

MINUTES OF COMMISSIONERS COURT MEETING

I.

Attached hereto is/are public notice(s) posted for the meeting of **February 9, 2023.**

II.

The minutes of the Regular Meeting of Fayette County, Texas, Commissioners Court held in the Commissioners Courtroom (3rd floor - Room 303) at the Fayette County Courthouse located at 151 North Washington Street, La Grange, Texas.

III.

Attendance: County Judge Dan Mueller **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
Paul Zapalac, Precinct 4 Justice of the Peace; Josh Vandever, EMS Director;
Clint Sternadel, County Inspector & Office of Development & Permitting;
Angela Hahn, Emergency Management Coordinator & Grant Specialist;
Cassie Austin, Court Administrator; Blake Watson, Assistant County Attorney;
Billy Roensch, Constable Precinct 1

V.

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

VI.

Meeting opened at **9:02 a.m.** on motion by Judge **Mueller**,
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 in approving the following minutes from previous meetings:**

- i. **January 26, 2023 – Special & Regular Meetings**

ACTION: Approved minutes from previous meetings.

PERSONS APPEARING BEFORE THE COURT: Brenda Fietsam, County Clerk

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 Mueller, vote for **X**, vote against _____

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

ACTION: Opened Public Comments.

Accepted All Public Comments.

Closed Public Comments.

PERSONS APPEARING BEFORE THE COURT: Kenneth Ripper, Nethaniel Gjesdal, District Director, Texas House District 85; Brenda Fietsam, County Clerk

See attached hereto marked “Exhibit B”

MOVED BY JUDGE Mueller, 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 Mueller, vote for **X**, vote against _____

3. **SUBJECT: Award presentation from Keep Texas Beautiful for outstanding achievements in recycling in 2022.**

ACTION: Presented award from Keep Texas Beautiful for outstanding achievements in recycling in 2022.

PERSONS APPEARING BEFORE THE COURT: Rachel Hering, Director KTB; Zoe Killian, Program Manager KTB; Paul Zapalac, Precinct 4 Justice of the Peace

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 Mueller, vote for **X**, vote against _____

4. **SUBJECT: Consider and take appropriate action by approving the Membership Agreement between Fayette County and Keeping Texas Beautiful (KTB).**

ACTION: Approved the Membership Agreement between Fayette County and Keeping Texas Beautiful (KTB).

See attached hereto marked "Agenda Action 4 Exhibit"

PERSONS APPEARING BEFORE THE COURT: Paul Zapalac, Precinct 4 Justice of the Peace

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 Mueller, 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, County Inspector & Office of Development & Permitting

MOVED BY COMMR. Brossmann, SECONDED BY COMMR. McBroom

Commr. McBroom, vote for _____, vote against _____

Commr. Sternadel, vote for _____, vote against _____

Commr. Berckenhoff, vote for _____, vote against _____

Commr. Brossmann, vote for _____, vote against _____

Judge Mueller, vote for _____, vote against _____

6. **SUBJECT: Consider and take appropriate action by signing an Order to include the following road, located in the Fayette Shores Subdivision: Fayette Shores Cove (Precinct 1), as a County owned and maintained road.**

ACTION: Signed an Order to include the following road, located in the Fayette Shores Subdivision: Fayette Shores Cove (Precinct 1), as a County owned and maintained road.

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

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

7. **SUBJECT: Consider and take appropriate action in approving the preliminary plat from Terry Ward of The Heart Field subdivision located in Precinct 2.**

ACTION: Approved the preliminary plat from Terry Ward of The Heart Field subdivision located in Precinct 2.

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 Mueller, vote for **X**, vote against _____

8. **SUBJECT: Consider and take appropriate action in approving the preliminary plat from Jim Green of Hilltop Meadow subdivision located in Precinct 4.**

ACTION: Approved the preliminary plat from Jim Green of Hilltop Meadow subdivision located in Precinct 4, pending approval from TXDOT on the entry way.

See attached hereto marked "Agenda Action 8 Exhibit"

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 Mueller, vote for **X**, vote against _____

9. **SUBJECT: Consider and take appropriate action in approving the preliminary plat from Davey Vanicek of Country Reserve subdivision located in Precinct 4.**

ACTION: Approved the preliminary plat from Davey Vanicek of Country Reserve subdivision located in Precinct 4.

See attached hereto marked "Agenda Action 9 Exhibit"

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 Mueller, vote for **X**, vote against _____

10. **SUBJECT: Consider and take appropriate action in approving the final plat from Sam and Diana Wilson of Feder Estates subdivision located in Precinct 1.**

ACTION: Approved the final plat from Sam and Diana Wilson of Feder Estates subdivision located in Precinct 1.

See attached hereto marked "Agenda Action 10 Exhibit"

PERSONS APPEARING BEFORE THE COURT: Clint Sternadel, County Inspector & Office of Development & Permitting; Kevin Von Minden, BEFCO Engineering; William Bernsen; Blake Watson, Assistant County Attorney

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 Mueller, vote for **X**, vote against _____

11. **SUBJECT: Consider and take appropriate action in approving the final plat from Jonathan Abraham of Serene Acres subdivision located in Precinct 3.**

ACTION: Approved the final plat from Jonathan Abraham of Serene Acres subdivision located in Precinct 3.

See attached hereto marked "Agenda Action 11 Exhibit"

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

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 Mueller, vote for **X**, vote against _____

12. **SUBJECT: Consider and take appropriate action in approving three (3) year Prevent ProCare Maintenance quote for Fayette County EMS equipment.**

ACTION: Approved three (3) year Prevent ProCare Maintenance quote for Fayette County EMS equipment.

See attached hereto marked "Agenda Action 12 Exhibit"

PERSONS APPEARING BEFORE THE COURT: Josh Vandever, EMS Director

MOVED BY JUDGE Mueller, 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 Mueller, vote for **X**, vote against _____

13. **SUBJECT: Consider and take appropriate action on request from the Fayette County Communications Supervisor to use American Rescue Plan Funds for the purchase of 14 wireless headsets and three (3) base units.**

ACTION: Approved request from the Fayette County Communications Supervisor to use American Rescue Plan Funds for the purchase of 14 wireless headsets and three (3) base units.

PERSONS APPEARING BEFORE THE COURT: Angela Hahn, Emergency Management Coordinator & Grant Specialist

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

14. **SUBJECT: Acknowledge the fiber 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): Roensch St (Precinct 1), Halamicek Loop (Precinct 2).**

ACTION: Acknowledged the fiber 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): Roensch St (Precinct 1), Halamicek Loop (Precinct 2).

See attached hereto marked "Agenda Action 14 Exhibit"

PERSONS APPEARING BEFORE THE COURT: None

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 Mueller, vote for **X**, vote against _____

15. **SUBJECT: Discuss Interlocal agreements with several County offices.**

ACTION: Accepted all comments concerning Interlocal agreements with several County offices.

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

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 Mueller, vote for **X**, vote against _____

16. **SUBJECT: Consider and take appropriate action in signing an Affidavit certifying that the County made a grant in the amount of \$8,000.00 to Combined Community Action, Inc./Meals on Wheel Rural Capital Area for the Texas Department of Agriculture Texas Feeding Texas: Home Delivered Meal Grant Program.**

ACTION: Signed an Affidavit certifying that the County made a grant in the amount of \$8,000.00 to Combined Community Action, Inc./Meals on Wheel Rural Capital Area for the Texas Department of Agriculture Texas Feeding Texas: Home Delivered Meal Grant Program.

See attached hereto marked "Agenda Action 16 Exhibit"

PERSONS APPEARING BEFORE THE COURT: Commissioner Jason McBroom

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 Mueller, vote for **X**, vote against _____

17. **SUBJECT: Acknowledge the 2022 Racial Profiling Report as submitted by the Fayette County Constable, Precinct #1.**

ACTION: Accepted the 2022 Racial Profiling Report as submitted by the Fayette County Constable, Precinct #1.

See attached hereto marked "Agenda Action 17 Exhibit"

PERSONS APPEARING BEFORE THE COURT: Billy Roensch, Constable Precinct 1

MOVED BY JUDGE Mueller, 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 Mueller, vote for **X**, vote against _____

18. **SUBJECT: Acknowledge Certificate of Completion awarded to Brenda Fietsam, County Clerk, for completing the required 20 hours of continuing education for 2022 as prescribed in Section 51.605 of the Texas Government Code.**

ACTION: Acknowledged Certificate of Completion awarded to Brenda Fietsam, County Clerk, for completing the required 20 hours of continuing education for 2022 as prescribed in Section 51.605 of the Texas Government Code.

See attached hereto marked "Agenda Action 18 Exhibit"

PERSONS APPEARING BEFORE THE COURT: Brenda Fietsam, County Clerk

MOVED BY JUDGE Mueller, 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 Mueller, vote for **X**, vote against _____

19. **SUBJECT: Consider and take appropriate action authorizing the County Auditor to advertise for financing of a 2023 4wd Backhoe with everything for Road and Bridge, Precinct No. 2.**

ACTION: Authorized the County Auditor to advertise for financing of a 2023 4wd Backhoe with everything for Road and Bridge, Precinct No. 2.

PERSONS APPEARING BEFORE THE COURT: Commissioner Luke Sternadel

MOVED BY JUDGE Mueller, 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 Mueller, vote for **X**, vote against _____

20. **SUBJECT: Consider and take appropriate action concerning the fines and fees collected for the Fourth Quarter of 2022.**

ACTION: Approved the fines and fees collected for the Fourth Quarter of 2022.

See attached hereto marked "Agenda Action 20 Exhibit"

PERSONS APPEARING BEFORE THE COURT: Cindy Havelka, County Auditor; Commissioner Harvey Berckenhoff; Brenda Fietsam, County Clerk; Billy Roensch, Constable Precinct 1

MOVED BY JUDGE Mueller, 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 Mueller, vote for **X**, vote against _____

21. **SUBJECT: Consider and take appropriate action in revising the Credit Card Policy to include Credit Card for Fayette County Extension Service.**

ACTION: Revised the Credit Card Policy to include Credit Card for Fayette County Extension Service.

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

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

22. **SUBJECT: Consider and take appropriate action in approving 2022 Budget Amendments.**

ACTION: Approved 2022 Budget Amendments.

PERSONS APPEARING BEFORE THE COURT: Cindy Havelka, County Auditor

MOVED BY JUDGE Mueller, 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 Mueller, vote for **X**, vote against _____

23. **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 23 Exhibit"

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

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

VIII.

Meeting adjourned at **10:07 a.m., February 9, 2022**, on motion by Commissioner **Brossmann**, seconded by Commissioner **McBroom**, votes for **5**, votes against **0**.

APPROVED this 23rd day of February, 2023.

Dan Mueller

Dan Mueller
Fayette County Judge

Jason McBroom
Commissioner, Precinct 1

Luke Sternadel
Commissioner, Precinct 2

Harvey Berkenhoff
Harvey Berkenhoff
Commissioner, Precinct 3

Drew Brossmann
Drew Brossmann
Commissioner, Precinct 4

ATTEST:

Brenda Fietsam
Brenda Fietsam
County Clerk

