

THE STATE OF TEXAS

COUNTY OF KENDALL BE IT REMEMBERED, that the Commissioners' Court of Kendall County, Texas, was begun and held at a Regular Meeting at the Courthouse in Boerne, Texas, and via Zoom on the 9th day of November 2020.

Present: **DARREL L. LUX, COUNTY JUDGE**
 CHRISTINA BERGMANN, COMMISSIONER, PCT. #1
 RICHARD W. ELKINS, COMMISSIONER, PCT. #2
 RICHARD CHAPMAN, COMMISSIONER, PCT. #3
 DON DURDEN, COMMISSIONER, PCT. #4
 SALLY W. PETERS, DEPUTY COUNTY CLERK/ADMINISTRATIVE ASSISTANT

1. The meeting was called to order at 9:00 a.m.

2. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the Minutes for October 26, 2020.

Motion was made by Commissioner Chapman, seconded by Commissioner Elkins, and carried by a vote of 5-0.

3. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve amending the FY2021 budget through regular budget adjustments (attached).

Motion was made by Commissioner Durden, seconded by Commissioner Bergmann, and carried by a vote of 5-0.

4. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the accounts payable claims for purchases, services, and vendors (on file).

Motion was made by Commissioner Durden, seconded by Commissioner Chapman, and carried by a vote of 5-0.

5. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to accept the list of donations on behalf of Kendall County as per Local Government Code 81.032 (attached).

Motion was made by Commissioner Chapman, seconded by Commissioner Elkins, and carried by a vote of 5-0.

6. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to declare the listed items as surplus and salvage property and to proceed with disposition through an online county auction (attached).

Motion was made by Commissioner Elkins, seconded by Commissioner Durden, and carried by a vote of 5-0.

7. **THE STATE OF TEXAS**

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to reinstate the burn ban effective today (Order attached).

Motion was made by Judge Lux, seconded by Commissioner Chapman, and carried by a vote of 5-0.

8. **Jeff Fincke, Emergency Management Coordinator, gave an update on Coronavirus COVID-19 for Kendall County.**

9. **PUBLIC COMMENTS:**

- **Mike Howle spoke about the passing of Theda Sueltenfuss Kendall County Historical Commission President, and how she will be missed.**
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10. **THE STATE OF TEXAS**

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the holiday closings of the Kendall County Solid Waste-Comfort, Kendall County Solid Waste-Spanish Pass, and Kendall County Brush site on November 28 and December 26, 2020.

Motion was made by Judge Lux, seconded by Commissioner Elkins, and carried by a vote of 5-0.

11. **THE STATE OF TEXAS**

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the ADT/Protection 1 Alarm Installation and Monitoring Agreement for the Kendall County IT facility.

Motion was made by Commissioner Elkins, seconded by Commissioner Bergmann, and carried by a vote of 5-0.

12. **THE STATE OF TEXAS**

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve modifying the Cintas contract pertaining to the type of shirts for Road & Bridge employees.

Motion was made by Judge Lux, seconded by Commissioner Chapman, and carried by a vote of 5-0.

13. **THE STATE OF TEXAS**

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to execute the contract with Kimley Horn for the development of a rough proportionality worksheet with the incorporation of the changes as discussed.

Motion was made by Commissioner Elkins, seconded by Commissioner Bergmann, and carried by a vote of 5-0.

14. **THE STATE OF TEXAS**

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the lease of 29 Apple iPads to be used by the Kendall County Sheriff's Department.

Motion was made by Judge Lux, seconded by Commissioner Durden, and carried by a vote of 5-0.

15. The Court discussed the County Commissioners Court authority over hiring, salary adjustments, and budgetary matters with regard to elected county officers and department heads. Bill Ballard, General Counsel, advised that Attorney General opinions stated that the Commissioners Court sets salaries of employees and elected officials; no one else does and that it is not the power of the elected official or the department head to set salaries and if they do then the Commissioners Court can take action to reverse it. The court heard ways to amend the situation: a personal action form to change the salary of any employee subject to approval by the Commissioners Court, or a specific policy to address salary change, or an email to all department heads and elected officials that there can be no change in salaries unless authorized by the Commissioners Court.
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16. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to appoint Don Edmondson as Kendall County's representative to the Kendall Appraisal District Board of Directors for 2021-2022.

Motion was made by Judge Lux, seconded by Commissioner Chapman, and carried by a vote of 5-0.

17. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the resolution, with the inclusion of the four alternate additions, concerning Kendall County's proposed legislation for the upcoming 87th Texas Legislative session for changes to Local Government Code that regulates development (attached).

Motion was made by Commissioner Elkins, seconded by Commissioner Durden, and carried by a vote of 5-0.

At 9:45 a.m. the Court recessed Open Session and went into Executive Session:

- I. Pursuant to Chapter 551 of the Texas Government Code, Section 551.071 to seek the advice of attorney(s) representing the County, concerning pending and/or threatened litigation, settlement offers and/or matters in which the duties of the attorney(s) under the Texas Rules of Professional Conduct of the State Bar of Texas require confidential communications.
 1. Opioid lawsuit
 2. Road & Bridge

At 11:02 a.m. the Court closed Executive Session and resumed Open Session where there being no further business, the meeting was adjourned.

EXAMINED AND APPROVED THIS 23rd DAY OF NOVEMBER 2020.

/s/ Darrel L. Lux
 COUNTY JUDGE
 KENDALL COUNTY, TEXAS

ATTESTED: /s/ Darlene Herrin
 COUNTY CLERK
 KENDALL COUNTY, TEXAS