
MINUTES OF COMMISSIONERS COURT MEETING

I.

Attached hereto is/are public notice(s) posted for the meeting of **May 14, 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 **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; Keith Korenek, Sheriff; Malissa Mieth, Assistant EMS Director; Judy Blaha, EMS; Sharon Muzny, EMS Director; Randy Noviskie, Chief Deputy Sheriff; Kathy Kleiber, Auditor; Cassie Austin, Court Administrator; Chris Story, Part Time Emergency Management Assistant; Brenden Gilbreath, Part Time Emergency Management Assistant; Blake Watson, Assistant County Attorney; Craig Moreau, Emergency Management; Terri Hefner, Elections Administrator

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 30, 2020.**

ACTION: Extended the Declaration of Local Disaster for Fayette County, Texas that was signed into order on April 30, 2020 an additional 14 days.

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 23, 2020 – Regular Meeting

II. April 30, 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 **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: Rodney Read, Ledbetter VFD; Commissioner Jason McBroom; Kathy Kleiber, Auditor; Craig Moreau, Emergency Management, Brenda Fietsam, Court Administrator; Judge Joe Weber; Commissioner Harvey Berckenhoff

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: Consider and take appropriate action in increasing Election Worker hourly pay in accordance to the amount authorized by the Texas Secretary of State as follows: Presiding Judge \$12.00 per hour; Associate Judge \$11.50 per hour; Clerk \$10.00 per hour.**

ACTION: Increased Election Worker hourly pay in accordance to the amount authorized by the Texas Secretary of state follows: Presiding Judge \$12.00 per hour; Associate Judge \$11.50 per hour; Clerk \$10.00 per hour.

PERSONS APPEARING BEFORE THE COURT: Terri Hefner, Elections 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 _____

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

ACTION: Accepted monthly calls, collection, and financial report from EMS Director Sharon Muzny.

“See attached hereto marked Agenda Action 5 Exhibit.”

PERSONS APPEARING BEFORE THE COURT: Judy Blaha, EMS; Sharon Muzny, EMS Director

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 _____

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.

“See attached hereto marked Agenda Action 6 Exhibit.”

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

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 _____

7. **SUBJECT: Consider and take appropriate action concerning the application from John Haworth, Clay Morgan and Dan Mueller, requesting a variance to allow the division of their real property.**

ACTION: Granted variance to John Haworth, Clay Morgan and Dan Mueller to allow the division of their real property.

“See attached hereto marked Agenda Action 7 Exhibit.”

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 **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 concerning the process and steps involved to apply for a grant from the County Transportation Infrastructure Fund Grant Program, and concerning the data and details needed to complete TxDOT’s prioritized project list of transportation infrastructure projects to be funded by the grant.**

ACTION: Submitted project list to apply for a grant from the County Transportation Infrastructure Fund Grant Program, and changed some of the start dates to complete TxDOT’s prioritized project list of transportation infrastructure projects to be funded by the grant.

“See attached hereto marked Agenda Action 8 Exhibit.”

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 _____

9. **SUBJECT: Consider and take appropriate action concerning approving the Routing Agreement and Road Use Bond Agreement submitted by AMP Texas Pipelines, LLC, for said Company's overweight loads to travel, as indicated on the attached map, on the following roads: Goehring Rd (Precinct 1), Schoenst Rd, Fischer Rd, and Round Top Rd (Precinct 2), all public county roads in Fayette County, Texas.**

ACTION: Approved the Routing Agreement and Road Use Bond Agreement submitted by AMP Texas Pipelines, LLC, for said Company's overweight loads to travel, as indicated on the attached map, on the following roads: Goehring Rd (Precinct 1), Schoenst Rd, Fischer Rd, and Round Top Rd (Precinct 2), all public county roads in Fayette County, Texas.

“See attached hereto marked Agenda Action 9 Exhibit.”

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

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

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

“See attached hereto marked Agenda Action 10 Exhibit.”

PERSONS APPEARING BEFORE THE COURT: Clint Sternadel, County Inspector & Office of 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 concerning granting Application for Pipeline Public Road Bored Crossing Permit, submitted by AMP Texas Pipelines, LLC, for said pipeline to cross under Schoenst Rd (Precinct 2), a public county road located in Fayette County, Texas.**

ACTION: Granted Application for Pipeline Public Road Bored Crossing Permit, submitted by AMP Texas Pipelines, LLC, for said pipeline to cross under Schoenst Rd (Precinct 2), a public county road located in Fayette County, Texas. "See attached hereto marked Agenda Action 11 Exhibit."

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 **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 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 until the 2021 Budget process when more data can be gathered on the Forfeiture Fund and the County Budget is reviewed in August.

PERSONS APPEARING BEFORE THE COURT: Sheriff Keith Korenek; Randy Noviskie, Chief Deputy; 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 **X**, vote against _____

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

13. **SUBJECT:** Consider and take appropriate action by adopting and signing a Resolution requesting a waiver of the local match fund participation requirement, in return for the County agreeing to perform an equivalent dollar amount of structural improvement work on "equivalent-match projects" that are named and described in the Resolution, thus making a change in the "equivalent-match projects" of the Advance Funding Agreement between TxDOT and Fayette County, for the replacement or rehabilitation of County bridges that are "off the state system", concerning the following Federal Off- System Bridge Program Project: Warda Blacktop Rd over Pin Oak Branch and Teinert Rd over Pin Oak Branch (Precinct 1).

ACTION: Adopted and Signed a Resolution requesting a waiver of the local match fund participation requirement, in return for the County agreeing to perform an equivalent dollar amount of structural improvement work on "equivalent-match projects" that are named and described in the Resolution, thus making a change in the "equivalent-match projects" of the Advance Funding Agreement between TxDOT and Fayette County, for the replacement or rehabilitation of County bridges that are "off the state system", concerning the following Federal Off-System Bridge Program Project: Warda Blacktop Rd over Pin Oak Branch and Teinert Rd over Pin Oak Branch (Precinct 1).

“See attached hereto marked Agenda Action 13 Exhibit.”

PERSONS APPEARING BEFORE THE COURT: Commissioner Jason McBroom;
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 _____

14. **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): Rabbs Prairie Rd (two locations), Post Oak Rd (Precinct 1), Robinson St, Halamicek Loop, Lakeview Rd, C H Allen Rd, Old Park Rd, Waldeck Rd, Schuster Rd (Precinct 2), Boulton Creek Rd, Airport Rd, Jackson Rd (Precinct 3), Oakland Rd, Ludwig Kainer Rd, Guenther Rd, Berger Rd and Lidiak Rd, (Precinct 4).

ACTION: Acknowledged 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 all the following road(s), except for Robinson St. in Precinct 2 : Rabbs Prairie Rd (two locations), Post Oak Rd (Precinct 1), Robinson St, Halamicek Loop, Lakeview Rd, C H Allen Rd, Old Park Rd, Waldeck Rd, Schuster Rd (Precinct 2), Boulton Creek Rd, Airport Rd, Jackson Rd (Precinct 3), Oakland Rd, Ludwig Kainer Rd, Guenther Rd, Berger Rd and Lidiak Rd, (Precinct 4).

“See attached hereto marked Agenda Action 14 Exhibit.”

PERSONS APPEARING BEFORE THE COURT: Cassie Austin, Court Administrator

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 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): Old College Rd, Ruether Rd, Rocky Creek Rd, Fritisch Rd, Tietjen Rd, Baron Rd, Hardcastle Ln, Roznov Rd, Park Prairie Rd, Sand Rock Rd, Wied Rd, Mueller Rd, and Citzler 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 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): Old College Rd, Ruether Rd, Rocky Creek Rd, Fritisch Rd, Tietjen Rd, Baron Rd, Hardcastle Ln, Roznov Rd, Park Prairie Rd, Sand Rock Rd, Wied Rd, Mueller Rd, and Citzler 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 road(s), and to other utilities utilizing the public right-of-ways.

“See attached hereto marked Agenda Action 15 Exhibit.”

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 **X**, vote against _____

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

16. 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.

“See attached hereto marked Agenda Action 16 Exhibit.”

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

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 **10:27 a.m., May 14, 2020**, on motion by Commissioner **McBroom**, seconded by Commissioner **Berckenhoff**, votes for **5**, votes against **0**.

APPROVED this 28th 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