
MINUTES OF COMMISSIONERS COURT MEETING

I.

Attached hereto is/are public notice(s) posted for the meeting of **June 25, 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; Clint Sternadel, County Inspector & Office Development & Permitting; Malissa Mieth, Interim EMS Director; Blake Watson, Assistant County Attorney; Terri Hefner, Elections Administrator; Cassie Austin, Court Administrator; Kathy Kleiber, Auditor; Craig Moreau, Emergency Management Coordinator; David Beyer, Lt. Deputy Sheriff

V.

Persons in attendance during all of any part of the meeting: “**See attached Exhibit A**”.

VI.

Meeting opened at **9:01 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 11, 2020.**

ACTION: Extended the Declaration of Local Disaster for Fayette County, Texas that was signed into order on June 11, 2020 an additional 14 days.

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

MOVED BY JUDGE Weber, 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 _____, vote against **Absent**

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

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

I. June 11, 2020 – Regular Meeting

II. June 18, 2020 – Special Meeting

ACTION: Approved minutes from previous meetings.

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 _____, vote against **Absent**

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

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

ACTION: Opened and closed public comments. No public comments.

PERSONS APPEARING BEFORE THE COURT:

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 _____, vote against **Absent**

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

4. **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 the public hearing date to a special meeting on August 6, 2020 at 9:00 a.m. in the District Courtroom 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; 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 _____, vote against **Absent**

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

5. **SUBJECT: Consider and take appropriate action concerning the application from Charles Grahmann requesting a variance to allow the division of real property.**

ACTION: Approved the application from Charles Grahmann requesting a variance to allow the division of real property.

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

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 _____, vote against **Absent**

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

6. **SUBJECT: Consider and take appropriate action concerning the application from Luis & Maria Perez requesting a variance to allow the division of their real property.**

ACTION: Approved the application from Luis & Maria Perez 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 _____, vote against **Absent**

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

7. **SUBJECT: Consider and take appropriate action concerning the request from Susie Shank, Managing Director, Turtle Wing Foundation, to use the Fayette County Agricultural Building's main meeting room for training classes, scheduled for Wednesday, July 29, 2020.**

ACTION: Approved the request from Susie Shank, Managing Director, Turtle Wing Foundation, to use the Fayette County Agricultural Building's main meeting room for training classes, scheduled for Wednesday, July 29, 2020.

PERSONS APPEARING BEFORE THE COURT: Cassie Austin, Court Administrator

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 _____, vote against **Absent**

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

8. **SUBJECT: Consider and take appropriate action in signing a Resolution concerning the Help America Vote Act (HAVA) and the 2020 The Coronavirus Aid, Relief, and Economic Security (CARES) Act Grant and authorizing the Fayette County Judge to execute all documents necessary to apply for the grant.**

ACTION: Signed a Resolution concerning the Help America Vote Act (HAVA) and the 2020 The Coronavirus Aid, Relief, and Economic Security (CARES) Act Grant and Authorized the Fayette County Judge to execute all documents necessary to apply for the grant.

PERSONS APPEARING BEFORE THE COURT: Terri Hefner, Elections Administrator; Blake Watson, Assistant County Attorney; Kathy Kleiber, Auditor; Craig Moreau, Emergency Management Coordinator

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 _____, vote against **Absent**

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

9. **SUBJECT: Consider and take appropriate action in applying for The Coronavirus Aid, Relief and Economic Security Act, (CARES) administered by the Federal Aviation Administration with funds being distributed by TxDOT, for improvements to Fayette Regional Air Center and authorizing the Fayette County Judge to execute all documents necessary to apply for the grant.**

ACTION: Applied for The Coronavirus Aid, Relief and Economic Security Act, (CARES) administered by the Federal Aviation Administration with funds being distributed by TxDOT, for improvements to Fayette Regional Air Center and Authorized the Fayette County Judge to execute all documents necessary to apply for the grant.

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 _____, vote against **Absent**

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

10. **SUBJECT:** Consider and take appropriate action in signing a Resolution authorizing Fayette County to apply for the Coronavirus Relief Fund (CRF) through Texas Division of Emergency Management (TDEM), authorizing Craig Moreau, Emergency Management Coordinator, as the designee to act in connection with the application and to provide additional information as required, and authorizing the Fayette County Judge to execute all documents necessary for the grant.

ACTION: Signed a Resolution authorizing Fayette County to apply for the Coronavirus Relief Fund (CRF) through Texas Division of Emergency Management (TDEM);

Authorized Craig Moreau, Emergency Management Coordinator, as the designee to act in connection with the application and to provide additional information as required; and

Authorized the Fayette County Judge to execute all documents necessary for the grant.

PERSONS APPEARING BEFORE THE COURT: Craig Moreau, Emergency Management Coordinator

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 _____, vote against **Absent**

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

11. **SUBJECT: Consider and take appropriate action in authorizing Craig Moreau, Emergency Management Coordinator, on behalf of Fayette County, to submit a Notice of Intent (NOI) to General Land Office (GLO) for the Fayette County Hazard Mitigation Action Plan (HMAP), and authorizing the Fayette County Judge to execute all documents necessary for the grant.**

ACTION: Authorized Craig Moreau, Emergency Management Coordinator, on behalf of Fayette County, to submit a Notice of Intent (NOI) to General Land Office (GLO) for the Fayette County Hazard Mitigation Action Plan (HMAP), and Authorized the Fayette County Judge to execute all documents necessary for the grant.

PERSONS APPEARING BEFORE THE COURT: Craig Moreau, Emergency Management Coordinator

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 _____, vote against **Absent**

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

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

ACTION: Accepted all comments from Craig Moreau, Emergency Management Coordinator and from Judge Joe Weber.

PERSONS APPEARING BEFORE THE COURT: Craig Moreau, Emergency Management Coordinator; Judge Joe Weber; David Beyer, Lt. Deputy Sheriff

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 _____, vote against **Absent**

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

13. **SUBJECT: Consider and take appropriate action concerning a renewal contract between Fayette County and Stryker Medical for the maintenance and service of EMS powered stretchers and stairchairs.**

ACTION: Approved the renewal contract between Fayette County and Stryker Medical for the maintenance and service of EMS powered stretchers and stairchairs.

PERSONS APPEARING BEFORE THE COURT: Blake Watson, Assistant County Attorney; Malissa Mieth, Interim EMS Director

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 _____, vote against **Absent**

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

14. **SUBJECT: Discussion with appropriate action setting the date of July 23, 2020, at 9:00 a.m., for a public hearing concerning setting a speed limit on the following road: Makinson Road (Precinct 1), and for authorization to publish notice of said hearing in the newspaper.**

ACTION: Set the date of July 23, 2020, at 9:00 a.m., for a public hearing concerning setting a speed limit on the following road: Makinson Road (Precinct 1), and Gave Authorization to publish notice of said hearing in the newspaper.

PERSONS APPEARING BEFORE THE COURT: Commissioner Jason McBroom

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 _____, vote against **Absent**

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

15. **SUBJECT: Consider and take appropriate action by accepting and approving the plan of Fayette Electric Cooperative, Inc., to set one (1) primary pole in the county right-of-way along Bohuslav Road (Precinct 4), to extend electric service to a new customer.**

ACTION: Accepted and Authorized the plan of Fayette Electric Cooperative, Inc., to set one (1) primary pole in the county right-of-way along Bohuslav Road (Precinct 4), to extend electric service to a new customer.

PERSONS APPEARING BEFORE THE COURT: Cassie Austin, Court Administrator

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 _____, vote against **Absent**

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

16. **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): Old Lockhart Rd, Bell Settlement Rd (two locations), Goehring Rd, (Precinct 1), Bruno Rd, and W Sedan Rd (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): Old Lockhart Rd, Bell Settlement Rd (two locations), Goehring Rd, (Precinct 1), Bruno Rd, and W Sedan Rd (Precinct 4).

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 _____, vote against **Absent**

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

17. **SUBJECT:** Consider and take appropriate action concerning granting Application for Pipeline Public Road Bored Crossing Permit, submitted by Ironroc Energy Partners, LLC, for said pipeline to cross under Fischer Rd (Precinct 1), a public county road located in Fayette County, Texas.

ACTION: Granted the Application for Pipeline Public Road Bored Crossing Permit, submitted by Ironroc Energy Partners, LLC, for said pipeline to cross under Fischer Rd (Precinct 1), a public county road located in Fayette County, Texas.

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 _____, vote against **Absent**

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

18. **SUBJECT: Authorize Clint Sternadel, County Inspector, to attend the TEEEX OSSF Homeowner Aerobic Treatment and Surface Application System Operation and Maintenance course November 18, 2020, in Mesquite, Texas.**

ACTION: No action taken.

PERSONS APPEARING BEFORE THE COURT: Clint Sternadel, County Inspector & Office Development & Permitting; 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 _____, vote against **Absent**

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

19. **SUBJECT: Consider and take appropriate action on bid of property not sold at Sheriff's Sale – Cause No. 3448 - La Grange ISD.**

ACTION: Approved the bid of property not sold at Sheriff's Sale – Cause No. 3448 - La Grange ISD.

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 _____, vote against **Absent**

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

20. **SUBJECT: Consider and take appropriate action concerning the Engagement Letter from Trlicek & Co., for the Financial Audit year ending December 31, 2019.**

ACTION: Signed the Engagement Letter from Trlicek & Co., for the Financial Audit year ending December 31, 2019.

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 _____, vote against **Absent**

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

21. **SUBJECT: Consider and take appropriate action concerning the Maintenance and Supply Agreement with Dewitt, Poth & Son for Fayette County Juvenile Probation copier.**

ACTION: Entered into the Maintenance and Supply Agreement with Dewitt, Poth & Son for Fayette County Juvenile Probation copier.

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 _____, vote against **Absent**

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

22. **SUBJECT: Consider and take appropriate action approving the Fayette County Plan Assessment for Plan Year 2020 with the Texas County & District Retirement System.**

ACTION: Approved the Fayette County Plan Assessment for Plan Year 2020 with the Texas County & District Retirement System.

PERSONS APPEARING BEFORE THE COURT: Kathy Kleiber, 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 _____, vote against **Absent**

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

23. **SUBJECT: Consider and take appropriate action approving any Salary changes, if any for the period of May 24, 2020 to June 20, 2020.**

ACTION: Approved Salary changes for the period of May 24, 2020 to June 20, 2020.

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 _____, vote against **Absent**

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

24. **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. 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 _____, vote against **Absent**

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

VIII.

Meeting adjourned at **10:04 a.m., June 25, 2020**, on motion by Commissioner **Sternadel**, seconded by Commissioner **McBroom**, votes for **4**, votes against **0**.

APPROVED this 9th 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