
MINUTES OF COMMISSIONERS COURT MEETING

I.

Attached hereto is/are public notice(s) posted for the meeting of **May 28, 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; Cassie Austin, Court Administrator; Kathy Kleiber, Auditor; Doady Rogers, EMT; Terri Hefner, Elections Administrator; Blake Watson, Assistant County Attorney; Craig Moreau, Emergency Management; Brenden Gilbreath, Part Time Emergency Management Assistant; Malissa Meith; EMS Assistant Director; 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 **1:30 p.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 May 14, 2020.**

**ACTION: Extended the Declaration of Local Disaster for Fayette County, Texas that was signed into order on May 14, 2020 an additional 14 days.
“See attached hereto marked Agenda Action 5 Exhibit.”**

PERSONS APPEARING BEFORE THE COURT:

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. May 14, 2020 – Regular Meeting

II. May 14, 2020 – Special Meeting

ACTION: Approved minutes from previous meetings.

**PERSONS APPEARING BEFORE THE COURT: Brenda Fietsam, County Clerk;
Blake Watson, Assistant County Attorney**

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

ACTION: Opened and Closed 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 **X**, vote against _____

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

4. **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**

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 _____

5. **SUBJECT: Consider and take appropriate action in signing a proclamation designating the week of May 17-23, 2020, as Emergency Medical Services Week.**

ACTION: Signed a Proclamation designating the week of May 17-23, 2020, as Emergency Medical Services Week.

“See attached hereto marked Agenda Action 5 Exhibit.”

PERSONS APPEARING BEFORE THE COURT: Malissa Mieth, Assistant EMS Director

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 _____

6. SUBJECT: To discuss, and take appropriate action in accepting an application for tax abatement and an application fee from 7V Solar Ranch, L.L.C. in accordance with the tax abatement guidelines adopted by Fayette County on February 7, 2020; and to set 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 public notices regarding the public hearing to be placed in the newspaper.

ACTION: Accepted an application for tax abatement and an application fee from 7V Solar Ranch, LLC in accordance with the tax abatement guidelines adopted by Fayette County on February 7, 2020;

Set two public hearings for the date of July 9, 2020 to consider and potentially enter into Tax Abatement Agreement and to establish a reinvestment zone; and

Authorized public notices regarding the public hearings to be placed in the newspaper.

“See attached hereto marked Agenda Action 7 Exhibit.”

PERSONS APPEARING BEFORE THE COURT: Evan Horn, Candela Representative; Blake Watson, Assistant County Attorney; 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 _____

7. **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 and Authorized 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.

“See attached hereto marked Agenda Action 7 Exhibit.”

PERSONS APPEARING BEFORE THE COURT: Terri Hefner, Elections Administrator; Blake Watson, 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 _____

8. **SUBJECT: Consider and take appropriate action concerning entering into an Interlocal Agreement between Fayette County, Texas and Washington County, Texas for Road Improvement Services for the portion of Raymond-Lehmann Road located in Fayette County, Texas north of Ledbetter, Texas.**

ACTION: Entered into an Interlocal Agreement between Fayette County, Texas and Washington County, Texas for Road Improvement Services for the portion of Raymond-Lehmann Road located in Fayette County, Texas north of Ledbetter, Texas.

“See attached hereto marked Agenda Action 8 Exhibit.”

PERSONS APPEARING BEFORE THE COURT: Commissioner Luke Sternadel; Blake Watson, Assistant County Attorney

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 _____

9. **SUBJECT: Consider and take appropriate action on Advance Funding Agreements, for the replacement or rehabilitation of two bridges off the state system, between the Texas Department of Transportation and Fayette County, Texas re: Warda Blacktop Rd over Pin Oak Branch and Teinert Rd over Pin Oak Branch (Precinct 1).**

ACTION: Approved the Advance Funding Agreements, for the replacement or rehabilitation of two bridges off the state system the Texas Department of Transportation and Fayette County, Texas re: Warda Blacktop Rd over Pin Oak Branch and Teinert Rd over Pin Oak Branch (Precinct 1).

“See attached hereto marked Agenda Action 9 Exhibit.”

PERSONS APPEARING BEFORE THE COURT: Commissioner Jason McBroom; Blake Watson, 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 _____

10. **SUBJECT: Consider and take appropriate action by accepting and approving the written plan of Fayette Water Supply Corporation (FWSC) to bore under East Parker Road (Precinct 3), and to place and install a new water service line and meter for a customer located at property ID R24979, and requiring Fayette Water Supply Corporation to make repairs of any resultant damage done to the roadway, sides, ditches, and right-of-way of East Parker Road, all back to a finished natural grade, and requiring FWSC to continue to return and do paving work, compacting, restoring, and monitoring of the roadway, sides, ditches, and right-of-way of said County Road so that said County Road continues to remain in the condition it was in prior to the work by FWSC.**

ACTION: Accepted and Approved the written plan of Fayette Water Supply Corporation (FWSC) to bore under East Parker Road (Precinct 3), and to place and install a new water service line and meter for a customer located at property ID R24979, and Required Fayette Water Supply Corporation to make repairs of any resultant damage done to the roadway, sides, ditches, and right-of-way of East Parker Road, all back to a finished natural grade, and Required FWSC to continue to return and do paving work, compacting, restoring and monitoring of the roadway, sides, ditches, and right-of-way of said County Road so that said County Road so that said County Road continues to remain in the condition it was in prior to the work by FWSC.

“See attached hereto marked Agenda Action 10 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 _____

11. **SUBJECT: Consider and take appropriate action by accepting and approving the written plan of Fayette Water Supply Corporation (FWSC) to bore under Three Mile Road (Precinct 3), and to place and install a new water service line and meter for a customer located at property ID R27091, and requiring Fayette Water Supply Corporation to make repairs of any resultant damage done to the roadway, sides, ditches, and right-of-way of Three Mile Road, all back to a finished natural grade, and requiring FWSC to continue to return and do paving work, compacting, restoring, and monitoring of the roadway, sides, ditches, and right-of-way of said County Road so that said County Road continues to remain in the condition it was in prior to the work by FWSC.**

ACTION: Accepted and Approved the written plan of Fayette Water Supply Corporation (FWSC) to bore under Three Mile Road (Precinct 3), and to place and install a new water service line and meter for a customer located at property ID R27091, and Required Fayette Water Supply Corporation to make repairs of any resultant damage done to the roadway, sides, ditches, and right-of-way of Three Mile Road, all back to a finished natural grade, and Required FWSC to continue to return and do paving work, compacting, restoring, and monitoring of the roadway, sides, ditches, and right-of-way of said County Road so that said County Road continues to remain in the condition it was in prior to the work by FWSC.

“See attached hereto marked Agenda Action 11 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 _____

12. **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): Robinson St (Precinct 2).**

ACTION: Acknowledged the new service drop plans of Colorado Valley Telephone Cooperative, Inc (CVTC) and will allow them to install new buried fiber optic cables and copper cables within the corridors of the following road(s): Robinson St (Precinct 2).

PERSONS APPEARING BEFORE THE COURT: Commissioner Luke Sternadel

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 _____

13. SUBJECT: Consider and take appropriate action, in accordance with Local Government Code 263.152-158, on a Resolution Authorizing the Disposition of Salvage and Surplus Property, concerning a 2006 CPS Belly Dump (VIN 5MC1116296P006377), with said property to be used as trade-in value.

ACTION: Signed a Resolution Authorizing the Disposition of Salvage and Surplus Property, concerning a 2006 CPS Belly Dump (VIN 5MC1116296P006377), with said property to be used as trade-in value.

“See attached hereto marked Agenda Action 13 Exhibit.”

PERSONS APPEARING BEFORE THE COURT: Commissioner Jason McBroom; Blake Watson, 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 concerning Fayette County purchasing for Precinct 1 a new 2021 Armor Lite Belly Dump (Product ID # P11529), presently located at Alamo City Trailer Sales, LLC, 17515 IH-10 E, Luling, Texas 78648, for \$32,500.00 with trade-in value of \$6,000.00 being a total value of \$26,640.00 payable to Alamo City Trailer Sales, LLC, using Precinct 1 Road and Bridge funds that are available and in the 2020 Precinct 1 budget, and authorizing County personnel to sign all necessary and required paperwork.

ACTION: Approved the purchase for Precinct 1 a new 2021 Armor Lite Belly Dump (Product ID # P11529), presently located at Alamo City Trailer Sales, LLC, 17515 IH-10 E, Luling, Texas 78648, for \$32,500.00 with trade-in value of \$6,000.00 being a total value of \$26,640.00 payable to Alamo City Trailer Sales, LLC, using Precinct 1 Road and Bridge funds that are available and in the 2020 Precinct 1 budget; and

**Authorized County personnel to sign all necessary and required paperwork.
“See attached hereto marked Agenda Action 7 Exhibit.”**

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

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 _____

15. SUBJECT: Consider and take appropriate action approving the Pitney Bowes Postage Meter Leasing Agreement Renewal for the Fayette County Elections Office.

ACTION: Approved the Pitney Bowes Postage Meter Leasing Agreement Renewal for the Fayette County Elections Office.

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 _____

16. SUBJECT: Consider and take appropriate action concerning the Fayette County Employee Health Insurance Renewal with the Texas Association of County Health and Employee Benefits Pool (TAC HEBP) effective 10/01/20.

ACTION: Accepted all comments concerning the Fayette County Employee Health Insurance Renewal with the Texas Association of County Health and Employee Benefits Pool (TAC HEBP) effective 10/01/20.

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 **X**, vote against _____

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

17. **SUBJECT: Consider and take appropriate action concerning the Catapult Checkups scheduled for Fayette County Employee's on July 21, 2020 thru July 23, 2020.**

ACTION: Cancelled the Catapult Checkups scheduled for Fayette County Employee's on July 21, 2020 thru July 23, 2020.

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 **X**, vote against _____

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

18. **SUBJECT: Consider and take appropriate action approving any Salary changes, if any for the period of April 19, 2020 to May 23, 2020.**

ACTION: Approved Salary changes for the period of April 19, 2020 to May 23, 2020.

"See attached hereto marked Agenda Action 18 Exhibit."

PERSONS APPEARING BEFORE THE COURT: 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 _____

19. **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 19 Exhibit.”

PERSONS APPEARING BEFORE THE COURT: **Kathy Kleiber, Auditor**

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

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

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 _____

20. **SUBJECT:** Discussion concerning Flag Day celebration on June 12, 2020 and take appropriate action.

ACTION: Approved to conduct a Flag Day celebration on June 12, 2020 with the Commissioners and the Judge preparing and serving hotdogs to the public.

PERSONS APPEARING BEFORE THE COURT: **Judge Joe Weber; 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 _____

VIII.

Meeting adjourned at **2:48 p.m., May 28, 2020**, on motion by Commissioner **Sternadel**, seconded by Commissioner **McBroom**, votes for **5**, votes against **0**.

APPROVED this 11th day of June, 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