

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 28th day of September 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 9:02 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 September 14, 2020.

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

3. Service Awards: **5 years: James Coleman, Road & Bridge Department**
 5 years: Stephanie Rust, Sheriff's Office/LEC
 5 years: Nancy Schuchardt, District Clerk's Office
 10 years: Nicole Bishop, Criminal District Attorney
 15 years: Brenda Bell, County Health Sanitarian
 15 years: Barbara Christman, Health & Welfare Office
 15 years: Sally Peters, County Judge's Office
 15 years: Sylvia Zapata, Human Resources Office

4. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to proclaim the month of October 2020 as NIGHT SKY MONTH in Kendall County (attached).

Motion was made by Commissioner Bergmann, seconded by Judge Lux, 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 approve amending the FY2020 budget through regular budget adjustments and certification of new revenue (attached).

Motion was made by Judge Lux, seconded by Commissioner Bergmann, 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 approve accounts payable claims for purchases, services, and vendors (on file).

Motion was made by Commissioner Elkins, seconded by Commissioner Chapman, 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 accept the Fees of Office Report for August 2020 (on file).

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

(Agenda item #8 was addressed after agenda item #10)

9. No action was taken on reinstating the burn ban. It is still off.

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

(The following agenda item #10 was addressed out of sequence)

8. Staci Decker, Elections Administrator, gave an update on the Implementation Plan for the new Voting System.

11. PUBLIC COMMENTS:

- David Erfurt spoke concerning agenda items #12 and #13.
- Bill Thomas spoke concerning agenda items #12 and #13.
- Elizabeth Johnson spoke concerning agenda items #12 and #13.
- Lance Kyle spoke concerning agenda items #12 and #13.
- Tom Adelstein spoke concerning agenda items #12 and #13.
- Denise Dever spoke concerning agenda items #12 and #13.
- Tom Migliaccio spoke concerning agenda item #14.
- Harold Zuflacht spoke concerning agenda items #12 and #13.
- Brad Rockwell spoke concerning agenda items #12 and #13.
- Steven Lee spoke concerning agenda items #12 and #13.
- Milan Michalec spoke concerning agenda items #12 and #13.
- Darrell Pratka spoke concerning agenda items #12 and #13.
- Wayne Olson spoke concerning agenda items #12 and #13.

12. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to not approve the request in its entirety for relief from various items of the Kendall County Development Rules and Regulations for the proposed Lily Ranch Subdivision. The request for relief was signed by José A. Lozano on September 22, 2020.

Motion was made by Commissioner Elkins, seconded by Judge Lux, 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 not approve the masterplan for Lily Ranch in accordance with Section 202 of the Kendall County Development Rules and Regulations.

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

14-1. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the use of Monarca Blvd, Miralomas Blvd, and the Emergency Exit at Chinkapin Pass to meet the fire code requirements for two subdivision entrances for the Summit at Miralomas provided no house within the Summit at Miralomas will commence construction before Miralomas Blvd and the Emergency access at Chinkapin Pass are constructed.

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

14-2. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to deny the request for relief for a 15-foot front building setback for The Summit at Miralomas.

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

14-3. No action was taken concerning the request for relief for minimum frontage on a cul-de-sac for The Summit at Miralomas.

14-4. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to deny the request for a 50-foot right-of-way width for The Summit at Miralomas.

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

14-5. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve 96 feet of pavement and 116 feet right-of-way for all cul-de-sacs for the Summit at Miralomas.

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

14-6. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the request for maximum gradient of 12% for The Summit at Miralomas, provided the fire marshal approves the plans.

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

14-7. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the request for a 25 mph design speed for the Summit at Miralomas.

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

15. No action was taken concerning the proposed Development/Engineering Permitting Fees.
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16. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the "Assurances Relating to Real Property Acquisition" pertaining to the upgrade to Upper Cibolo Creek Flood Control Structure #4 and authorize the County Judge to sign.

Motion was made by Commissioner Bergmann, seconded by Commissioner Durden, 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 release of a Subdivision Bond for Sabinas Creek Ranch, Phase 1 in the amount of \$1,494,819.91; Sabinas Creek Ranch, Phase 2 in the amount of \$1,183,560.88 for construction of roads and drainage. Roadway and drainage improvements are not to be accepted into the Kendall County Road inventory.

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

18. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the release of the Maintenance Bond for Greco Bend Subdivision for Roadway and Drainage in the amount of \$45,359.79.

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

19. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to renew Kendall County's contract with Deer Oaks Employee Assistance Program (EAP) Services for the plan year 10/01/2020 to 09/30/2021.

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

20. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the Funding Agreement Between Kendall County and Blanco County Emergency Services District Two.

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

21. **THE STATE OF TEXAS**
COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the 2021 Holiday Calendar for Kendall County (attached).
 Motion was made by Judge Lux, seconded by Commissioner Bergmann, and carried by a vote of 5-0.
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22. **THE STATE OF TEXAS**
COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the 2021 Commissioners Court Meetings Calendar (attached).
 Motion was made by Judge Lux, seconded by Commissioner Chapman, and carried by a vote of 5-0.
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23. **THE STATE OF TEXAS**
COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve hiring Neffendorf & Knopp, P.C. to perform the Fiscal Year 2020 independent audit.
 Motion was made by Commissioner Elkins, seconded by Commissioner Bergmann, and carried by a vote of 5-0.
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24. **THE STATE OF TEXAS**
COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to award the Road Material Bid #2021.01 for Fiscal Year 2021 as recommended by the document submitted by Road & Bridge (attached).
 Motion was made by Judge Lux, seconded by Commissioner Chapman, and carried by a vote of 5-0.
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25. **THE STATE OF TEXAS**
COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the change to the Road & Bridge work schedule back to five eight-hour days, 7:00 a.m. to 3:30 p.m. starting October 13, 2020.
 Motion was made by Commissioner Elkins, seconded by Commissioner Chapman, and carried by a vote of 5-0.
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26. The summary of road activities by Road & Bridge for August 2020 was presented (attached).
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27. The summary of Operations Department activities for August 2020 was presented (attached).
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At 12:17 p.m. the Court recessed Open Session and went into Executive Session:

- I. Pursuant to Chapter 551 of the Texas Government Code, Section 551.074 to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee; or to hear a complaint or charge against an officer or employee:
 1. Duties and responsibilities of the County Auditor
 2. Duties and responsibilities of the Road & Bridge Supervisor
- II. Pursuant to Chapter 551 of the Texas Government Code, Section 551.076 to deliberate (1) the deployment, or specific occasions for implementation, of security personnel or devices; or (2) a security audit.

At 1:26 p.m. the Court closed Executive Session and resumed Open Session where there being no further business, the meeting was adjourned.

EXAMINED AND APPROVED THIS 13th DAY OF OCTOBER 2020.

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

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