
MINUTES OF COMMISSIONERS COURT MEETING

I.

Attached hereto is/are public notice(s) posted for the meeting of **July 9, 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 **Absent**
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; Clint Sternadel, County Inspector & Office Development & Permitting; Blake Watson, Assistant County Attorney; Kathy Kleiber, Auditor; Craig Moreau, Emergency Management Coordinator; Brenden Gilbreath, Part Time Assistant Emergency Management; Randy Noviskie, Chief Deputy Sheriff

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 **Berckenhoff**, seconded by Commissioner **Sternadel**, votes for **4**, 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 June 25, 2020.**

ACTION: Extended the Declaration of Local Disaster for Fayette County, Texas that was signed into order on June 25, 2020 an additional 14 days.

PERSONS APPEARING BEFORE THE COURT: Judge Weber; Blake Watson, Assistant County Attorney; Craig Moreau, Emergency Management Coordinator

MOVED BY JUDGE Weber, SECONDED BY COMMR. Muras.

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

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. June 25, 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. Berckenhoff.

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

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 all Comments from Edward Alvarez concerning the Sheriff's Department Salaries. Closed public Comments.

PERSONS APPEARING BEFORE THE COURT: Edward Alvarez

MOVED BY COMMR. Berckenhoff, SECONDED BY COMMR. Sternadel.

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

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 discuss possibly entering into a Burn Ban.**

ACTION: Adopted and Entered into a county wide Burn Ban.

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

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 **X**, vote against _____

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

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

5. **SUBJECT: Hear report from Craig Moreau, Emergency Management Coordinator.**

ACTION: Accepted report from Craig Moreau, Emergency Management Coordinator.

PERSONS APPEARING BEFORE THE COURT: Craig Moreau, Emergency Management Coordinator; Kathy Kleiber, Auditor

MOVED BY COMMR. Berckenhoff, SECONDED BY COMMR. Sternadel.

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

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: Hear monthly report from Clint Sternadel, County Inspector & Office of Development & Permitting.**

ACTION: Accepted report from Clint Sternadel, County Inspector & Office of Development & Permitting.

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

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

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

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 application from Matt White requesting a variance to allow the division of real property.**

ACTION: Accepted application from Matt White requesting a variance to allow the division of real property.

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

MOVED BY COMMR. Sternadel, SECONDED BY COMMR. Berckenhoff.

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

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 by accepting and approving the written plan of Fayette Water Supply Corporation to bore under Airport Road (Precinct 3), and to place and install a new water service line and meter for a customer located at property ID R31688, and requiring Fayette Water Supply Corporation to make repairs of any resultant damage done to the roadway, sides, ditches, and right-of-way of Airport 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 Airport Road (Precinct 3), and to place and install a new water service line and meter for a customer located at property ID R31688, and Required Fayette Water Supply Corporation to make repairs of any resultant damage done to the roadway, sides, ditches, and right-of-way of Airport Road, and to do paving work, compacting, and restoring the roadway, sides, ditches, and right-of-way, all back to a finished natural grade.

PERSONS APPEARING BEFORE THE COURT:

MOVED BY COMMR **Berckenhoff**, SECONDED BY COMMR. **Sternadel**.

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

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: Acknowledge the new 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): Owl Creek Rd, (Precinct 1), Leslie Rd, Rohde Rd (Precinct 2), Dubina Weimar Rd, and Petter Rainosek Loop (Precinct 4).**

ACTION: Acknowledged the new 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): Owl Creek Rd, (Precinct 1), Leslie Rd, Rohde Rd (Precinct 2), Dubina Weimar Rd, and Petter Rainosek Loop (Precinct 4).

PERSONS APPEARING BEFORE THE COURT:

MOVED BY COMMR. **Sternadel**, SECONDED BY COMMR. **Berckenhoff**.

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

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 by accepting and approving the plan of Colorado Valley Telephone Cooperative, Inc (CVTC) to install new buried fiber optic cables (upgrades) within the corridors of the following road(s): East Old Lockhart Rd, Reiss Rd, Wetjen Rd, (Precinct 1), 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 road(s), 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 (upgrades) within the corridors of the following road(s): East Old Lockhart Rd, Reiss Rd, Wetjen Rd, (Precinct 1), 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 road(s), and to other utilities utilizing the public right-of-ways.

PERSONS APPEARING BEFORE THE COURT:

MOVED BY COMMR. Berckenhoff, SECONDED BY COMMR. Sternadel.

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

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 regarding approving and signing an interlocal agreement between Fayette County, the City of Flatonia, and Flatonia ISD for the mutually beneficial exchange of materials and road and bridge equipment.**

ACTION: Approved and Signed an interlocal agreement between Fayette County, the City of Flatonia, and Flatonia ISD for the mutually beneficial exchange of materials and road and bridge equipment; and

Authorized Precinct 3, Commissioner Berckenhoff, and Judge Weber to sign all paper work.

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

MOVED BY COMMR. Berckenhoff, SECONDED BY COMMR. Sternadel.

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

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 to authorize Fayette County to apply for the Community Development Block Grant - Mitigation (CDBG-MIT) Hazard Mitigation Planning Programs) fund from the Texas General Land Office (GLO) and advertise for proposals to provide administration and/or planning services for CDBG-MIT contract(s).**

ACTION: Authorized Fayette County to apply for the Community Development Block Grant - Mitigation (CDBG-MIT) Hazard Mitigation Planning Programs) fund from the Texas General Land Office (GLO) and advertise for proposals to provide administration and/or planning services for CDBG-MIT contract(s).

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

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

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

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 resetting a public hearing date to consider and potentially enter into a Tax Abatement Agreement and to establish a reinvestment zone as required by Texas Tax Code Chapter 312; and to authorize corrected public notices regarding the public hearing to be placed in the newspaper.**

ACTION: Reset a public hearing date to August 27, 2020 to consider and potentially enter into a Tax Abatement Agreement and to establish a reinvestment zone as required by Texas Tax Code Chapter 312; and Authorized corrected public notices regarding the public hearing to be placed in the newspaper.

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

MOVED BY COMMR. Berckenhoff, SECONDED BY COMMR. Sternadel.

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

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 concerning bid from Haworth Roofing and Seamless Gutters regarding the roof repairs to the Courthouse.**

ACTION: Approved going out with public notice of 2nd round of bids regarding the roof repairs to the Courthouse.

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

MOVED BY JUDGE Weber, SECONDED BY COMMR. Sternadel.

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

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: Authorize Brenda Fietsam, County Clerk, to attend the 2020 County & District Clerks' Association of Texas Annual Conference & Fall Conference September 13-17, 2020, in College Station, Texas.**

ACTION: Authorized Brenda Fietsam, County Clerk, to attend the 2020 County & District Clerks' Association of Texas Annual Conference & Fall Conference September 13-17, 2020, in College Station, Texas.

PERSONS APPEARING BEFORE THE COURT:

MOVED BY COMMR. **Sternadel**, SECONDED BY JUDGE **Weber**.

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

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: Authorize Clint Sternadel, County Inspector, to attend the TEEX OSSF Homeowner Aerobic Treatment and Surface Application System Operation and Maintenance course July 15, 2020, in Bryan, Texas.**

ACTION: Authorized Clint Sternadel, County Inspector, to attend the TEEX OSSF Homeowner Aerobic Treatment and Surface Application System Operation and Maintenance course July 15, 2020, in Bryan, Texas.

PERSONS APPEARING BEFORE THE COURT:

MOVED BY COMMR. **Berckenhoff**, SECONDED BY COMMR. **Sternadel**.

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

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 approving the Records Consultants, Inc. Destruct Proposal for pickup and destroying of records approved by the Texas State Library and Archives Commission for destruction.**

ACTION: Approved the Records Consultants, Inc. Destruct Proposal for pickup and destroying of records approved by the Texas State Library and Archives Commission for destruction.

PERSONS APPEARING BEFORE THE COURT: Kathy Kleiber, Auditor

MOVED BY COMMR. Berckenhoff, SECONDED BY COMMR. Sternadel.

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

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 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 _____, vote against **Absent**

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 **9:55 a.m., July 9, 2020**, on motion by Commissioner **Berckenhoff**, seconded by Commissioner **Sternadel**, votes for **4**, votes against **0**.

APPROVED this 23rd day of July, 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