

MINUTES OF COMMISSIONERS COURT MEETING

I.

Attached hereto is/are public notice(s) posted for the meeting of **March 14, 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; Charles Zapalac, Precinct 3 Justice of the Peace;
Cindy Havelka, County Auditor; Billy Roensch, Constable Precinct 1;
Jeremey Castleberry, CIT Investigator & Deputy Sheriff;
Randy Noviskie, Chief Deputy Sheriff; Steven Svec, Maintenance;
Angela Hahn, Emergency Management Coordinator; Josh Vandever, EMS Director;
Paul Zapalac, Precinct 4 Justice of the Peace & Recycle Center Supervisor;
Clint Sternadel, County Inspector & Office of Development & Permitting;
Blake Watson, Assistant County Attorney; Kevin Wunderlich, IT Coordinator

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 **9:01 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. **February 22, 2024 – Regular Meeting**
- ii. **March 6, 2024 – Special Meeting**

ACTION: Approved minutes from the February 22, 2024 Regular Meeting and the March 6, 2024 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 _____

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 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 _____

**ACTION: Accepted public comments from Jeff Parker.
Closed public comments.**

PERSONS APPEARING BEFORE THE COURT: Jeff Parker

See attached hereto marked "Exhibit B"

MOVED BY COMMR. Berckenhoff, SECONDED BY COMMR. Brossmann

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

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

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

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

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

3. **SUBJECT: Sign proclamation proclaiming the month of April, 2024 as Autism Acceptance Month in Fayette County.**

ACTION: Signed proclamation proclaiming the month of April, 2024 as Autism Acceptance Month in Fayette County.

See attached hereto marked "Agenda Action 3 Exhibit"

PERSONS APPEARING BEFORE THE COURT: Destiny Siptak, Executive Director, Turtle Wing Foundation

MOVED BY COMMR. Brossmann, 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 _____

4. **SUBJECT: Consider and take appropriate action on request from The Friends of Kreische Brewery & Monument Hill State Historic Sites, on behalf of and in collaboration with Friends of Kreische Brewery & Monument Hill, to use the Courthouse grounds as listed on attached request form for the following event: Bluff SchuetzenFest Spasslauf (Funrun) – Saturday, May 18, 2024.**

ACTION: Approved request from The Friends of Kreische Brewery & Monument Hill State Historic Sites, on behalf of and in collaboration with Friends of Kreische Brewery & Monument Hill, to use the Courthouse grounds as listed on attached request form for the following event: Bluff SchuetzenFest Spasslauf (Funrun) – Saturday, May 18, 2024.

See attached hereto marked "Agenda Action 4 Exhibit"

PERSONS APPEARING BEFORE THE COURT: Gavin Miculka, Friends of Kreische Brewery & Monument Hill

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 _____

5. **SUBJECT: Consider and take appropriate action concerning the following applications requesting the division of real property: Edward Hendricks located in Precinct 2.**

ACTION: Approved applications requesting the division of real property: Edward Hendricks located in Precinct 2.

See attached hereto marked "Agenda Action 5 Exhibit"

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

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 _____

6. **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 6 Exhibit"

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

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 _____

7. **SUBJECT: Consider and take appropriate action on a request from SBA Investment Group Inc, forwarded by the City of La Grange, requesting that the zoning of two properties at Hwy 71 & Von Minden Road be changed from residential to commercial use, which property lies within a 200' radius of Fayette County real property.**

ACTION: Approved request from SBA Investment Group Inc, forwarded by the City of La Grange, requesting that the zoning of two properties at Hwy 71 & Von Minden Road be changed from residential to commercial use, which property lies within a 200' radius of Fayette County real property.

See attached hereto marked "Agenda Action 7 Exhibit"

PERSONS APPEARING BEFORE THE COURT: Cassie Austin, Court Administrator; Josh Vandever, EMS Director

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 _____

8. **SUBJECT: Hear report from Josh Vandever, EMS Director.**

ACTION: Accepted report from Josh Vandever, EMS Director.

See attached hereto marked "Agenda Action 8 Exhibit"

PERSONS APPEARING BEFORE THE COURT: Josh Vandever, EMS Director

MOVED BY JUDGE Mueller, SECONDED BY COMMR. Berckenhoff

Commr. McBroom, vote for **X**, vote against _____
Commr. Sternadel, vote for **X**, vote against _____
Commr. Berckenhoff, vote for **X**, vote against _____
Commr. Brossmann, vote for **X**, vote against _____
Judge Mueller, vote for **X**, vote against _____

9. **SUBJECT: Consider and take appropriate action on approving a proposal for building covered parking over the back parking lot at the EMS station / EOC as was budgeted in the 2024 budget.**

ACTION: Approved a proposal for building covered parking over the back parking lot at the EMS station / EOC as was budgeted in the 2024 budget using Riley’s Welding LLC in Ledbetter for \$49,800.00.

See attached hereto marked “Agenda Action 9 Exhibit”

PERSONS APPEARING BEFORE THE COURT: Josh Vandever, EMS Director; 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 _____

10. **SUBJECT: Consider and take appropriate action in accepting all bids and awarding a bid for an ambulance chassis.**

ACTION: Accepted all bids for an ambulance chassis.
Awarded bid to Chuck Brown Ford for \$69,907.00.

See attached hereto marked “Agenda Action 10 Exhibit”

PERSONS APPEARING BEFORE THE COURT: Josh Vandever, EMS Director; Blake Watson, Assistant County Attorney

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 _____

11. **SUBJECT: Consider and take appropriate action in entering into Professional Service Agreement with Tyler Technologies for Justice of the Peace Precinct 3 case management maintenance.**

ACTION: Entered into Professional Service Agreement with Tyler Technologies for Justice of the Peace Precinct 3 case management maintenance.

See attached hereto marked "Agenda Action 11 Exhibit"

PERSONS APPEARING BEFORE THE COURT: Charles Zapalac, Precinct 3 Justice of the Peace; Kevin Wunderlich, IT Coordinator

MOVED BY JUDGE Mueller, SECONDED BY COMMR. Berckenhoff
Commr. McBroom, vote for **X**, vote against _____
Commr. Sternadel, vote for **X**, vote against _____
Commr. Berckenhoff, vote for **X**, vote against _____
Commr. Brossmann, vote for **X**, vote against _____
Judge Mueller, vote for **X**, vote against _____

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

ACTION: Set April 11, 2024 at 9:00 a.m. for a public hearing concerning setting speed limit on the following road: Stryk Road (Precinct 3); and Authorized publishing notice of said hearing in the newspaper.

PERSONS APPEARING BEFORE THE COURT: Commissioner Harvey Berckenhoff

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 _____

13. **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 with Rene Bates.**

ACTION: Approved 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 with Rene Bates.

See attached hereto marked "Agenda Action 13 Exhibit"

PERSONS APPEARING BEFORE THE COURT: Commissioner Harvey Berckenhoff

MOVED BY COMMR. Berckenhoff, SECONDED BY COMMR. McBroom
Commr. McBroom, vote for **X**, vote against _____
Commr. Sternadel, vote for **X**, vote against _____
Commr. Berckenhoff, vote for **X**, vote against _____
Commr. Brossmann, vote for **X**, vote against _____
Judge Mueller, vote for **X**, vote against _____

14. **SUBJECT: Consider and take appropriate action regarding Contract and Addendum with Texas Disposal Systems for trash collection services with Fayette County Recycle Center.**

ACTION: Approved the Fayette County Recycle Center to go out for contract bids for disposal services and trash collection in Fayette County.

See attached hereto marked "Agenda Action 14 Exhibit"

PERSONS APPEARING BEFORE THE COURT: Paul Zapalac, Precinct 4 Justice of the Peace & Recycle Center Supervisor; Blake Watson, Assistant County Attorney

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 _____

15. **SUBJECT: Consider and take appropriate action concerning approving the termination letter to be sent to Star Asset Security regarding the Test & Inspection Agreement.**

ACTION: Approved the termination letter to be sent to Star Asset Security regarding the Test & Inspection Agreement.

PERSONS APPEARING BEFORE THE COURT: Blake Watson, Assistant County Attorney; Steven Svec, Maintenance

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: Consider and take appropriate action in approving and signing the Proposal between Bear Fire Protection and Fayette County, Texas for maintenance of the Courthouse & County Clerk's Office fire alarm systems.**

ACTION: Approved and Signed the Proposal between Bear Fire Protection and Fayette County, Texas for maintenance of the Courthouse & County Clerk's Office fire alarm systems.

See attached hereto marked "Agenda Action 16 Exhibit"

PERSONS APPEARING BEFORE THE COURT: Steven Svec, Maintenance

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. **Consider and take appropriate action in authorizing funds to be expended from the County Attorney’s Office Forfeiture Funds to purchase recording equipment for the forensic interview room at the Childrens Advocacy Center’s satellite office here in La Grange.**

ACTION: Authorized funds to be expended from the County Attorney’s Office Forfeiture Funds to purchase recording equipment for the forensic interview room at the Childrens Advocacy Center’s satellite office here in La Grange.

See attached hereto marked “Agenda Action 17 Exhibit”

PERSONS APPEARING BEFORE THE COURT: Blake Watson, Assistant County Attorney

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 _____

18. **SUBJECT: Add Fayette Community Foundation 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 Fayette Community Foundation 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 18 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 _____

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): Huelsebusch Rd (Precinct 1), Schuster Rd (Precinct 2), Adamcik Rd (two sections), Helmcamp Rd, W. Sedan Rd, Mazoch (three sections), Parma Rd, Vacek Loop, E. County Line Rd, Jahn Ln, Bohuslav Rd, Loehr Rd, Mullins Prairie Loop, and Roitsch 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): Huelsebusch Rd (Precinct 1), Schuster Rd (Precinct 2), Adamcik Rd (two sections), Helmcamp Rd, W. Sedan Rd, Mazoch (three sections), Parma Rd, Vacek Loop, E. County Line Rd, Jahn Ln, Bohuslav Rd, Loehr Rd, Mullins Prairie Loop, and Roitsch Rd (Precinct 4).

See attached hereto marked "Agenda Action 19 Exhibit"

PERSONS APPEARING BEFORE THE COURT: None

MOVED BY COMMR. Brossmann, SECONDED BY COMMR. Sternadel

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

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

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

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

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

20. **SUBJECT: Consider and take appropriate action in approving audit and FY2023 Chapter 59 Asset Forfeiture Reports by Law Enforcement Agencies (Sheriff & Fayette County Narcotics Unit) as required by Article 59.06 of the Code of Criminal Procedures.**

ACTION: Approved audit and FY2023 Chapter 59 Asset Forfeiture Reports by Law Enforcement Agencies (Sheriff & Fayette County Narcotics Unit) as required by Article 59.06 of the Code of Criminal Procedures.

See attached hereto marked "Agenda Action 20 Exhibit"

PERSONS APPEARING BEFORE THE COURT: Cindy Havelka, County Auditor; Cassie Austin, Court Administrator; Melanie Berger, The Flatonia Argus

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 _____

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

ACTION: Acknowledged the fines and fees collected for the Fourth quarter of 2023.

See attached hereto marked "Agenda Action 21 Exhibit"

PERSONS APPEARING BEFORE THE COURT: Cindy Havelka, County Auditor

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 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 22 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 _____

UNOFFICIAL

VIII.

Meeting adjourned at 10:06 a.m., March 14, 2024, on motion by Commissioner Berckenhoff, seconded by Commissioner Brossmann, votes for 5, votes against 0.

APPROVED this 28th day of March, 2024.

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

Brenda Fietsam
County Clerk

