

## MINUTES OF COMMISSIONERS COURT MEETING

I.

Attached hereto is/are public notice(s) posted for the meeting of **March 25, 2021**.

II.

The minutes of the Regular Meeting of Fayette County, Texas, Commissioners Court held in the Commissioners Courtroom (3<sup>rd</sup> floor - Room 303) 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; Cindy Havelka, Auditor; Josh Vandever; EMS Director; Cassie Austin, Court Administrator; Mark Zimmermann, Deputy Sheriff; Neil Watkins, EMS; Angela Hahn, Assistant Emergency Management Coordinator; Sylvia Mendoza, Tax Assessor-Collector; Blake Watson, Assistant County Attorney; Steven Svec, Maintenance; Clint Sternadel, Inspector & Office of Development & Permitting**

V.

Persons in attendance during all of any part of the meeting: **“See Attached Exhibit A”**.

VI.

Meeting opened at **1:30 p.m.** on motion by Commissioner **Berckenhoff**, seconded by Commissioner **Drew 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 in approving the following minutes from previous meetings:**

- I. **March 11, 2021 – Regular Meeting**
- II. **March 15, 2021 – Special Meeting**

**ACTION: Approved minutes from previous meetings.**

**PERSONS APPEARING BEFORE THE COURT: Brenda Fietsam, County Clerk**

**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 \_\_\_\_\_

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

**ACTION: Opened public comments.**

**Accepted comments from Commissioner Berckenhoff.**

**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 \_\_\_\_\_

3. **SUBJECT: Consider and take appropriate action concerning the application from Glen and Gina Minzenmeyer requesting a variance to allow the division of their real property.**

**ACTION: Accepted the application from Glen and Gina Minzenmeyer requesting a variance to allow the division of their real property.**

**“See attached hereto marked Agenda Action 3 Exhibit”.**

**PERSONS APPEARING BEFORE THE COURT: Clint Sternadel, 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 \_\_\_\_\_

4. **SUBJECT: Consider and take appropriate action concerning the application from TWPF Ventures LLC requesting a variance to allow the division of their real property.**

**ACTION: Approved the application from TWPF Ventures LLC requesting a variance to allow the division of their real property.**

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

**“See attached hereto marked Agenda Action 4 Exhibit”.**

**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 \_\_\_\_\_

5. **SUBJECT: Hear report from Angela Hahn, Assistant Emergency Management Coordinator.**

**ACTION: Accepted report from Angela Hahn, Assistant Emergency Management Coordinator.**

**PERSONS APPEARING BEFORE THE COURT: Angela Hahn, Assistant Emergency Management Coordinator**

**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 \_\_\_\_\_

6. **SUBJECT: Consider and take appropriate action concerning invoices from Aqua Beverage Company regarding water that was requested during the ice storm.**

**ACTION: Acknowledged invoices from Aqua Beverage Company regarding water that was used during the ice storm and to be paid once all deposits have been received from invoices that were mailed out.**

**“See attached hereto marked Agenda Action 6 Exhibit”.**

**PERSONS APPEARING BEFORE THE COURT: Blake Watson, Assistant County Attorney; Angela Hahn, Assistant Emergency Management; Cindy Havelka, 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 \_\_\_\_\_

7. **SUBJECT: Consider and take appropriate action approving, entering into, and signing the AMB Service Agreement, between Fayette County, Texas and Credit Bureau Systems, Inc. d/b/a Ambulance Medical Billing, and authorizing the County Judge to sign any additional documents connected with the Agreement.**

**ACTION: Deferred until next regular meeting.**

**“See attached hereto marked Agenda Action 7 Exhibit”.**

**PERSONS APPEARING BEFORE THE COURT: Josh Vandever, EMS Director; Blake Watson, Assistant County Attorney; 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 \_\_\_\_\_

8. **SUBJECT: Consider, discuss, and take appropriate action in approving and entering into an education reimbursement agreement with Neil Watkins, a Fayette County EMS employee.**

**ACTION: Approved and Entered into an education reimbursement agreement with Neil Watkins, a Fayette County EMS employee.**

**“See attached hereto marked Agenda Action 8 Exhibit”.**

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

**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 \_\_\_\_\_

9. **SUBJECT: Discussion concerning County office lunch time closures.**

**ACTION: Accepted all comments concerning County office lunch time closures.**

**PERSONS APPEARING BEFORE THE COURT: Sylvia Mendoza, Tax Assessor-Collector; Brenda Fietsam, County Clerk**

**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. Brossmann, vote for X, vote against \_\_\_\_\_

Judge Weber, vote for X, vote against \_\_\_\_\_

10. **SUBJECT: Consider and take appropriate action in entering into Service Inspection Contract between Young & Pratt, Inc., and Fayette County, Texas for the service and maintenance for the HVAC equipment located at the Fayette County Courthouse for a 1 year term.**

**ACTION: Entered into Service Inspection Contract between Young & Pratt, Inc., and Fayette County, Texas for the service and maintenance for the HVAC equipment located at the Fayette County Courthouse for a 1 year term.**

**“See attached hereto marked Agenda Action 10 Exhibit”.**

**PERSONS APPEARING BEFORE THE COURT: Steven Svec, Maintenance; Cassie Austin, Court Administrator; Cindy Havelka, 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 \_\_\_\_\_

11. **SUBJECT:** Consider and take appropriate action in entering into Service Inspection Contract between Young & Pratt, Inc., and Fayette County, Texas for the service and maintenance for the HVAC equipment located at the Fayette County EMS Headquarters & Station One for a 1 year term.

**ACTION:** Entered into Service Inspection Contract between Young & Pratt, Inc., and Fayette County, Texas for the service and maintenance for the HVAC equipment located at the Fayette County EMS Headquarters & Station One for a 1 year term.

“See attached hereto marked Agenda Action 11 Exhibit”.

**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. Brossmann, vote for X, vote against \_\_\_\_\_

Judge Weber, vote for X, vote against \_\_\_\_\_

12. **SUBJECT:** Consider and take appropriate action concerning Temporary Construction Agreement between Fayette County, Texas and ETC Texas Pipeline Ltd for the removal of the existing bridge and low water crossing and for the construction of a new bridge and a temporary low water crossing on Race Track Rd over Cedar Creek (Precinct 1).

**ACTION:** Approved Temporary Construction Agreement between Fayette County, Texas and ETC Texas Pipeline Ltd for the removal of the existing bridge and low water crossing and for the construction of a new bridge and a temporary low water crossing on Race Track Rd over Cedar Creek (Precinct 1), with the removal of the following verbiage: “the right to use up \_\_\_\_\_ of the surface of Grantor’s property adjacent to that easement granted by Grantor to Grantee by Dedication of Easement of”.

“See attached hereto marked Agenda Action 12 Exhibit”.

**PERSONS APPEARING BEFORE THE COURT:** Commissioner Jason McBroom,; 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. Brossmann, vote for X, vote against \_\_\_\_\_

Judge Weber, vote for X, vote against \_\_\_\_\_



13. **SUBJECT:** Consider and take appropriate action concerning Temporary Construction Agreement between Fayette County, Texas and Benjamin Cerny for the removal of the existing bridge and for the construction of a new bridge on Old Waelder Rd over Big Five Mile Creek (Precinct 3), said agreement to also include verbiage that the contractor chosen by the State will be responsible for the removal of existing Type A wire fence, placement of temporary fence and upon completion of project a complete replacement of Type A wire fence.

**ACTION:** Entered into a Temporary Construction Agreement between Fayette County, Texas and Benjamin Cerny for the removal of the existing bridge and for the construction of a new bridge on Old Waelder Rd over Big Five Mile Creek (Precinct 3), said agreement to also include verbiage that the contractor chosen by the State will be responsible for the removal of existing Type A wire fence, placement of temporary fence and upon completion of project a complete replacement of Type A wire fence.

“See attached hereto marked Agenda Action 13 Exhibit”.

**PERSONS APPEARING BEFORE THE COURT:** Commissioner Harvey Berckenhoff; Blake Watson, Assistant County Attorney

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

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 Weber, vote for , vote against \_\_\_\_\_

14. **SUBJECT:** Consider and take appropriate action, in accordance with Local Government Code 263.152-158, on a Resolution Authorizing the Disposition of Salvage and Surplus Property, concerning a 20' X 24' bridge deck and 12 10' I beams with bridge decking, with said property to be offered for sale at an online auction by Rene' Bates Auctioneers, Inc.

**ACTION:** Approved, in accordance with Local Government Code 263.152-158, a Resolution Authorizing the Disposition of Salvage and Surplus Property, concerning a 20' X 24' bridge deck and 12 10' I beams with bridge decking, with said property to be offered for sale at an online auction by Rene' Bates Auctioneers, Inc.

“See attached hereto marked Agenda Action 14 Exhibit”.

**PERSONS APPEARING BEFORE THE COURT:** Commissioner Harvey Berckenhoff

**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. Brossmann, vote for X, vote against \_\_\_\_\_

Judge Weber, vote for X, vote against \_\_\_\_\_

15. **SUBJECT:** Consider and take appropriate action concerning Fayette County purchasing for Precinct 2 a new 2021 Armor Lite 40' bottom dump (VIN #56EA53K22MA000388) and a new 2022 Armor Lite 40' bottom dump (VIN #56EA53K25NA000192), presently located at Alamo City Trailer Sales, LLC, 17515 IH-10 E, Luling, Texas 78648, for \$64,000.00 with trade-in value of \$15,000.00 being a total value of \$49,200.00 payable to Alamo City Trailer Sales, LLC, using Precinct 2 Road and Bridge funds that are available and in the 2021 Precinct 2 budget, and authorizing County personnel to sign all necessary and required paperwork.

**ACTION:** Approved Fayette County to purchase for Precinct 2 a new 2021 Armor Lite 40' bottom dump (VIN #56EA53K22MA000388) and a new 2022 Armor Lite 40' bottom dump (VIN #56EA53K25NA000192), presently located at Alamo City Trailer Sales, LLC, 17515 IH-10 E, Luling, Texas 78648, for \$64,000.00 with trade-in value of \$15,000.00 being a total value of \$49,200.00 payable to Alamo City Trailer Sales, LLC, using Precinct 2 Road and Bridge funds that are available and in the 2021 Precinct 2 budget, and Authorized County personnel to sign all necessary and required paperwork.

“See attached hereto marked Agenda Action 15 Exhibit”.

**PERSONS APPEARING BEFORE THE COURT: Commissioner Luke Sternadel**

**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 \_\_\_\_\_

16. **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): Old Lockhart Rd (two locations) (Precinct 1), Cottonwood Rd, Sadie Lane, Waldeck Rd (Precinct 2), Bittner Rd (two locations)(Precinct 3), and E Radhost School 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): Old Lockhart Rd (two locations) (Precinct 1), Cottonwood Rd, Sadie Lane, Waldeck Rd (Precinct 2), Bittner Rd (two locations)(Precinct 3), and E Radhost School Rd (Precinct 4).

“See attached hereto marked Agenda Action 16 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 \_\_\_\_\_

17. **SUBJECT: Consider and take appropriate action concerning salary changes, if any, made in the period of 02/21/21 to 03/20/21.**

**ACTION: Approved salary changes made in the period of 02/21/21 to 03/20/21.**

**“See attached hereto marked Agenda Action 17 Exhibit”.**

**PERSONS APPEARING BEFORE THE COURT: Cindy Havelka, 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 \_\_\_\_\_

18. **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 18 Exhibit”.**

**PERSONS APPEARING BEFORE THE COURT: Cindy Havelka, Auditor; Mark Zimmermann, 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 \_\_\_\_\_

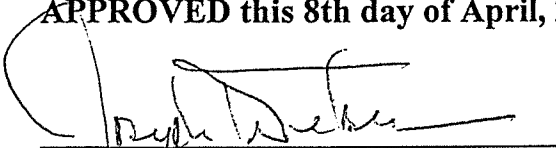
Commr. Brossmann, vote for X, vote against \_\_\_\_\_

Judge Weber, vote for X, vote against \_\_\_\_\_

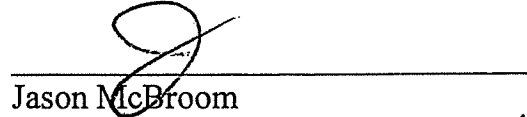
VIII.

Meeting adjourned at 2:41 p.m., March 25, 2021, on motion by Commissioner Brossmann, seconded by Commissioner McBroom, votes for 5, votes against 0.

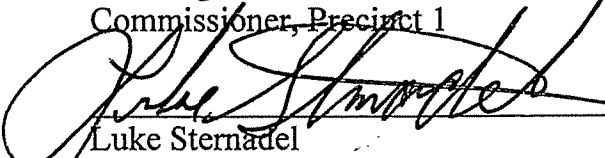
APPROVED this 8th day of April, 2021.



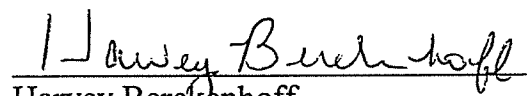
Joseph Weber  
Fayette County Judge



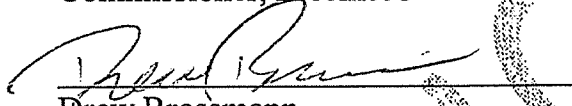
Jason McBroom  
Commissioner, Precinct 1



Luke Sternadel  
Commissioner, Precinct 2



Harvey Berckenhoff  
Commissioner, Precinct 3



Drew Brossmann  
Commissioner, Precinct 4

ATTEST:



Brenda Fietsam  
County Clerk

