
MINUTES OF COMMISSIONERS COURT MEETING

I.

Attached hereto is/are public notice(s) posted for the meeting of **April 25, 2024**.

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; Paula Lewellen, Human Resources Manager;
Jacquelyn Kohleffel, Payroll Coordinator; Cindy Havelka, County Auditor;
Billy Roensch, Constable Precinct 1; Jody Janacek, Assistant County Auditor;
Angela Hahn, Emergency Management Coordinator;
Cassie Austin, Court Administrator;
Clint Sternadel, County Inspector & Office of Development & Permitting

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 **9:00 a.m.** on motion by Commissioner **Brossmann**, 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. **April 11, 2024 – Regular Meeting**

ACTION: Approved minutes from the April 11, 2024 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.

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 _____

ACTION: Closed Public Comments.

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 _____

3. **SUBJECT: Sign proclamation proclaiming April 28 to May 5, 2024 as Soil & Water Stewardship Week in Fayette County.**

ACTION: Signed proclamation proclaiming April 28 to May 5, 2024 as Soil & Water Stewardship Week in Fayette County.

See attached hereto marked "Agenda Action 3 Exhibit"

PERSONS APPEARING BEFORE THE COURT: Rick Schilling, Fayette Soil & Water Conservation District

MOVED BY COMMR. McBroom, 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: Consider and take appropriate action concerning the following applications requesting the division of real property: Ryan Pope located in Precinct 4.**

ACTION: Denied the application requesting the division of real property: Ryan Pope located in Precinct 4.

See attached hereto marked "Agenda Action 4 Exhibit"

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

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 _____

5. **SUBJECT: Hear presentation from Orlando Espinosa, Employee Benefits Consultant with TAC, concerning County health incentives.**

ACTION: Accepted presentation from Orlando Espinosa, Employee Benefits Consultant with TAC, concerning County health incentives.

See attached hereto marked "Agenda Action 5 Exhibit"

PERSONS APPEARING BEFORE THE COURT: Orlando Espinosa, Employee Benefits Consultant with TAC; Paula Lewellen, Human Resources Manager

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 _____

6. **SUBJECT:** Discuss, and take appropriate action in accepting an application for tax abatement and an application fee from Staccato Storage, L.L.C. in accordance with the tax abatement guidelines adopted by Fayette County on November 9, 2023; and to set a public hearing date to consider and potentially enter into a Tax Abatement Agreement and to establish a reinvestment zone as required by Texas Tax Code Chapter 312; and to authorize public notices regarding the public hearing to be placed in the newspaper.

ACTION: Accepted an application for tax abatement and an application fee from Staccato Storage, L.L.C. in accordance with the tax abatement guidelines adopted by Fayette County on November 9, 2023; and

Agreed to set a public hearing date, at a future meeting, to consider and potentially enter into a Tax Abatement Agreement and to establish a reinvestment zone as required by Texas Tax Code Chapter 312.

See attached hereto marked "Agenda Action 6 Exhibit"

PERSONS APPEARING BEFORE THE COURT: Evan Horn, Ernst & Young LLP; Gerald Byrd, Ernst & Young LLP; Saul Stroud, Samsung C&T Renewables; Cassie Austin, Court Administrator

See attached hereto marked "Exhibit C"

MOVED BY COMMR. Berckenhoff, 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 _____

7. **SUBJECT: Consider and take appropriate action for a request from the VFW Post 2527 to allow Precinct 1 Road & Bridge funds and employees to provide and install a driveway culvert along Justice Road for the purpose of ingress and egress to the Mt. Olive African Methodist-Episcopal Cemetery; cemetery is maintained by VFW Post 2527.**

ACTION: Deferred request from the VFW Post 2527 to allow Precinct 1 Road & Bridge funds and employees to provide and install a driveway culvert along Justice Road for the purpose of ingress and egress to the Mt. Olive African Methodist-Episcopal Cemetery maintained by VFW Post 2527, to the May 9, 2024 meeting.

PERSONS APPEARING BEFORE THE COURT: Commissioner Jason McBroom; 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 _____

8. **SUBJECT: Acknowledge departmental budgets for SB22 Grant funds for the Fayette County Sheriff's Department, Fayette County Attorney's Office, and Fayette County Constables Precincts 1 and 2.**

ACTION: Deferred any action on departmental budgets for SB22 Grant funds for the Fayette County Sheriff's Department, Fayette County Attorney's Office, and Fayette County Constables Precincts 1 and 2 to a Special Meeting on Monday, April 29, 2024 at 10:30 a.m.

PERSONS APPEARING BEFORE THE COURT: None

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 _____

9. **SUBJECT: Consider, discuss, and take appropriate action in approving interlocal agreements between Fayette County and the Fayette County Volunteer Fire Departments for use of Fayette County equipment in case of a fire emergency.**

ACTION: Deferred any action in approving MOU agreements between Fayette County and the Fayette County Volunteer Fire Departments for use of Fayette County equipment in case of a fire emergency to allow legal counsel to review and make changes.

PERSONS APPEARING BEFORE THE COURT: Commissioner Luke Sternadel; 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 _____

10. **SUBJECT: Consider, discuss, and take appropriate action in approving changes made to the Fayette County Financial Policy.**

ACTION: Approved changes made to the Fayette County Financial Policy.

See attached hereto marked "Agenda Action 10 Exhibit"

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

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, discuss, and take appropriate action in approving lease agreements for Fayette County Regional Airport for hangers # 3 and # 4, for Matt Reyner and Bonette Bouth.**

ACTION: Deferred taking any action on lease agreements for Fayette County Regional Airport for hangers # 3 and # 4, for Matt Reyner and Bonette Bouth to the May 9, 2024 Regular Meeting.

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 _____

12. **SUBJECT: Consider and take appropriate action in approving an amendment to the Fayette County, Texas Extension Office Feral Swine Trap User Agreement for the use of the feral swine traps to include address of property where trap is located.**

ACTION: Approved an amendment to the Fayette County, Texas Extension Office Feral Swine Trap User Agreement for the use of the feral swine traps to include address of property where trap is located.

See attached hereto marked "Agenda Action 12 Exhibit"

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 _____

13. **SUBJECT: Consider and take appropriate action in approving the quote from Bluebonnet Alarm for security equipment for Fayette County Agricultural Building.**

ACTION: Approved the quote from Bluebonnet Alarm for security equipment for Fayette County Agricultural Building.

See attached hereto marked "Agenda Action 13 Exhibit"

PERSONS APPEARING BEFORE THE COURT: Commissioner Jason McBroom; 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 _____

14. **SUBJECT: Add Navidad Cattlewomen’s Association to the list of organizations for use of the Fayette County Agricultural Building Large Meeting Training Room and Small Meeting Conference Room Use Agreement.**

ACTION: Added Navidad Cattlewomen’s Association to the list of organizations for use of the Fayette County Agricultural Building Large Meeting Training Room and Small Meeting Conference Room Use Agreement.

See attached hereto marked “Agenda Action 14 Exhibit”

PERSONS APPEARING BEFORE THE COURT: Cassie Austin, Court Administrator

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 _____

15. **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): W. Old Lockhart Road, Makinson Road (Precinct 1), O'Quinn Branch Road, Ace Lane, W. Radhost School Road, Kallus Road (Precinct 3), Munke Road, Strixner Lane, George Road, Cozy Corner Road and Anders Bottom Road (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): W. Old Lockhart Road, Makinson Road (Precinct 1); O'Quinn Branch Road, Ace Lane, Kallus Road (Precinct 3); W. Radhost School Road, Munke Road, Strixner Lane, George Road, Cozy Corner Road and Anders Bottom Road (Precinct 4).

See attached hereto marked "Agenda Action 15 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 _____

16. **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 Obligations (The Katy – City of Elgin, Bastrop 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 Obligations (The Katy – City of Elgin, Bastrop County); and

Authorized the County Judge to sign all necessary paperwork.

See attached hereto marked “Agenda Action 16 Exhibit”

PERSONS APPEARING BEFORE THE COURT: Cassie Austin, Court Administrator

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 _____

17. **SUBJECT: Consider and take appropriate action concerning an amendment/update to the Fayette County Personnel Policy Manual.**

ACTION: Approved an amendment/update to the Fayette County Personnel Policy Manual.

See attached hereto marked "Agenda Action 17 Exhibit"

PERSONS APPEARING BEFORE THE COURT: Paula Lewellen, Human Resources Manager

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 _____

18. **SUBJECT: Discuss Fayette County monthly reports (expenses and revenue) for 1st Quarter FY2024.**

ACTION: Accepted Fayette County monthly reports (expenses and revenue) for 1st Quarter FY2024.

See attached hereto marked "Agenda Action 18 Exhibit"

PERSONS APPEARING BEFORE THE COURT: Cindy Havelka, County Auditor

MOVED BY COMMR. Berckenhoff, SECONDED BY COMMR. Brossmann

Commr. McBroom, vote for **X**, vote against _____

Commr. Sternadel, vote for **X**, vote against _____

Commr. Berckenhoff, vote for **X**, vote against _____

Commr. Brossmann, vote for **X**, vote against _____

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

19. **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 19 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 _____

Recess at 9:59 a.m. until 11:15 a.m.

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 _____

Reconvened at 11:15 a.m.

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 _____

ADDITIONAL ITEM – this item was posted at 11:15am on Monday, April 22, 2024 after the original Agenda had been posted. This item can be heard any time after 11:15am on Thursday, April 25, 2024.

- 1. SUBJECT: Discussion concerning the subdivision regulations and flood damage prevention regulations and take any action the Court deems necessary.**

ACTION: Accepted amendments concerning the subdivision regulations and flood damage prevention regulations, effective immediately; and

Agreed to have legal counsel review language and present at the Special Meeting on Monday, April 29, 2024 for approval.

See attached hereto marked “Supplemental Agenda Action 1 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. 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.

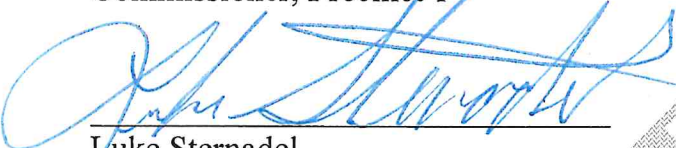
Meeting adjourned at 11:37 a.m., April 25, 2024, on motion by Judge Mueller, seconded by Commissioner Berckenhoff, votes for 5, votes against 0.


APPROVED this 9th day of May, 2024.




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 April 25, 2024