

MINUTES OF COMMISSIONERS COURT MEETING

I.

Attached hereto is/are public notice(s) posted for the meeting of **August 24, 2023**.

II.

The minutes of the Regular Meeting of Fayette County, Texas, Commissioners Court held in the Commissioners Courtroom (3rd floor - Room 303) 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 **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; Paul Zapalac, Precinct 4 Justice of the Peace; Terri Hefner, Elections Administrator; Cindy Havelka, County Auditor; Cassie Austin, Court Administrator; Angela Hahn, Emergency Management Coordinator & Grant Specialist; Clint Sternadel, County Inspector & Office of Development & Permitting; Keith Korenek, Sheriff; Randy Noviskie, Chief Deputy Sheriff; David Beyer, Lt. Deputy Sheriff; Billy Roensch, Constable Precinct 1; Jeff Steinhauser, District Court Judge

V.

Persons in attendance during all of 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 **9:02 a.m.** on motion by Judge **Mueller**, seconded by Commissioner **Brossmann**, votes for **5**, votes against **0**.

AGENDA ACTION:

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

i. **August 10, 2023 – Regular Meeting**

ACTION: Approved minutes from the August 10, 2023 Regular 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 Mueller, 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: Rodney Reed

See attached hereto marked “Exhibit B”

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

3. **SUBJECT: Presentation of 2022 Distinguished Service Award to Fayette County Historical Commission in recognition of its active and well-balanced preservation program, award accepted by Bobbie Nash, Chairperson.**

ACTION: Presented 2022 Distinguished Service Award to Fayette County Historical Commission in recognition of its active and well-balanced preservation program, award accepted by Bobbie Nash, Chairperson.

See attached hereto marked "Agenda Action 3 Exhibit"

PERSONS APPEARING BEFORE THE COURT: Bobbie Nash, Fayette County Historical Commission; Shirley Schaeffer, Fayette County Historical Commission; Robb Muil, Fayette County Historical Commission; David L. Collins, Fayette County Historical Commission

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

4. **SUBJECT: Consider and take appropriate action in signing proclamation proclaiming September as "Childhood Cancer Awareness Month".**

ACTION: Signed proclamation proclaiming September as "Childhood Cancer Awareness Month".

See attached hereto marked "Agenda Action 4 Exhibit"

PERSONS APPEARING BEFORE THE COURT: Jackie Wessels; Marlana Wessels

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

5. **SUBJECT: Consider and take appropriate action on request from Jackie Wessels to place a single gold ribbon on an oak tree on the Courthouse lawn, along with a sign recognizing September as Childhood Cancer Awareness Month in Fayette County.**

ACTION: Approved request from Jackie Wessels to place a single gold ribbon on an oak tree on the Courthouse lawn, along with a sign recognizing September as Childhood Cancer Awareness Month in Fayette County.

PERSONS APPEARING BEFORE THE COURT: Jackie Wessels; Marlana Wessels

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

6. **SUBJECT: Review and approve the purchase of the Dell 65 4k Interactive Touch Monitor and floor stand for the Elections Office using the Fayette County Contract Election Funds.**

ACTION: Approved the purchase of the Dell 65 4k Interactive Touch Monitor and floor stand for the Elections Office using the Fayette County Contract Election Funds.

See attached hereto marked "Agenda Action 6 Exhibit"

PERSONS APPEARING BEFORE THE COURT: Terri Hefner, Elections Administrator

MOVED BY JUDGE Mueller, 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 Mueller, vote for **X**, vote against _____

7. **SUBJECT: Consider and take appropriate action concerning the following application(s) requesting the division of real property: Valhalla Land and Minerals LLC located in Precinct 2; Clay Morgan Investments LLC located in Precinct 2; Medina-Nueces Development LLC located in Precinct 3; and Barton Blakelock located in Precinct 3.**

ACTION: Approved application(s) requesting the division of real property: Valhalla Land and Minerals LLC located in Precinct 2; Clay Morgan Investments LLC located in Precinct 2; Medina-Nueces Development LLC located in Precinct 3; and Barton Blakelock located in Precinct 3.

See attached hereto marked "Agenda Action 7 Exhibit"

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

See attached hereto marked "Exhibit B"

MOVED BY JUDGE Mueller, 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 Mueller, vote for **X**, vote against _____

8. **SUBJECT: Consider and take appropriate action by signing an Order to include the following road, located in the Woodland Meadows Subdivision: Woodland Meadow Lane and Woodland Creek Lane (Precinct 1), as a County owned and maintained road.**

ACTION: Signed an Order to include the following road, located in the Woodland Meadows Subdivision: Woodland Meadow Lane and Woodland Creek Lane (Precinct 1), as a County owned and maintained road.

See attached hereto marked "Agenda Action 8 Exhibit"

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

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

9. **SUBJECT: Hear monthly report from Sheriff's Office.**

ACTION: Accepted monthly report from Sheriff's Office.

See attached hereto marked "Agenda Action 9 Exhibit"

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

MOVED BY JUDGE Mueller, 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 Mueller, vote for **X**, vote against _____

10. SUBJECT: Hear report from Josh Vandever, EMS Director.

ACTION: Accepted report from Josh Vandever, EMS Director.

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

11. SUBJECT: Consider and take appropriate action in approving and adopting a fee schedule for EMS.

ACTION: Approved and Adopted a fee schedule for EMS.

See attached hereto marked "Agenda Action 11 Exhibit"

PERSONS APPEARING BEFORE THE COURT: Josh Vandever, EMS Director

MOVED BY JUDGE Mueller, 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 Mueller, vote for **X**, vote against _____

12. **SUBJECT: Hear report from Angela Hahn, Grant Specialist and Emergency Management Coordinator.**

ACTION: Accepted report from Angela Hahn, Grant Specialist and Emergency Management Coordinator.

See attached hereto marked "Agenda Action 12 Exhibit"

PERSONS APPEARING BEFORE THE COURT: Angela Hahn, Grant Specialist and Emergency Management Coordinator; Mandy Fairchild, Lee County Emergency Management Coordinator; Randy Noviskie, Chief Deputy Sheriff; Josh Vandever, EMS Director

MOVED BY JUDGE Mueller, 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 Mueller, vote for **X**, vote against _____

13. **SUBJECT: Consider and take appropriate action in signing a Resolution acknowledging funding amount and designated grant number for the handheld scanner through Office of the Governor Criminal Justice Division.**

ACTION: Approved signing a Resolution acknowledging funding amount and designated grant number for the handheld scanner through Office of the Governor Criminal Justice Division.

See attached hereto marked "Agenda Action 13 Exhibit"

PERSONS APPEARING BEFORE THE COURT: Angela Hahn, Grant Specialist and Emergency Management Coordinator

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

14. **SUBJECT: Authorize the Auditor to advertise for Requests For Proposals from Contractors for Grant Writing and Management Services concerning implementing Texas General Land Office CDBG Mitigation Funds.**

ACTION: Authorized the Auditor to advertise for Requests for Proposals from Contractors for Grant Writing and Management Services concerning implementing Texas General Land Office CDBG Mitigation Funds.

PERSONS APPEARING BEFORE THE COURT: Angela Hahn, Grant Specialist and 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. Brossmann, vote for **X**, vote against _____

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

15. **SUBJECT: Consider and take appropriate action concerning American Rescue Funds for the three vehicles for the Sheriff's Office and take any action the Court deems necessary.**

ACTION: Approved American Rescue Funds for the three vehicles for the Sheriff's Office.

PERSONS APPEARING BEFORE THE COURT: Angela Hahn, Grant Specialist and Emergency Management Coordinator; Randy Noviskie, Chief Deputy Sheriff

MOVED BY JUDGE Mueller, 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 Mueller, vote for **X**, vote against _____

16. **SUBJECT: Consider and take appropriate action by adopting and signing a Resolution for the replacement or rehabilitation of a County bridge that is "off the state system", concerning the following Federal Off- System Bridge Program Project: Old Hallettsville Road over Mulberry Creek (Precinct 3).**

ACTION: Adopted and Signed a Resolution for the replacement or rehabilitation of a County bridge that is "off the state system", concerning the following Federal Off-System Bridge Program Project: Old Hallettsville Road over Mulberry Creek (Precinct 3).

See attached hereto marked "Agenda Action 16 Exhibit"

PERSONS APPEARING BEFORE THE COURT: Commissioner Harvey Berckenhoff

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

17. **SUBJECT: Acknowledge the fiber service drop plans and upgrades 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): Halstedt Rd (Precinct 2), Swiss Alp Hills Loop, Swiss Alp Hall Rd, Falke Heinrich Rd, Neisner Rd, Roitsch Rd, Ohnheiser Kaase Rd, and Abbotts Grove School Rd (Precinct 4).**

ACTION: Acknowledged the fiber service drop plans and upgrades 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): Halstedt Rd (Precinct 2), Swiss Alp Hills Loop, Swiss Alp Hall Rd, Falke Heinrich Rd, Neisner Rd, Roitsch Rd, Ohnheiser Kaase Rd, and Abbotts Grove School Rd (Precinct 4).

See attached hereto marked "Agenda Action 17 Exhibit"

PERSONS APPEARING BEFORE THE COURT: None

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

18. **SUBJECT:** Authorize the following class requests: Constable Roger Wunderlich to attend the Bill Blackwood Law Enforcement Management Institute of Texas Conference October 2-6, 2023 in Tyler; Registration fee only for William Whitney, Paramedic, to attend the EMS World Expo Conference September 18-22, 2023 in New Orleans (employee is covering their own travel and hotel); Registration fees only for two EMS employees to attend pre-conference classes November 19, 2023 in Austin.

ACTION: Authorized the following class requests: Constable Roger Wunderlich to attend the Bill Blackwood Law Enforcement Management Institute of Texas Conference October 2-6, 2023 in Tyler; Registration fee only for William Whitney, Paramedic, to attend the EMS World Expo Conference September 18-22, 2023 in New Orleans (employee is covering their own travel and hotel); Registration fees only for two EMS employees to attend pre-conference classes November 19, 2023 in Austin.

PERSONS APPEARING BEFORE THE COURT: **None**

MOVED BY JUDGE **Mueller**, 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 Mueller, 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 County Attorney Copier.**

ACTION: Signed the agreement with Dewitt Poth & Son, Inc. for Supplies and maintenance for the County Attorney 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 Mueller, vote for **X**, vote against _____

20. **SUBJECT: Consider and take appropriate action in accepting and/or awarding bids for construction of Fayette County Bridge on Munke Road over Criswell Creek in Precinct 4.**

ACTION: Accepted bid for construction of Fayette County Bridge on Munke Road over Criswell Creek in Precinct 4.

Awarded bid to Wakefield Bridge, Inc. for \$205,000.00.

See attached hereto marked "Agenda Action 20 Exhibit"

PERSONS APPEARING BEFORE THE COURT: Commissioner Drew Brossmann

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

21. **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 21 Exhibit"

PERSONS APPEARING BEFORE THE COURT: Cindy Havelka, County Auditor

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

22. SUBJECT: Budget Workshop to discuss additional:

- i. New Position for Recycling Center**
- ii. Recycling Center Manager Pay needs to be added to budget**
- iii. New Lieutenant Position for Jail**
- iv. Adding to the budget line for the Sheriff and Constable 1 and 2 Salary that was advertised**
- v. Approval of Ad for the Proposed Tax Rate Hearing**

ACTION: Approved the following Budget Workshop items: Adding New Position for Recycling Center, Adjusting & Adding Recycling Center Manager Pay to Budget, Adding New Lieutenant Position for Justice Center, Adjusting Salary increase for Jail Administrator, Adding to the Budget Line for the Constable 1 & 2 Salaries that were advertised, Reducing Amount on the Proposed Budget for EMS vehicles, Removing the SB22 Grant Amount from Sherriff's Grant Line, and the Ad for the Proposed Tax Rate Hearing.

See attached hereto marked "Agenda Action 22 Exhibit"

PERSONS APPEARING BEFORE THE COURT: Cindy Havelka, County Auditor; Paul Zapalac, Precinct 4 Justice of the Peace; Angela Hahn, Emergency Management Coordinator & Grant Specialist; Randy Noviskie, Chief Deputy Sheriff; Keith Korenek, Sheriff; Jeff Steinhauser, District Court Judge; William Bernsen; Cassie Austin, Court Administrator; Jeff Parker

MOVED BY JUDGE Mueller, 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 Mueller, vote for **X**, vote against _____

VIII.

Meeting adjourned at 10:37 a.m., August 24, 2023, on motion by Commissioner McBroom, seconded by Commissioner Sternadel, votes for 5, votes against 0.

APPROVED this 14th day of September, 2023.

Dan Mueller

Dan Mueller
Fayette County Judge

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Jason McBroom
Commissioner, Precinct 1

Luke Sternadel

Luke Sternadel
Commissioner, Precinct 2

Harvey Berckenhoff

Harvey Berckenhoff
Commissioner, Precinct 3

Drew Brossmann

Drew Brossmann
Commissioner, Precinct 4

ATTEST:

Brenda Fietsam

Brenda Fietsam
County Clerk

