

MINUTES OF COMMISSIONERS COURT MEETING

I.

Attached hereto is/are public notice(s) posted for the meeting of **March 11, 2021**.

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, 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; Brianna Vinklerek, First Assistant County Auditor; Angela Hahn, Assistant Emergency Management Coordinator; Cassie Austin, Court Administrator; Randy Noviskie, Chief Deputy Sheriff; Blake Watson, Assistant County Attorney; Kevin Wunderlich, IT Coordinator; Craig Moreau, Emergency Management Coordinator; Clint Sternadel, Inspector & Office of Development & Permitting; Debra Maddox, Airport Administrator

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 **Brossmann**, 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, revising and/or rescinding, if necessary, the Declaration of Local Disaster for Fayette County, Texas that was signed into order on February 25, 2021.**

ACTION: Rescinded the Declaration of Local Disaster for Fayette County, Texas that was signed into order on February 25, 2021.

PERSONS APPEARING BEFORE THE COURT: Judge Joe Weber; Blake Watson, Assistant County Attorney; Craig Moreau, Emergency Management

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. Brossmann, 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. February 25, 2021 – 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. Brossmann, 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 public comments.

Accepted all comments.

Closed public comments.

PERSONS APPEARING BEFORE THE COURT: Commissioner Harvey Berckenhoff

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 Weber, vote for X, vote against _____

4. **SUBJECT: Consider and take appropriate action in signing proclamation proclaiming the month of April, 2021 as Autism Awareness Month in Fayette County.**

ACTION: Signed proclamation proclaiming the month of April, 2021 as Autism Awareness Month in Fayette County.

“See attached hereto marked Agenda Action 4 Exhibit”.

PERSONS APPEARING BEFORE THE COURT:

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 Weber, vote for X, vote against _____

5. **SUBJECT: Consider and take appropriate action concerning the application from Navidad Cattle Co., LLC, requesting a variance to allow the division of their real property.**

ACTION: Approved the application from Navidad Cattle Co., LLC, requesting a variance to allow the division of their real property.

“See attached hereto marked Agenda Action 5 Exhibit”.

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

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 Weber, vote for X, vote against _____

6. **SUBJECT: Hear monthly report from Clint Sternadel, County Inspector & Office of Development & Permitting.**

ACTION: Accepted monthly report from Clint Sternadel, County Inspector & Office of Development & Permitting.

“See attached hereto marked Agenda Action 6 Exhibit”.

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

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 Weber, vote for X, vote against _____

7. **SUBJECT: Consider and take appropriate action in accepting all bids and awarding a bid for the West Point Sewer System Improvements, TxCDBG Project #7218149.**

ACTION: Accepted all bids for West Point Sewer System Improvements, TxCDBG Project #7218149.

Awarded bid to Jahnz Site Services, LLC for the West Point Sewer System Improvements, TxCDBG Project #7218149.

“See attached hereto marked Agenda Action 7 Exhibit”.

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

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 Weber, vote for X, vote against _____

8. **SUBJECT: Consider and take appropriate action on entering into a Hay Lease with Byron Gross concerning the land at the Fayette Regional Air Center.**

ACTION: Deferred to Special Meeting on Monday, March 15, 2021 at 9:00 a.m.

PERSONS APPEARING BEFORE THE COURT: Blake Watson, Assistant County Attorney, Debra Maddox, Airport Administrator

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. Brossmann, vote for X, vote against _____

Judge Weber, vote for X, vote against _____

9. **SUBJECT: Presentation from Perdue Farms concerning proposed Tax Abatement.**

ACTION: Accepted presentation from Perdue Farms concerning proposed Tax Abatement.

PERSONS APPEARING BEFORE THE COURT: Bryan Johnston, Perdue; Dolly Klesel, Perdue; Blake Watson, Assistant County Attorney

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 Weber, vote for X, vote against _____

10. **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 10 Exhibit”.

PERSONS APPEARING BEFORE THE COURT: Josh Vandever, EMS Director

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 Weber, vote for X, vote against _____

11. **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. 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 Weber, vote for X, vote against _____

12. **SUBJECT: Consider and take appropriate action on a request from Fayette County Habitat Humanity, forwarded by the City of La Grange, requesting that the zoning of a lot be changed from residential to R-1, of real property located at the corner of Upperline and Camp Street, which property lies within a 200' radius of Fayette County real property.**

ACTION: Approved request from Fayette County Habitat Humanity, forwarded by the City of La Grange, to rezone a lot from residential to R-1, of real property located at the corner of Upperline and Camp Street, which property lies within a 200' radius of Fayette County real property.

“See attached hereto marked Agenda Action 12 Exhibit”.

PERSONS APPEARING BEFORE THE COURT: Cassie Austin, Court Administrator

MOVED 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 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): W Old Lockhart Rd, E Old Lockhart Rd (Precinct 1), Laird Rd, Darden Loop (two locations), (Precinct 2), Jackson Rd, and Bridge Valley Rd (Precinct 3).

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): W Old Lockhart Rd, E Old Lockhart Rd (Precinct 1), Laird Rd, Darden Loop (two locations), (Precinct 2), Jackson Rd, and Bridge Valley Rd (Precinct 3).

“See attached hereto marked Agenda Action 13 Exhibit”.

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. Brossmann, vote for X, vote against _____

Judge Weber, vote for X, vote against _____

14. **SUBJECT: Consider and take appropriate action by accepting and approving the written plan of Industry Telephone Company, to install a new buried communications line upon and along the right-of-way of Round Top Road and Deer Haven 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 plan of Industry Telephone Company, to install a new buried communications line upon and along the right-of-way of Round Top Road and Deer Haven 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 14 Exhibit”.

PERSONS APPEARING BEFORE THE COURT:

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 Weber, vote for X, vote against _____

15. **SUBJECT:** Consider and take appropriate action concerning approving the Routing Agreement and Road Use Bond Agreement submitted by Magnolia Oil & Gas Operating LLC, for said Company's overweight loads to travel, as indicated on the attached map, on the following roads: Joiner Rd (Precinct 2), a public county road in Fayette County, Texas.

ACTION: Approved the Routing Agreement and Road Use Bond Agreement submitted by Magnolia Oil & Gas Operating LLC, for said Company's overweight loads to travel, as indicated on the attached map, on the following roads: Joiner Rd (Precinct 2), a public county road in Fayette County, Texas.

“See attached hereto marked Agenda Action 15 Exhibit”.

PERSONS APPEARING BEFORE THE COURT:

MOVED BY COMMR. **Sternadel**, 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 Weber, vote for X, vote against _____

16. **SUBJECT: Consider and take appropriate action concerning three Applications for Permit to Lay Temporary Water Line in Road Right-of-Way, submitted by GeoSouthern Operating II, LLC, for said water lines to be placed along Klaus Road (Precinct 2), a public county road located in Fayette County, Texas.**

ACTION: Accepted three Applications for Permit to Lay Temporary Water Line in Road Right-of-Way, submitted by GeoSouthern Operating II, LLC, for said water lines to be placed along Klaus Road (Precinct 2), a public county road located in Fayette County, Texas.

“See attached hereto marked Agenda Action 16 Exhibit”.

PERSONS APPEARING BEFORE THE COURT: Cassie Austin, Court Administrator

MOVED BY COMMR. Sternadel, 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 Weber, vote for X, vote against _____

17. **SUBJECT:** Consider and take appropriate action concerning Fayette County purchasing for Precinct 1 a used 2013 Peterbilt truck tractor (VIN#1XPTD49X5DD167511), presently located at McCoart Truck and Equipment, 4515 Irving Blvd, Dallas, Texas 75247, for \$49,963.25 payable to McCoart Truck and Equipment, using Precinct 1 Road and Bridge funds that are available and in the 2020 Precinct 1 budget, and authorizing County personnel to sign all necessary and required paperwork.

ACTION: Approved Fayette County to purchase for Precinct 1 a used 2013 Peterbilt truck tractor (VIN#1XPTD49X5DD167511), presently located at McCoart Truck and Equipment, 4515 Irving Blvd, Dallas, Texas 75247, for \$49,963.25 payable to McCoart Truck and Equipment, using Precinct 1 Road and Bridge funds that are available and in the 2020 Precinct 1 budget, and Authorized County personnel to sign all necessary and required paperwork.

“See attached hereto marked Agenda Action 17 Exhibit”.

PERSONS APPEARING BEFORE THE COURT: Commissioner Jason McBroom

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 Weber, vote for X, vote against _____

18. **SUBJECT: Consider and take appropriate action in approving audit and FY2020 Chapter 59 Asset Forfeiture Reports by Law Enforcement Agencies (Sheriff & Fayette County Narcotics Unit) as required by Article 59.06 of the Code of Criminal Procedure.**

ACTION: Approved audit and FY2020 Chapter 59 Asset Forfeiture Reports by Law Enforcement Agencies (Sheriff & Fayette County Narcotics Unit) as required by Article 59.06 of the Code of Criminal Procedure.

“See attached hereto marked Agenda Action 18 Exhibit”.

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

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 Weber, vote for X, vote against _____

19. **SUBJECT: Consider and take appropriate action in accepting and possibly awarding a bid for new Police Pursuit Vehicles (2) for the Fayette County Sheriff out of Forfeiture Funds.**

ACTION: No Action.

“See attached hereto marked Agenda Action 19 Exhibit”.

PERSONS APPEARING BEFORE THE COURT: Randy Noviskie, Chief Deputy Sheriff; Cassie Austin, Court Administrator

MOVED BY COMMR. _____, SECONDED BY COMMR. _____

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 Weber, vote for X, vote against _____

20. **SUBJECT: Consider and take appropriate action in accepting and possibly awarding a bid for new Police Pursuit Pickups (2) for the Fayette County Sheriff out of Forfeiture Funds.**

ACTION: Accepted all bids for new Police Pursuit Pickups (2) for the Fayette County Sheriff out of Forfeiture Funds.

Awarded bid for new Police Pursuit Pickups (2) for the Fayette County Sheriff out of Forfeiture Funds to Oviedo Dodge.

“See attached hereto marked Agenda Action 20 Exhibit”.

PERSONS APPEARING BEFORE THE COURT: Randy Noviskie, Chief Deputy Sheriff; Cassie Austin, Court Administrator

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

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

21. **SUBJECT: Consider and take appropriate action in accepting and possibly awarding a bid for new Police Special Service Vehicles (2) for the Fayette County Sheriff out of Forfeiture Funds.**

ACTION: No Action

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

MOVED BY COMMR. _____, SECONDED BY COMMR. _____

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

22. **SUBJECT: Consider and take appropriate action in accepting and possibly awarding a bid for new Police Pursuit Sport Utility Vehicles (2) for the Fayette County Sheriff out of Forfeiture Funds.**

ACTION: No Action

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

MOVED BY COMMR. _____, SECONDED BY COMMR. _____
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 Weber, vote for X, vote against _____

23. **SUBJECT: Consider and take appropriate action concerning salary changes, if any, made in the period of 01/10/21 to 02/20/21.**

ACTION: Approved salary changes made in the period of 01/10/21 to 02/20/21.

“See attached hereto marked Agenda Action 23 Exhibit”.

PERSONS APPEARING BEFORE THE COURT: Brianna Vinklarek, First Assistant County Auditor

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 Weber, vote for X, vote against _____

24. **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 24 Exhibit”.

PERSONS APPEARING BEFORE THE COURT: Brianna Vinklarek, First Assistant 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 _____

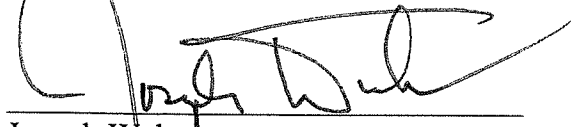
Commr. Brossmann, vote for X, vote against _____

Judge Weber, vote for X, vote against _____

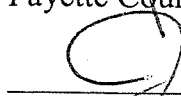
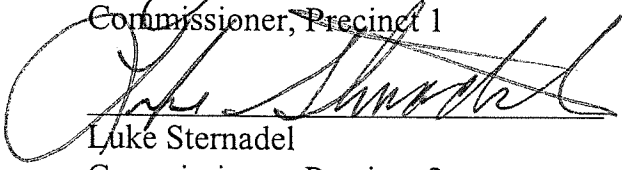
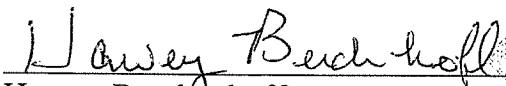
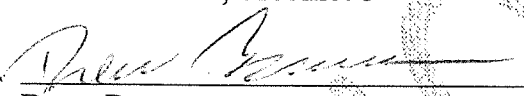
VIII.

Meeting adjourned at 10:35 a.m., March 11, 2021, on motion by Commissioner Berckenhoff, seconded by Commissioner Brossmann, votes for 5, votes against 0.

APPROVED this 25th day of March, 2021.



Joseph Weber
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

