

MINUTES OF COMMISSIONERS COURT MEETING

I.

Attached hereto is/are public notice(s) posted for the meeting of **February 11, 2021**.

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, Drew Brossmann **Present 9:24 a.m.**

IV.

County Officials/County Personnel present during all or any part of the meeting:
Brenda Fietsam, County Clerk; Blake Watson, Assistant County Attorney; Cindy Havelka, Auditor; Josh Vandever, EMS Director; Clint Sternadel, County Inspector & Office of Development & Permitting; Cassie Austin, Court Administrator; Randy Noviskie, Chief Deputy Sheriff; Craig Moreau, Emergency Management Coordinator; Angela Hahn, Assistant Emergency Management Coordinator

V.

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

VI.

Meeting opened at **9:10 a.m.** on motion by Commissioner **McBroom**, seconded by Commissioner **Berckenhoff**, 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 January 28, 2021.**

ACTION: Extended the Declaration of Local Disaster for Fayette County, Texas that was signed into order on January 28, 2021 for an additional 14 days.

“See attached hereto marked Agenda Action 1 Exhibit”.

PERSONS APPEARING BEFORE THE COURT: 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. Brossmann, 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. January 28, 2021 – Regular Meeting

II. February 1, 2021 – 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. Brossmann, 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 public comments.

Accepted all comments.

Closed public comments.

PERSONS APPEARING BEFORE THE COURT: Rodney Read, Ledbetter VFP; Mark Kimball, St Mark’s President& CEO

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. Brossmann, vote for X, vote against _____

Judge Weber, vote for X, vote against _____

4. **SUBJECT: Consider and take appropriate action concerning the request from City of Ellinger regarding Fayette County assisting with the May 1, 2021 Uniform Election, including the County paying for equipment and supplies, and waiving the date for payment of fees and repayment of election equipment and supplies for one year post election.**

ACTION: Signed the order regarding Fayette County assisting the City of Ellinger's May 1, 2021 Uniform Election, including the County paying for equipment and supplies, and deferred the date for payment of fees and repayment of election equipment and supplies until January 1, 2022.

"See attached hereto marked Agenda Action 4 Exhibit".

PERSONS APPEARING BEFORE THE COURT: Cassie Austin, Court 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. Brossmann, vote for X, vote against _____

Judge Weber, vote for X, vote against _____

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

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

"See attached hereto marked Agenda Action 5 Exhibit".

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

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. Brossmann, vote for X, vote against _____

Judge Weber, vote for X, vote against _____

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

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

“See attached hereto marked Agenda Action 6 Exhibit”.

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

MOVED BY COMMR. Brossmann, 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. Brossmann, vote for X, vote against _____

Judge Weber, vote for X, vote against _____

7. **SUBJECT: Consider and take appropriate action in signing two (2) Resolutions of approval and support for the submission of grant applications (1) for enhanced visibility package (night vision and thermal optics) through Criminal Justice Division and (2) a CERT Operations trailer through State Homeland Security Grant Program to the Office of the Governor.**

ACTION: Signed two (2) Resolutions of approval and support for the submission of grant applications (1) for enhanced visibility package (night vision and thermal optics) through Criminal Justice Division and (2) a CERT Operations trailer through State Homeland Security Grant Program to the Office of the Governor.

“See attached hereto marked Agenda Action 7 Exhibit”.

PERSONS APPEARING BEFORE THE COURT: Angela Hahn, Assistant Emergency Management Coordinator; Craig Moreau, Emergency Management Coordinator

MOVED BY JUDGE Weber, SECONDED BY COMMR. Brossmann.

Commr. McBroom, vote for X, vote against _____

Commr. Sternadel, vote for X, vote against _____

Commr. Berckenhoff, vote for X, vote against _____

Commr. Brossmann, vote for X, vote against _____

Judge Weber, vote for X, vote against _____

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

ACTION: Accepted monthly calls, collection, and financial report from EMS Director Josh Vandever.

“See attached hereto marked Agenda Action 8 Exhibit”.

PERSONS APPEARING BEFORE THE COURT: Josh Vandever, 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. Brossmann, vote for X, vote against _____

Judge Weber, vote for X, vote against _____

9. **SUBJECT: Consider and take appropriate action to grant an exception to the six month waiting period requirement of Fayette County Personnel Policy 2.091, to authorize Fayette County to re-hire a former EMS Worker to work in EMS.**

ACTION: Granted an exception to the six month waiting period requirement of Fayette County Personnel Policy 2.091, to authorize Fayette County to re-hire a former EMS Worker to work in EMS.

PERSONS APPEARING BEFORE THE COURT: Josh Vandever, EMS Director; Cindy Havelka, 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. Brossmann, vote for X, vote against _____

Judge Weber, vote for X, vote against _____

10. **SUBJECT: Presentation from Purdue Farms concerning proposed Tax Abatement.**

ACTION: Deferred until future meeting.

PERSONS APPEARING BEFORE THE COURT: Blake Watson, Assistant County Attorney; Cassie Austin, Court Administrator

MOVED BY COMMR. McBroom, SECONDED BY COMMR. Brossmann.

Commr. McBroom, vote for X, vote against _____

Commr. Sternadel, vote for _____, vote against **Stepped out**

Commr. Berckenhoff, vote for X, vote against _____

Commr. Brossmann, vote for X, vote against _____

Judge Weber, vote for X, vote against _____

11. **SUBJECT: Consider and take appropriate action in resetting a public hearing date to consider and potentially enter into (1) a Tax Abatement Agreement under Texas Tax Code Chapter 380 and (2) to establish a reinvestment zone as required by Texas Tax Code Chapter 312; and to authorize public notices regarding the public hearings to be placed in the newspaper.**

ACTION: Deferred until future meeting.

PERSONS APPEARING BEFORE THE COURT:

MOVED BY COMMR. McBroom, SECONDED BY COMMR. Brossmann.

Commr. McBroom, vote for X, vote against _____

Commr. Sternadel, vote for _____, vote against Stepped out

Commr. Berckenhoff, vote for X, vote against _____

Commr. Brossmann, 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): Pilchick Loop (Precinct 1), S. Weyand Rd, Mueller Rd, Round Top Rd (Precinct 2), Smith Marek Rd (Precinct 3), Seydler Rd and Hertel 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): Pilchick Loop (Precinct 1), S. Weyand Rd, Mueller Rd, Round Top Rd (Precinct 2), Smith Marek Rd (Precinct 3), Seydler Rd and Hertel Rd (Precinct 4).

“See attached hereto marked Agenda Action 12 Exhibit”.

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. Brossmann, vote for X, vote against _____

Judge Weber, vote for X, vote against _____

13. **SUBJECT:** Consider and take appropriate action on request from Main Street & Tourism, City of La Grange, to use the entire Courthouse grounds including the electrical for the following event: Trivia Under the Stars - Thursday, March 11, 2021, from approximately 6:00-8:00 p.m.

ACTION: Allowed request from Main Street & Tourism, City of La Grange, to use the entire Courthouse grounds including the electrical for the following event: Trivia Under the Stars - Thursday, March 11, 2021, from approximately 6:00-8:00 p.m.

“See attached hereto marked Agenda Action 13 Exhibit”.

PERSONS APPEARING BEFORE THE COURT:

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. Brossmann, vote for X, vote against _____

Judge Weber, vote for X, vote against _____

14. **SUBJECT: Consider and take appropriate action regarding the possible authorization of the sale of fireworks for the Texas Independence Day holiday, the period of sale would be from February 25, 2021 and end at midnight, March 2, 2021, in accordance with Occupations Code Section §2154.202 (h)(3).**

ACTION: Allowed the sale of fireworks for the Texas Independence Day holiday, the period of sale would be from February 25, 2021 and end at midnight, March 2, 2021, in accordance with Occupations Code Section §2154.202 (h)(3).

“See attached hereto marked Agenda Action 14 Exhibit”.

PERSONS APPEARING BEFORE THE COURT: Judge Joe Weber

MOVED BY COMMR. McBroom, SECONDED BY COMMR. Brossmann.

Commr. McBroom, vote for X, vote against _____

Commr. Sternadel, vote for X, vote against _____

Commr. Berckenhoff, vote for X, vote against _____

Commr. Brossmann, vote for X, vote against _____

Judge Weber, vote for X, vote against _____

15. **SUBJECT: Acknowledge the 2020 Racial Profiling Report as submitted by the Fayette County Constable, Precinct #1.**

ACTION: Acknowledged the 2020 Racial Profiling Report as submitted by the Fayette County Constable, Precinct #1.

PERSONS APPEARING BEFORE THE COURT:

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. Brossmann, vote for X, vote against _____

Judge Weber, vote for X, vote against _____

16. **SUBJECT: Acknowledge Public Information Act Certificate of Course Completion for Commissioner Drew Brossmann, Precinct 4.**

ACTION: Acknowledged Public Information Act Certificate of Course Completion for Commissioner Drew Brossmann, Precinct 4.

“See attached hereto marked Agenda Action 16 Exhibit”.

PERSONS APPEARING BEFORE THE COURT:

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. Brossmann, vote for X, vote against _____

Judge Weber, vote for X, vote against _____

17. **SUBJECT: Consider and take appropriate action in authorizing funds to be expended from the County Attorney’s Office Forfeiture Funds to pay the \$100 registration cost to register Deputy Marc Bennett and Deputy Ken Kretz for the New Criminal Investigator Course scheduled for April 7-9, 2021 in San Antonio, Texas.**

ACTION: Authorized funds to be expended from the County Attorney’s Office Forfeiture Funds to pay the \$100 registration cost to register Deputy Marc Bennett and Deputy Ken Kretz for the New Criminal Investigator Course scheduled for April 7-9, 2021 in San Antonio, Texas.

“See attached hereto marked Agenda Action 17 Exhibit”.

PERSONS APPEARING BEFORE THE COURT: **Randy Noviskie, Chief Deputy Sheriff**

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

Commr. McBroom, vote for X, vote against _____

Commr. Sternadel, vote for X, vote against _____

Commr. Berckenhoff, vote for X, vote against _____

Commr. Brossmann, vote for X, vote against _____

Judge Weber, vote for X, vote against _____

18. **SUBJECT: Discussion and consideration with possible action concerning maintenance and repair to the Pioneer Bank Building if used as a County Annexation Building.**

ACTION: Accepted comments concerning maintenance and repair to the Pioneer Bank Building if used as a County Annexation Building.

PERSONS APPEARING BEFORE THE COURT: Cindy Havelka, Auditor

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. Brossmann, vote for X, vote against _____

Judge Weber, vote for X, vote against _____

19. **SUBJECT: Discussion and consideration with possible action concerning the financing of the Pioneer Bank Building as a County Annexation Building with possible authorization to procure Certificates of Obligation.**

ACTION: Authorized the Auditor's Office to go out for bids concerning the financing of the Pioneer Bank Building as a County Annexation Building with possible authorization to procure Certificates of Obligation.

PERSONS APPEARING BEFORE THE COURT: Cindy Havelka, Auditor; 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. Brossmann, vote for X, vote against _____

Judge Weber, vote for X, vote against _____

20. **SUBJECT: Consider and take appropriate action concerning authorizing the County Auditor to advertise for bids for vehicles for the Sheriff's Department.**

ACTION: Authorized the County Auditor to advertise for bids for vehicles for the Sheriff's Department.

"See attached hereto marked Agenda Action 20 Exhibit".

PERSONS APPEARING BEFORE THE COURT: Cindy Havelka, Auditor; Randy Noviskie, Chief Deputy Sheriff

MOVED BY COMMR. Brossmann, 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. Brossmann, vote for X, vote against _____

Judge Weber, vote for X, vote against _____

21. **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 21 Exhibit".

PERSONS APPEARING BEFORE THE COURT: Cindy Havelka, Auditor

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

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

Commr. Sternadel, vote for X, vote against _____

Commr. Berckenhoff, vote for X, vote against _____

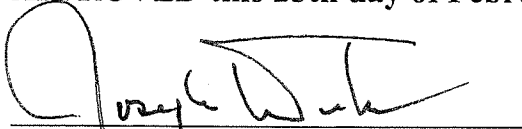
Commr. Brossmann, vote for X, vote against _____

Judge Weber, vote for X, vote against _____

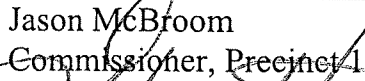
VIII.

Meeting adjourned at 10:23 a.m., February 11, 2021, on motion by Commissioner McBroom, seconded by Commissioner Sternadel, votes for 5, votes against 0.

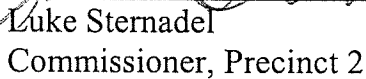
APPROVED this 25th day of February, 2021.



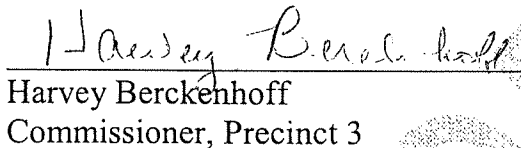
Joseph Weber
Fayette County Judge



Jason McBroom
Commissioner, Precinct 1



Luke Sternadel
Commissioner, Precinct 2



Harvey Berckenhoff
Commissioner, Precinct 3



Drew Brossmann
Commissioner, Precinct 4

ATTEST:



Brenda Fietsam
County Clerk

