

MINUTES OF COMMISSIONERS COURT MEETING

I.

Attached hereto is/are public notice(s) posted for the meeting of **June 27, 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 **Absent**
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;
Randy Noviskie, Chief Deputy Sheriff; Rick Bohlmann, Deputy Sheriff;
Angela Hahn, Emergency Management Coordinator;
Gary Daniels, Assistant EMS Director; Keith Korenek, Sheriff;
Clint Sternadel, County Inspector & Office of Development & Permitting;
Charles Jobb, Sgt. Deputy Sheriff; David Beyer, Lt. Deputy Sheriff;
Angela Jasek-Lala, Sgt. Det. Deputy Sheriff; Michael Otten, Deputy Sheriff;
Amber Hielscher, Floodplain Manager; Paula Lewellen, Human Resources Manager;
Blake Watson, Assistant County Attorney; Josh Vandever, EMS Director;
James Herbrich, Assistant County Attorney; Debra Maddox, Airport Manager

V.

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

See Attached Exhibit A

VI.

INVOCATION

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 **9:04 a.m.** on motion by Judge **Mueller**,
seconded by Commissioner **Brossmann**, votes for **4**, votes against **0**.

AGENDA ACTION:

1. **SUBJECT: Listen and accept comments concerning proposed wind turbine project named "Mustang Wind".**

ACTION: Accepted all comments concerning proposed wind turbine project named "Mustang Wind".

PERSONS APPEARING BEFORE THE COURT: Commissioner Drew Brossmann; Blake Watson, Assistant County Attorney; Commissioner Jason McBroom; Debra Maddox, Airport Manager; Ed Janecka, Retired Fayette County Judge; Tammy Jo McCleney; James Riley; Jeff Brazill; Michael Gatlin; Dennis Geesaman; Ken Dernehl; Dylan Stonecipher; Emily Mendel

See attached hereto marked "Exhibit B"

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

Break at 9:38 a.m.

MOVED BY JUDGE **Mueller**, SECONDED BY COMMR. **Berckenhoff**

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

Commr. Sternadel, **Absent**

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

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

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

Reconvened at 9:54 a.m.

MOVED BY COMMR. **Brossmann**, SECONDED BY COMMR. **Berckenhoff**

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

Commr. Sternadel, **Absent**

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

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

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

2. **SUBJECT: Consider and take appropriate action in approving the following minutes from previous meetings:**

i. **June 13, 2024 – Regular Meeting**

ACTION: Approved minutes from the June 13, 2024 Regular Meeting.

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, **Absent**

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

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

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

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

ACTION: Opened Public Comments.

Accepted Public Comments from William Bernsen.

Closed Public Comments.

PERSONS APPEARING BEFORE THE COURT: William Bernsen

See attached hereto marked "Exhibit B"

MOVED BY COMMR. Brossmann, SECONDED BY COMMR. McBroom

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

Commr. Sternadel, **Absent**

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 in recognizing the following private road(s), for mapping purposes only: Reserve Way of the Round Top Reserve subdivision (Precinct 2).**

ACTION: Recognized the following private road, for mapping purposes only: Reserve Way of the Round Top Reserve subdivision (Precinct 2).

See attached hereto marked "Agenda Action 4 Exhibit"

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

MOVED BY COMMR. McBroom, SECONDED BY COMMR. Berckenhoff

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

Commr. Sternadel, **Absent**

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 approving request from Fayette County Firefighter's Association to use Road & Bridge Precinct 1 yard located at 265 Ellinger Road, La Grange, for a training exercise on September 21-22, 2024.**

ACTION: Approved request from Fayette County Firefighter's Association to use Road & Bridge Precinct 1 yard located at 265 Ellinger Road, La Grange, for a training exercise on September 21-22, 2024.

See attached hereto marked "Agenda Action 5 Exhibit"

PERSONS APPEARING BEFORE THE COURT: Commissioner Jason McBroom

MOVED BY COMMR. McBroom, SECONDED BY COMMR. Brossmann

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

Commr. Sternadel, **Absent**

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

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

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

6. **SUBJECT: Consider, discuss, and take appropriate action concerning the Fayette Regional Air Center construction project.**

ACTION: Accepted comments from Debra Maddox, Airport Manager, concerning the Fayette Regional Air Center construction project.

PERSONS APPEARING BEFORE THE COURT: Debra Maddox, Airport Manager; Blake Watson, Assistant County Attorney; Angela Hahn, Emergency Management Coordinator

MOVED BY JUDGE Mueller, SECONDED BY COMMR. Berckenhoff

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

Commr. Sternadel, **Absent**

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 concerning renewal of Fayette County Employee Health, Dental & Vision Insurance for 2024 – 2025 presented by Texas Association of County Health and Employee Benefits Pool (TAC HEBP) representative.**

ACTION: Approved the signing of the renewal of Fayette County Employee Health, Dental & Vision Insurance for 2024 – 2025 presented by Texas Association of County Health and Employee Benefits Pool (TAC HEBP) representative.

See attached hereto marked “Agenda Action 7 Exhibit”

PERSONS APPEARING BEFORE THE COURT: Paula Lewellen, Human Resources Manager

MOVED BY JUDGE Mueller, SECONDED BY COMMR. Brossmann

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

Commr. Sternadel, **Absent**

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 and signing proposals and Alarm Monitoring Services Agreements between Summit Fire & Security and Fayette County, Texas for fire alarm system inspections and monitoring at the Courthouse, County Clerk's Office and EMS Station One.**

ACTION: Approved and Signed proposals and Alarm Monitoring Services Agreements between Summit Fire & Security and Fayette County, Texas for fire alarm system inspections and monitoring at the Courthouse and County Clerk's Office.

See attached hereto marked "Agenda Action 8 Exhibit"

PERSONS APPEARING BEFORE THE COURT: Cassie Austin, Court Administrator; Josh Vandever, EMS Director

MOVED BY JUDGE Mueller, SECONDED BY COMMR. Berckenhoff

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

Commr. Sternadel, **Absent**

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

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

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

9. **SUBJECT: Discuss, and take appropriate action in setting a public hearing date to consider and potentially enter into a Tax Abatement Agreement with Staccato Storage, LLC and to establish a reinvestment zone as required by Texas Tax Code Chapter 312; and to authorize public notices regarding the public hearing to be placed in the newspaper.**

ACTION: Set date of Thursday, August 22, 2024 for a public hearing to consider and potentially enter into a Tax Abatement Agreement with Staccato Storage, LLC and to establish a reinvestment zone as required by Texas Tax Code Chapter 312; and

Authorized public notices regarding the public hearing to be placed in the newspaper.

PERSONS APPEARING BEFORE THE COURT: None

See attached hereto marked "Exhibit C"

MOVED BY COMMR. Brossmann, SECONDED BY COMMR. Berckenhoff

Commr. McBroom, Recused

Commr. Sternadel, Absent

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 CAPCOG Interlocal Agreement for 2024-2025 Solid Waste Grant 25-12-04 regarding awarded grant funds for the Fayetteville recycling site.**

ACTION: Approved CAPCOG Interlocal Agreement for 2024-2025 Solid Waste Grant 25-12-04 regarding awarded grant funds for the Fayetteville recycling site.

See attached hereto marked "Agenda Action 10 Exhibit"

PERSONS APPEARING BEFORE THE COURT: Cassie Austin, Court Administrator

MOVED BY JUDGE Mueller, SECONDED BY COMMR. Brossmann

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

Commr. Sternadel, **Absent**

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

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

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

11. **SUBJECT: Authorize Auditor to advertise for sealed bids for the mulching/grinding of brush at the Recycle Center.**

ACTION: Authorized Auditor to advertise for sealed bids for the mulching/grinding of brush at the Recycle Center.

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

MOVED BY COMMR. Berckenhoff, SECONDED BY COMMR. Brossmann

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

Commr. Sternadel, **Absent**

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

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

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

12. **SUBJECT: Authorize Auditor to advertise for lease purchase for two new Peterbuilt trucks for Road & Bridge Precinct 3.**

ACTION: Authorized Auditor to advertise for lease purchase for two new Peterbuilt trucks for Road & Bridge Precinct 3.

PERSONS APPEARING BEFORE THE COURT: Commissioner Harvey Berckenhoff

MOVED BY COMMR. McBroom, SECONDED BY COMMR. Brossmann

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

Commr. Sternadel, **Absent**

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

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

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

13. **SUBJECT: Hear report from Sheriff's Office.**

ACTION: Accepted report from Sheriff's Office.

See attached hereto marked "Agenda Action 13 Exhibit"

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

MOVED BY JUDGE Mueller, SECONDED BY COMMR. Brossmann

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

Commr. Sternadel, **Absent**

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, including signing an Order, regarding a request by Leonard Muesse and Ronnie Kaiser, 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 Leonard Muesse and Ronnie Kaiser, in the John F. Berry League, A-16, in the community of Winchester, Fayette County, Texas.**

ACTION: Signed an Order, regarding a request by Leonard Muesse and Ronnie Kaiser, 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 Leonard Muesse and Ronnie Kaiser, in the John F. Berry League, A-16, in the community of Winchester, Fayette County, Texas.

See attached hereto marked "Agenda Action 14 Exhibit"

PERSONS APPEARING BEFORE THE COURT: Blake Watson, Assistant County Attorney

MOVED BY JUDGE Mueller, SECONDED BY COMMR. Brossmann

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

Commr. Sternadel, **Absent**

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

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

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

15. **SUBJECT:** Accept and approve the written plan of Fayette Water Supply Corporation to missle under Bohuslav Road (Precinct 4), and to place and install new water service line and meter to property located at ID 116911, and requiring Fayette Water Supply Corporation to make repairs of any resultant damage done to the roadway, sides, ditches, and right-of-way of Bohuslav 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 missle under Bohuslav Road (Precinct 4), and to place and install new water service line and meter to property located at ID 116911; and

Required Fayette Water Supply Corporation to make repairs of any resultant damage done to the roadway, sides, ditches, and right-of-way of Bohuslav 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: None

MOVED BY COMMR. Brossmann, SECONDED BY COMMR. Berckenhoff

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

Commr. Sternadel, **Absent**

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 accepting and /or awarding for the RFQ for engineering services for Zilss Road (Precinct 1) and Whistleville Road (Precinct 3) project.**

ACTION: Accepted qualifications from BEFCO Engineering and Weishuhn Engineering for engineering services for Zilss Road (Precinct 1) and Whistleville Road (Precinct 3) project; and

Awarded to BEFCO Engineering.

See attached hereto marked "Agenda Action 16 Exhibit"

PERSONS APPEARING BEFORE THE COURT: Cindy Havelka, County Auditor

MOVED BY COMMR. McBroom, SECONDED BY COMMR. Berckenhoff

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

Commr. Sternadel, **Absent**

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

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

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

17. **SUBJECT: Authorize the following class requests: Bethany Kaspar, Court Coordinator, to attend the 25th Annual Rural Association for Court Administration (RACA) Conference September 3-6, 2024 in San Antonio; County Judge Dan Mueller to attend the County Administrative Training: County Budget on July 15, 2024 held in College Station, Texas.**

ACTION: Authorized the following class requests: Bethany Kaspar, Court Coordinator, to attend the 25th Annual Rural Association for Court Administration (RACA) Conference September 3-6, 2024 in San Antonio; County Judge Dan Mueller to attend the County Administrative Training: County Budget on July 15, 2024 held in College Station, Texas.

PERSONS APPEARING BEFORE THE COURT: None

MOVED BY COMMR. Brossmann, SECONDED BY COMMR. Berckenhoff

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

Commr. Sternadel, **Absent**

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

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

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

18. **SUBJECT: Consider and take appropriate action on bids of property not sold at Sheriff's Sale – Cause No. 3525 – La Grange ISD.**

ACTION: Rejected bids of property not sold at Sheriff's Sale – Cause No. 3525 – La Grange ISD.

See attached hereto marked "Agenda Action 18 Exhibit"

PERSONS APPEARING BEFORE THE COURT: Cassie Austin, Court Administrator

MOVED BY COMMR. McBroom, SECONDED BY COMMR. Berckenhoff

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

Commr. Sternadel, **Absent**

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 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 19 Exhibit"

PERSONS APPEARING BEFORE THE COURT: Cindy Havelka, County Auditor

MOVED BY COMMR. McBroom, SECONDED BY COMMR. Berckenhoff

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

Commr. Sternadel, **Absent**

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

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

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

20. **SUBJECT: Budget Workshop.**

ACTION: Opened Budget Workshop for 2025.

**Accepted all comments of the 2025 Budget Workshop.
Closed Budget Workshop.**

PERSONS APPEARING BEFORE THE COURT: Cindy Havelka, County Auditor; Cassie Austin, Court Administrator; William Bernsen

See attached hereto marked "Exhibit B"

MOVED BY JUDGE Mueller, SECONDED BY COMMR. Brossmann

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

Commr. Sternadel, **Absent**

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

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

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

VIII.

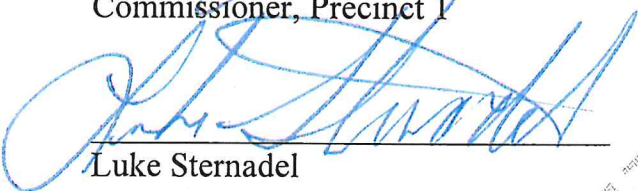
Meeting adjourned at 10:30 a.m., June 27, 2024, on motion by Commissioner **Brossmann**, seconded by Commissioner **Berckenhoff**, votes for 4, votes against 0.

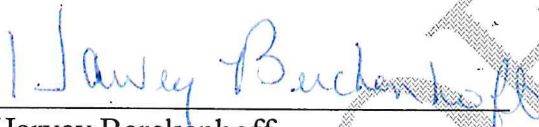
APPROVED this 11th day of July, 2024.




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

Commissioners Court June 27, 2024

