to Fayette County.**

ACTION: Approved and Signed 5 year Agreement with Texas Disposal Systems, Inc., for waste management services provided to Fayette County. "See attachment hereto marked Agenda Action 10 Exhibit."

PERSONS APPEARING BEFORE THE COURT: Blake Watson, Assistant County Attorney; Ron Leahy, Texas Disposal Systems, Inc.; Harold Streicher, 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 _____

11. **SUBJECT: Consider and take appropriate action by accepting and approving the written plan of Fayette Water Supply Corporation to bore under Brown Road (Precinct 3), and to place and install a new water service line and meter for a customer located at property ID R48898, and requiring Fayette Water Supply Corporation to make repairs of any resultant damage done to the roadway, sides, ditches, and right-of-way of Brown 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 bore under Brown Road (Precinct 3), and to place and install a new water service line and meter for a customer located at property ID R48898, and Required Fayette Water Supply Corporation to make repairs of any resultant damage done to the roadway, sides, ditches, and right-of-way of Brown 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 attachment hereto marked Agenda Action 11 Exhibit."

PERSONS APPEARING BEFORE THE COURT: Jim Rebeck, Fayette Water Supply.

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:** Consider and take appropriate action by accepting and approving the plan of Guadalupe Valley Telephone Cooperative, Inc (GVTC) to install new buried fiber optic cables within the corridors of the following road(s): W. Old Lockhart Rd and Old Smithville Rd (Precinct 1 & 3), and requiring GVTC to be responsible for repairs, and/or being required to make repairs, of direct or collateral damage, if any, caused by GVTC, and/or its contractors, to the preceding road(s), and to other utilities utilizing the public right-of-ways.

ACTION: Accepted and Approved the plan of Guadalupe Valley Telephone Cooperative, Inc (GVTC) to install new buried fiber optic cables within the corridors of the following road(s): W. Old Lockhart Rd and Old Smithville Rd (Precinct 1 & 3), and Required GVTC to be responsible for repairs, and/or being required to make repairs, of direct or collateral damage, if any, caused by GVTC, and/or its contractors, to the preceding road(s), and to other utilities utilizing the public right-of-ways. "See attachment hereto marked Agenda Action 12 Exhibit."

PERSONS APPEARING BEFORE THE COURT:

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 in releasing the portion of Schubert Road only of the Routing Agreement & Road Use Bond Agreement with Magnolia Oil & Gas Operating, LLC, approved in Commissioners Court on June 13, 2019.**

ACTION: Released portion of Schubert Road only of the Routing Agreement & Road Use Bond Agreement with Magnolia Oil & Gas Operating, LLC, approved in Commissioners Court on June 13, 2019 and Authorized County Judge Joe Weber and Commissioner McBroom to sign letter that was drawn up by the Assistant County Attorney's Office. "See attachment hereto marked Agenda Action 13 Exhibit."

PERSONS APPEARING BEFORE THE COURT: Blake Watson, Assistant County Attorney; Harold Streicher, 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 in approving Constitutional County Court Local Rules.**

ACTION: Deferred until Assistant County Attorney's Office can make adjustments.

PERSONS APPEARING BEFORE THE COURT: Harold Streicher, 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 _____

15. **SUBJECT: Consider and take appropriate action approving the Maintenance and Supply Agreement with Dewitt, Poth & Son for the Justice of Peace, Precinct 4/Schulenburg DPS Copier.**

ACTION: Approved the Maintenance and Supply Agreement with Dewitt, Poth & Son for the Justice of Peace, Precinct 4/Schulenburg DPS Copier. "See attachment hereto marked Agenda Action 15 Exhibit."

PERSONS APPEARING BEFORE THE COURT:

MOVED BY COMMR. **Muras**, 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 _____

16. **SUBJECT: Consider and take appropriate action approving the Maintenance and Supply Agreement with Dewitt, Poth & Son for the Justice of Peace, Precinct 3 Copier.**

ACTION: Approved the Maintenance and Supply Agreement with Dewitt, Poth & Son for the Justice of Peace, Precinct 3 Copier. "See attachment hereto marked Agenda Action 16 Exhibit."

PERSONS APPEARING BEFORE THE COURT:

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 in authorizing Brenda Fietsam, County Clerk, to attend the 2020 CDCAT Winter Conference, February 3-6, 2020 in San Marcos, Texas.**

ACTION: Authorized Brenda Fietsam, County Clerk, to attend the 2020 CDCAT Winter Conference, February 3-6, 2020 in San Marcos, Texas.

PERSONS APPEARING BEFORE THE COURT:

MOVED BY COMMR. **Muras**, 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 _____

18. **SUBJECT: Consider and take appropriate action in authorizing Kelly Blackwell, Deputy Clerk, to attend the 2020 CDCAT Winter Conference, February 5, 2020 in San Marcos, Texas.**

ACTION: Authorized Kelly Blackwell, Deputy Clerk, to attend the 2020 CDCAT Winter Conference, February 5, 2020 in San Marcos, 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 approving the payment of currently due Fayette County bills and expenses.

ACTION: Approved payment of currently due Fayette County bills and expenses. "See attachment hereto marked Agenda Action 19 Exhibit."

PERSONS APPEARING BEFORE THE COURT: Cindy Havelka, First Assistant 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. Muras, vote for **X**, vote against _____

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

VIII.

Meeting adjourned at **9:56 a.m., January 9, 2020**, on motion by Commissioner **McBroom**, seconded by Commissioner **Sternadel**, votes for **5**, votes against **0**.

APPROVED this 23rd day of January, 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