## MINUTES OF COMMISSIONERS COURT MEETING

I.

Attached hereto is/are public notice(s) posted for the meeting of **December 23, 2020.** 

II.

The minutes of the Regular Meeting of Fayette County, Texas, Commissioners Court held in the Commissioners Courtroom (3<sup>rd</sup> floor - Room 303) at the Fayette County Courthouse located at 151 North Washington Street, La Grange, Texas.

III.

Attendance: County Judge Joe Weber Absent
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, Tom Muras Judge Pro-Tem

IV

County Officials/County Personnel present during all or any part of the meeting: Brenda Fietsam, County Clerk; Cassie Austin, Court Administrator; Cindy Havelka, Auditor; Randy Noviskie, Chief Deputy Sheriff; Josh Vander, EMS Director; Craig Moreau, Emergency Management Coordinator; Angela Hahn, Assistant Emergency Management Coordinator; Blake Watson, Assistant County Attorney; Paul Zapalac, Recycling Supervisor; Drew Brossmann, Precinct 4 Superintendent; Justin Vincent, EMS; Clint Sternadel, County Inspector & Office Development & Permitting

V.

Persons in attendance during all of any part of the meeting:
"See Attached Exhibit A"

VI.

Meeting opened at 9 a.m. on motion by Commissioner Berckenhoff, seconded by Commissioner Sternadel, votes for 4, votes against 0.

VII.

## 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." I N V O C A T I O N

## **AGENDA ACTION:**

1. SUBJECT: Consider and take appropriate action regarding extending, modifying and revising, if necessary, the Declaration of Local Disaster for Fayette County, Texas that was signed into order on December 10, 2020. ACTION: Extended the Declaration of Local Disaster for Fayette County, Texas that was signed into order on December 10, 2020, for an additional 14 days. "See attached hereto marked Agenda Action 1 Exhibit" PERSONS APPEARING BEFORE THE COURT: Blake Watson, Assistant County Attorney 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. Muras, vote for X, vote against Judge Pro-Tem Judge Weber, vote for , vote against Absent 2. SUBJECT: Consider and take appropriate action in approving the following minutes from previous meetings: December 10, 2020 – Regular Meeting ACTION: Approved and Signed minutes from previous meeting. PERSONS APPEARING BEFORE THE COURT: Brenda Fietsam, County Clerk 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. Muras, vote for X, vote against Judge Pro-Tem

Judge Weber, vote for , vote against **Absent** 

3.	SUBJECT: Open public comments – petitions, requests or statements by the public. Close.
	ACTION: Opened public comments.
	Accepted all comments.
	Presented Commissioner Tom Muras with a certificate for 30 years of Service to Fayette County.
	Closed public comments.
	PERSONS APPEARING BEFORE THE COURT: Commissioner Jason McBroom,
	on behalf of the Commissioners' Court
4.	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. Muras, vote for X_, vote against Judge Pro-Tem  Judge Weber, vote for, vote against Absent  SUBJECT: Consider and take appropriate action concerning the application from
	Mary Sue Lindsey requesting a variance to allow the division of real property.
	ACTION: Accepted the application from Mary Sue Lindsey requesting a variance to allow the division of real property.
	"See attached hereto marked Agenda Action 4 Exhibit"
	PERSONS APPEARING BEFORE THE COURT: Clint Sternadel, County Inspector & Office 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. Muras, vote for X, vote against Judge Pro-Tem  Judge Weber, vote for, vote against Absent

5.	SUBJECT: Consider and take appropriate action concerning the application from Yvonne Bonne Buchanan requesting a variance to allow the division of real property.
	ACTION: Accepted the application from Yvonne Bonne Buchanan requesting a variance to allow the division of real property.
	"See attached hereto marked Agenda Action 5 Exhibit"
	PERSONS APPEARING BEFORE THE COURT: Clint Sternadel, County Inspector & Office 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. Muras, vote for X_, vote against Judge Pro-Tem  Judge Weber, vote for, vote against Absent
6.	SUBJECT: Consider and take appropriate action concerning the application from Kenneth Stevenson requesting a variance to allow the division of real property.
	ACTION: Granted the application from Kenneth Stevenson requesting a variance to allow the division of real property.
	"See attached hereto marked Agenda Action 6 Exhibit"
<i>.</i>	PERSONS APPEARING BEFORE THE COURT: Clint Sternadel, County Inspector & Office Development & Permitting
	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. Muras, vote for X, vote against Judge Pro-Tem  Judge Weber, vote for  Judge Weber, vote for  Vote against Absent

7.	SUBJECT: Appoint Commissioner Jason McBroom as County Judge Pro-Tenfor 2021.
	ACTION: Appointed Commissioner Jason McBroom as County Judge Pro-Temfor 2021.
	PERSONS APPEARING BEFORE THE COURT:
	MOVED BY COMMR. Berckenhoff, SECONDED BY COMMR. Muras.  Commr. McBroom, vote for X, vote against  Commr. Sternadel, vote for X, vote against  Commr. Berckenhoff, vote for X, vote against  Commr. Muras, vote for X, vote against Judge Pro-Tem  Judge Weber, vote for, vote against Absent
8.	SUBJECT: Re-appoint Commissioner Jason McBroom as the Fayette County Commissioners Court Representative on the Combined Community Action Inc. Board of Directors.
	ACTION: Re-appointed Commissioner Jason McBroom as the Fayette County Commissioners Court Representative on the Combined Community Action Inc. Board of Directors.
A	"See attached hereto marked Agenda Action 8 Exhibit"
	PERSONS APPEARING BEFORE THE COURT:
	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. Muras, vote for x, vote against Judge Pro-Tem  Judge Weber, vote for, vote against Absent

9. SUBJECT: Acknowledge monthly calls, collection, and financial report from EMS Director Josh Vandever.

ACTION: Accepted monthly calls, collection, and financial report from EMS Director Josh Vandever.

"See attached hereto marked Agenda Action 9 Exhibit"

PERSONS APPEARING BEFORE THE COURT: Josh Vandever, EMS Director

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. Muras, vote for X, vote against Judge Pro-Tem
Judge Weber, vote for, vote against Absent
(V) 1500 (c) (c)

10. SUBJECT: Consider and take appropriate action, in accordance with Local Government Code 263.152-158, on a Resolution and Order Authorizing the Disposition of Salvage and Surplus Property, concerning a used stretcher power-pro & lifepak 12, with said property to be used as trade-in for the purchase of a Lifepak 15 and a Power Pro XT, purchases approved in Commissioners Court on October 1, 2020 for delivery in January 2021.

ACTION: Approved, in accordance with Local Government Code 263.152-158, a Resolution and Order Authorizing the Disposition of Salvage and Surplus Property, concerning a used stretcher power-pro & lifepak 12, with said property to be used as trade-in for the purchase of a Lifepak 15 and a Power Pro XT, purchases approved in Commissioners Court on October 1, 2020 for delivery in January 2021.

"See attached hereto marked Agenda Action 10 Exhibit"

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

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. Muras, vote for X, vote against Judge Pro-Tem	
Judge Weber, vote for , vote against Absent	

11.	SUBJECT: Consider, discuss, and take appropriate action in approving and entering into an education reimbursement agreement with Justin Vincent, a Fayette County EMS employee.
	ACTION: Acknowledged sworn statement on an education reimbursement agreement with Justin Vincent, a Fayette County EMS employee.
	"See attached hereto marked Agenda Action 11 Exhibit"
	PERSONS APPEARING BEFORE THE COURT: Josh Vandever, EMS Director; Justin Vincent, EMS; Blake Watson, Assistant County Attorney
	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. Muras, vote for X_, vote against Judge Pro-Tem  Judge Weber, vote for, vote against Absent
12.	SUBJECT: Hear report from Craig Moreau, Emergency Management Coordinator.
	ACTION: Accepted report from Craig Moreau, Emergency Management Coordinator.
	PERSONS APPEARING BEFORE THE COURT: Craig Moreau, Emergency Management Coordinator; Josh Vandever, EMS Director
	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. Muras, vote for X_, vote against Judge Pro-Tem  Judge Weber, vote for, vote against Absent

13.	SUBJECT: Consider and take appropriate action in accepting and awarding a bid(s) for the CDBG Fayette County Contract 20-065-028-C091 – Water Line Improvements.
	ACTION: Accepted all bids for the CDBG Fayette County Contract 20-065-028-C091 – Water Line Improvements.
	Awarded bid to Supak Construction, Inc. for Water Line Improvements.
	"See attached hereto marked Agenda Action 13 Exhibit"
	PERSONS APPEARING BEFORE THE COURT: Blake Watson, Assistant County Attorney
	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. Muras, vote for X, vote against Judge Pro-Tem  Judge Weber, vote for, vote against Absent
14.	SUBJECT: Approve and sign an Order Designating Day of Week and Location of Regular Terms, and Setting Schedule of Fayette County Commissioners Court Regular Meetings for 2021.
	ACTION: Approved and Signed an Order Designating Day of Week and Location of Regular Terms, and Setting Schedule of Fayette County Commissioners Court Regular Meetings for 2021.
Á	"See attached hereto marked Agenda Action 14 Exhibit"
	PERSONS APPEARING BEFORE THE COURT: Cassie Austin, Court Administrator
	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  Ludge Weber, vote for, vote against Absent

15. 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): Sykora Rd, Townsend St, Wied Rd (two locations), Faldyn Ln, Waldeck Rd, Mueller Rd (Precinct 2), and Guenther Rd (Precinct 4).

ACTION: Accepted 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): Sykora Rd, Townsend St, Wied Rd (two locations), Faldyn Ln, Waldeck Rd, Mueller Rd (Precinct 2), and Guenther Rd (Precinct 4).

"See attached hereto marked Agenda Action 15 Exhibit"

PERSONS APPEARING BEFORE THE COURT: Cassie Austin, Court Administrator

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. Muras, vote for X, vote against Judge Pro-Tem
Judge Weber, vote for, vote against Absent
W/2027

16.	SUBJECT: Accept and grant Application for Pipeline Public Road Bored Crossing Permits, submitted by INEOS USA Oil & Gas, LLC, for said pipeline to cross under Morgan Rd (Precinct 1), a public county road located in Fayette County, Texas.
	ACTION: Approved Application for Pipeline Public Road Bored Crossing Permits, submitted by INEOS USA Oil & Gas, LLC, for said pipeline to cross under Morgan Rd (Precinct 1), a public county road located in Fayette County,
	Texas.
	"See attached hereto marked Agenda Action 16 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, vote for X_, vote against  Commr. Muras, vote for X_, vote against Judge Pro-Tem  Judge Weber, vote for, vote against Absent
17.	SUBJECT: Authorize full-time or part-time position(s) for the Recycle Center.
	ACTION: Authorized full-time and/or part-time position(s) for the Recycle Center in 2021 year.
Á	PERSONS APPEARING BEFORE THE COURT: Paul Zapalac, Recycling Supervisor
	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. Muras, vote for X_, vote against Judge Pro-Tem  Judge Weber, vote for, vote against Absent

18.	SUBJECT: Consider and take appropriate action in setting a public hearing date to consider and potentially enter into (1) a Tax Abatement Agreement under Texas Tax Code Chapter 380 and (2) to establish a reinvestment zone as required by Texas Tax Code Chapter 312; and to authorize public notices regarding the public hearings to be placed in the newspaper.
	ACTION: Deferred to a future meeting.
	PERSONS APPEARING BEFORE THE COURT: Blake Watson, Assistance County Attorney
	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. Muras, vote for X, vote against Judge Pro-Tem  Judge Weber, vote for, vote against Absent
19.	SUBJECT: Consider and take appropriate action on bid of property not sold at Sheriff's Sale – Cause No. 2924 - La Grange ISD.
	ACTION: Approved the bid of property not sold at Sheriff's Sale – Cause No. 2924 - La Grange ISD.
	"See attached hereto marked Agenda Action 19 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. Muras, vote for X, vote against Judge Pro-Tem  Judge Weber, vote for , vote against Absent

20.	SUBJECT: Authorize Brenda Fietsam, County Clerk, to attend the Virtua County and District Clerks' Association of Texas Winter Conference to be held of February 2-4, 2021.
	ACTION: Allowed Brenda Fietsam, County Clerk, to attend the Virtual County and District Clerks' Association of Texas Winter Conference to be held on February 2-4, 2021.
	PERSONS APPEARING BEFORE THE COURT: Brenda Fietsam, County Clerk
	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. Muras, vote for X_, vote against Judge Pro-Tem  Judge Weber, vote for, vote against Absent
21.	SUBJECT: Consider and take appropriate action concerning salary changes, is any in the period of November 15, 2020 through December 12, 2020.
Ą	ACTION: Accepted salary changes in the period of November 15, 2020 through December 12, 2020.
	"See attached hereto marked Agenda Action 21 Exhibit"
	PERSONS APPEARING BEFORE THE COURT: Cindy Havelka, Auditor; Josh Vander, EMS Director
	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. Muras, vote for X, vote against Judge Pro-Tem  Judge Weber, vote for , vote against Absent

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, Auditor; Angela Hahn, Assistant Emergency Management Coordinator; Randy Noviskie, Chief Deputy Sheriff
	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. Muras, vote for X_, vote against Judge Pro-Tem  Judge Weber, vote for, vote against Absent
23.	SUBJECT: Enter into closed (executive) session pursuant to Government Code Section 551.0785, to deliberate an individuals' medical or psychiatric records, with final action to be taken in open session.  ACTION: Entered into closed (executive) session pursuant to Government Code Section 551.0785, at 9:47 a.m. to deliberate an individuals' medical or psychiatric
Á	records, with final action to be taken in open session.  PERSONS APPEARING BEFORE THE COURT:
	MOVED BY COMMR. <b>Berckenhoff</b> , SECONDED BY COMMR. <b>McBroom</b> .  Commr. McBroom, vote for X, vote against  Commr. Sternadel, vote for X, vote against  Commr. Berckenhoff, vote for X, vote against  Commr. Muras, vote for, vote against  Judge Weber, vote for, vote against, vote against

turn and reconvene to open meeting.
rned and Reconvened to open meeting at 10:02 a.m.
EARING BEFORE THE COURT:
OMMR. Sternadel, SECONDED BY COMMR. Berckenhoff. om, vote for X_, vote against
nsider and take appropriate action deemed necessary, including a cision or vote on the matters deliberated in closed session.
nty donated to the Fayette County Sheriff's Memorial and ciety Fund to be disbursed to C J Lehmann in the amount of
DMMR. McBroom, SECONDED BY COMMR. Sternadel. om, vote for X_, vote against nhoff, vote for X_, vote against vote for _X_, vote against vote for _X_, vote against vote for _X_, vote against vote for, vote against vote for, vote against vote for, vote against

24.

25.

Meeting adjourned at 10:06 a.m., December 23, 2020, on motion by Commissioner Muras, seconded by Commissioner Sternadel, votes for 4, votes against 0.

## APPROVED this 14th day of January 14, 2021.

Absent	
Joseph Weber	
Fayette County Judge	
Jason MoBroom	, and the second of the second
Commissioner, Precinct 1	
July Almarete	
Luke Sternadel	
Commissioner, Precinct 2	
Dawy Buch hall	
Harvey Berekenhoff	
Commissioner, Precinct 3	
( helle sommer	
Drew Brossmann	
Commissioner, Precinct 4	
	2552.6.
ATTEST:	
Brenda Dietsaire	
Brenda Fietsam	<i>1</i> 9
County Clerk	