MINUTES OF COMMISSIONERS COURT MEETING

I.

Attached hereto is/are public notice(s) posted for the meeting of September 28, 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;
Cassie Austin, Court Administrator; Randy Noviskie, Chief Deputy Sheriff;
Angela Hahn, Emergency Management Coordinator & Grant Specialist;
Clint Sternadel, County Inspector & Office of Development & Permitting;
Josh Vandever, EMS Director; Gary Daniels, Assistant EMS Director;
Paul Zapalac, Precinct 4 Justice of the Peace

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 8:59 a.m. on motion by Judge Mueller, seconded by Commissioner Sternadel, votes for 5, votes against 0.

AGENDA ACTION:

2.

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

i. September 14, 2023 – Regular Meeting

ii. September 20, 2023 – Special Meeting

ACTION: Approved minutes from the September 14, 2023 Regular Meeting and the September 20, 2023 Special 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
SUBJECT: Open public comments - petitions, requests or statements by
public. Close.
ACTION: Opened Public Comments.
Accepted All Public Comments.
Closed Public Comments.
PERSONS APPEARING BEFORE THE COURT: Karen Koska; David Koska
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

the

3.	SUBJECT: Sign proclamation proclaiming the week of October 1-7, 2023 as "Texas Extension Education Association Week" in Fayette County.
	ACTION: Signed proclamation proclaiming the week of October 1-7, 2023 as "Texas Extension Education Association Week" in Fayette County.
	See attached hereto marked "Agenda Action 3 Exhibit"
	PERSONS APPEARING BEFORE THE COURT: Lila Garlin, TEEA (Texas Extension Education Association); Janice Alexander, TEEA; Jeanette Huelsebusch, TEEA
	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
4.	SUBJECT: Sign proclamation proclaiming the month of October as "Czech Heritage Month".
	ACTION: Signed proclamation proclaiming the month of October as "Czech Heritage Month".
	See attached hereto marked "Agenda Action 4 Exhibit"
	PERSONS APPEARING BEFORE THE COURT: Betty Danner, TCHCC (Texas Czech Heritage and Cultural Center); Mark Hermes, TCHCC; Jim Kothmann, TCHCC; Marilyn Kothmann, TCHCC; Elizabeth Kallus, TCHCC; Kathie Craft, TCHCC; Marilyn Cernoch, TCHCC; Cathleen Noska, TCHCC; Brenda Fietsam
	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

5.	SUBJECT: Hear Presentation from Greg Trlicek with Stepheson, LeGrand & Pfeil, PLLC. concerning the 2022 Financial Audit and Single Audit.
	ACTION: Accepted presentation from Greg Trlicek with Stepheson, LeGrand & Pfeil, PLLC. concerning the 2022 Financial Audit and Single Audit.
	See attached hereto marked "Agenda Action 5 Exhibit"
	PERSONS APPEARING BEFORE THE COURT: Greg Trlicek, Stepheson, LeGrand & Pfeil, PLLC.; William Bernsen
	See attached hereto marked "Exhibit B"
6.	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 SUBJECT: Consider and take appropriate action concerning the following applications requesting the division of real property: Terry Fulgham located in
	Precinct 1; Stephen Reddish located in Precinct 3.
	ACTION: Approved the following applications requesting the division of real property: Terry Fulgham located in Precinct 1; Stephen Reddish located in Precinct 3.
	See attached hereto marked "Agenda Action 6 Exhibit"
	PERSONS APPEARING BEFORE THE COURT: Clint Sternadel, County Inspector & Office of Development & Permitting
	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

7. SUBJECT: Approve Application for Pipeline Public Road Bored Crossing Permit, submitted by ETC Texas Pipelines, Ltd, for said pipeline to cross under Power Plant Road (Precinct 2), a public county road located in Fayette County, Texas.

ACTION: Approved Application for Pipeline Public Road Bored Crossing Permit, submitted by ETC Texas Pipelines, Ltd, for said pipeline to cross under Power Plant Road (Precinct 2), a public county road located in Fayette County, Texas.

See attached hereto marked "Agenda Action 7 Exhibit"

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

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: Approve the Routing Agreement and Road Use Bond Agreement submitted by Baytex Energy USA, Inc., for said Company's overweight loads to travel, as indicated on the attached map, on the following road: Maeker Road (Precinct 3), a public county road in Fayette County, Texas. ACTION: Approved the Routing Agreement and Road Use Bond Agreement submitted by Baytex Energy USA, Inc., for said Company's overweight loads to travel, as indicated on the attached map, on the following road: Maeker Road (Precinct 3), a public county road in Fayette County, Texas. See attached hereto marked "Agenda Action 8 Exhibit" PERSONS APPEARING BEFORE THE COURT: Clint Sternadel, County **Inspector & Office of Development & Permitting** 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 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 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: 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; Gary Daniels, Assistant EMS Director
	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
11.	SUBJECT: Consider and take appropriate action in signing a resolution adopting the Fayette County Multi-Jurisdictional Hazard Mitigation Plan.
	ACTION: Signed a resolution adopting the Fayette County Multi-Jurisdictional Hazard Mitigation Plan.
	See attached hereto marked "Agenda Action 11 Exhibit"
	PERSONS APPEARING BEFORE THE COURT: Angela Hahn, Emergency Management Coordinator & Grant Specialist
	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

12. SUBJECT: Consider and take appropriate action in accepting and/or awarding bids for the RFP for grant administrative services for the COG-MOD MIT Program. ACTION: Accepted all bids for the RFP for grant administrative services for the **COG-MOD MIT Program.** Awarded bid to Langford Community Management Services. See attached hereto marked "Agenda Action 12 Exhibit" PERSONS APPEARING BEFORE THE COURT: Angela Hahn, Emergency Management Coordinator & Grant Specialist 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: Consider and take appropriate action by signing a Resolution authorizing a Fayette County Grant to Combined Community Action, Inc., for the Texas Department of Agriculture Texas Feeding Texas: Home Delivered Meal Grant Program. ACTION: Signed a Resolution authorizing a Fayette County Grant to Combined Community Action, Inc., for the Texas Department of Agriculture Texas Feeding Texas: Home Delivered Meal Grant Program. See attached hereto marked "Agenda Action 13 Exhibit" PERSONS APPEARING BEFORE THE COURT: Commissioner Luke Sternadel MOVED BY COMMR. Sternadel, 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

14. SUBJECT: Acknowledge letter from TXDOT concerning road closure on State Highway 159 from Business 71 East to State Highway 237, the roadway will be closed at each drainage structure location from 3 to 7 days at a time during the approximate 16 months it will take to complete the project, the project is scheduled for a December 2023 letting, typically, construction starts 2-3 months after the letting date, roadway closures during the Round Top Antique Fair (March 14-31 and October 10-27) are prohibited.

ACTION: Acknowledged letter from TXDOT concerning road closure on State Highway 159 from Business 71 East to State Highway 237, the roadway will be closed at each drainage structure location from 3 to 7 days at a time during the approximate 16 months it will take to complete the project, the project is scheduled for a December 2023 letting, typically, construction starts 2-3 months after the letting date, roadway closures during the Round Top Antique Fair (March 14-31 and October 10-27) are prohibited.

See attached hereto marked "Agenda Action 14 Exhibit"

PERSONS APPEARING BEFORE THE COURT: Commissioner Jason McBroom; Commissioner Luke Sternadel

MOVED BY JUDGE Mueller, SECONDED BY COMMR. Sternade
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 Fayette County purchasing for Recycle Center a ten bin recycling trailer with bins, presently located at Moulton Independent School District, 500 N. Pecan, Moulton, Texas 77975, for the price of \$3,501.00 payable to Moulton Independent School District, using Recycle Center funds that are available and in the 2023 Recycle Center budget, and authorizing County personnel to sign all necessary and required paperwork.

ACTION: Approved purchasing for Recycle Center a ten bin recycling trailer with bins, presently located at Moulton Independent School District, 500 N. Pecan, Moulton, Texas 77975, for the price of \$3,501.00 payable to Moulton Independent School District, using Recycle Center funds that are available and in the 2023 Recycle Center budget; and

Authorized County personnel to sign all necessary and required paperwork.

See attached hereto marked "Agenda Action 15 Exhibit"

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

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

16. 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): Lange Rd, S. Nassau Rd (Precinct 2), Salem Freyburg Rd, Ehler Grasshoff Rd, Brueggmann Ln, Jochen Ln, Farek Loth Rd, Olle Ln (Precinct 3), Bryant Rd, Krischke Rd, Freyburg Hall Rd, Schilhab Bottom Loop, Freyburg Store Rd, Gebert Rd and Schulze (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): Lange Rd, S. Nassau Rd (Precinct 2), Salem Freyburg Rd, Ehler Grasshoff Rd, Brueggmann Ln, Jochen Ln, Farek Loth Rd, Olle Ln (Precinct 3), Bryant Rd, Krischke Rd, Freyburg Hall Rd, Schilhab Bottom Loop, Freyburg Store Rd, Gebert Rd and Schulze (Precinct 4).

See attached hereto marked "Agenda Action 16 Exhibit"

PERSONS APPEARING BEFORE THE COURT: None

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

17. SUBJECT: Authorize the following class requests: Jamie Fabre, Indigent Healthcare Coordinator, to attend the Texas Indigent Health Care Association Annual Conference November 1-3, 2023 in Corpus Christi; Sylvia Mendoza, Tax Assessor-Collector to attend the 41st Annual V.G. Young Institute School for County Tax Assessor-Collectors November 14-16, 2023 in Waco; Cindy Havelka, County Auditor and Katie Anders, Assistant County Auditor to attend the Texas Association of Counties Auditors Fall Conference October 17 – 20, 2023 in South Padre Island, Texas.

ACTION: Authorized the following class requests: Jamie Fabre, Indigent Healthcare Coordinator, to attend the Texas Indigent Health Care Association Annual Conference November 1-3, 2023 in Corpus Christi; Sylvia Mendoza, Tax Assessor-Collector to attend the 41st Annual V.G. Young Institute School for County Tax Assessor-Collectors November 14-16, 2023 in Waco; Cindy Havelka, County Auditor and Katie Anders, Assistant County Auditor to attend the Texas Association of Counties Auditors Fall Conference October 17 – 20, 2023 in South Padre Island, Texas.

PERSONS APPEARING BEFORE THE COURT: None

MOVED BY COMMR. Brossmann, SECONDED BY COMMR. Berckennon
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 a Sheriff's Sale – Cause Nos. 2994 - La Grange ISD.
	ACTION: Accepted all bids of property not sold at Sheriff's Sale – Cause No. 2994 - La Grange ISD; and
	Approved bid of property not sold at Sheriff's Sale to Kimberly Girrard—Cause No. 2994 - La Grange ISD.
	See attached hereto marked "Agenda Action 18 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
19.	SUBJECT: Consider and take appropriate action concerning the Annual Airpor Operator's Liability Insurance with the Nitsche Group for 2023-2024 to be renewed on 11/09/2023.
	ACTION: Approved renewal of the Annual Airport Operator's Liability Insurance with the Nitsche Group for 2023-2024 to be renewed on 11/09/2023.
	See attached hereto marked "Agenda Action 19 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 Mueller, vote for X, vote against Judge Mueller, vote for X, vote against

20.	SUBJECT: Consider and take appropriate action in approving the Worker's Compensation questionnaire from the Texas Association of Counties Risk Management Pool for the coverage period of January 01, 2024 through January 1, 2025.
	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
21.	SUBJECT: Consider and take appropriate action concerning authorizing the County Auditor to advertise for bids for vehicle for the Extension Service Department.
	ACTION: Authorized the County Auditor to advertise for bids for vehicle for the Extension Service Department with Commissioner Berckenhoff to assist in the searching process.
	PERSONS APPEARING BEFORE THE COURT: Cindy Havelka, County
	Auditor; Kayla Kaspar, County Extension Agent

22. SUBJECT: Consider and take appropriate action concerning Fayette County purchasing for Constable Precinct 3 a 2023 Chevrolet Tahoe, presently located at Parkway Chevrolet Inc., 25500 TX 249, Tomball, Texas 77375, for the price of \$49,378.75 payable to Parkway Chevrolet Inc., using Constable Precinct 3 funds that are available and in the 2023 Constable Precinct 3 budget, and authorizing County personnel to sign all necessary and required paperwork.

ACTION: Approved purchase for Constable Precinct 3 a 2023 Chevrolet Tahoe, presently located at Parkway Chevrolet Inc., 25500 TX 249, Tomball, Texas 77375, for the price of \$49,378.75 payable to Parkway Chevrolet Inc., using Constable Precinct 3 funds that are available and in the 2023 Constable Precinct 3 budget; and

Authorized County personnel to sign all necessary and required paperwork.

See attached hereto marked "Agenda Action 22 Exhibit"

PERSONS APPEARING BEFORE THE COURT: None

MOVED BY JUDGE Mueller, 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

23.	SUBJECT: Consider and take appropriate action concerning approving Contract between Unifirst and Fayette County, Texas for uniform cleaning and uniform maintenance for Recycle Center and Road & Bridge departments.			
	ACTION: Approved contract between Unifirst and Fayette County, Texas for uniform cleaning and uniform maintenance for Recycle Center and Road & Bridge departments.			
	See attached hereto marked "Agenda Action 23 Exhibit"			
	PERSONS APPEARING BEFORE THE COURT: Cindy Havelka, County Auditor; 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			
24.	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 24 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 Mueller, vote for X, vote against			

VIII.

Meeting adjourned at 9:55 a.m., September 28, 2023, on motion by Commissioner Brossmann, seconded by Commissioner Berckenhoff, votes for 5, votes against 0.

APPROVED this 12th day of October, 2023.

Jan	1	Mue	lla	*
Dan Mueller				

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

Commissioners Court September 28, 2023