

MINUTES OF COMMISSIONERS COURT MEETING

I.

Attached hereto is/are public notice(s) posted for the meeting of **January 23, 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 **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; Donna Macik, Elections Administrator;
Cindy Havelka, County Auditor; Josh Vandever, EMS Director;
Roger Wunderlich, Constable Precinct 2; Randy Noviskie, Chief Deputy Sheriff;
Clint Sternadel, County Inspector & Office of Development & Permitting;
Angela Hahn, Emergency Management Coordinator;
Cassie Austin, Court 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 **9:00 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. **January 9, 2025 – Regular Meeting**

ACTION: Approved Minutes from the January 9, 2025 Regular Meeting.

PERSONS APPEARING BEFORE THE COURT: Brenda Fietsam, County Clerk

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 _____

UNOFFICIAL

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: 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: Open and hold public hearing to consider and accept comments, both written and oral, from members of the public concerning an appropriate speed limit for the following County Road: Race Track Road and Gray Lane (Precinct 1).

ACTION: Opened and Held Public Hearing to consider and accept comments, both written and oral, from members of the public concerning an appropriate speed limit for the following County Road: Race Track Road and Gray Lane (Precinct 1).

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 _____

3A. SUBJECT: Accept comments and close public hearing.

ACTION: Accepted all Comments concerning an appropriate speed limit for the following County Roads: Race Track Road and Gray Lane (Precinct 1). Closed Public Hearing.

PERSONS APPEARING BEFORE THE COURT: Commissioner Jason McBroom

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 _____

4. **SUBJECT: Consider and take appropriate action in making a finding and determination that the prima facie speed limit concerning the following named road is unreasonable or unsafe, and in making and in signing an order concerning an appropriate speed limit for the following County Road: Race Track Road and Gray Lane (Precinct 1).**

ACTION: Found and Determined that the prima facie speed limit concerning Race Track Road and Gray Lane (Precinct 1) are unreasonable or unsafe; and Signed two Orders to set the speed limit at 35 mph for each of the roads.

See attached hereto marked "Agenda Action 4 Exhibit"

PERSONS APPEARING BEFORE THE COURT: Commissioner Jason McBroom; 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 _____

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

ACTION: Approved Application requesting the division of real property: Diana Veit 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: Consider and take appropriate action in approving the re-plat of Lot 10 & 11 of Townsend Reserves at Round Top located in Precinct 2.**

ACTION: Approved the re-plat of Lot 10 & 11 of Townsend Reserves at Round Top located in Precinct 2.

See attached hereto marked "Agenda Action 6 Exhibit"

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

MOVED BY COMMR. Sternadel, 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 _____

7. **SUBJECT: Consider and take appropriate action in increasing the fees for Election Services.**

ACTION: Increased the Fees for Election Services 10% of the current rate.

See attached hereto marked "Agenda Action 7 Exhibit"

PERSONS APPEARING BEFORE THE COURT: Donna Macik, Elections 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: Consider and take appropriate action in signing a Resolution appointing the Election Administrator as the authorized representative to act in all matters in connection with the HAVA Election Security Electronic Pollbook Replacement Program.**

ACTION: Signed a Resolution appointing the Election Administrator as the authorized representative to act in all matters in connection with the HAVA Election Security Electronic Pollbook Replacement Program.

See attached hereto marked "Agenda Action 8 Exhibit"

PERSONS APPEARING BEFORE THE COURT: Donna Macik, Elections Administrator; Angela Hahn, Emergency Management Coordinator; Cindy Havelka, County Auditor

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 _____

9. **SUBJECT: Discuss and possibly approve a local disaster declaration pertaining to illegal immigration.**

ACTION: Deferred to the February 13, 2025 meeting.

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

10. **SUBJECT: Discuss and set a date for a public hearing for the Texas Department of Agriculture’s Community Block Grant application, and authorization to publish notice of said hearing in the newspaper.**

ACTION: Set Tuesday, February 11, 2025 at 5:30 p.m. at the EMS Station in La Grange for a public hearing for the Texas Department of Agriculture’s Community Block Grant application; and

Authorized Publishing Notice of said hearing in the newspaper.

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

11. **SUBJECT: Hear report from Angela Hahn, Emergency Management Coordinator & Grant Specialist.**

ACTION: Accepted Report from Angela Hahn, Emergency Management Coordinator & Grant Specialist.

See attached hereto marked “Agenda Action 11 Exhibit”

PERSONS APPEARING BEFORE THE COURT: Angela Hahn, Emergency Management Coordinator; Randy Noviskie, Chief Deputy Sheriff; Josh Vandever, EMS Director

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 _____

12. SUBJECT: Hear report from Josh Vandever, EMS Director.

ACTION: Accepted Report from Josh Vandever, EMS Director.

See attached hereto marked "Agenda Action 12 Exhibit"

PERSONS APPEARING BEFORE THE COURT: 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 _____

13. SUBJECT: Hear report from Fayette County Sheriff's Office.

ACTION: Accepted Report from Fayette County Sheriff's Office.

See attached hereto marked "Agenda Action 13 Exhibit"

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

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 _____

14. SUBJECT: Acknowledge the 2024 Racial Profiling Reports as submitted by the Fayette County Constables, Precinct #1 and Precinct #2.

ACTION: Acknowledged the 2024 Racial Profiling Reports as submitted by the Fayette County Constables, Precinct #1 and Precinct #2.

See attached hereto marked "Agenda Action 14 Exhibit"

PERSONS APPEARING BEFORE THE COURT: Roger Wunderlich, Constable Precinct 2

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: Consider and take appropriate action in approving and signing the participation and release form concerning the Kroger Opioid Settlement.

ACTION: Approved and Signed the participation and release form concerning the Kroger Opioid Settlement.

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: Consider and take appropriate action on a change to the Fayette County burn ban protocol.**

ACTION: Approved a Change to the Fayette County burn ban protocol, to give Authority to the County Judge to lift the burn ban, if it is stated in the burn ban Order.

See attached hereto marked "Agenda Action 16 Exhibit"

PERSONS APPEARING BEFORE THE COURT: Commissioner Jason McBroom

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 _____

17. **SUBJECT: Consider and take appropriate action regarding approving a Temporary Workspace and Access Agreement across Fred Sembera, Richard Young, and Richard Niemann's property located in precinct 3, for the inspection and replacement of an existing bridge located within the county road right of way of Old Hallettsville Road.**

ACTION: Approved a Temporary Workspace and Access Agreement across Fred Sembera, Richard Young, and Richard Niemann's property located in precinct 3, for the inspection and replacement of an existing bridge located within the county road right of way of Old Hallettsville Road.

See attached hereto marked "Agenda Action 17 Exhibit"

PERSONS APPEARING BEFORE THE COURT: Commissioner Harvey Berckenhoff

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 _____

18. **SUBJECT:** Acknowledge the new 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): Neumann Rd (two locations) (Precinct 2), Panorama Rd, and Louis Herzik Rd (two locations) (Precinct 3).

ACTION: Acknowledged the new 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 roads: Neumann Rd (two locations) (Precinct 2), Panorama Rd, and Louis Herzik Rd (two locations) (Precinct 3).

See attached hereto marked "Agenda Action 18 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 _____

UNOFFICIAL

19. **SUBJECT: Consider and take appropriate action on request from Main Street & Tourism, City of La Grange, to use the Courthouse grounds as listed on attached request form for the following events: La Grange Uncorked – Saturday, February 22, 2025; Summer Movie Nights – Friday, May 30th and June 6th, 2025; Oktoberfest – Saturday, October 4, 2025; Trick or Treat – Thursday, October 30, 2025; and Schmeckenfest - Thursday, December 4, 2025.**

ACTION: Approved Request from Main Street & Tourism, City of La Grange, to use the Courthouse grounds as listed on attached request form for the following events: La Grange Uncorked – Saturday, February 22, 2025; Summer Movie Nights – Friday, May 30th and June 6th, 2025; Oktoberfest – Saturday, October 4, 2025; Trick or Treat – Thursday, October 30, 2025; and Schmeckenfest - Thursday, December 4, 2025.

See attached hereto marked “Agenda Action 19 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 _____

20. **SUBJECT:** Authorize the following class requests: Cassie Austin, Court Administrator to attend the County Court Assistants Training Conference February 12-14, 2025 in Waco; Clint Sternadel, County Inspector, to attend the 32nd Annual Texas On-Site Wastewater Conference March 17-19, 2025 in Galveston.

ACTION: Authorized the following class requests: Cassie Austin, Court Administrator to attend the County Court Assistants Training Conference February 12-14, 2025 in Waco; Clint Sternadel, County Inspector, to attend the 32nd Annual Texas On-Site Wastewater Conference March 17-19, 2025 in Galveston.

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 _____

21. **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: Approved sending the Verification of Receipt of the 2025 Expenditure Statement for the Tobacco Settlement Distribution Program; and

Requested that the completed Expenditure Report be returned for approval in Commissioners Court in February.

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, 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; Josh Vandever, EMS Director

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 _____

UNOFFICIAL

VIII.

Meeting adjourned at 9:58 a.m., January 23, 2025, on motion by Commissioner Brossmann, seconded by Commissioner Sternadel, votes for 5, votes against 0.

APPROVED this 13th day of February, 2025.

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

Commissioners Court January 23, 2025

