

MINUTES OF COMMISSIONERS COURT MEETING

I.

Attached hereto is/are public notice(s) posted for the meeting of **November 23, 2022.**

II.

The minutes of the Regular Meeting of Fayette County, Texas, Commissioners Court held in the District Courtroom (2nd floor - Room 200) 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, County Auditor;
Angela Hahn, Grant Specialist; Blake Watson, Assistant County Attorney;
Clint Sternadel, County Inspector & Office of Development & Permitting;
Amber Hielscher, Floodplain Manager; Billy Roensch, Constable Precinct 1;
Cassie Austin, Court Administrator

V.

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

VI.

Meeting opened at **9:08 a.m.** on motion by Commissioner **Brossmann**,
seconded by Commissioner **Berckenhoff**, 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 in approving the following minutes from previous meetings:**

- i. **November 10, 2022 – Regular Meeting**
- ii. **November 17, 2022 – 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 **X**, vote against _____

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

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

ACTION: Opened public comments.

Accepted public comments from William Bernsen and Rodney Read.

Closed public comments.

PERSONS APPEARING BEFORE THE COURT: William Bernsen; Rodney Read

See attached hereto marked "Exhibit B"

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: 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 Roads: Teinert Road (Precinct 1), East Parker Road and Bittner Road (Precinct 3). Accept comments and close public hearing.**

ACTION: Opened Public Hearing concerning an appropriate speed limit for the following County Roads: Teinert Road (Precinct 1), East Parker Road and Bittner Road (Precinct 3).

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 _____

- 3a. **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 Roads: Teinert Road (Precinct 1), East Parker Road and Bittner Road (Precinct 3). Accept comments and close public hearing.**

ACTION: Accepted all comments from members of the public concerning an appropriate speed limit for the following County Roads: Teinert Road (Precinct 1), East Parker Road and Bittner Road (Precinct 3); and

Closed Public Hearing.

PERSONS APPEARING BEFORE THE COURT: Commissioner Jason McBroom; Commissioner Harvey Berckenhoff; Rodney Read; William Bernsen; Gayle Jurica; Leighanne Mathews

See attached hereto marked "Exhibit B"

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 _____

4. **SUBJECT:** Consider and take appropriate action in making a finding and determination that the prima facie speed limit concerning the following named roads is unreasonable or unsafe, and in making and in signing four orders concerning an appropriate speed limit for each of the following County Roads: Teinert Road (Precinct 1), East Parker Road and Bittner Road (Precinct 3).

ACTION: Determined the prima facie speed limit concerning the following named roads as unreasonable or unsafe; and

Signed three orders setting an appropriate speed limit for each of the following County Roads: Teinert Road (Precinct 1) at 40 mph, East Parker Road (Precinct 3) at 40 mph, and Bittner Road (Precinct 3) at 35 mph.

See attached hereto marked "Agenda Action 4 Exhibit"

PERSONS APPEARING BEFORE THE COURT: None

See attached hereto marked "Exhibit B"

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 _____

5. **SUBJECT: Hear presentation from Fayette County Groundwater Conservation District and take any action the Court deems necessary.**

ACTION: Accepted presentation from Fayette County Groundwater Conservation District.

See attached hereto marked "Agenda Action 5 Exhibit"

PERSONS APPEARING BEFORE THE COURT: David Van Dressar, Fayette County Ground Water Conservation District; James Rebecsek, Fayette Water Supply; Leo Wick, FCGCD Board Member

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 _____

6. **SUBJECT: Consider and take appropriate action on Resolution to appoint Mr. Jason McBroom to serve as a Director of the Fayette County Appraisal District for a two-year term ending December 31, 2024.**

ACTION: Appointed Mr. Jason McBroom to serve as a Director of the Fayette County Appraisal District for a two-year term ending December 31, 2024.

See attached hereto marked "Agenda Action 6 Exhibit"

PERSONS APPEARING BEFORE THE COURT: Cassie Austin, Court Administrator

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 _____

7. **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 Wunderlich Road (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 Wunderlich Road (Precinct 2), a public county road located in Fayette County, Texas.

See attached hereto marked "Agenda Action 7 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. Brossmann, vote for **X**, vote against _____
Judge Weber, vote for **X**, vote against _____

8. **SUBJECT: Hear report from Angela Hahn, Grant Specialist.**

ACTION: Accepted report from Angela Hahn, Grant Specialist.

See attached hereto marked "Agenda Action 8 Exhibit"

PERSONS APPEARING BEFORE THE COURT: Angela Hahn, Grant Specialist

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 _____

9. **SUBJECT: Consider and take appropriate action on a grant request from the Fayetteville Community Center Group using American Rescue Plan Funds.**

ACTION: Accepted presentation from the Fayetteville Community Center Group using American Rescue Plan Funds.

See attached hereto marked "Agenda Action 9 Exhibit"

PERSONS APPEARING BEFORE THE COURT: John Dennis, Fayetteville Community Center Group; Angela Hahn, Grant Specialist

See attached hereto marked "Exhibit B"

MOVED BY COMMR. Brossmann, 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: Consider and take appropriate action on a grant request from Gardenia Janssen Animal Shelter using American Rescue Plan Funds.**

ACTION: Accepted presentation from Gardenia Janssen Animal Shelter using American Rescue Plan Funds.

See attached hereto marked "Agenda Action 10 Exhibit"

PERSONS APPEARING BEFORE THE COURT: Teresa Brown; William Bernsen; Jeremy Janda; Angela Hahn, Grant Specialist

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 _____

Break at 10:52 a.m.

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 _____

Reconvened at 11:08 a.m.

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 _____

11. **SUBJECT:** Consider and take appropriate action, including signing an Order, regarding a request by Peter Van Steen, for Fayette County, on behalf of the County and the public, to disclaim an interest in, and to vacate the interest of the County and the public, and/or to abandon streets and alleys platted and which appear on a private, professional, sealed survey of property owned by Peter Van Steen, in the Thomas Alley ¼ League, A-1, in the community of West Point, Fayette County, Texas.

ACTION: Signed an Order, regarding a request by Peter Van Steen, for Fayette County, on behalf of the County and the public, to disclaim an interest in, and to vacate the interest of the County and the public, and/or to abandon streets and alleys platted and which appear on a private, professional, sealed survey of property owned by Peter Van Steen, in the Thomas Alley ¼ League, A-1, in the community of West Point, Fayette County, Texas.

See attached hereto marked "Agenda Action 11 Exhibit"

PERSONS APPEARING BEFORE THE COURT: **Blake Watson, Assistant County Attorney; William Bernsen**

See attached hereto marked "Exhibit B"

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 take appropriate action in approving the Lease Agreement between Fayette County Historical Commission and Fayette County, Texas for the use of office space located at 252 W. Colorado Street, La Grange, Texas.**

ACTION: Approved the Lease Agreement between Fayette County Historical Commission and Fayette County, Texas for the use of office space located at 252 W. Colorado Street, La Grange, Texas.

See attached hereto marked "Agenda Action 12 Exhibit"

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

MOVED BY COMMR. Brossmann, 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 in approving the Lease Agreement between Texans in War Museum Association, dba Texas Heroes Museum and Fayette County, Texas for the use of old jail facility located at 171 South Main Street, La Grange, Texas.**

ACTION: Approved the Lease Agreement between Texans in War Museum Association, dba Texas Heroes Museum and Fayette County, Texas for the use of old jail facility located at 171 South Main Street, La Grange, Texas.

See attached hereto marked "Agenda Action 13 Exhibit"

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

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 _____

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): Davis Rd (Precinct 1).**

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 roads: Davis Rd and Ganske Rd (Precinct 1).

See attached hereto marked "Agenda Action 14 Exhibit"

PERSONS APPEARING BEFORE THE COURT: None

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 by accepting and approving the written plan of Fayette Water Supply Corporation to bore under Ohnheiser Kaase Road (Precinct 4), and to place and install new water service line and meter for a customer located at property IDs R112586 and R112589, and requiring Fayette Water Supply Corporation to make repairs of any resultant damage done to the roadway, sides, ditches, and right-of-way of Ohnheiser Kaase Road, and to do paving work, compacting, and restoring the roadway, sides, ditches, and right-of-way, all back to a finished natural grade.

ACTION: Accepted and Approved the written plan of Fayette Water Supply Corporation to bore under Ohnheiser Kaase Road and Roitsch Road (Precinct 4), and to place and install new water service line and meter for a customer located at property IDs R112586 and R112589; and

Required Fayette Water Supply Corporation to make repairs of any resultant damage done to the roadway, sides, ditches, and right-of-way of Ohnheiser Kaase Road and Roitsch Road, and to do paving work, compacting, and restoring the roadway, sides, ditches, and right-of-way, all back to a finished natural grade.

See attached hereto marked "Agenda Action 15 Exhibit"

PERSONS APPEARING BEFORE THE COURT: James Rebecsek, Fayette Water Supply

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 _____

16. **SUBJECT: Consider and take appropriate action by accepting and approving the written plan of Fayette Water Supply Corporation to bore under Kallus Road (Precinct 3), and to place and install a new water service line and meter for a customer located at property ID R63216, and requiring Fayette Water Supply Corporation to make repairs of any resultant damage done to the roadway, sides, ditches, and right-of-way of Kallus Road, and to do paving work, compacting, and restoring the roadway, sides, ditches, and right-of-way, all back to a finished natural grade.**

ACTION: Accepted and Approved the written plan of Fayette Water Supply Corporation to bore under Kallus Road (Precinct 3), and to place and install a new water service line and meter for a customer located at property ID R63216; and

Required Fayette Water Supply Corporation to make repairs of any resultant damage done to the roadway, sides, ditches, and right-of-way of Kallus Road, and to do paving work, compacting, and restoring the roadway, sides, ditches, and right-of-way, all back to a finished natural grade.

See attached hereto marked "Agenda Action 16 Exhibit"

PERSONS APPEARING BEFORE THE COURT: James Rebecsek, Fayette Water Supply; Rodney Read

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. Brossmann, vote for **X**, vote against _____

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

17. **SUBJECT: Authorize County Attorney's staff members, Blake Watson and Stacey Olenick, County Auditor's staff members Cindy Havelka and Cynthia Novak and County Sheriff's office staff member Candice Koether to attend the Public Information Act Training November 29, 2022 in Georgetown, Texas.**

ACTION: Authorized County Attorney's staff members, Blake Watson and Stacey Olenick, County Auditor's staff member Cindy Havelka and County Sheriff's office staff member Candice Koether to attend the Public Information Act Training November 29, 2022 in Georgetown, Texas.

See attached hereto marked "Agenda Action 17 Exhibit"

PERSONS APPEARING BEFORE THE COURT: Cindy Havelka, County Auditor

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 _____

18. **SUBJECT: Consider and take appropriate action concerning the fines and fees collected for the period of July 1, 2022 to September 30, 2022.**

ACTION: Approved the fines and fees collected for the period of July 1, 2022 to September 30, 2022.

See attached hereto marked "Agenda Action 18 Exhibit"

PERSONS APPEARING BEFORE THE COURT: Cindy Havelka, County Auditor

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 _____

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 with the exception of the Sheriff Forfeiture Funds.

PERSONS APPEARING BEFORE THE COURT: Cindy Havelka, County Auditor; William Bernsen

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 _____

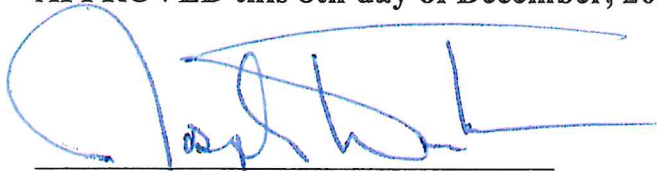
Commr. Brossmann, vote for **X**, vote against _____

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

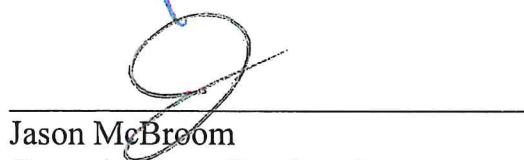
VIII.

Meeting adjourned at 11:36 a.m., November 23, 2022, on motion by Commissioner Brossmann, seconded by Commissioner Sternadel, votes for 5, votes against 0.

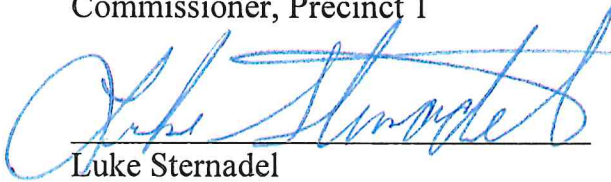
APPROVED this 8th day of December, 2022.



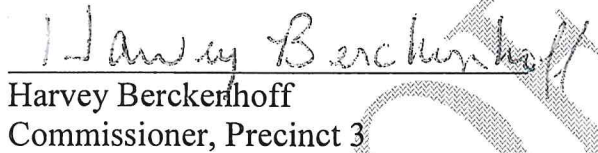
Joseph Weber
Fayette County Judge



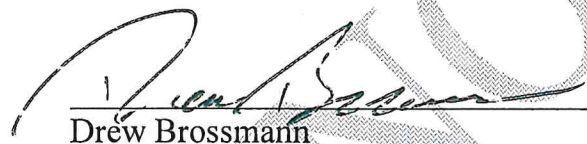
Jason McBroom
Commissioner, Precinct 1



Luke Sternadel
Commissioner, Precinct 2

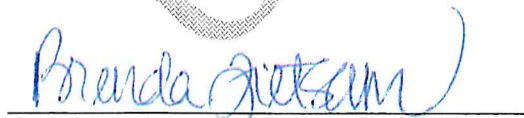


Harvey Berckenhoff
Commissioner, Precinct 3



Drew Brossmann
Commissioner, Precinct 4

ATTEST:



Brenda Fietsam
County Clerk

