

## MINUTES OF COMMISSIONERS COURT MEETING

I.

Attached hereto is/are public notice(s) posted for the meeting of **November 10, 2022**.

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, County Auditor;**  
**Jeremy Castleberry, CIT Investigator – Sheriff's Deputy; Josh Vandever, EMS**  
**Director; Clint Sternadel, County Inspector & Office of Development & Permitting;**  
**Cassie Austin, Court Administrator; Dan Mueller, Precinct 4 Justice of the Peace**

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 **Brossmann**,  
seconded by Commissioner **McBroom**, 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. **October 27, 2022 – Regular Meeting**

**ACTION: Approved minutes from the 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 \_\_\_\_\_

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

**ACTION: Opened public comments.**

**Accepted all public comments.**

**Closed public comments.**

**PERSONS APPEARING BEFORE THE COURT: Ron Briggs; Commissioner Harvey Berckenhoff; Commissioner Drew Brossmann**

**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 in signing proclamation commemorating Fayette Electric Cooperative's 85th anniversary.**

**ACTION: Signed proclamation commemorating Fayette Electric Cooperative's 85th Anniversary.**

See attached hereto marked "Agenda Action 3 Exhibit"

**PERSONS APPEARING BEFORE THE COURT: Gary Nietsche, FEC General Manager**

**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 on Resolution to appoint Mr. Mark Brown to serve as a Director of the Fayette County Appraisal District for a two-year term ending December 31, 2024.**

**ACTION: Signed Resolution to appoint Mr. Mark Brown to serve as a Director of the Fayette County Appraisal District for a two-year term ending December 31, 2024.**

See attached hereto marked "Agenda Action 4 Exhibit"

**PERSONS APPEARING BEFORE THE COURT: None**

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



5. **SUBJECT: Discuss, consider and take appropriate action concerning Burn Ban.**

**ACTION: Lifted the Burn Ban.**

**PERSONS APPEARING BEFORE THE COURT: Commissioner Jason McBroom; Cassie Austin, Court Administrator**

See attached hereto marked "Agenda Action 5 Exhibit"

**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; Dan Mueller, Precinct 4 Justice of the Peace**

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

7. **SUBJECT: Hear report from EMS Director Josh Vandever.**

**ACTION: Accepted report from EMS Director Josh Vandever.**

See attached hereto marked "Agenda Action 7 Exhibit"

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

**MOVED BY COMMR. Brossmann, 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 in entering into a Memorandum of Agreement between Axon Education, LLC d/b/a Texas EMS School and d/b/a Axon Education Consortium and Fayette County Texas on behalf of Fayette County EMS regarding field and clinical internship for Axon Education students.**

**ACTION: Entered into a Memorandum of Agreement between Axon Education, LLC d/b/a Texas EMS School and d/b/a Axon Education Consortium and Fayette County Texas on behalf of Fayette County EMS regarding field and clinical internship for Axon Education students.**

See attached hereto marked "Agenda Action 8 Exhibit"

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

**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: Consider and take appropriate action, including signing an Order, regarding a request by Peter Van Steen, 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 Peter Van Steen, in the Thomas Alley ¼ League, A-1, in the community of West Point, Fayette County, Texas.**

**ACTION: Deferred until a future meeting per County Attorney's office.**

**PERSONS APPEARING BEFORE THE COURT: Cassie Austin, Court Administrator**

**MOVED BY COMMR. Brossmann, SECONDED BY JUDGE Weber**

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 approving the purchase of a used 2006 Ford F450 truck, presently located at Chiefs Auto Group, 52186 HWY 290, Hempstead, Texas 77445, for \$15,644.28 payable to Chiefs Auto Group, using Precinct 3 Road and Bridge funds that are available and in the 2022 Precinct 3 budget, and authorizing County personnel to sign all necessary and required paperwork.**

**ACTION: Approved the purchase of a used 2006 Ford F450 truck, presently located at Chiefs Auto Group, 52186 HWY 290, Hempstead, Texas 77445, for \$15,644.28 payable to Chiefs Auto Group, using Precinct 3 Road and Bridge funds that are available and in the 2022 Precinct 3 budget; and**

**Authorized County personnel to sign all necessary and required paperwork.**

See attached hereto marked "Agenda Action 10 Exhibit"

**PERSONS APPEARING BEFORE THE COURT: Commissioner Harvey Berckenhoff; 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, 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 on Resolution Authorizing the Disposition of Salvage and Surplus Property, in accordance with Local Government Code 263.152-158, with said property to be offered for sale at online auction with Rene Bates.**

**ACTION: Approved Resolution Authorizing the Disposition of Salvage and Surplus Property, in accordance with Local Government Code 263.152-158, with said property to be offered for sale at online auction with Rene Bates.**

See attached hereto marked "Agenda Action 11 Exhibit"

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

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

12. **SUBJECT: Consider and take appropriate action on Resolution Authorizing the Disposition of Salvage and Surplus Property, in accordance with Local Government Code 263.152-158, with said property to be offered for sale at online auction with Buck Up Auction.**

**ACTION: Approved Resolution Authorizing the Disposition of Salvage and Surplus Property, in accordance with Local Government Code 263.152-158, with said property to be offered for sale at online auction with Buck Up Auction.**

See attached hereto marked "Agenda Action 12 Exhibit"

**PERSONS APPEARING BEFORE THE COURT: Cassie Austin, Court Administrator**

**MOVED BY COMMR. Brossmann, 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. Brossmann, vote for **X**, vote against \_\_\_\_\_  
Judge Weber, vote for **X**, vote against \_\_\_\_\_



13. **SUBJECT:** Accept and approve the written plan 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:** Approved the written plan 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 13 Exhibit"

**PERSONS APPEARING BEFORE THE COURT: None**

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

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

14. **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): Post Oak Rd (Precinct 1).**

**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): Post Oak Rd (Precinct 1).**

See attached hereto marked "Agenda Action 14 Exhibit"

PERSONS APPEARING BEFORE THE COURT: **None**

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 \_\_\_\_\_

15. **SUBJECT: Authorize Commissioners Court to attend the District 11 Judges and Commissioners Conference December 15, 2022 in Edna, Texas.**

**ACTION: Authorized Commissioners Court to attend the District 11 Judges and Commissioners Conference December 15, 2022 in Edna, Texas.**

See attached hereto marked "Agenda Action 15 Exhibit"

PERSONS APPEARING BEFORE THE COURT: **None**

MOVED BY COMMR. **Brossmann**, 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. Brossmann, vote for **X**, vote against \_\_\_\_\_

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

16. **SUBJECT: Consider and take appropriate action in accepting all bids and/or awarding bids for Road Oil.**

**ACTION: Accepted all bids for Road Oil for 2023.  
Awarded all bids.**

See attached hereto marked "Agenda Action 16 Exhibit"

PERSONS APPEARING BEFORE THE COURT: **Cindy Havelka, County Auditor**

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 \_\_\_\_\_

17. **SUBJECT: Consider and take appropriate action in accepting all bids and/or awarding bids for Limestone.**

**ACTION: Accepted all bids for Limestone.  
Awarded all bids.**

See attached hereto marked "Agenda Action 17 Exhibit"

PERSONS APPEARING BEFORE THE COURT: **Cindy Havelka, County Auditor**

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 \_\_\_\_\_



18. **SUBJECT: Consider and take appropriate action in accepting all bids and/or awarding bids Hot Mix and all types of Pre-Mix.**

**ACTION: Accepted all bids for Hot Mix and all types of Pre-Mix.  
Awarded all bids.**

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, 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 concerning the agreement with Dewitt Poth & Son, Inc. for Supplies and maintenance for the Sheriff Copier.**

**ACTION: Signed the agreement with Dewitt Poth & Son, Inc. for Supplies and maintenance for the Sheriff Copier.**

See attached hereto marked "Agenda Action 19 Exhibit"

PERSONS APPEARING BEFORE THE COURT: **Cindy Havelka, County Auditor**

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

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

20. **SUBJECT: Consider and take appropriate action in accepting all bids and/or awarding bids for Radios.**

**ACTION: Accepted all bids for Radios; and**

**Delayed Awarding a bid until a future date after receiving a recommendation from the Schulenburg Fire Department.**

See attached hereto marked "Agenda Action 20 Exhibit"

**PERSONS APPEARING BEFORE THE COURT: Commissioner Drew Brossmann; Dan Howard, Motorola Solutions; Khalil Coltrain, LCRA**

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

21. **SUBJECT: Adopt and sign a Resolution for the 2023 Fayette County Indigent Defense Grant Program.**

**ACTION: Signed a Resolution for the 2023 Fayette County Indigent Defense Grant Program.**

See attached hereto marked "Agenda Action 21 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, vote for **X**, vote against \_\_\_\_\_

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

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

22. **SUBJECT: Acknowledge receipt of the 2022 Statement of Financial Position of the 155<sup>th</sup> Judicial District Community Service and Corrections Department, pursuant to Texas Local Government Code 140.004.**

**ACTION: Acknowledged receipt of the 2022 Statement of Financial Position of the 155<sup>th</sup> Judicial District Community Service and Corrections Department, pursuant to Texas Local Government Code 140.004.**

See attached hereto marked "Agenda Action 22 Exhibit"

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

23. **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 23 Exhibit"

PERSONS APPEARING BEFORE THE COURT: **Cindy Havelka, County Auditor**

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 \_\_\_\_\_

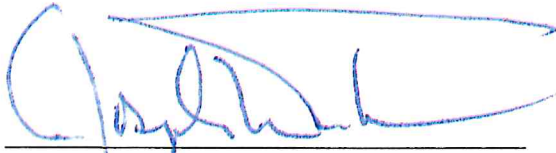
Judge Weber, vote for **X**, vote against \_\_\_\_\_



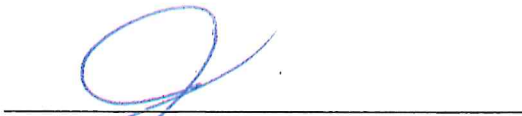
VIII.

Meeting adjourned at 10:08 a.m., November 10, 2022, on motion by Commissioner Brossmann, seconded by Commissioner McBroom, votes for 5, votes against 0.

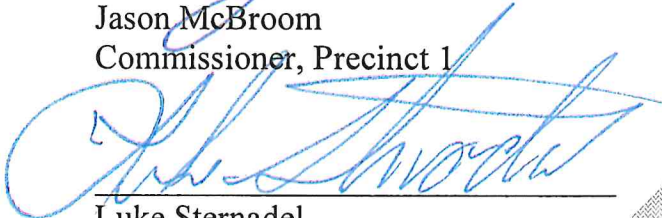
APPROVED this 23<sup>rd</sup> day of November, 2022.



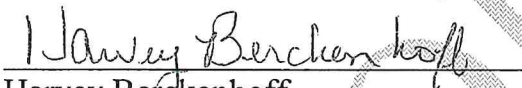
Joseph Weber  
Fayette County Judge



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

