MINUTES OF COMMISSIONERS COURT MEETING

I.

Attached hereto is/are public notice(s) posted for the meeting of July 25, 2024.

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 Absent
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; Josh Vandever, EMS Director;
Clint Sternadel, County Inspector & Office of Development & Permitting;
Randy Noviskie, Chief Deputy Sheriff; Roger Wunderlich, Constable Precinct 2;
Jason Strickland, Constable Precinct 4; Robert Chambers, Constable Precinct 3;
Billy Roensch, Constable Precinct 1; Paula Lewellen, Human Resources Manager;
Angela Hahn, Emergency Management Coordinator; Steven Svec, Maintenance;
Cindy Havelka, County Auditor; Cassie Austin, Court Administrator

V.

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

VI. <u>INVOCATION</u>

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."

VII.

Meeting opened at 9:05 a.m. on motion by Commissioner Brossmann, seconded by Commissioner Sternadel, votes for 4, votes against 0.

AGENDA ACTION:

- 1. SUBJECT: Consider and take appropriate action in approving the following minutes from previous meetings:
 - i. July 11, 2024 Regular Meeting
 - ii. July 16, 2024 Special Meeting

ACTION: Approved minutes from the July 11, 2024 Regular Meeting and the July 16, 2024 Special Meeting.

PERSONS APPEARING BEFORE THE COURT: Brenda Fietsam, County Clerk

MOVED BY COMMIK. MICBroom, SECONDED BY	COMIVIR. Sternade
Commr. McBroom, vote for X, vote against	
Commr. Sternadel, vote for X, vote against	\ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \
Commr. Berckenhoff, Absent	
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 JUDGE Mueller, SECONDED BY COMMR. Sternadel Commr. McBroom, vote for X, vote against Commr. Sternadel, vote for X, vote against Commr. Berckenhoff, Absent 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: Mike Pechal; Jeffrey Parker;
	Patrick McClaugherty 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, Absent Commr. Brossmann, vote for X, vote against Judge Mueller, vote for X, vote against

3.	SUBJECT: Hear presentation from Red River Restoration concerning Fayette County Courthouse Window Restoration Assessment and Plan, and take any action the Court deems necessary.
	ACTION: Accepted presentation from Red River Restoration concerning Fayette County Courthouse Window Restoration Assessment and Plan.
	See attached hereto marked "Agenda Action 3 Exhibit"
	PERSONS APPEARING BEFORE THE COURT: John Hindman, Red River Restoration; Steven Svec, Maintenance; Angela Hahn, Emergency Management Coordinator
	MOVED BY COMMR. Brossmann, SECONDED BY COMMR. Sternadel Commr. McBroom, vote for X, vote against Commr. Sternadel, vote for X, vote against Commr. Berckenhoff, Absent Commr. Brossmann, vote for X, vote against Judge Mueller, vote for X, vote against
4.	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: Deferred to the next scheduled meeting on August 8, 2024.
	PERSONS APPEARING BEFORE THE COURT: Steven Svec, Maintenance; Angela Hahn, Emergency Management Coordinator; Cindy Havelka, County Auditor
	MOVED BY COMMR. McBroom, SECONDED BY COMMR. Brossmann Commr. McBroom, vote for X, vote against Commr. Sternadel, vote for X, vote against Commr. Berckenhoff, Absent Commr. Brossmann, vote for X, vote against Judge Mueller, vote for X, vote against

5.	SUBJECT: Consider and take appropriate action concerning the following applications requesting the division of real property: Ryan Pope located in Precinct 1; Leonard Acosta located in Precinct 1; Deanna Young & Diana Young located in Precinct 3.
	ACTION: Conditionally Approved the following applications requesting the division of real property: Ryan Pope located in Precinct 1; Leonard Acosta located in Precinct 1; Deanna Young & Diana Young located in Precinct 3.
	See attached hereto marked "Agenda Action 5 Exhibit"
	PERSONS APPEARING BEFORE THE COURT: Clint Sternadel, County Inspector & Office of Development & Permitting; William Bernsen; Leonard Acosta
	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, Absent Commr. Brossmann, vote for X, vote against Judge Mueller, vote for X, vote against
6.	SUBJECT: Consider and take appropriate action in approving re-plat of Lot 23 of Tree Tops Subdivision from Vineyard Vista, LLC.
	ACTION: No action taken. PERSONS APPEARING BEFORE THE COURT: Clint Sternadel, County Inspector & Office of Development & Permitting
	MOVED BY COMMR, SECONDED BY COMMR 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

7. SUBJECT: Consider and take appropriate action in acknowledging the plat of Parkwood Ranch, which lies in Bastrop County, Texas, with a portion of Lots 30-34, lying in Fayette County, Texas; and authorizing the Fayette County Judge to sign all documents pertaining to the division allowing Bastrop County to give the variance to subdivide the property into the tracts specified and giving Bastrop County notice that if there is any future development on the Fayette County portion, said owner needs to follow any and all Fayette County rules and regulations.

ACTION: Acknowledged the plat of Parkwood Ranch, which lies in Bastrop County, Texas, with a portion of Lots 30-34, lying in Fayette County, Texas; and

Authorized the Fayette County Judge to sign all documents pertaining to the division allowing Bastrop County to give the variance to subdivide the property into the tracts specified and giving Bastrop County notice that if there is any future development on the Fayette County portion, said owner needs to follow any and all Fayette County rules and regulations.

See attached hereto marked "Agenda Action 7 Exhibit"

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

MOVED BY COMMR. McBroom, SECONDED BY COMMR. Brossmann
Commr. McBroom, vote for X, vote against
Commr. Sternadel, vote for X, vote against
Commr. Berckenhoff, Absent
Commr. Brossmann, vote for X , vote against
Judge Mueller, vote for X, vote against

8. SUBJECT: Approve the Routing Agreement and Road Use Bond Agreement submitted by Rosewood Resources, Inc, for said Company's overweight loads to travel, as indicated on the attached map, on the following road: Vyvjala Road (Precinct 3), a public county road in Fayette County, Texas.

ACTION: Approved the Routing Agreement and Road Use Bond Agreement submitted by Rosewood Resources, Inc. for said Company's overweight loads to travel, as indicated on the attached map, on the following road: Vyvjala Road (Precinct 3), a public county road in Fayette County, Texas.

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. Sternadel
Commr. McBroom, vote for X, vote against
Commr. Sternadel, vote for X, vote against
Commr. Berckenhoff, Absent
Commr. Brossmann, vote for X, vote against
Judge Mueller, vote for X, vote against

9. SUBJECT: Approve Application for Permit to Lay Temporary Water Line in Road Right-of-Way, submitted by Magnolia Oil & Gas Operating, LLC, for said water line to be placed along Chappel Road (Precinct 2), a public county road located in Fayette County, Texas. ACTION: Approved Application for Permit to Lay Temporary Water Line in Road Right-of-Way, submitted by Magnolia Oil & Gas Operating, LLC, for said water line to be placed along Chappel Street and Weber Street (Precinct 2, Ledbetter Area), public county roads located in Fayette County, Texas. See attached hereto marked "Agenda Action 9 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, Absent Commr. Brossmann, vote for X, vote against Judge Mueller, vote for X, vote against 10. SUBJECT: Hear report from Josh Vandever, EMS Director. ACTION: Accepted report from Josh Vandever, EMS Director. See attached hereto marked "Agenda Action 10 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, Absent Commr. Brossmann, vote for X, vote against

Judge Mueller, vote for X, vote against

11.	SUBJECT: Hear report from Sheriff's Office.
	ACTION: Accepted report from Sheriff's Office.
	See attached hereto marked "Agenda Action 11 Exhibit"
	PERSONS APPEARING BEFORE THE COURT: Randy Noviskie, Chief Deputy Sheriff
	MOVED BY JUDGE Mueller, SECONDED BY COMMR. Sternadel Commr. McBroom, vote for X, vote against Commr. Sternadel, vote for X, vote against Commr. Berckenhoff, Absent Commr. Brossmann, vote for X, vote against Judge Mueller, vote for X, vote against
12.	SUBJECT: Consider and take appropriate action by adopting and signing two Resolutions for the replacement or rehabilitation of a County bridge that is "off the state system", concerning the following Federal Off- System Bridge Program Project: Halstedt Road over Baylor Creek and Kramr Road over Bull Creek (Precinct 2).
	ACTION: Adopted and Signed two Resolutions for the replacement or rehabilitation of a County bridge that is "off the state system", concerning the following Federal Off- System Bridge Program Project: Halstedt Road over Baylor Creek and Kramr Road over Bull Creek (Precinct 2).
	See attached hereto marked "Agenda Action 12 Exhibit" PERSONS APPEARING BEFORE THE COURT: Commissioner Luke Sternadel
	MOVED BY COMMR. Sternadel, SECONDED BY COMMR. Brossmann Commr. McBroom, vote for X, vote against Commr. Sternadel, vote for X, vote against Commr. Berckenhoff, Absent Commr. Brossmann, vote for X, vote against Judge Mueller, vote for X, vote against

13. SUBJECT: Acknowledge letter from TXDOT concerning road closure on FM 956 at Walker Branch (Precinct 4) for bridge replacement, the roadway will be closed approximately 6 months, the project is scheduled for a October 2024 letting, typically, construction starts 2-3 months after the letting date.

ACTION: Acknowledged letter from TXDOT concerning road closure on FM 956 at Walker Branch (Precinct 4) for bridge replacement, the roadway will be closed approximately 6 months, the project is scheduled for an October 2024 letting, typically, construction starts 2-3 months after the letting date.

See attached hereto marked "Agenda Action 13 Exhibit"

PERSONS APPEARING BEFORE THE COURT: Commissioner Drew Brossmann

MOVED BY COMMR. Brossmann, SECO.	NDED BY C	OMMR. Sternadel
Commr. McBroom, vote for X, vote against		
Commr. Sternadel, vote for X, vote against _		
Commr. Berckenhoff, Absent		
Commr. Brossmann, vote for X, vote against		<u> </u>
Judge Mueller, vote for X, vote against		

14. SUBJECT: Acknowledge letter from TXDOT concerning road closure on FM 1295 at Mulberry Creek (Precinct 3) for bridge replacement, the roadway will be closed approximately 6 months, the project is scheduled for a October 2024 letting, typically, construction starts 2-3 months after the letting date.

ACTION: Acknowledged letter from TXDOT concerning road closure on FM 1295 at Mulberry Creek (Precinct 3) for bridge replacement, the roadway will be closed approximately 6 months, the project is scheduled for an October 2024 letting, typically, construction starts 2-3 months after the letting date.

See attached hereto marked "Agenda Action 14 Exhibit"

PERSONS APPEARING BEFORE THE COURT: Cassie Austin, Court Administrator

15. 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): Old Plum Highway (Precinct 1), and Zapalac Road (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): Old Plum Highway (Precinct 1), and Zapalac Road (Precinct 2).

See attached hereto marked "Agenda Action 15 Exhibit"

PERSONS APPEARING BEFORE THE COURT: None

MOVED BY COMMR. McBroom, SECONDED BY	COMMR. Sternade
Commr. McBroom, vote for X, vote against	
Commr. Sternadel, vote for X, vote against	\ ````
Commr. Berckenhoff, Absent	
Commr. Brossmann, vote for X , vote against	
Judge Mueller, vote for X, vote against	*****

16. SUBJECT: Accept and approve the written plans of Industry Telephone Company, to install a new buried communications line upon and along the right-of-way of Ullrich 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 plans of Industry Telephone Company, to install a new buried communications line upon and along the right-of-way of Ullrich 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: None

MOVED BY COMMR. Sternadel, SECONDED BY COMMR. Brossmann
Commr. McBroom, vote for X, vote against
Commr. Sternadel, vote for X , vote against
Commr. Berckenhoff, Absent
Commr. Brossmann, vote for X , vote against
Judge Mueller, vote for X, vote against

17. SUBJECT: Authorize the following class requests: Jail Lieutenant Brad Neville to attend the Texas Jail association 2024 Jail Management Issues Conference September 9-13, 2024 in Galveston; Sheriff Keith Korenek and three (3) Interdiction Investigators to attend the Annual MVCI Association 2024 Training and Networking Conference August 11-15, 2024 in Orlando, Florida; Terri Hefner, Elections Administrator, and Bernice Svec, Elections Assistant, to attend the 42nd Annual Election Law Seminar For County Election Officials August 12-14, 2024 in Austin; Brenda Fietsam, County Clerk, to attend the to attend the TAC Legislative Conference virtually, scheduled for Aug. 28-30, 2024.

ACTION: Authorized the following class requests: Jail Lieutenant Brad Neville to attend the Texas Jail association 2024 Jail Management Issues Conference September 9-13, 2024 in Galveston; Sheriff Keith Korenek and three (3) Interdiction Investigators to attend the Annual MVCI Association 2024 Training and Networking Conference August 11-15, 2024 in Orlando, Florida; Terri Hefner, Elections Administrator, and Bernice Svec, Elections Assistant, to attend the 42nd Annual Election Law Seminar For County Election Officials August 12-14, 2024 in Austin; Brenda Fietsam, County Clerk, to attend the TAC Legislative Conference virtually, scheduled for Aug. 28-30, 2024.

PERSONS APPEARING BEFORE THE COURT: Cassie Austin, Court Administrator

MOVED BY JUDGE Mueller, SECONDED BY COMMR. Sternadel
Commr. McBroom, vote for X, vote against
Commr. Sternadel, vote for X , vote against
Commr. Berckenhoff, Absent
Commr. Brossmann, vote for X , vote against
Judge Mueller, vote for X , vote against

18.	SUBJECT: Consider and take appropriate action in accepting bids and possibly awarding a Lease Purchase bid for the financing for two Peterbuilt Trucks for Road and Bridge Prect. No. 3.
	ACTION: Accepted all Lease Purchase bids for the financing for two Peterbilt Trucks for Road and Bridge Precinct. No. 3. Awarded Lease Purchase bid to Carmine State Bank.
	See attached hereto marked "Agenda Action 18 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, Absent Commr. Brossmann, vote for X, vote against Judge Mueller, vote for X, vote against
19.	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 all bids for the mulching/grinding of brush at the Recycle Center. Awarded bid to Southern Star Trucking, Inc.
	See attached hereto marked "Agenda Action 19 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, Absent Commr. Brossmann, vote for X, vote against Judge Mueller, vote for X, vote against

20.	SUBJECT: Consider and take appropriate action in approving the Auto and Liability Insurance renewal with the Texas Association of Counties for year 2024 – 2025.
	ACTION: Approved the Auto and Liability Insurance renewal with the Texas Association of Counties for year 2024 – 2025.
	See attached hereto marked "Agenda Action 20 Exhibit"
	PERSONS APPEARING BEFORE THE COURT: 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, Absent Commr. Brossmann, vote for X, vote against Judge Mueller, vote for X, vote against
21.	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 21 Exhibit"
	PERSONS APPEARING BEFORE THE COURT: Cindy Havelka, County Auditor
	MOVED BY COMMR. Brossmann , SECONDED BY COMMR. McBroom Commr. McBroom, vote for X , vote against
	Commr. Sternadel, vote for X, vote against Commr. Berckenhoff, Absent
	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; Robert Chambers, Constable Precinct 3; Jason Strickland, Constable Precinct 4; Randy Noviskie, Chief Deputy Sheriff; Cassie Austin, Court Administrator; Josh Vandever, EMS Director; William Bernsen; Paula Lewellen, Human Resources Manager See attached hereto marked "Exhibit B" MOVED BY COMMR. McBroom, SECONDED BY COMMR. Brossmann Commr. McBroom, vote for X, vote against Commr. Sternadel, vote for X, vote against Commr. Berckenhoff, Absent 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: Deferred to the next scheduled meeting on August 8, 2024. PERSONS APPEARING BEFORE THE COURT: None MOVED BY JUDGE Mueller, SECONDED BY COMMR. Brossmann Commr. McBroom, vote for X, vote against _____ Commr. Sternadel, vote for X, vote against Commr. Berckenhoff, Absent

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: Deferred to the next scheduled meeting on August 8, 2024.		
	PERSONS APPEARING BEFORE THE COURT: None		
	MOVED BY JUDGE Mueller, SECONDED BY COMMR. Brossmann Commr. McBroom, vote for X, vote against Commr. Sternadel, vote for X, vote against Commr. Berckenhoff, Absent 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 next scheduled meeting on August 8, 2024.		
	PERSONS APPEARING BEFORE THE COURT: None		
	MOVED BY JUDGE Mueller, SECONDED BY COMMR. Brossmann Commr. McBroom, vote for X, vote against Commr. Sternadel, vote for X, vote against Commr. Berckenhoff, Absent Commr. Brossmann, vote for X, vote against Judge Mueller, vote for X, vote against		

VIII.

Meeting adjourned at 11:10 a.m., July 25, 2024, on motion by Commissioner Brossmann, seconded by Commissioner Sternadel, votes for 4, votes against 0.

APPROVED this 8th day of August, 2024.

		- 7
Dan	Mue	eller

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 July 25, 2024