

MINUTES OF COMMISSIONERS COURT MEETING

I.

Attached hereto is/are public notice(s) posted for the meeting of **February 27, 2025**.

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 **Absent**
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; Billy Roensch, Constable Precinct 1;
Cindy Havelka, County Auditor; James Herbrich, County Attorney;
Blake Watson, Assistant County Attorney; Cassie Austin, Court Administrator;
Angela Hahn, Emergency Management Coordinator;
Charles Zapalac, Precinct 3 Justice of the Peace;
Randy Noviskie, Chief Deputy Sheriff;
Clint Sternadel, County Inspector & Office of Development & Permitting;
Roger Wunderlich, Constable Precinct 2; Amber Hielscher, Floodplain Manager

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 Commissioner **Brossmann**,
seconded by Commissioner **Sternadel**, votes for **4**, votes against **0**.

AGENDA ACTION:

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

- i. **February 13, 2025 – Regular Meeting**

ACTION: Approved Minutes from the February 13, 2025 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, **Absent**

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. Brossmann, SECONDED BY COMMR. Sternadel

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

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

Commr. Berckenhoff, **Absent**

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

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

**ACTION: Accepted all Public Comments by Rodney Read.
Closed Public Comments.**

PERSONS APPEARING BEFORE THE COURT: Rodney Read, Ledbetter VFD

See attached hereto marked "Exhibit B"

MOVED BY COMMR. McBroom, SECONDED BY COMMR. Sternadel

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

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

Commr. Berckenhoff, **Absent**

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

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

3. **SUBJECT: Consider and take appropriate action on request from Main Street & Tourism, City of La Grange, on behalf of Feed the Need Missions, to use the Courthouse grounds as listed on attached request form for the following event: Texas Burger Bash – Saturday, April 12, 2025.**

ACTION: Accepted Comments and Request from Main Street & Tourism, City of La Grange, on behalf of Feed the Need Missions, to use the Courthouse grounds as listed on attached request form for the following event: Texas Burger Bash – Saturday, April 12, 2025.

See attached hereto marked “Agenda Action 3 Exhibit”

PERSONS APPEARING BEFORE THE COURT: Khalil Coltrain, Texas Burger Bash; Sam Tucker, Texas Burger Bash

MOVED BY COMMR. Brossmann, SECONDED BY JUDGE Mueller

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

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

Commr. Berckenhoff, **Absent**

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

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

4. **SUBJECT: Consider the request from citizens of Round Top regarding the designation of the Round Top Courthouse as a historical building.**

ACTION: Accepted Comments from Citizens of Round Top regarding the designation of the Round Top Courthouse as a historical building.

See attached hereto marked “Agenda Action 4 Exhibit”

PERSONS APPEARING BEFORE THE COURT: Owen Massey; Sally Reynolds; Mark Neely; Brenda Stardig; Betty Sacks; Ronnie Sacks

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, **Absent**

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

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

5. **SUBJECT: Enter into closed (executive) session pursuant to Government Code, 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 9:29 a.m. 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: James Herbrich, County Attorney; Blake Watson, Assistant County Attorney; 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, **Absent**

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

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

6. **SUBJECT: Return and reconvene to open session.**

ACTION: Reconvened into Open Session at 9:45.

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, **Absent**

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

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

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

ACTION: Approved the County Attorney's Office in drafting a deed to deed the Round Top Courthouse to the Town of Round Top, with the deed to include the language regarding deed restrictions for both the Round Top Do Your Duty (DYD) Club and the Round Top Rifle Association;

Requested a Survey of the discussed Property to be performed and attached to the prepared Deed, provided and paid for by the Town of Round Top; and

Requested that the Deed be brought back to Commissioners' Court at a future meeting for final approval.

PERSONS APPEARING BEFORE THE COURT: James Herbrich, County Attorney

MOVED BY JUDGE Mueller, SECONDED BY COMMR. Brossmann

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

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

Commr. Berckenhoff, **Absent**

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

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

8. **SUBJECT: Consider and take appropriate action in approving agreement with Colorado Valley for fiber phone service for the Sheriff's Office and JP1 office located at 1646 N. Jefferson Street, La Grange.**

ACTION: Approved Agreement with Colorado Valley for fiber phone service for the Sheriff's Office and JP1 office located at 1646 N. Jefferson Street, La Grange.

See Attached hereto marked "Agenda Action 8 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, **Absent**

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

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

9. **SUBJECT: Consider and take appropriate action concerning renewal agreement between AT&T and Fayette County regarding internet and phone service for Justice of the Peace, Precinct 3 and Fayette County Commissioner, Precinct 3, located at 216 N. Market St., Flatonia, TX.**

ACTION: Approved renewal Agreement between AT&T and Fayette County regarding internet and phone service for Justice of the Peace, Precinct 3 and Fayette County Commissioner, Precinct 3, located at 216 N. Market St., Flatonia, TX.

See Attached hereto marked "Agenda Action 9 Exhibit"

PERSONS APPEARING BEFORE THE COURT: Cassie Austin, Court Administrator

MOVED BY JUDGE Mueller, SECONDED BY COMMR. Brossmann

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

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

Commr. Berckenhoff, **Absent**

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

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

10. **SUBJECT:** Acknowledge the fiber 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): Teinert Rd, West Point Loop (Precinct 1), Waldeck Cemetery Rd, Gebhard Rd (Precinct 2), and Baumgarten Rd (Precinct 4).

ACTION: Acknowledged the fiber 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): Teinert Rd, West Point Loop (Precinct 1), Waldeck Cemetery Rd, Gebhard Rd (Precinct 2), and Baumgarten Rd (Precinct 4).

See Attached hereto marked "Agenda Action 10 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, **Absent**

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

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

11. **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 Hills Road and Schoenst 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 Hills Road and Schoenst 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 11 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, **Absent**

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

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

12. **SUBJECT:** Consider and take appropriate action in signing an Affidavit certifying that the County made a grant in the amount of \$8,000.00 to Combined Community Action, Inc./Meals on Wheel Rural Capital Area for the Texas Department of Agriculture Texas Feeding Texas: Home Delivered Meal Grant Program.

ACTION: Signed an Affidavit certifying that the County made a grant in the amount of \$8,000.00 to Combined Community Action, Inc./Meals on Wheel Rural Capital Area for the Texas Department of Agriculture Texas Feeding Texas: Home Delivered Meal Grant Program.

See attached hereto marked "Agenda Action 12 Exhibit"

PERSONS APPEARING BEFORE THE COURT: Cassie Austin, Court Administrator

MOVED BY COMMR. Brossmann, SECONDED BY COMMR. McBroom

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

13. **SUBJECT:** Consider and take appropriate action in naming a private road in Precinct 1 "Youngwood Lane", and adding Youngwood Lane as a private road into 9-1-1 addressing system.

ACTION: Declined naming an easement off Makinson Road in Precinct 1 "Youngwood Lane", as a private road into 9-1-1 addressing system.

See attached hereto marked "Agenda Action 13 Exhibit"

PERSONS APPEARING BEFORE THE COURT: Commissioner Jason McBroom

MOVED BY COMMR. McBroom, SECONDED BY COMMR. Sternadel

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

14. **SUBJECT: Consider and take appropriate action concerning Temporary Workspace and Access Agreement between Fayette County, Texas and Mauricio and Anita Pineda for the removal of the existing bridge and for the construction of a new bridge on Foster Creek Rd over Foster Creek (Precinct 4).**

ACTION: Approved Temporary Workspace and Access Agreement between Fayette County, Texas and Mauricio and Anita Pineda for the removal of the existing bridge and for the construction of a new bridge on Foster Creek Rd over Foster Creek (Precinct 4).

See attached hereto marked "Agenda Action 14 Exhibit"

PERSONS APPEARING BEFORE THE COURT: Commissioner Drew Brossmann

MOVED BY COMMR. Brossmann, SECONDED BY JUDGE Mueller

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

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

Commr. Berckenhoff, **Absent**

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

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

15. **SUBJECT:** Acknowledge two letters from TXDOT concerning road closure on CR 322 Gebhard Rd at Haw Creek; and CR 109 Klatt Rd at Jack's Creek; the roadways at these locations will be closed approximately 6 months, the projects are scheduled for a June 2025 letting, typically, construction starts 2-3 months after the letting date.

ACTION: Acknowledged two letters from TXDOT concerning road closure on CR 322 Gebhard RD at Haw Creek; and CR 109 Klatt RD at Jack's Creek; the roadways at these locations will be closed approximately 6 months, the projects are scheduled for a June 2025 letting, typically, construction starts 2-3 months after the letting date.

See attached hereto marked "Agenda Action 15 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, **Absent**

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

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

16. **SUBJECT: Consider and take appropriate action by approving, signing, and entering into a Memorandum of Understanding with Bluebonnet Trails Community Services for the provision of primary care and psychiatric services to inmates at the Fayette County Jail.**

ACTION: Approved, Signed, and Entered into a Memorandum of Understanding with Bluebonnet Trails Community Services for the provision of primary care and psychiatric services to inmates at the Fayette County Jail, with the indemnity clause stricken out from the Agreement.

See attached hereto marked "Agenda Action 16 Exhibit"

PERSONS APPEARING BEFORE THE COURT: Randy Noviskie, Chief Deputy Sheriff; 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, **Absent**

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

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

17. **SUBJECT: Consider and take appropriate action concerning the Justice of Peace #3 part time position becoming a temporary full time position to be able to train a new full time person to replace the current full time person when they retire.**

ACTION: Approved the Request for the Justice of Peace #3 part time position becoming a temporary full time position to be able to train a new full time person to replace the current full time person when they retire.

PERSONS APPEARING BEFORE THE COURT: Charles Zapalac, Precinct 3 Justice of the Peace; 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, **Absent**

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

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

18. **SUBJECT: Consider and take appropriate action concerning the fines and fees collected for the fourth quarter of 2024.**

ACTION: Acknowledged the Fines and Fees collected for the fourth quarter of 2024.

See attached hereto marked "Agenda Action 18 Exhibit"

PERSONS APPEARING BEFORE THE COURT: Cindy Havelka, County Auditor; Charles Zapalac, Precinct 3 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, **Absent**

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

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

19. **SUBJECT: Consider and take appropriate action in approving audit and FY 2024 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 the Audit and FY 2024 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 19 Exhibit"

PERSONS APPEARING BEFORE THE COURT: Cindy Havelka, County Auditor; Randy Noviskie, Chief Deputy Sheriff

MOVED BY COMMR. McBroom, SECONDED BY COMMR. Sternadel

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

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

Commr. Berckenhoff, **Absent**

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

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

20. **SUBJECT: Consider and take appropriate action authorizing the County Judge to approve and sign the Texas Department of State Health Services Tobacco Settlement Distribution Program Expenditure Statement for Counties.**

ACTION: Authorized the County Judge to approve and sign the Texas Department of State Health Services Tobacco Settlement Distribution Program Expenditure Statement for Counties.

See attached hereto marked "Agenda Action 20 Exhibit"

PERSONS APPEARING BEFORE THE COURT: Cindy Havelka, County Auditor

MOVED BY COMMR. Brossmann, SECONDED BY COMMR. McBroom

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

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

Commr. Berckenhoff, **Absent**

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

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

21. **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 21 Exhibit"

PERSONS APPEARING BEFORE THE COURT: Cindy Havelka, County Auditor

MOVED BY COMMR. McBroom, SECONDED BY JUDGE Mueller

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

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

Commr. Berckenhoff, **Absent**

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

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

Break at 10:14 a.m.

MOVED BY COMMR. **McBroom**, SECONDED BY COMMR. **Brossmann**

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

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

Commr. Berckenhoff, **Absent**

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

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

Reconvened at 10:24 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, **Absent**

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

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

22. SUBJECT: Subdivision Workshop.

ACTION: Accepted all Comments during the Subdivision Workshop.

PERSONS APPEARING BEFORE THE COURT: Clint Sternadel, County Inspector & Office of Development & Permitting; James Herbrich, County Attorney; William Bernsen; Blake Watson, Assistant County Attorney

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, **Absent**

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

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

VIII.

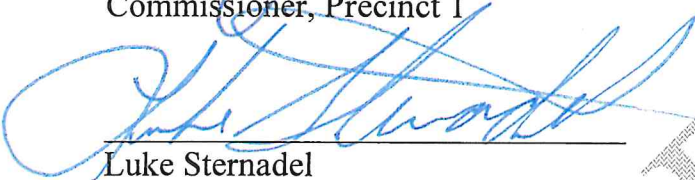
Meeting adjourned at **10:57 a.m., February 27, 2025**, on motion by Commissioner **Brossmann**, seconded by Commissioner **Sternadel**, votes for **4**, votes against **0**.

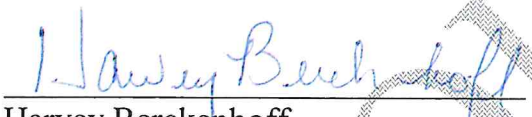
APPROVED this 27th day of March, 2025.




Dan Mueller
Fayette County Judge


Jason McBroom
Commissioner, Precinct 1


Luke Sternadel
Commissioner, Precinct 2

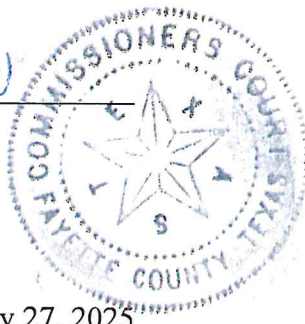

Harvey Berckenhoff
Commissioner, Precinct 3


Drew Brossmann
Commissioner, Precinct 4

ATTEST:



Brenda Fietsam
County Clerk



Commissioners Court February 27, 2025