
MINUTES OF COMMISSIONERS COURT MEETING

I.

Attached hereto is/are public notice(s) posted for the meeting of **May 9, 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; Roger Wunderlich, Constable Precinct 2;
Angela Hahn, Emergency Management Coordinator;
Jenifer Boening, County Program Assistant; Amber Hielscher, Floodplain Manager;
Cassie Austin, Court Administrator; Debra Maddox, Airport Manager;
Randy Noviskie, Chief Deputy Sheriff; Blake Watson, Assistant County Attorney;
Cindy Novak, Assistant County Auditor; Ron Naumann, Sgt. Deputy Sheriff;
Holly Smith, Jail Administrator

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. **April 22, 2024 – Special Meeting**
 - ii. **April 25, 2024 – Regular Meeting**
 - iii. **April 29, 2024 – Special Meeting**
 - iv. **May 2, 2024 – Special Meeting**

ACTION: Approved minutes from the April 22, 2024 Special Meeting; the April 25, 2024 Regular Meeting; the April 29, 2024 Special Meeting; and the May 2, 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 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. 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 _____

3. **SUBJECT: Sign proclamation proclaiming May 2024 as “Older Americans Month” in Fayette County.**

ACTION: Signed proclamation proclaiming May 2024 as “Older Americans Month” in Fayette County.

See attached hereto marked “Agenda Action 3 Exhibit”

PERSONS APPEARING BEFORE THE COURT: Carol Daniels, Fayette County Committee on Aging; Sandy Rials, Fayette County Committee on Aging; Jeanette Huelsebusch, Fayette County Committee on Aging; Jenifer Boening, County Program Assistant

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 _____

4. **SUBJECT: Consider and take appropriate action concerning the following applications requesting the division of real property: Brian Joseph located in Precinct 2; Ron & Kimberly Naumann located in Precinct 2.**

ACTION: Approved the application requesting the division of real property from Brian Joseph located in Precinct 2.

See attached hereto marked "Agenda Action 4 Exhibit"

PERSONS APPEARING BEFORE THE COURT: Commissioner Luke Sternadel

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 _____

ACTION: Approved the application requesting the division of real property from Ron & Kimberly Naumann located in Precinct 2.

See attached hereto marked "Agenda Action 4 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 _____

5. **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 given by Amber Hielscher.

See attached hereto marked "Agenda Action 5 Exhibit"

PERSONS APPEARING BEFORE THE COURT: Amber Hielscher, Floodplain Manager

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 _____

6. **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: Bauersville 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: Bauersville Road (Precinct 3), a public county road in Fayette County, Texas.

See attached hereto marked "Agenda Action 6 Exhibit"

PERSONS APPEARING BEFORE THE COURT: Amber Hielscher, Floodplain Manager

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 _____

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: Approved 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.

See attached hereto marked "Agenda Action 7 Exhibit"

PERSONS APPEARING BEFORE THE COURT: Commissioner Jason McBroom; 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 _____

8. **SUBJECT:** Consider and take appropriate action, including signing an Order, regarding a request by Leonard Muesse, for Fayette County, on behalf of the County and the public, to disclaim an interest in, and to vacate the interest of the County and the public, and/or to abandon streets and alleys platted and which appear on a private, professional, sealed survey of property owned by Leonard Muesse, in the John F. Berry League, A-16, in the community of Winchester, Fayette County, Texas.

ACTION: Deferred action regarding a request by Leonard Muesse, for Fayette County, on behalf of the County and the public, to disclaim an interest in, and to vacate the interest of the County and the public, and/or to abandon streets and alleys platted and which appear on a private, professional, sealed survey of property owned by Leonard Muesse, in the John F. Berry League, A-16, in the community of Winchester, Fayette County, Texas to the next scheduled meeting on May 23, 2024.

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

9. **SUBJECT: Discuss, consider and take appropriate action in potentially terminating Inmate Communications Contract for the Fayette County Sheriff Office with Lone Star Commissary, approve sending out termination notice, and potentially approving a contract with Prodigy Solutions for inmate communication services.**

ACTION: Approved a contract with Prodigy Solutions for inmate communication services with Indemnity Clause removed.

See attached hereto marked "Agenda Action 9 Exhibit"

PERSONS APPEARING BEFORE THE COURT: Blake Watson, Assistant County Attorney; Randy Noviskie, Chief Deputy Sheriff; Holly Smith, Jail Administrator; Clint Hammonds, Prodigy Solutions

MOVED BY COMMR. Brossmann, SECONDED BY COMMR. Berckenhoff

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

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

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

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

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

10. **SUBJECT: Discussion regarding Muldoon Park located in Precinct 3 and take any action the Court deems necessary for the care and maintenance of said property.**

ACTION: Tabled action regarding Muldoon Park located in Precinct 3 and take any action the Court deems necessary for the care and maintenance of said property until the next scheduled meeting on May 23, 2024.

PERSONS APPEARING BEFORE THE COURT: Commissioner Harvey Berckenhoff; Blake Watson, Assistant County Attorney; Angela Hahn, Emergency Management Coordinator; Stephen Kelly, Muldoon Fire Department; William Bernsen; Sheila Brunner, Muldoon Volunteer Fire Department

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 _____

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

ACTION: Approved Memorandum of Understanding between Fayette County and the Fayette County Volunteer Fire Departments for use of Fayette County equipment in case of a fire emergency.

See attached hereto marked "Agenda Action 11 Exhibit"

PERSONS APPEARING BEFORE THE COURT: Blake Watson, Assistant County Attorney; Stephen Kelly, Muldoon Fire Department

See attached hereto marked "Exhibit B"

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 _____

12. **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: Tabled action regarding lease agreements for Fayette County Regional Airport for hangers # 3 and # 4, for Matt Reyner and Bonette Bouth until the next scheduled meeting on May 23, 2024.

PERSONS APPEARING BEFORE THE COURT: Blake Watson, Assistant County Attorney; Debra Maddox, Airport Manager

MOVED BY JUDGE Mueller, SECONDED BY COMMR. Berckenhoff

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

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

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

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

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

13. **SUBJECT: 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): Plum Main St. (Precinct 1), Hattermann Road, Halstedt Road, and Ruether Road (Precinct 2).**

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): Plum Main St. (Precinct 1), Hattermann Road, Halstedt Road, and Ruether Road (Precinct 2).

See attached hereto marked "Agenda Action 13 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 _____

14. **SUBJECT: Accept and approve the written plan of Rick Knape to bore under Knape Road (Precinct 4), and to place and install a new water service line located at property IDs R76940 to R34815, and requiring Rick Knape to make repairs of any resultant damage done to the roadway, sides, ditches, and right-of-way of Knape 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: Approved the written plan of Rick Knape to bore under Knape Road (Precinct 4), and to place and install a new water service line located at property IDs R76940 to R34815; and

Required Rick Knape to make repairs of any resultant damage done to the roadway, sides, ditches, and right-of-way of Knape 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 14 Exhibit"

PERSONS APPEARING BEFORE THE COURT: 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 _____

15. **SUBJECT: Consider and take appropriate action on bids of property not sold at Sheriff's Sale – Cause No. 3525 – La Grange ISD.**

ACTION: Rejected bids of property not sold at Sheriff's Sale – Cause No. 3525 – La Grange ISD.

See attached hereto marked "Agenda Action 15 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 _____

16. **SUBJECT: Approve the County Health Incentive presented on April 25, 2024 by Orlando Espinosa, Employee Benefits Consultant with TAC.**

ACTION: Approved the County Health Incentive presented on April 25, 2024 by Orlando Espinosa, Employee Benefits Consultant with TAC.

See attached hereto marked "Agenda Action 16 Exhibit"

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

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: Consider and take appropriate action in approving contract with Pitney Bowes for leasing postage machine for the District Clerk Department.**

ACTION: Approved contract with Pitney Bowes for leasing postage machine for the District Clerk Department.

See attached hereto marked "Agenda Action 17 Exhibit"

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

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 _____

18. **SUBJECT: Authorize County Judge to sign unclaimed property capital credits for Fayette County.**

ACTION: Authorized County Judge to sign unclaimed property capital credits for Fayette County.

See attached hereto marked "Agenda Action 18 Exhibit"

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

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 _____

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: Paula Lewellen, Human Resources Manager

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 _____

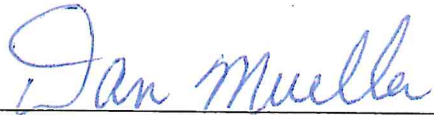
Commr. Brossmann, vote for **X**, vote against _____

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

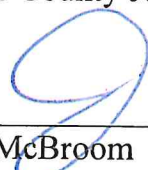
VIII.

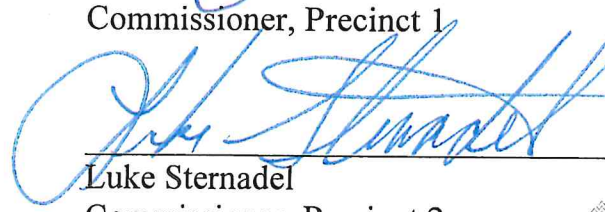
Meeting adjourned at 10:09 a.m., May 9, 2024, on motion by Commissioner **Brossmann**, seconded by Commissioner **Berckenhoff**, votes for 5, votes against 0.

APPROVED this 23rd day of May, 2024.

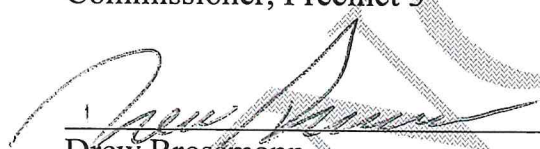


Dan Mueller
Fayette County Judge



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 May 9, 2024

