

## MINUTES OF COMMISSIONERS COURT MEETING

### I.

Attached hereto is/are public notice(s) posted for the meeting of **May 25, 2023**.

### 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 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; Cassie Austin, Court Administrator;**  
**Angela Hahn, Emergency Management Coordinator & Grant Specialist;**  
**Blake Watson, Assistant County Attorney; 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 **9:00 a.m.** on motion by Commissioner **Brossmann**,  
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. May 11, 2023 – Regular Meeting**

**ACTION: Approved minutes from the May 11, 2023 Regular Meeting.**

**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 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 from Andy Behlen and Mayor Jan Dockery.**

**Closed Public Comments.**

**PERSONS APPEARING BEFORE THE COURT: Andy Behlen, Fayette County Record; Mayor Jan Dockery**

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 Mueller, vote for **X**, vote against \_\_\_\_\_

3. **SUBJECT: Sign proclamation proclaiming June 19, 2023, as “Emancipation Day” in Fayette County.**

**ACTION: Signed proclamation proclaiming June 19, 2023, as “Emancipation Day” in Fayette County.**

See attached hereto marked “Agenda Action 3 Exhibit”

**PERSONS APPEARING BEFORE THE COURT: Jonathan Ellis; Mayor Jan Dockery**

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

4. **SUBJECT: Consider and take appropriate action concerning request from Verlia Mosley Rhodes for the Juneteenth Celebration to use the courthouse square, courthouse lawn, electrical plugs, and the Founders Park restrooms, on Saturday, June 10, 2023 from 6:00 p.m. to 10:00 p.m.**

**ACTION: Approved request from Verlia Mosley Rhodes for the Juneteenth Celebration to use the courthouse square, courthouse lawn, electrical plugs, and the Founders Park restrooms, on Saturday, June 10, 2023 from 6:00 p.m. to 10:00 p.m.**

See attached hereto marked “Agenda Action 4 Exhibit”

**PERSONS APPEARING BEFORE THE COURT: Cassie Austin, Court Administrator**

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

**5. SUBJECT: Hear report from Fayette County Sheriff's Office.**

**ACTION: Accepted report from Fayette County Sheriff's Office.**

See attached hereto marked "Agenda Action 5 Exhibit"

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

**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 Mueller, vote for **X**, vote against \_\_\_\_\_

**6. SUBJECT: Hear report from Angela Hahn, Emergency Management Coordinator & Grant Specialist.**

**ACTION: Accepted report from Angela Hahn, Emergency Management Coordinator & Grant Specialist.**

See attached hereto marked "Agenda Action 6 Exhibit"

**PERSONS APPEARING BEFORE THE COURT: Angela Hahn, Emergency Management Coordinator & Grant Specialist; William Bernsen**

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 Mueller, vote for **X**, vote against \_\_\_\_\_

7. **SUBJECT:** Accept and approve the written plan of Eagle Eye Permitting & Design, LLC on behalf of Fiberlight to place a fiber optic cable in the County right-of-way on Berger Road (Precinct 4), and requiring Eagle Eye Permitting & Design, LLC and Fiberlight to make repairs of any resultant damage done to the roadway, sides, ditches, and right-of-way of Berger 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 Eagle Eye Permitting & Design, LLC on behalf of Fiberlight to place a fiber optic cable in the County right-of-way on Berger Road (Precinct 4); and

**Required Eagle Eye Permitting & Design, LLC and Fiberlight to make repairs of any resultant damage done to the roadway, sides, ditches, and right-of-way of Berger 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 7 Exhibit"

**PERSONS APPEARING BEFORE THE COURT: None**

**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 Mueller, vote for **X**, vote against \_\_\_\_\_

8. **SUBJECT: Consider, discuss, and take appropriate action regarding the nuisance complaints brought before the Court.**

**ACTION: Signed a Resolution concerning the nuisance issues in Fayette County.**

See attached hereto marked "Agenda Action 8 Exhibit"

**PERSONS APPEARING BEFORE THE COURT: Blake Watson, Assistant County Attorney; Cassie Austin, Court Administrator; 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 Mueller, vote for **X**, vote against \_\_\_\_\_

9. **SUBJECT: Consider and take appropriate action in approving the contract with Carmine State Bank for the financing of a Road and Bridge 2023 John Deere 624P Front End Loader for Road and Bridge, Prect. No. 4.**

**ACTION: Approved the contract with Carmine State Bank for the financing of a Road and Bridge 2023 John Deere 624P Front End Loader for Road and Bridge, Prect. No. 4.**

See attached hereto marked "Agenda Action 9 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 Mueller, vote for **X**, vote against \_\_\_\_\_

10. **SUBJECT:** Consider and take appropriate action concerning Fayette County purchasing for Precinct 2 a Case Farmall 100C Tractor, presently located at Associated Supply Company, Inc., 2800 Hwy 290 E, Brenham, Texas 77833, for the Sourcewell pricing of \$76,299.14 payable to Associated Supply Company, Inc., using Precinct 2 Road and Bridge funds that are available and in the 2023 Precinct 2 budget, and authorizing County personnel to sign all necessary and required paperwork and authorize County Auditor to advertise for Lease Purchase of equipment.

**ACTION:** Approved Fayette County to purchase for Precinct 2 a Case Farmall 100C Tractor, presently located at Associated Supply Company, Inc., 2800 Hwy 290 E, Brenham, Texas 77833, for the Sourcewell pricing of \$76,299.14 payable to Associated Supply Company, Inc., using Precinct 2 Road and Bridge funds that are available and in the 2023 Precinct 2 budget; and

**Authorized County personnel to sign all necessary and required paperwork; and  
Authorized County Auditor to run a check today for payment.**

See attached hereto marked "Agenda Action 10 Exhibit"

**PERSONS APPEARING BEFORE THE COURT: Cindy Havelka, County Auditor; Commissioner Luke Sternadel; Cassie Austin, Court Administrator**

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

11. **SUBJECT: Consider and take appropriate action concerning Fayette County purchasing for Precinct 3 a 2024 GMC Sierra Truck, presently located at Cavender Auto Country Chevrolet Buick GMC, 1700 Interstate 10, Weimar, Texas 78962, for the Buy Board pricing of \$55,065.22 payable to Cavender Auto Country Chevrolet Buick GMC, using Precinct 3 Road and Bridge funds that are available and in the 2023 Precinct 3 budget, and authorizing County personnel to sign all necessary and required paperwork.**

**ACTION: Approved purchase for Precinct 3, of a 2024 GMC Sierra Truck, presently located at Cavender Auto Country Chevrolet Buick GMC, 1700 Interstate 10, Weimar, Texas 78962, for the Buy Board pricing of \$55,065.22 payable to Cavender Auto Country Chevrolet Buick GMC, using Precinct 3 Road and Bridge funds that are available and in the 2023 Precinct 3 budget; and Authorized County personnel to sign all necessary and required paperwork.**

See attached hereto marked "Agenda Action 11 Exhibit"

**PERSONS APPEARING BEFORE THE COURT: Commissioner Harvey Berckenhoff**

**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 accepting all bids and/or awarding bid for the mulching/grinding of brush at the Recycle Center.**

**ACTION: Accepted the one bid for the mulching/grinding of brush at the Recycle Center but did not award; and**

**Approved the County Auditor to rebid this project.**

See attached hereto marked "Agenda Action 12 Exhibit"

**PERSONS APPEARING BEFORE THE COURT: Cindy Havelka, County Auditor; Blake Watson, Assistant County Attorney**

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

13. **SUBJECT: Consider and take appropriate action in approving the destruction of eligible records by Records Consultants, Inc.**

**ACTION: Approved the contract with Records Consultants, Inc. (RCI) for the destruction of eligible records.**

See attached hereto marked "Agenda Action 13 Exhibit"

**PERSONS APPEARING BEFORE THE COURT: Cindy Havelka, County Auditor**

**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 Mueller, vote for **X**, vote against \_\_\_\_\_

14. **SUBJECT: Discuss and take appropriate action concerning the increase in the renewal of the Property Insurance.**

**ACTION: Approved the increase in the renewal of the Property Insurance.**

See attached hereto marked "Agenda Action 14 Exhibit"

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

**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: 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 15 Exhibit"

**PERSONS APPEARING BEFORE THE COURT: Cindy Havelka, County Auditor; Blake Watson, Assistant County Attorney; Randy Noviskie, Chief Deputy Sheriff**

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

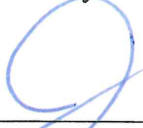
VIII.

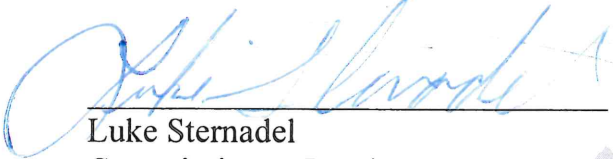
Meeting adjourned at 9:37 a.m., May 25, 2023, on motion by Commissioner **Brossmann**,  
seconded by Commissioner **Berckenhoff**, votes for **5**, votes against **0**.

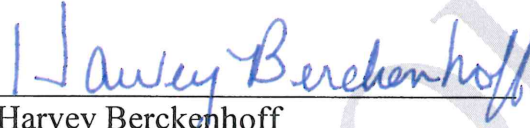
**APPROVED** this 8<sup>th</sup> day of June, 2023.



Dan Mueller  
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

