

MINUTES OF COMMISSIONERS COURT MEETING

I.

Attached hereto is/are public notice(s) posted for the meeting of **November 9, 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; Cindy Havelka, County Auditor; Angela Hahn, Emergency Management Coordinator & Grant Specialist; Paul Zapalac, Precinct 4 Justice of the Peace; Cassie Austin, Court Administrator; Blake Watson, Assistant County Attorney; Clint Sternadel, County Inspector & Office of Development & Permitting; Jeremy Castleberry, CIT Investigator & Deputy Sheriff; Scott Willey, County Extension Agent, Agriculture & Natural Resources; Sally Garrett, County Extension Agent, Family & Consumer Sciences; Kayla Kaspar, County Extension Agent, Agriculture & 4-H; Paula Lewellen, Human Resources Manager; Josh Vandever, EMS Director

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 **Berckenhoff**, votes for **5**, votes against **0**.

AGENDA ACTION:

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

i. October 26, 2023 – Regular Meeting

ACTION: Approved minutes from the October 26, 2023 Regular Meeting.

PERSONS APPEARING BEFORE THE COURT: Brenda Fietsam, County Clerk

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 _____

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

ACTION: Opened Public Comments.

Accepted All Public Comments by Rodney Read.

Closed Public Comments.

PERSONS APPEARING BEFORE THE COURT: Rodney Read

See attached hereto marked "Exhibit B"

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

3. **SUBJECT: Open and hold Public Hearing concerning proposed adoption and passage of a Resolution by the Commissioners Court that states that Fayette County, Texas elects to become eligible to participate in Tax Abatement, and concerning the proposed establishment and adoption of Guidelines and Criteria Governing Tax Abatement Agreements to be entered into by Fayette County.**

ACTION: Opened and Held Public Hearing concerning proposed adoption and passage of a Resolution by the Commissioners Court that states that Fayette County, Texas elects to become eligible to participate in Tax Abatement, and concerning the proposed establishment and adoption of Guidelines and Criteria Governing Tax Abatement Agreements to be entered into by Fayette County.

See attached hereto marked "Agenda Action 3 Exhibit"

PERSONS APPEARING BEFORE THE COURT: Blake Watson, Assistant County Attorney; Evan Horn, Ernst & Young, LLP; Jeff Parker; William Bernsen

See attached hereto marked "Exhibit B"

See attached hereto marked "Exhibit C"

MOVED BY COMMR. Brossmann, SECONDED BY COMMR. Berckenhoff

Commr. McBroom, Recused

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 _____

ACTION: Accepted All Comments.

Closed Public Hearing.

PERSONS APPEARING BEFORE THE COURT: Blake Watson, Assistant County Attorney; Evan Horn; Jeff Parker; William Bernsen

See attached hereto marked "Exhibit B"

See attached hereto marked "Exhibit C"

MOVED BY JUDGE Mueller, SECONDED BY COMMR. Berckenhoff

Commr. McBroom, Recused

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, and adopt and sign a Resolution and Order that Fayette County, Texas elects to immediately become eligible to participate in Tax Abatement.**

ACTION: Adopted and Signed a Resolution and Order that Fayette County, Texas elects to immediately become eligible to participate in Tax Abatement.

See attached hereto marked "Agenda Action 4 Exhibit"

PERSONS APPEARING BEFORE THE COURT: Blake Watson, Assistant County Attorney; Evan Horn, Ernst & Young, LLP; William Bernsen

See attached hereto marked "Exhibit B"

See attached hereto marked "Exhibit C"

MOVED BY JUDGE Mueller, SECONDED BY COMMR. Brossmann

Commr. McBroom, **Recused**

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, discuss, and take appropriate action, and establish, adopt, and sign Guidelines & Criteria Governing Tax Abatement Agreements to be entered into and granted by Fayette County, Texas.**

ACTION: Approved Guidelines & Criteria Governing Tax Abatement Agreements to be entered into and granted by Fayette County, Texas, pending the adjustment to the language made by the County Attorney's Office by inserting the word "minor" to the last sentence in Sec. 3, I.

See attached hereto marked "Agenda Action 5 Exhibit"

PERSONS APPEARING BEFORE THE COURT: Blake Watson, Assistant County Attorney; Evan Horn, Ernst & Young, LLP; William Bernsen

See attached hereto marked "Exhibit B"

See attached hereto marked "Exhibit C"

MOVED BY JUDGE Mueller, SECONDED BY COMMR. Berckenhoff

Commr. McBroom, Recused

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 concerning the following applications requesting the division of real property: Mary Dawson located in Precinct 4; Mitchell & Carolyn Hall located in Precinct 2.**

ACTION: Denied application requesting the division of real property: Mary Dawson located in Precinct 4; and

Approved application requesting the division of real property: Mitchell & Carolyn Hall located in Precinct 2.

See attached hereto marked "Agenda Action 6 Exhibit"

PERSONS APPEARING BEFORE THE COURT: Clint Sternadel, County Inspector & Office of Development & Permitting; Michael Corker, Hart Land Real Estate; William Bernsen

See attached hereto marked "Exhibit B"

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 _____

7. **SUBJECT: Consider and take appropriate action concerning approving the final plat for Phase 3 of Compound Lane regarding a platted subdivision named The Compound.**

ACTION: No Action Taken.

PERSONS APPEARING BEFORE THE COURT: None

MOVED BY COMMR. _____, SECONDED BY COMMR. _____

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 Mueller, vote for _____, vote against _____

8. **SUBJECT: Consider and take appropriate action in approving the Road Construction Bond for Phase 3 of Compound Lane.**

ACTION: No Action Taken.

PERSONS APPEARING BEFORE THE COURT: None

MOVED BY COMMR. _____, SECONDED BY COMMR. _____
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 Mueller, vote for _____, 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: Clint Sternadel, County Inspector & Office of Development & Permitting

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

10. **SUBJECT: Approve 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: Bear Creek Road, Owl Creek Road and Tienert Road (Precinct 1), all public county roads 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: Bear Creek Road, Owl Creek Road and Tienert Road (Precinct 1), all public county roads in Fayette County, Texas.

See attached hereto marked "Agenda Action 10 Exhibit"

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

MOVED BY JUDGE Mueller, 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 _____

11. **SUBJECT: Texas AgriLife Extension Annual Interpretative Event to Commissioners Court.**

ACTION: Accepted reports from Sally Garrett, Kayla Kaspar, and Scott Willey regarding the Texas AgriLife Extension Annual Interpretative Event.

See attached hereto marked "Agenda Action 11 Exhibit"

PERSONS APPEARING BEFORE THE COURT: Sally Garrett, County Extension Agent, Family & Consumer Sciences; Kayla Kaspar, County Extension Agent, Agriculture & 4-H; Scott Willey, County Extension Agent, Agriculture & Natural Resources

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 _____

12. **SUBJECT: Consider and take appropriate action concerning entering into a Contract with Langford Community Management Services for grant administrative services for the Texas General Land Office (“GLO”) Regional Mitigation Program.**

ACTION: Approved entering into a Contract with Langford Community Management Services for grant administrative services for the Texas General Land Office (“GLO”) Regional Mitigation Program, pending changes to be made by Blake Watson and Angela Hahn to include language identifying the specific Texas General Land Office Grants which would fall under the Agreement.

See attached hereto marked “Agenda Action 12 Exhibit”

PERSONS APPEARING BEFORE THE COURT: Angela Hahn, Emergency Management Coordinator & Grant Specialist; Blake Watson, Assistant County Attorney

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 _____

Break at 10:34 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 _____

Reconvened at 10:41 a.m.

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 _____

13. **SUBJECT: Discuss, consider and take appropriate action concerning an interlocal agreement with the City of Fayetteville to construct and operate a recycling center on city property located at 800 Columbus Hall Lane, Fayetteville, Texas.**

ACTION: Entered into an interlocal agreement with the City of Fayetteville to construct and operate a recycling center on city property located at 800 Columbus Hall Lane, Fayetteville, Texas.

See attached hereto marked "Agenda Action 13 Exhibit"

PERSONS APPEARING BEFORE THE COURT: Paul Zapalac, Precinct 4 Justice of the Peace

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: Discuss and approve a resolution to submit an application to CAPCOG’s Solid Waste grant program for the construction of a recycling center at 800 Columbus Hall Lane, Fayetteville, Texas.**

ACTION: Approved application to CAPCOG’s Solid Waste grant program for the construction of a recycling center at 800 Columbus Hall Lane, Fayetteville, Texas.

See attached hereto marked “Agenda Action 14 Exhibit”

PERSONS APPEARING BEFORE THE COURT: Paul Zapalac, Precinct 4 Justice of the Peace

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 _____

UNOFFICIAL

15. **SUBJECT: Consider and take appropriate action in entering into Memorandum of Understanding (MOU) between Bluebonnet Trails Community Mental Health and Mental Retardation Center d/b/a Bluebonnet Trails Community Services (BTCS) and Fayette County, Texas for the purposes of outlining the partnership goals for Primary Care Services of eligible indigent residents of Fayette County.**

ACTION: Entered into Memorandum of Understanding (MOU) between Bluebonnet Trails Community Mental Health and Mental Retardation Center d/b/a Bluebonnet Trails Community Services (BTCS) and Fayette County, Texas for the purposes of outlining the partnership goals for Primary Care Services of eligible indigent residents of Fayette County.

See attached hereto marked "Agenda Action 15 Exhibit"

PERSONS APPEARING BEFORE THE COURT: Cassie Austin, Court Administrator

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 _____

16. **SUBJECT: Authorize the following class requests: Pam Vinklarek, Deputy County Clerk, to attend the 2023 Department of State Health Services Vital Statistics Conference to be held on December 7th & 8th virtually; Josh Vandever, EMS Director, and Gary Daniels, Assistant EMS Director, to attend the Texas EMS Conference November 19-22, 2023 in Austin.**

ACTION: Authorized the following class requests: Pam Vinklarek, Deputy County Clerk, to attend the 2023 Department of State Health Services Vital Statistics Conference to be held on December 7th & 8th virtually; Josh Vandever, EMS Director, and Gary Daniels, Assistant EMS Director, to attend the Texas EMS Conference November 19-22, 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 _____

17. **SUBJECT: Consider and take appropriate action in re-setting a date for a public hearing concerning setting speed limit on the following road: Skillet Lane (Precinct 3), and for authorization to publish notice of said hearing in the newspaper.**

ACTION: Re-set a date of November 22, 2023 @ 9:00 a.m. in Commissioners Courtroom (3rd floor – Room 303) for a public hearing concerning setting speed limit on the following road: Skillet Lane (Precinct 3); and

Authorized publishing notice of said hearing in the newspaper.

PERSONS APPEARING BEFORE THE COURT: Cassie Austin, Court Administrator

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 _____

18. **SUBJECT: Consider and take appropriate action on bids of property not sold at Sheriff's Sale – Cause No. 3388 - Flatonia ISD.**

ACTION: Considered bids of property not sold at Sheriff's Sale – Cause No. 3388 - Flatonia ISD; and

Rejected bid by Matthew Childress; and

Approved bid by S. Nicole Mackey.

See attached hereto marked "Agenda Action 18 Exhibit"

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 _____

19. **SUBJECT: Acknowledge the fiber upgrades and 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): Brahm Loop, S. Raymond Rd, Zoch Rd, Zilss Rd Spring Branch Lane (Precinct 1), Noak Rd, N. Nassau Rd (Precinct 2) and Peters Rd (Precinct 4).**

ACTION: Acknowledged the fiber upgrades and 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): Brahm Loop, S. Raymond Rd, Zoch Rd, Zilss Rd Spring Branch Lane (Precinct 1), Noak Rd, N. Nassau Rd (Precinct 2) and Peters Rd (Precinct 4).

See attached hereto marked "Agenda Action 19 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 Mueller, vote for **X**, vote against _____

20. **SUBJECT:** Accept and approve the written plans of Industry Telephone Company, to install a new buried communications line upon and along the right-of-way of Ullrich Road, Winedale Road, and Muske-Ullrich Rd (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 plans of Industry Telephone Company, to install a new buried communications line upon and along the right-of-way of Ullrich Road, Winedale Road, and Muske-Ullrich Rd (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 20 Exhibit"

PERSONS APPEARING BEFORE THE COURT: None

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

21. **SUBJECT:** Accept and approve the written plan of Fayette Water Supply Corporation to tie-in to an existing 2” waterline in the County right-of-way along the west side of Gebert Road (Precinct 4) then bore under Gebert Road to the east side and continue south reaching property ID 109739, then place a new 4” waterline along Gebert Road to service five lots located at IDs 109740, 109705, 109973, 109669, 414452, and requiring Fayette Water Supply Corporation to make repairs of any resultant damage done to the roadway, sides, ditches, and right-of-way of Gebert 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 tie-in to an existing 2” waterline in the County right-of-way along the west side of Gebert Road (Precinct 4) then bore under Gebert Road to the east side and continue south reaching property ID 109739, then place a new 4” waterline along Gebert Road to service five lots located at IDs 109740, 109705, 109973, 109669, 414452; and

Required Fayette Water Supply Corporation to make repairs of any resultant damage done to the roadway, sides, ditches, and right-of-way of Gebert 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 21 Exhibit”

PERSONS APPEARING BEFORE THE COURT: Ronnie Wick, Fayette Water Supply Corporation

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 _____

22. **SUBJECT: Consider and take appropriate action concerning acknowledging and signing a letter from TXDOT regarding roadway closures at intersections along US Hwy 77 and: Rabbs Prairie Road, Schubert Road, Race Track Road, Post Oak Road (Precinct 1), and County Road 156 (Lee County), the roadway will be closed at each intersection location from 5 to 15 days during the approximate 30 months to complete the project; project is scheduled for a January 2024 letting, typically construction starts 2-3 months after the letting date.**

ACTION: Signed a letter from TXDOT regarding roadway closures at intersections along US Hwy 77 and: Rabbs Prairie Road, Schubert Road, Race Track Road, Post Oak Road (Precinct 1), and County Road 156 (Lee County), the roadway will be closed at each intersection location from 5 to 15 days during the approximate 30 months to complete the project; project is scheduled for a January 2024 letting, typically construction starts 2-3 months after the letting date.

See attached hereto marked "Agenda Action 22 Exhibit"

PERSONS APPEARING BEFORE THE COURT: None

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 _____

23. **SUBJECT: Acknowledge General and No Litigation Certificates of Fayette County, for the benefit of the Attorney General of the State of Texas, regarding Capital Area Housing Finance Corporation (CAHFC): Tax Exempt Indebtedness (Redwood Apartments – Hays County), and authorizing the County Judge to sign all necessary paperwork.**

ACTION: Acknowledged General and No Litigation Certificates of Fayette County, for the benefit of the Attorney General of the State of Texas, regarding Capital Area Housing Finance Corporation (CAHFC): Tax Exempt Indebtedness (Redwood Apartments – Hays County); and

Authorized the County Judge to sign all necessary paperwork.

See attached hereto marked “Agenda Action 23 Exhibit”

PERSONS APPEARING BEFORE THE COURT: Cassie Austin, Court 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 _____

24. **SUBJECT: Consider and take appropriate action concerning the fines and fees collected for the Third quarter of 2023.**

ACTION: Approved the fines and fees collected for the Third quarter of 2023.

See attached hereto marked “Agenda Action 24 Exhibit”

PERSONS APPEARING BEFORE THE COURT: Cindy Havelka

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

25. SUBJECT: Consider and take appropriate action in accepting all bids and/or awarding bid for the Extension Service Vehicle.

ACTION: Accepted bid by Oviedo Chevrolet GMC for the Extension Service Vehicle.

Awarded bid to Oviedo Chevrolet GMC for the Extension Service Vehicle.

See attached hereto marked "Agenda Action 25 Exhibit"

PERSONS APPEARING BEFORE THE COURT: Cindy Havelka, County Auditor

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 _____

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

ACTION: Accepted all bids for Road Oil.

Awarded all bids for Road Oil.

See attached hereto marked "Agenda Action 26 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 Mueller, vote for **X**, vote against _____

27. 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 for Limestone.**

See attached hereto marked "Agenda Action 27 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 Mueller, vote for **X**, vote against _____

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

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

See attached hereto marked "Agenda Action 28 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 Mueller, vote for **X**, vote against _____

29. **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 29 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 Mueller, vote for **X**, vote against _____

30. **SUBJECT: Enter into closed (executive) session pursuant to Government Code, Section 551.074 (a)(1), to deliberate the appointment, employment, or duties of an employee; and Section 551.072, to deliberate the purchase, exchange, lease, or value of real property, with final action to be taken in open session.**

ACTION: Entered into closed session at 11:06 a.m. to deliberate the appointment, employment, or duties of an employee; and to deliberate the purchase, exchange, lease, or value of real property, with final action to be taken in open session.

PERSONS APPEARING BEFORE THE COURT:

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

31. SUBJECT: Return and reconvene to open meeting.

ACTION: Reconvened into open meeting at 11:33 a.m.

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 _____

32. SUBJECT: Consider and take appropriate action deemed necessary, including a final action, decision or vote on the matters deliberated in closed session.

ACTION: Revised Contract for EMS Real Estate property in Schulenburg; and Authorized Commissioner Drew Brossmann and EMS Director Josh Vandever to sign the Contract after revision.

See attached hereto marked "Agenda Action 32 Exhibit"

PERSONS APPEARING BEFORE THE COURT: None

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 _____

VIII.

Meeting adjourned at 11:33 a.m., November 9, 2023, on motion by Commissioner Brossmann, seconded by Commissioner Sternadel, votes for 5, votes against 0.

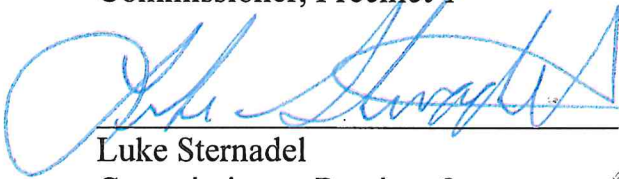
APPROVED this 22nd day of November, 2023.



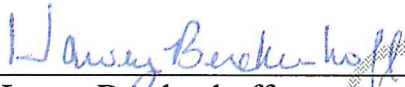
Dan Mueller
Fayette County Judge



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

