

**MINUTES OF COMMISSIONERS COURT MEETING**

I.

Attached hereto is/are public notice(s) posted for the meeting of **February 25, 2021**.

II.

The minutes of the Regular Meeting of Fayette County, Texas, Commissioners Court held in the Commissioners Courtroom (3<sup>rd</sup> floor - Room 303) 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**

IV.

County Officials/County Personnel present during all or any part of the meeting:  
**Brenda Fietsam, County Clerk; Cindy Havelka, Auditor; Lt. David Beyer; Cassie Austin, Court Administrator; Blake Watson, Assistant County Attorney; Clint Sternadel, County Inspector & Office of Development & Permitting; 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 **9:30 a.m.** on motion by Commissioner **Sternadel**, seconded by Commissioner **Brossmann**, 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 February 11, 2021.**

**ACTION: Extended the Declaration of Local Disaster for Fayette County, Texas that was signed into order on February 11, 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. 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 \_\_\_\_\_

- 2. SUBJECT: Consider and take appropriate action in issuing a Declaration of Local Disaster concerning health and safety issues and weather related damage in Fayette County, caused by an extended polar vortex freeze.**

**ACTION: Issued a Declaration of Local Disaster concerning health and safety issues and weather related damage in Fayette County, caused by an extended polar vortex freeze.**

**“See attached hereto marked Agenda Action 2 Exhibit”.**

**PERSONS APPEARING BEFORE THE COURT: Judge Joe Weber; Angela Hahn, Emergency Management Coordinator**

**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 \_\_\_\_\_

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

- I. **January 28, 2021 – Special Meeting 8am**
- II. **February 11, 2021 – Regular 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 X, vote against \_\_\_\_\_

Judge Weber, vote for X, vote against \_\_\_\_\_

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

**ACTION: Opened public comments.**

**Accepted comments from Brenda Fietsam and Craig Moreau.**

**Closed public comments/**

**PERSONS APPEARING BEFORE THE COURT: Brenda Fietsam, County Clerk;  
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. Brossmann, vote for X, vote against \_\_\_\_\_

Judge Weber, vote for X, vote against \_\_\_\_\_

5. **SUBJECT: Open and hold public hearing to consider and accept comments, both written and oral, from members of the public concerning an appropriate speed limit for the following County Road: Plum Main Street (Precinct 1). Accept comments and close public hearing.**

**ACTION: Open and hold public hearing.  
Accepted comments and closed public hearing.**

**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. Brossmann, vote for X, vote against \_\_\_\_\_

Judge Weber, vote for X, vote against \_\_\_\_\_

6. **SUBJECT: Consider and take appropriate action in making a finding and determination that the prima facie speed limit concerning the following named road is unreasonable or unsafe, and in making and in signing an order concerning an appropriate speed limit for the following County Road: Plum Main Street (Precinct 1).**

**ACTION: Signed an order concerning an appropriate speed limit of 30mph for the following County Road: Plum Main Street (Precinct 1).**

**“See attached hereto marked Agenda Action 6 Exhibit”.**

**PERSONS APPEARING BEFORE THE COURT: Commissioner Jason McBroom;  
Lt. David Beyer**

**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 \_\_\_\_\_

7. **SUBJECT: Open and hold public hearing to consider and accept comments, both written and oral, from members of the public concerning an appropriate speed limit for the following County Road: N. Old Smithville Road from Bastrop County line to Red Hollow Lane (Precinct 1). Accept comments and close public hearing.**

**ACTION: Open and hold public hearing  
Accepted all comments and closed public hearing.**

**PERSONS APPEARING BEFORE THE COURT: Commissioner Jason McBroom**

**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 \_\_\_\_\_

8. **SUBJECT: Consider and take appropriate action in making a finding and determination that the prima facie speed limit concerning the following named road is unreasonable or unsafe, and in making and in signing an order concerning an appropriate speed limit for the following County Road: N. Old Smithville Road from Bastrop County line to Red Hollow Lane (Precinct 1).**

**ACTION: Signed an order concerning an appropriate speed limit of 40mph for the following County Road: N. Old Smithville Road from Bastrop County line to Red Hollow Lane (Precinct 1).**

**“See attached hereto marked Agenda Action 8 Exhibit”.**

**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. Brossmann, vote for X, vote against \_\_\_\_\_  
Judge Weber, vote for X, vote against \_\_\_\_\_

9. **SUBJECT: Consider and take appropriate action in accepting and entering into an Agreement for the provision of Limited Professional Services between Cutright & Prihoda, Inc. – Architects and Fayette County, Texas for the addition of new restrooms and Visitor’s Center Office to Founders Park.**

**ACTION: Entered into an Agreement for the provision of Limited Professional Services between Cutright & Prihoda, Inc. – Architects and Fayette County, Texas for the addition of new restrooms and Visitor’s Center Office to Founders Park.**

**“See attached hereto marked Agenda Action 9 Exhibit”.**

**PERSONS APPEARING BEFORE THE COURT: Brenda Fietsam, County Clerk**

**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 \_\_\_\_\_

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

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

**“See attached hereto marked Agenda Action 10 Exhibit”.**

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

**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 \_\_\_\_\_

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: Reset public hearing date to April 8, 2021 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 Authorized public notices regarding the public hearings 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. 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 \_\_\_\_\_

12. **SUBJECT: Consider and discuss and take appropriate action regarding the potential sale of county owned property to John Stephens.**

**ACTION: Deferred to future meeting.**

**PERSONS APPEARING BEFORE THE COURT: Blake Watson, Assistant County Attorney; John Stephens**

**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 \_\_\_\_\_

13. **SUBJECT: Discussion and consideration of amending previously adopted Fayette County RV Regulations.**

**ACTION: Amended previously adopted Fayette County RV Regulations.**

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

**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 \_\_\_\_\_

14. **SUBJECT: Acknowledge the 2020 Racial Profiling Report as submitted by the Fayette County Sheriff's Office.**

**ACTION: Accepted the 2020 Racial Profiling Report as submitted by the Fayette County Sheriff's Office.**

**"See attached hereto marked Agenda Action 14 Exhibit".**

**PERSONS APPEARING BEFORE THE COURT: Lt. David Beyer**

**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: 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 2001 Ford F150 (VIN Number 1FTRX17W31KF18869), with said property to be salvage property.**

**ACTION: Approved a Resolution Authorizing the Disposition of Salvage and Surplus Property, in accordance with Local Government Code 263.152-158, concerning a 2001 Ford F150 (VIN Number 1FTRX17W31KF18869), with said property to be salvage property.**

**“See attached hereto marked Agenda Action 15 Exhibit”.**

**PERSONS APPEARING BEFORE THE COURT: Commissioner Jason McBroom, 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. Brossmann, vote for X, vote against \_\_\_\_\_

Judge Weber, vote for X, vote against \_\_\_\_\_

16. **SUBJECT: Consider and take appropriate action by accepting and approving the written plan of Industry Telephone Company, to install a new buried communications line upon and along the right-of-way of W. Fuchs Road, (Precinct 2) with Industry Telephone Company being required to be responsible for repairs, and/or being required to make repairs, of direct or collateral damage, if any, caused by Industry Telephone Company, and/or its contractors, to the preceding road, and to other utilities utilizing the public right-of-ways.**

**ACTION: Accepted and Approved the written plan of Industry Telephone Company, to install a new buried communications line upon and along the right-of-way of W. Fuchs Road, (Precinct 2) with Industry Telephone Company being required to be responsible for repairs, and/or being required to make repairs, of direct or collateral damage, if any, caused by Industry Telephone Company, and/or its contractors, to the preceding road, and to other utilities utilizing the public right-of-ways.**

**“See attached hereto marked Agenda Action 16 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. Brossmann, vote for X, vote against \_\_\_\_\_

Judge Weber, vote for X, vote against \_\_\_\_\_

17. **SUBJECT: Consider and take appropriate action concerning possibly 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 R48503, 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 to the worksite 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 R48503, 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 Required FWSC to continue to return to the worksite 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 17 Exhibit”.**

**PERSONS APPEARING BEFORE THE COURT:**

**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: 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 18 Exhibit”.**

**PERSONS APPEARING BEFORE THE COURT: Cindy Havelka, Auditor; Lt. David Beyer**

**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 \_\_\_\_\_

VIII.

Meeting adjourned at **10:39 a.m., February 25, 2021**, on motion by Commissioner **Berckenhoff**, seconded by Commissioner **Brossmann**, votes for **5**, votes against **0**.

**APPROVED this 11th day of March, 2021.**

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Joseph Weber  
Fayette County Judge

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Jason McBroom  
Commissioner, Precinct 1

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Luke Sternadel  
Commissioner, Precinct 2

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Harvey Berckenhoff  
Commissioner, Precinct 3

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Drew Brossmann  
Commissioner, Precinct 4

ATTEST:

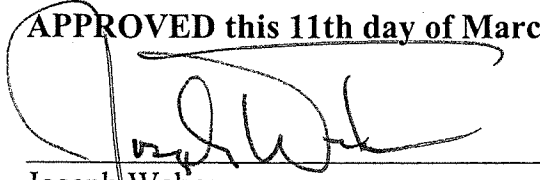
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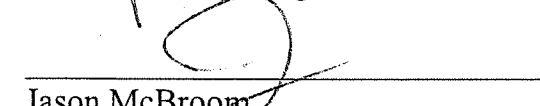
Brenda Fietsam  
County Clerk

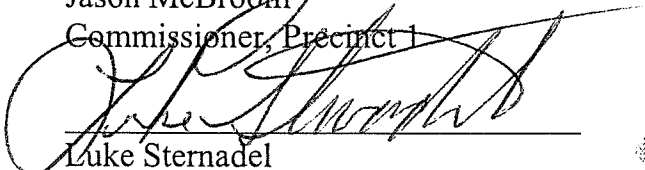
VIII.

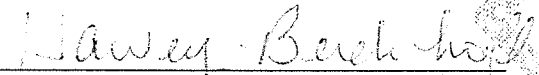
Meeting adjourned at 10:39 a.m., February 25, 2021, on motion by Commissioner Berckenhoff, seconded by Commissioner Brossmann, votes for 5, votes against 0.

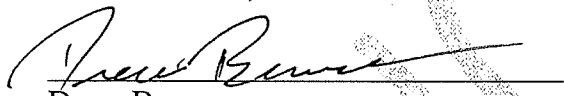
**APPROVED** this 11th day of March, 2021.

  
\_\_\_\_\_  
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

