

MINUTES OF COMMISSIONERS COURT MEETING

I.

Attached hereto is/are public notice(s) posted for the meeting of **November 25, 2020**.

II.

The minutes of the Regular Meeting of Fayette County, Texas, Commissioners Court held in the District Court Courtroom (2nd floor) at the Fayette County Courthouse located at 151 North Washington Street, La Grange, Texas.

III.

Attendance: County Judge Joe Weber **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, Tom Muras **Present**

IV.

County Officials/County Personnel present during all or any part of the meeting:
Brenda Fietsam, County Clerk; Clint Sternadel, County Inspector & Office Development & Permitting, Josh Vandever, EMS Director; Cassie Austin, Court Administrator; Angela Hahn, Fayette County Grant Administrator; David Beyer, Lt. Deputy Sheriff; Cindy Havelka, Auditor; Craig Moreau, Emergency Management Coordinator; Blake Watson, Assistant County Attorney; Jeff Steinhauser, District Judge

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 **Berckenhoff**, 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 regarding extending, modifying and revising, if necessary, the Declaration of Local Disaster for Fayette County, Texas that was signed into order on November 12, 2020.**

ACTION: Extended the Declaration of Local Disaster for Fayette County, Texas that was signed into order on November 12, 2020, an additional 14 days.

“See attached hereto marked Agenda Action 1 Exhibit”

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

MOVED BY COMMR. Muras, 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. Muras, vote for **X**, vote against _____

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

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

I. November 12, 2020 – Regular Meeting

ACTION: Approved minutes from previous 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. Muras, vote for **X**, vote against _____

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

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

ACTION: Opened and Closed public comments. No public comments.

PERSONS APPEARING BEFORE THE COURT:

MOVED BY COMMR. Berckenhoff, 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. Muras, vote for **X**, vote against _____

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

4. **SUBJECT: Consider and take appropriate action concerning the application from Dan Mueller, Clay Morgan and John Haworth requesting a variance to allow the division of their real property.**

ACTION: Granted the application from Dan Mueller, Clay Morgan and John Haworth requesting a variance to allow the division of their real property.

“See attached hereto marked Agenda Action 4 Exhibit”

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

MOVED BY COMMR. Muras, 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. Muras, vote for **X**, vote against _____

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

5. SUBJECT: Discuss and approve Fayette County Burn Ban Protocol.

ACTION: Approved a Fayette County Burn Ban Protocol, with modification to add "to review current weather conditions".

"See attached hereto marked Agenda Action 5 Exhibit"

PERSONS APPEARING BEFORE THE COURT: Craig Moreau, Emergency Management Coordinator; Cassie Austin, Court Administrator

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

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

6. SUBJECT: Consider and discuss possibly entering into a Burn Ban.

ACTION: No Action.

PERSONS APPEARING BEFORE THE COURT:

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. Muras, vote for _____, vote against _____

Judge Weber, vote for _____, vote against _____

7. **SUBJECT: Hear report from Craig Moreau, Emergency Management Coordinator.**

ACTION: Accepted report from Craig Moreau, Emergency Management Coordinator.

PERSONS APPEARING BEFORE THE COURT: Craig Moreau, Emergency Management Coordinator

MOVED BY COMMR. Berckenhoff, 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. Muras, vote for **X**, vote against _____

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

8. **SUBJECT: Acknowledge monthly calls, collection, and financial report from EMS Director Josh Vandever.**

ACTION: Accepted monthly calls, collection, and financial report from EMS Director Josh Vandever.

“See attached hereto marked Agenda Action 8 Exhibit”

PERSONS APPEARING BEFORE THE COURT: Josh Vandever, EMS Director

MOVED BY COMMR. McBroom, 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. Muras, vote for **X**, vote against _____

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

9. **SUBJECT: Consider and take appropriate action on Resolution to re-appoint Mr. J.C. Pohl and Mr. Leonard Haynie to serve as Directors of the Fayette County Appraisal District for a two-year term ending December 31, 2022.**

ACTION: Deferred until next regular meeting.

PERSONS APPEARING BEFORE THE COURT: Cassie Austin, Court Administrator

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

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

10. **SUBJECT: Consider and take appropriate action in appointing Michelle and Anthony Hill as members of the Fayette County Historical Commission.**

ACTION: Appointed Michelle and Anthony Hill as members of the Fayette County Historical Commission.

PERSONS APPEARING BEFORE THE COURT: Cassie Austin, Court Administrator

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

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

11. **SUBJECT: Consider and take appropriate action in appointing/re-appointing members to the Fayette County Historical Commission for the 2021-2022 Term of Service for the Fayette County Historical Commission.**

ACTION: Approved appointing/re-appointing members to the Fayette County Historical Commission for the 2021-2022 Term of Service for the Fayette County Historical Commission.

“See attached hereto marked Agenda Action 11 Exhibit”

PERSONS APPEARING BEFORE THE COURT:

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

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

12. **SUBJECT: Accept and enter into an Imaging and Indexing of Deed Records Agreement with Edoc Technologies, Inc., on behalf of the County Clerk for the purpose of uploading Marriage records, Commissioners Court records and Probate minutes, using 2021 County Clerk Records Archive Fund with project beginning in January 2021.**

ACTION: Accepted and Entered into an Imaging and Indexing of Deed Records Agreement with Edoc Technologies, Inc., on behalf of the County Clerk for the purpose of uploading Marriage records, Commissioners Court records and Probate minutes, using 2021 County Clerk Records Archive Fund with project beginning in January 2021.

“See attached hereto marked Agenda Action 12 Exhibit”

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

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

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

13. **SUBJECT: Acknowledge the new 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): Haw Creek Rd, Halsted Rd, Meiners Rd (Precinct 2), Mazurek Rd, Middle Creek Rd, Herzik Rd, and Bruno Rd (Precinct 4).**

ACTION: Acknowledged the new 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): Haw Creek Rd, Halsted Rd, Meiners Rd (Precinct 2), Mazurek Rd, Middle Creek Rd, Herzik Rd, and Bruno Rd (Precinct 4).

“See attached hereto marked Agenda Action 13 Exhibit”

PERSONS APPEARING BEFORE THE COURT:

MOVED BY COMMR. Sternadel, SECONDED BY COMMR. Muras.

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

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

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

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

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

14. **SUBJECT: Consider and take appropriate action in approving Courthouse Use Application and setting Courthouse grounds guidelines and restrictions.**

ACTION: Deferred to future meeting.

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

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

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

15. **SUBJECT: Consider and take appropriate action in authorizing funds to be expended from the County Attorney's Office Forfeiture Funds to pay for a renewal of the virtual training subscription with Police Academy One to complete mandated continuing education hours for Sheriff's Department Officers, Dispatchers, Jailers and County Prosecutors.**

ACTION: Authorized funds to be expended from the County Attorney's Office Forfeiture Funds to pay for a renewal of the virtual training subscription with Police Academy One to complete mandated continuing education hours for Sheriff's Department Officers, Dispatchers, Jailers and County Prosecutors.

"See attached hereto marked Agenda Action 15 Exhibit"

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

MOVED BY COMMR. Muras, 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. Muras, vote for **X**, vote against _____

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

16. **SUBJECT: Consider and take appropriate action in signing a lease agreement with First Baptist Church of La Grange.**

ACTION: Proceeded with a lease agreement with First Baptist Church of La Grange and Authorized the County Judge to sign, along with the approval from the District Judge.

"See attached hereto marked Agenda Action 16 Exhibit"

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

MOVED BY COMMR. McBroom, SECONDED BY COMMR. Muras.

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

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

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

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

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

17. **SUBJECT: Consider and take appropriate action in signing an Order Declaring the old First Baptist Church building as a District Court Auxiliary Branch location.**

ACTION: Deferred until December 10, 2020, meeting.

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

MOVED BY COMMR. Berckenhoff, 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. Muras, vote for **X**, vote against _____

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

18. **SUBJECT: Consider and take appropriate action concerning salary changes, if any, made in the period of 10/18/2020 through 11/14/2020.**

ACTION: Approved salary changes made in the period of 10/18/2020 through 11/14/2020.

“See attached hereto marked Agenda Action 18 Exhibit”

PERSONS APPEARING BEFORE THE COURT: Cindy Havelka, Auditor

MOVED BY COMMR. McBroom, 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. Muras, vote for **X**, vote against _____

Judge Weber, 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, Auditor; Cassie Austin, Court Administrator

MOVED BY COMMR. Berckenhoff, 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. Muras, vote for **X**, vote against _____

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

20. **SUBJECT:** Enter into closed (executive) session pursuant to Government Code, Section 551.0785, to deliberate a matter that includes a consideration of information in the medical records of an employee for a benefit from the plan, including a benefit provided by the Sick Leave Pool, Section 2.18 of the Fayette County Personnel Policy Manual, with final action to be taken in open session.

ACTION: Entered into closed (executive) session at 10:03 a.m. pursuant to Government Code, Section 551.0785, to deliberate a matter that includes a consideration of information in the medical records of an employee for a benefit from the plan, including a benefit provided by the Sick Leave Pool, Section 2.18 of the Fayette County Personnel Policy Manual, with final action to be taken in open session.

PERSONS APPEARING BEFORE THE COURT:

MOVED BY COMMR. Berckenhoff, 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. Muras, vote for **X**, vote against _____

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

21. **SUBJECT: Return and reconvene to open meeting.**

ACTION: Reconvened into open meeting at 10:28 a.m.

PERSONS APPEARING BEFORE THE COURT:

MOVED BY COMMR. **Berckenhoff**, 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. Muras, vote for **X**, vote against _____

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

22. **SUBJECT: Consider and take appropriate action deemed necessary, including a final action, decision or vote on the matters deliberated in closed session.**

ACTION: Granted a waiver to the Personnel Policy Sick Leave Pool for a current particular condition of an employee.

PERSONS APPEARING BEFORE THE COURT:

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

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

23. **SUBJECT: Consider and take appropriate action regarding a possible revision to the Fayette County Employee Manual.**

ACTION: No Action.

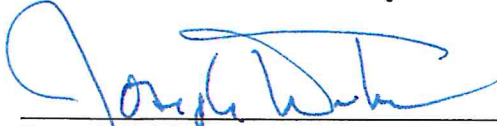
PERSONS APPEARING BEFORE THE COURT: Cassie Austin, Court Administrator

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. Muras, vote for _____, vote against _____
Judge Weber, vote for _____, vote against _____

VIII.

Meeting adjourned at 10:30 a.m., November 25, 2020, on motion by Commissioner McBroom, seconded by Commissioner Sternadel, votes for 5, votes against 0.

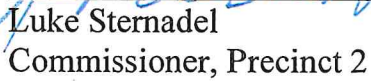
APPROVED this 10th day of December, 2020.



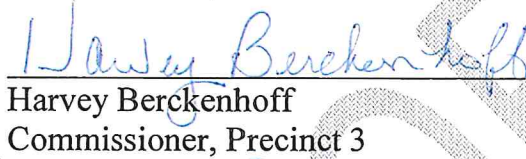
Joseph Weber
Fayette County Judge



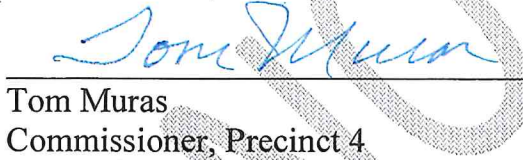
Jason McBroom
Commissioner, Precinct 1



Luke Sternadel
Commissioner, Precinct 2



Harvey Berckenhoff
Commissioner, Precinct 3



Tom Muras
Commissioner, Precinct 4

ATTEST:



Brenda Fietsam
County Clerk