#### MINUTES OF COMMISSIONERS COURT MEETING

I.

Attached hereto is/are public notice(s) posted for the meeting of July 13, 2023.

П.

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 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; Cassie Austin, Court Administrator;
Angela Hahn, Emergency Management Coordinator & Grant Specialist;
Blake Watson, Assistant County Attorney; Paula Vogel, Human Resources Manager;
Kyle Hartmann, Precinct 1 Justice of the Peace; Randy Noviskie, Chief Deputy Sheriff;
Paul Zapalac, Precinct 4 Justice of the Peace; Cindy Havelka, County Auditor;
Terri Hefner, Elections Administrator; Josh Vandever, EMS Director;
Sally Garrett, County Extension Agent, Family & Consumer Sciences;
Debra Maddox, Airport Manager

V.

Persons in attendance during all of any part of the meeting: See Attached Exhibit A

## VI. <u>INVOCATION</u>

#### PLEDGE OF ALLEGIANCE

PLEDGE OF ALLEGIANCE TO THE AMERICAN FLAG
PLEDGE OF ALLEGIANCE TO THE TEXAS FLAG
Fexas Flag; I pledge allegiance to thee, Texas, one state under God, or

"Honor the Texas Flag; I pledge allegiance to thee, Texas, one state under God, one and indivisible."

VII.

Meeting opened at 9:09 a.m. on motion by Judge Mueller, seconded by Commissioner Brossmann, votes for 5, votes against 0.

Commissioners Court July 13, 2023

# **AGENDA ACTION:**

1.	SUBJECT: Consider and take appropriate action in approving the following minutes from previous meetings:
	i. June 22, 2023 – Regular Meeting
	ACTION: Approved minutes from the June 22, 2023 Regular Meeting.
	PERSONS APPEARING BEFORE THE COURT: Brenda Fietsam, County Clerk
	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 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 Comments from Diana Wilson & Sam Wilson.  Closed Public Comments.
	PERSONS APPEARING BEFORE THE COURT: Diana Wilson; Sam Wilson
	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 Commr. Brossmann, vote for X, vote against
	Indea Marillan and Gary

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

3.	SUBJECT: Consider and take appropriate action in possibly entering into a Burn Ban.
	ACTION: Entered into a Burn Ban in Fayette County.
	See attached hereto marked "Agenda Action 3 Exhibit"
	PERSONS APPEARING BEFORE THE COURT: Angela Hahn, Emergency Management Coordinator & Grant Specialist
	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 concerning the following application(s) requesting the division of real property: Harvey Lee Albers located in Precinct 2; Johannes Van Der Vleuten located in Precinct 2; Paul Ciolli II and Gina Ciolli located in Precinct 2; and Holmes Y Hermanos LLC located in Precinct 1.
	ACTION: Approved applications requesting the division of real property: Harvey Lee Albers located in Precinct 2; Johannes Van Der Vleuten located in Precinct 2; Paul Ciolli II and Gina Ciolli located in Precinct 2; and Holmes Y Hermanos LLC located in Precinct 1.
	See attached hereto marked "Agenda Action 4 Exhibit"
	PERSONS APPEARING BEFORE THE COURT: Commissioner Luke Sternadel; Cassie Austin, Court Administrator; 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

5.	SUBJECT: Consider and take appropriate action in approving the Final Plat from Terry Ward of Heart Field at Round Top subdivision located in Precinct 2.
	ACTION: Approved the Final Plat from Terry Ward of Heart Field at Round Top subdivision located in Precinct 2.
	See attached hereto marked "Agenda Action 5 Exhibit"
	PERSONS APPEARING BEFORE THE COURT: Cassie Austin, Court Administrator; William Bernsen
	See attached hereto marked "Exhibit B"
	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 Mueller, vote for X, vote against
6.	
	SUBJECT: Consider and take appropriate action in recognizing the following private road(s), for mapping purposes only: Hartfield Hill Lane and Hartfield Meadow Lane (Precinct 2).
	private road(s), for mapping purposes only: Hartfield Hill Lane and Hartfield
	private road(s), for mapping purposes only: Hartfield Hill Lane and Hartfield Meadow Lane (Precinct 2).  ACTION: Approved the following private roads, for mapping purposes only:
	private road(s), for mapping purposes only: Hartfield Hill Lane and Hartfield Meadow Lane (Precinct 2).  ACTION: Approved the following private roads, for mapping purposes only: Hartfield Hill Lane and Hartfield Meadow Lane (Precinct 2).

7.	SUBJECT: Consider and take appropriate action in approving the preliminary Plat from Pecan Creek Ranch of Pecan Creek subdivision located in Precinct 4.
	ACTION: Approved the preliminary Plat from Pecan Creek Ranch of Pecan Creek subdivision located in Precinct 4.
	See attached hereto marked "Agenda Action 7 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 Mueller, vote for X, vote against
8.	SUBJECT: Consider and take appropriate action in approving the Final Plat from SBA Investments Group, Inc. of NearLake Views subdivision located in Precinct 2.
	ACTION: Approved the Final Plat from SBA Investments Group, Inc. of NearLake Views subdivision located in Precinct 2.
	See attached hereto marked "Agenda Action 8 Exhibit"
	PERSONS APPEARING BEFORE THE COURT: William Bernsen
	See attached hereto marked "Exhibit B"
	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 Mueller, vote for X, vote against

9.	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 9 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 Mueller, vote for X, vote against
10.	SUBJECT: Discussion concerning County Road Maintenance Bond and take any action the Court deems necessary.
	ACTION: Approved the County Road Maintenance Bond; and
	Changed the beginning date the Commissioners Court acknowledges the substantial completing of the new road from 3 years to 2 years.
	See attached hereto marked "Agenda Action 10 Exhibit"
	PERSONS APPEARING BEFORE THE COURT: Commissioner Luke Sternade
	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 Mueller, vote for X, vote against Judge Mueller, vote for X, vote against

11.	SUBJECT: Consider and take appropriate action in recognizing the following private road(s), for mapping purposes only: Ilo Ranch Road and Trailer Park Road (Precinct 2).
	ACTION: Approved the following private roads, for mapping purposes only: Ilo Ranch Road and Trailer Park Road (Precinct 2).
	See attached hereto marked "Agenda Action 11 Exhibit"
	PERSONS APPEARING BEFORE THE COURT: Commissioner Luke Sternadel
	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 Mueller, vote for X, vote against
12.	SUBJECT: Consider and take appropriate action approving a resolution applying for grant funds through the Lower Colorado River Authority's Community Grant Program, agreeing to contribute a minimum of a 5% percent match and authorizing the County Judge to sign all necessary documentation.
	ACTION: Deferred until next scheduled meeting.
	PERSONS APPEARING BEFORE THE COURT: Cassie Austin, Court Administrator
	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 setting a date for a public hearing concerning the County Clerk Archive Plan for 2024.
	ACTION: Set a date for a public hearing concerning the County Clerk Archive Plan for 2024 for Thursday, August 10, 2023 at 9:00 am.
	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
14.	SUBJECT: Consider and take appropriate action in amending an Order concerning Speed Limit on Creamer Creek Road (Precinct 3) signed on September 22, 2022.
	ACTION: Set a date for a public hearing concerning amending the Speed Limit on Creamer Creek Road (Precinct 3) signed on September 22, 2022 for Thursday, August 10, 2023 at 9:00 am.
	PERSONS APPEARING BEFORE THE COURT: Commissioner Harvey Berckenhoff, Blake Watson, Assistant County Attorney; Cassie Austin, Court Administrator
	MOVED BY COMMR. Berckenhoff, SECONDED BY JUDGE Mueller 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 Judge Mueller, vote for X, vote against

15.	SUBJECT: Consider and take appropriate action concerning entering into a Contract with UniFirst for County uniforms.
	ACTION: Accepted all comments concerning entering into a Contract with UniFirst for County uniforms; and
	Deferred to a future meeting.
	PERSONS APPEARING BEFORE THE COURT: 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 Mueller, vote for X, vote against Judge Mueller, vote for X, vote against
16.	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 or trade-in.
	ACTION: Signed a 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 or trade-in for a Sheriff Office vehicle and miscellaneous items collected throughout the County.
	See attached hereto marked "Agenda Action 16 Exhibit"
	PERSONS APPEARING BEFORE THE COURT: Randy Noviskie, Chief Deputy Sheriff; Cindy Havelka, County Auditor; Paul Zapalac, Precinct 4 Justice of the Peace; Blake Watson, Assistant County Attorney
	MOVED BY COMMR. Brossmann, SECONDED BY JUDGE Mueller 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 Judge Mueller, vote for X, vote against

17. SUBJECT: Acknowledge the fiber service upgrade 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): Hackemack Rd (Precinct 2).

ACTION: Acknowledged the fiber service upgrade of Colorado Valley Telephone Cooperative, Inc (CVTC) to install new buried fiber optic cables and copper cables within the corridors of the following roads: Hackemack Rd (Precinct 2).

See attached hereto marked "Agenda Action 17 Exhibit"

MOVED BY COMMR. Sternadel, SECONDED BY COMMR. McBroom
Commr. McBroom, vote for X, vote against
Commr. Sternadel, vote for <b>X</b> , vote against
Commr. Berckenhoff, vote for <b>X</b> , vote against
Commr. Brossmann, vote for <b>X</b> , vote against
Judge Mueller, vote for X, vote against

18. SUBJECT: Accept and approve the written plan of Fayette Water Supply Corporation to place a new 4" casing for a 2" waterline to bore under Baron Road (Precinct 2), and to place and install new water service line and meter to property located at ID 22506, and requiring Fayette Water Supply Corporation to make repairs of any resultant damage done to the roadway, sides, ditches, and right-of-way of Baron Road, and to do paving work, compacting, and restoring the roadway, sides, ditches, and right-of-way, all back to a finished natural grade.

ACTION: Accepted and Approved the written plan of Fayette Water Supply Corporation to place a new 4" casing for a 2" waterline to bore under Baron Road (Precinct 2), and to place and install new water service line and meter to property located at ID 22506; and

Required Fayette Water Supply Corporation to make repairs of any resultant damage done to the roadway, sides, ditches, and right-of-way of Baron Road, and to do paving work, compacting, and restoring the roadway, sides, ditches, and right-of-way, all back to a finished natural grade.

See attached hereto marked "Agenda Action 18 Exhibit"

MOVED BY COMMR. Sternadel, SECONDED BY COMMR. Berckenhoft
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: Accept and approve the written plan of Fayette Electric Cooperative, Inc to bore under Von Minden Street (Precinct 1) and place a new 8" water main line to serve Fayette Electric Cooperative, Inc Headquarters, and requiring Fayette Electric Cooperative, Inc to make repairs of any resultant damage done to the roadway, sides, ditches, and right-of-way of Von Minden Street, and to do paving work, compacting, and restoring the roadway, sides, ditches, and right-of-way, all back to a finished natural grade.

ACTION: Accepted and Approved the written plan of Fayette Electric Cooperative, Inc. to bore under Von Minden Street (Precinct 1) and place a new 8" water main line to serve Fayette Electric Cooperative, Inc. Headquarters; and

Required Fayette Electric Cooperative, Inc. to make repairs of any resultant damage done to the roadway, sides, ditches, and right-of-way of Von Minden Street, and to do paving work, compacting, and restoring the roadway, sides, ditches, and right-of-way, all back to a finished natural grade.

See attached hereto marked "Agenda Action 19 Exhibit"

MOVED BY COMMR. MCBroom, SECONDED BY COMMR. Sternade
Commr. McBroom, vote for X, vote against
Commr. Sternadel, vote for X, vote against
Commr. Berckenhoff, vote for <b>X</b> , vote against
Commr. Brossmann, vote for X, vote against
Judge Mueller, vote for X, vote against

20. SUBJECT: Consider and take appropriate action on multiple bids of property not sold at Sheriff's Sale – Cause Nos. 2994 - La Grange ISD.

ACTION: Deferred until next meeting.

PERSONS APPEARING BEFORE THE COURT: Cassie Austin, Court Administrator; Blake Watson, Assistant County Attorney; Kimberly Girard

See attached hereto marked "Exhibit B"

MOVED BY JUDGE Mueller, SECONDED BY COMMR. Berckenhold
Commr. McBroom, vote for X, vote against
Commr. Sternadel, vote for <b>X</b> , vote against
Commr. Berckenhoff, vote for <b>X</b> , vote against
Commr. Brossmann, vote for <b>X</b> , vote against
Judge Mueller, vote for X, vote against

21. SUBJECT: Authorize the following class requests: County Judge Dan Mueller and Guardianship Administrator Tamah Bullock-Thomas to attend the Texas College of Probate Judges Conference August 30 – September 1, 2023 in San Antonio; Linda Svrcek, District Clerk to attend the 2023 County and District Clerks' Association Annual Fall Conference held on September 11-13, 2023 in College Station; Sheriff Keith Korenek, Drug Interdiction Sergeant Randy Thumann and Drug Interdiction Investigator David Smith to attend the Motor Vehicle Criminal Interdiction Conference August 13-15, 2023 in New Orleans, LA (to be paid out of Forfeiture Funds).

ACTION: Authorized the following class requests: County Judge Dan Mueller and Guardianship Administrator Tamah Bullock-Thomas to attend the Texas College of Probate Judges Conference August 30 – September 1, 2023 in San Antonio; Linda Svrcek, District Clerk to attend the 2023 County and District Clerks' Association Annual Fall Conference held on September 11-13, 2023 in College Station; Sheriff Keith Korenek, Drug Interdiction Sergeant Randy Thumann and Drug Interdiction Investigator David Smith to attend the Motor Vehicle Criminal Interdiction Conference August 13-15, 2023 in New Orleans, LA (to be paid out of Forfeiture Funds).

MOVED BY COMMR. Brossmann, SECONDED BY COMMR. McBroo	m
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: 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, with the exception of going out for bids on 2 vehicles requested by Adult Probation.
	See attached hereto marked "Agenda Action 22 Exhibit"
	PERSONS APPEARING BEFORE THE COURT: Cindy Havelka, County Auditor; Blake Watson, Assistant County Attorney; Cassie Austin, Court Administrator; William Bernsen
	See attached hereto marked "Exhibit B"
	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
Break	x at 10:12 a.m.
	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
Recor	evened at 10:21 a.m.
	MOVED BY COMMR. <b>Brossmann</b> , SECONDED BY COMMR. <b>Berckenhoff</b> Commr. McBroom, vote for <b>X</b> , vote against  Commr. Sternadel, vote for <b>X</b> , vote against  Commr. Berckenhoff, vote for <b>X</b> , vote against  Commr. Brossmann, vote for <b>X</b> , vote against  Judge Mueller, vote for <b>X</b> , vote against

23. SUBJECT: Conduct a Fayette County Budget Workshop to hear and consider requests for funding from Departments, Offices, and Precincts, and from agencies and organizations, and to discuss all revenues and expenditures for the 2024 County Budget, and take any action the Court deems necessary.

ACTION: Opened Budget Workshop for 2024.

Accepted all comments of the 2024 Budget Workshop.

Closed Budget Workshop.

See attached hereto marked "Agenda Action 23 Exhibit"

PERSONS APPEARING BEFORE THE COURT: Cindy Havelka, County Auditor; Randy Noviskie, Chief Deputy Sheriff; Josh Vandever, EMS Director; Cassie Austin, Court Administrator; Kyle Hartmann, Precinct 1 Justice of the Peace; William Bernsen; Bobbie Nash, Fayette County Historical Commission; Shirley Schaeffer, Fayette County Historical Commission; Kelly Franke, Combined Community Action; Dave Marsh, CARTS; Krystal Seger, Fayette County Child Welfare Board; Teresa Brown, Gardenia Janssen Animal Shelter; Cathy Henzen, Family Crisis Center; Cynthia Eck, Children's Advocacy Center; Daniel Pore, Colorado County Youth & Family Services; Kristi Bauer, CASA of Bastrop, Inc.; Rick Schilling, Fayette Soil & Water Conservation; Destiny Psencik, Turtle Wing Foundation; Kenneth Couch, Fayette County Habitat for Humanity; Debra Maddox, Airport Manager; Paul Zapalac, Precinct 4 Justice of the Peace/Recycling; Terri Hefner, Elections Administrator; Angela Hahn, Emergency Management Coordinator & Grant Specialist; Sally Garrett, County Extension Agent, Family & Consumer Sciences; Paula Vogel, Human Resources Manager

MOVED BY COMMR. McBroom, SECONDED BY COMMR. Berckenhof
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 <b>X</b> , vote against
Judge Mueller, vote for X, vote against

### VIII.

Meeting adjourned at 12:30 p.m., July 13, 2023, on motion by Commissioner Sternadel, seconded by Judge Mueller, votes for 5, votes against 0.

APPROVED this 27th day of July, 2023.

San	Mueller
Dan Mueller	
Favette 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