MINUTES OF COMMISSIONERS COURT MEETING

I.

Attached hereto is/are public notice(s) posted for the meeting of August 8, 2024.

II.

The minutes of the Regular Meeting of Fayette County, Texas, Commissioners Court held in the District Courtroom (2nd floor) 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;
Paula Lewellen, Human Resources Manager; Billy Roensch, Constable Precinct 1;
Clint Sternadel, County Inspector & Office of Development & Permitting;
Randy Noviskie, Chief Deputy Sheriff; Steven Svec, Maintenance;
Cassie Austin, Court Administrator; Josh Vandever, EMS Director;
James Herbrich, Assistant County Attorney; Sylvia Mendoza, Tax Assessor Collector;
Angela Hahn, Emergency Management Coordinator; Emily Smith, EMS Staff

V

Persons in attendance during all of any part of the meeting:

See Attached Exhibit A

VI. INVOCATION

PLEDGE OF ALLEGIANCE
ALLEGIANCE TO THE AMERICAN

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."

VII.

Meeting opened at 9:04 a.m. on motion by Commissioner Brossmann, seconded by Commissioner Sternadel, votes for 5, votes against 0.

AGENDA ACTION:

- 1. SUBJECT: Consider and take appropriate action in approving the following minutes from previous meetings:
 - i. July 25, 2024 Regular Meeting

ACTION: Approved minutes from the July 25, 2024 Regular Meeting.

PERSONS APPEARING BEFORE THE COURT: Brenda Fietsam, County Clerk

MOVED BY COMMR. McBroom, SECOND	DED BY COM	IMR. Sternade
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.
	PERSONS APPEARING BEFORE THE COURT: None
	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
	ACTION: Accepted all public comments. Closed public comments.
	PERSONS APPEARING BEFORE THE COURT: Patrick McClaugherty; Kathy Schenck; Stephen Paine
	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: Open and hold public hearing to consider and accept comments regarding the proposed Fayette County Clerk's Records Archive Plan for 2025, in accordance with Texas Government Code 118.025. Accept comments and close public hearing.

ACTION: Opened and Held Public Hearing regarding the proposed Fayette
County Clerk's Records Archive Plan for 2025, in accordance with
Texas Government Code 118.025.
Accepted All Comments.
Closed Public Hearing.

See attached hereto marked "Agenda Action 3 Exhibit"

PERSONS APPEARING BEFORE THE COURT: Brenda Fietsam, County Clerk

MOVED BY COMMR. Brossmann, SECONDED BY COMMR. Berckennon
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 and potentially approve the Fayette County Clerk's Records Archive Plan for 2025 for the preservation and restoration of archived records; and authorize the County Clerk to sign the Preservation Project on the Birth Records as presented by KOFILE.

ACTION: Approved the Fayette County Clerk's Records Archive Plan for 2025 for the preservation and restoration of archived records; and

Authorized the County Clerk to work with the County Attorney's Office to finalize the contract and then sign the Preservation Project on the Birth Records as presented by KOFILE.

See attached hereto marked "Agenda Action 4 Exhibit"

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

MOVED BY COMMR. Berckenhoff, SECONDED BY COMMR. Sternade
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: Consider and take appropriate action in signing a Resolution in support of citizens opposed to the proposed wind turbine project in Fayette County.

ACTION: Accepted and Signed a Resolution in support of citizens opposed to the proposed wind turbine project in Fayette County, with the removal of the words "large scale" when referring to commercial projects.

See attached hereto marked "Agenda Action 5 Exhibit"

PERSONS APPEARING BEFORE THE COURT: Blake Watson, Assistant County Attorney; Ken Dernehl; Angela Hahn, Emergency Management Coordinator

See attached hereto marked "Exhibit B"

MOVED BY COMMR. Brossmann, SECONDED BY COMMR. Berckenhor
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: Presentation of 2023 Distinguished Service Award to Fayette County Historical Commission in recognition of its active and well-balanced preservation program, award accepted by Bobbie Nash, Chairperson. ACTION: Approved the 2023 Distinguished Service Award to Fayette County Historical Commission in recognition of its active and well-balanced preservation program, award accepted by Bobbie Nash, Chairperson. See attached hereto marked "Agenda Action 6 Exhibit" PERSONS APPEARING BEFORE THE COURT: Bobbie Nash, Fayette County Historical Commission Chairperson; Sylvie & Charles Hebert, Fayette County Historical Commission; Marie Watts, Fayette County Historical Commission 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 Break at 9:34 a.m. 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 Reconvened at 9:49 a.m. 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

7.	SUBJECT: Consider and take appropriate action in approving Red River Restoration bid for the repair of seven (7) of windows.
	ACTION: Deferred to the Regular Scheduled meeting on October 10, 2024.
	PERSONS APPEARING BEFORE THE COURT: Steven Svec, Maintenance; Cindy Havelka, County Auditor
	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
8.	SUBJECT: Consider and take appropriate action in approving quote from M & J Construction for repairs to the roof and internal gutter system of the Courthouse.
	ACTION: Approved quote from M & J Construction for repairs to the roof and internal gutter system of the Courthouse.
	See attached hereto marked "Agenda Action 8 Exhibit"
	PERSONS APPEARING BEFORE THE COURT: Steven Svec, Maintenance; Cindy Havelka, County Auditor
Á	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 re-plat of Lot 23 & 24 of Tree Tops Subdivision from Vineyard Vista, LLC.
	ACTION: Approved re-plat of Lot 23 & 24 of Tree Tops Subdivision from Vineyard Vista, LLC.
	See attached hereto marked "Agenda Action 9 Exhibit"
	PERSONS APPEARING BEFORE THE COURT: Clint Sternadel, County Inspector & Office of Development & Permitting
	MOVED BY COMMR. Sternadel, 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
10.	SUBJECT: Consider and take appropriate action by signing an Order to include the following road, located in the Tree Tops Subdivision: Vineyard View Trail (Precinct 2), as a County owned and maintained road.
	ACTION: Signed an Order to include the following road, located in the Tree Tops Subdivision: Vineyard View Trail (Precinct 2), as a County owned and maintained road.
	See attached hereto marked "Agenda Action 10 Exhibit"
1	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

11.	SUBJECT: Consider and take appropriate action in changes to the Application for Permit to Lay Temporary Water Line in Road Right-of-Way permit.
	ACTION: Approved changes to the Application for Permit to Lay Temporary Water Line in Road Right-of-Way permit.
	See attached hereto marked "Agenda Action 11 Exhibit"
	PERSONS APPEARING BEFORE THE COURT: Clint Sternadel, County Inspector & Office of Development & Permitting
	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
12.	SUBJECT: Hear report from Angela Hahn, Grant Specialist and Emergency Management Coordinator.
	ACTION: Accepted report from Angela Hahn, Grant Specialist and Emergency Management Coordinator.
	See attached hereto marked "Agenda Action 12 Exhibit"
	PERSONS APPEARING BEFORE THE COURT: Angela Hahn, 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 Mueller, vote for X, vote against

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13.	SUBJECT: Consider and take appropriate action on Interlocal Agreement for 9-1-1 Geographic Information System Database Management, between the Capital Area Council of Governments and Fayette County.
	ACTION: Approved Interlocal Agreement for 9-1-1 Geographic Information System Database Management, between the Capital Area Council of Governments and Fayette County.
	See attached hereto marked "Agenda Action 13 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
14.	SUBJECT: Consider and take appropriate action concerning Texas Department of Motor Vehicles' Imposition of Optional Fees for calendar year 2025.
	ACTION: Selected Option A of the Texas Department of Motor Vehicles' Imposition of Optional Fees for calendar year 2025, which is the same as last year.
	See attached hereto marked "Agenda Action 14 Exhibit"
A	PERSONS APPEARING BEFORE THE COURT: Sylvia Mendoza, Tax Assessor Collector
	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 Judge Mueller, vote for X, vote against

15. SUBJECT: Consider and take appropriate action approving a contract between Fayette County and Dr. Emily Smith to serve as Fayette County EMS's Medical Director and authorize the County Judge to sign any necessary documentation pertaining thereto.

ACTION: Approved a contract between Fayette County and Dr. Emily Smith to serve as Fayette County EMS's Medical Director; and

Authorized the County Judge to sign any necessary documentation pertaining thereto.

See attached hereto marked "Agenda Action 15 Exhibit"

PERSONS APPEARING BEFORE THE COURT: Josh Vandever, EMS Director; Blake Watson, Assistant County Attorney; Dr. Emily Smith

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	

16. SUBJECT: Consider and take appropriate action in approving Contract between Colorado Valley Communications and Fayette County, Texas for fiber internet and phone service for EMS Station 3 located at 213 North Market Street Flatonia, Texas.

ACTION: Approved Contract between Colorado Valley Communications and Fayette County, Texas for fiber internet and wireless phone service for EMS Station 3 located at 213 North Market Street Flatonia, Texas.

See attached hereto marked "Agenda Action 16 Exhibit"

PERSONS APPEARING BEFORE THE COURT: Josh Vandever, EMS Director; 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

17. SUBJECT: Consider and take appropriate action on a request from SBA Investment Group Inc, forwarded by the City of La Grange, requesting that the zoning of Lot 2 at Hwy 71 & Von Minden Road be changed from residential to commercial use, which property lies within a 200' radius of Fayette County real property.

ACTION: Completed a request from SBA Investment Group Inc., forwarded by the City of La Grange, of being in favor of the request that the zoning of Lot 2 at Hwy 71 & Von Minden Road be changed from residential to commercial use, which property lies within a 200' radius of Fayette County real property.

See attached hereto marked "Agenda Action 17 Exhibit"

PERSONS APPEARING BEFORE THE COURT: Cassie Austin, Court Administrator

18. SUBJECT: Consider and take appropriate action on Resolution Authorizing the Disposition of Salvage and Surplus Property, in accordance with Local Government Code 263.152-158, with said property to be offered for trade in.

ACTION: Signed Resolution Authorizing the Disposition of Salvage and Surplus Property, in accordance with Local Government Code 263.152-158, with said property to be offered for trade in.

See attached hereto marked "Agenda Action 18 Exhibit"

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

19. SUBJECT: Acknowledge the fiber upgrades and 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): Round Top Rd, Floyd Lane (Precinct 2), Krishke Rd, Hausmann Gin Rd (Precinct 4), Seidel Rd, Bryant Rd (two sections), E. Blaschke Rd, Hranicky Rd, Shimek Ln and Rightmer Lane (Precinct 4).

ACTION: Acknowledged the fiber upgrades and 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): Round Top Rd, Floyd Lane (Precinct 2), Krishke Rd, Hausmann Gin Rd (Precinct 4), Seidel Rd, Bryant Rd (two sections), E. Blaschke Rd, Hranicky Rd, Shimek Ln and Rightmer Lane (Precinct 4).

See attached hereto marked "Agenda Action 19 Exhibit"

PERSONS APPEARING BEFORE THE COURT: None

20. SUBJECT: Authorize the following class requests: EMS Director Josh Vandever and three (3) EMS employees to attend the Texas Division of Emergency Management Public Information Basics Class August 19-21, 2024 in New Braunfels; EMS Director Josh Vandever to attend the Texas EMS alliance Conference September 16-18, 2024 in College Station; four (4) EMS employees to attend the State EMS Conference November 24-27, 2024 in Fort Worth.

ACTION: Authorized the following class requests: EMS Director Josh Vandever and three (3) EMS employees to attend the Texas Division of Emergency Management Public Information Basics Class August 19-21, 2024 in New Braunfels; EMS Director Josh Vandever to attend the Texas EMS alliance Conference September 16-18, 2024 in College Station; four (4) EMS employees to attend the State EMS Conference November 24-27, 2024 in Fort Worth.

PERSONS APPEARING BEFORE THE COURT: None

	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 concerning approving the
21.	payment of currently due Fayette County bills and expenses.
	payment of currently due Payette County oms and expenses.
	ACTION: Approved the payment of currently due Fayette County bills and
	expenses.
	See attached hereto marked "Agenda Action 21 Exhibit"
	See attached marked Agenda Action 21 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

22. SUBJECT: Budget Workshop. **ACTION: Opened Budget Workshop for 2025.** Accepted all comments of the 2025 Budget Workshop. Closed Budget Workshop. See attached hereto marked "Agenda Action 22 Exhibit" PERSONS APPEARING BEFORE THE COURT: Cindy Havelka, County Auditor; William Bernsen; Randy Noviskie, Chief Deputy Sheriff; Josh Vandever, EMS Director; Angela Hahn, Emergency Management Coordinator; Paula Lewellen, Human Resources Manager; Cassie Austin, Court Administrator; Blake Watson, Assistant County Attorney See attached hereto marked "Exhibit B" 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 SUBJECT: Consider and take appropriate action to propose salaries, expenses, 23. and allowances of elected county and precinct officers for the year 2025. ACTION: Approved proposed salaries, expenses, and allowances of elected county and precinct officers for the year 2025 as listed. PERSONS APPEARING BEFORE THE COURT: Cindy Havelka 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

24.	SUBJECT: Consider and take appropriate action in authorizing the County auditor to publish proposed salaries, expenses, and allowances of elected county and precinct officers for the year 2025.				
	ACTION: Authorized the County auditor to publish proposed salaries, expense and allowances of elected county and precinct officers for the year 2025.				
	See attached hereto marked "Agenda Action 24 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				
25.	SUBJECT: Discuss and propose the 2024 Tax Rate, and if necessary, schedule public hearing(s) and authorize notices to be placed in the newspaper.				
	ACTION: Deferred to the Special Meeting on Monday, August 12, 2024.				
	PERSONS APPEARING BEFORE THE COURT: Cindy Havelka, County Auditor; 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				
A.	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 11:41 a.m., August 8, 2024, on motion by Commissioner McBroom, seconded by Commissioner Sternadel, votes for 5, votes against 0.

APPROVED this 22nd day of August, 2024.

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Dan	Mue	Her

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

Commissioners Court August 8, 2024.