
MINUTES OF COMMISSIONERS COURT MEETING

I.

Attached hereto is/are public notice(s) posted for the meeting of **November 22, 2023**.

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; Terri Hefner, Elections Administrator;
Cindy Havelka, County Auditor; Sylvia Mendoza, Tax Assessor Collector;
Jeremy Castleberry, CIT Investigator & Deputy Sheriff;
Clint Sternadel, County Inspector & Office of Development & Permitting;
Billy Roensch, Constable Precinct 1; Blake Watson, Assistant County Attorney;
Angela Hahn, Emergency Management Coordinator; Josh Vandever, EMS Director;
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 **9:03 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. **November 9, 2023 – Regular Meeting**
 - ii. **November 13, 2023 – Special Meeting**
 - iii. **November 16, 2023 – Special Meeting**
 - iv. **November 20, 2023 – Special Meeting**

ACTION: Approved minutes from the November 9, 2023 Regular Meeting, the November 13, 2023 Special Meeting, the November 16, 2023 Special Meeting, and the November 20, 2023 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.
Closed Public Comments.**

PERSONS APPEARING BEFORE THE COURT: None

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 _____

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 Roads: Skillet Road (Precinct 3). Accept comments and close public hearing.**

ACTION: Opened and held public hearing concerning an appropriate speed limit for the following County Road: Skillet Road (Precinct 3).

PERSONS APPEARING BEFORE THE COURT: Commissioner Harvey Berckenhoff; Allen Boethel

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 _____

ACTION: Accepted All Comments concerning an appropriate speed limit for the following County Road: Skillet Road (Precinct 3). Closed Public Hearing.

PERSONS APPEARING BEFORE THE COURT: Commissioner Harvey Berckenhoff; Allen Boethel

See attached hereto marked "Exhibit B"

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 _____

4. **SUBJECT:** Consider and take appropriate action in making a finding and determination that the prima facie speed limit concerning the following named roads is unreasonable or unsafe, and in making and in signing four orders concerning an appropriate speed limit for each of the following County Roads: Skillet Road (Precinct 3).

ACTION: Found and Determined that the prima facie speed limit concerning the Skillet Road (Precinct 3) is unreasonable or unsafe; and
Signed an order to set the speed limit at 30 mph for entire Skillet Road.

See attached hereto marked "Agenda Action 4 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 _____

5. **SUBJECT: Consider and take appropriate action in entering into a Motor Vehicle License Registration Web Agent Agreement between Fayette County, Texas on behalf of the Fayette County Tax Assessor –Collector and Bubela Insurance Partners, 714 Lyons Ave., Schulenburg, Tx 78956, Round Top Mercantile Co., 438 N. Washington St., Round Top, Tx 78954, and Flatonia General Store (aka) NAPA Auto Parts, 515 N La Grange St., Flatonia, Tx 78941.**

ACTION: Entered into a Motor Vehicle License Registration Web Agent Agreement between Fayette County, Texas on behalf of the Fayette County Tax Assessor-Collector and Bubela Insurance Partners, 714 Lyons Ave., Schulenburg, TX 78956, Round Top Mercantile Co., 438 N. Washington St., Round Top, TX 78954, and Flatonia General Store (aka) NAPA Auto Parts, 515 N La Grange St., Flatonia, TX 78941.

See attached hereto marked “Agenda Action 5 Exhibit”

PERSONS APPEARING BEFORE THE COURT: Sylvia Mendoza, Tax Assessor Collector; Blake Watson, Assistant County Attorney

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: Review and approve the Joint Resolution authorizing the Elections Office to enter into a joint election agreement with the Republican Party and Democrat Party for the March 5 Primary Election and May 28 Runoff Election (if needed).**

ACTION: Authorized the Elections Office to enter into a joint election agreement with the Republican Party and Democrat Party for the March 5 Primary Election and May 28 Runoff Election (if needed).

See attached hereto marked "Agenda Action 6 Exhibit"

PERSONS APPEARING BEFORE THE COURT: Terri Hefner, Elections Administrator; 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 _____

7. **SUBJECT: Consider and take appropriate action concerning the following application(s) requesting the division of real property: Donna & Peter Schwarz located in Precinct 2; Jay Goldberg located in Precinct 2; Thomas Jasek et al located in Precinct 3.**

ACTION: Approved application(s) requesting the division of real property: Donna & Peter Schwarz located in Precinct 2; Jay Goldberg located in Precinct 2; Thomas Jasek et al located in Precinct 3.

See attached hereto marked "Agenda Action 7 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, **Recused**
Commr. Brossmann, vote for **X**, vote against _____
Judge Mueller, vote for **X**, vote against _____

8. **SUBJECT: Consider and take appropriate action in approving the re-plat of Jack’s Creek Oaks subdivision (Precinct 2).**

ACTION: Approved the re-plat of Jack’s Creek Oaks subdivision (Precinct 2).

See attached hereto marked “Agenda Action 8 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 _____

9. **SUBJECT: Hear monthly report from Sheriff’s Office.**

ACTION: Accepted monthly report from Sheriff’s Office.

See attached hereto marked “Agenda Action 9 Exhibit”

PERSONS APPEARING BEFORE THE COURT: Jeremey Castleberry, CIT Investigator & Deputy Sheriff

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 _____

10. SUBJECT: Hear monthly report from Josh Vandever, EMS Director.

ACTION: Accepted monthly report from Josh Vandever, EMS Director.

See attached hereto marked "Agenda Action 10 Exhibit"

PERSONS APPEARING BEFORE THE COURT: Josh Vandever, EMS Director

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 _____

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

ACTION: Accepted report from Angela Hahn, Emergency Management Coordinator.

See attached hereto marked "Agenda Action 11 Exhibit"

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

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 _____

12. SUBJECT: Consider and take appropriate action in accepting and/or awarding bids for Engineering Services concerning implementing Texas General Land Office CDBG Regional Mitigation projects.

**ACTION: Accepted all proposals for Engineering Services concerning implementing Texas General Land Office CDBG Regional Mitigation projects.
Awarded proposal to Weishuhn Engineering.**

See attached hereto marked "Agenda Action 12 Exhibit"

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

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 _____

13. SUBJECT: Consider, discuss, and take appropriate action in possibly entering in to a mineral lease with Tidal Petroleum, Inc. for mineral rights owned by Fayette County located under Pine Springs Cemetery.

ACTION: Authorized the County Attorney's Office to negotiate the lease language for mineral rights owned by Fayette County under Pine Springs Cemetery, in Precinct 3.

See attached hereto marked "Agenda Action 13 Exhibit"

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

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 _____

14. **SUBJECT: Consider and take appropriate action in acquiring property gifted to the County by Gusland Properties, LLC for the construction of a TXDOT bridge on Barton’s Creek Road and approving Temporary Access and Fence Construction Agreement and authoring County Judge to sign all necessary paperwork.**

ACTION: Accepted property gifted to the County by Gusland Properties, LLC for the construction of a TXDOT bridge on Barton’s Creek Road and approving Temporary Access and Fence Construction Agreement; and Authorized County Judge to sign all necessary paperwork.

See attached hereto marked “Agenda Action 14 Exhibit”

PERSONS APPEARING BEFORE THE COURT: Commissioner Jason McBroom; 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. Brossmann, vote for **X**, vote against _____

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

15. **SUBJECT: Consider and take appropriate action in approving the purchase for Precinct 1 Road & Bridge of used 2019 International 4300 chassis (VIN 3HAMMMML1KL382526) located at Herrmann International, 512 W. Alamo St., Brenham, Texas, for the amount of \$49,500.00 minus trade-in value of a 2008 International (VIN 1HTMMAAN68H559834), using Precinct 1 Road & Bridge funds available and in the 2023 budget.**

ACTION: Approved the purchase for Precinct 1 Road & Bridge of used 2019 International 4300 chassis (VIN 3HAMMMML1KL382526) located at Herrmann International, 512 W. Alamo St., Brenham, Texas, using the \$1500 trade-in value of a 2008 International (VIN 1HTMMAAN68H559834), bringing the amount to \$48,000.00, using Precinct 1 Road & Bridge funds available and in the 2023 budget.

See attached hereto marked "Agenda Action 15 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 _____

16. **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 trade-in value.**

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 trade-in value.

See attached hereto marked "Agenda Action 16 Exhibit"

PERSONS APPEARING BEFORE THE COURT: Commissioner Jason McBroom

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 _____

17. **SUBJECT: Consider and take appropriate action in the appointment to the Fayette County Appraisal District Board of Directors for a two-year term ending December 31, 2025.**

ACTION: Appointed Josh Vandever to the Fayette County Appraisal District Board of Directors for a two-year term ending December 31, 2025.

See attached hereto marked "Agenda Action 17 Exhibit"

PERSONS APPEARING BEFORE THE COURT: Cassie Austin, Court Administrator

MOVED BY JUDGE Mueller, 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 _____

18. **SUBJECT: Acknowledge the fiber upgrades 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): Kainer Rd (2 sections), Jerome Rd, Smith Marek Rd (2 sections) (Precinct 3), Baumgarten Rd, Hermis Rd, and Vival Rd (Precinct 4).**

ACTION: Acknowledged the fiber upgrade 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): Kainer Rd (2 sections), Jerome Rd, Smith Marek Rd (2 sections) (Precinct 3), Baumgarten Rd, Hermis Rd, and Vival Rd (Precinct 4).

See attached hereto marked "Agenda Action 18 Exhibit"

PERSONS APPEARING BEFORE THE COURT: None

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 _____

19. **SUBJECT:** Accept and approve the written plan of Fayette Water Supply Corporation to bore under Sparta Field Road (Precinct 3) to place a new 2” casing for a 3/4” waterline, then place and install new water service line and meter to property located at ID 109590, and requiring Fayette Water Supply Corporation to make repairs of any resultant damage done to the roadway, sides, ditches, and right-of-way of Sparta Field 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: Accepted and Approved the written plan of Fayette Water Supply Corporation to bore under Sparta Field Road (Precinct 3) to place a new 2” casing for a 3/4” waterline, then place and install new water service line and meter to property located at ID 109590; and

Required Fayette Water Supply Corporation to make repairs of any resultant damage done to the roadway, sides, ditches, and right-of-way of Sparta Field 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 19 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 _____

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

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

See attached hereto marked "Agenda Action 20 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 _____

21. **SUBJECT: Authorize the following class requests: Clint Sternadel, County Inspector, to attend the 2024 TOWA Annual Conference March 4-6, 2024 in Waco; Steven Svec, Courthouse Maintenance, to attend the Texas Historical Commission's Real Places 2024 Conference April 3-5, 2024 in Austin.**

ACTION: Authorized the following class requests: Clint Sternadel, County Inspector, to attend the 2024 TOWA Annual Conference March 4-6, 2024 in Waco; Steven Svec, Courthouse Maintenance, to attend the Texas Historical Commission's Real Places 2024 Conference April 3-5, 2024 in Austin.

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 _____

22. SUBJECT: Acknowledge receipt of the 2023 Statement of Financial Position of the 155th Judicial District Community Service Department, pursuant to Texas Local Government Code 140.004.

ACTION: Acknowledged receipt of the 2023 Statement of Financial Position of the 155th Judicial District Community Service Department, pursuant to Texas Local Government Code 140.004.

See attached hereto marked "Agenda Action 22 Exhibit"

PERSONS APPEARING BEFORE THE COURT: Cindy Havelka, County Auditor

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 _____

23. 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 23 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 _____

VIII.

Meeting adjourned at 9:54 a.m., November 22, 2023, on motion by Commissioner Brossmann, seconded by Commissioner Berckenhoff, votes for 5, votes against 0.

APPROVED this 14th day of December, 2023.

Absent

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

