

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 22nd day of March 2021.

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 9:01 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 March 8, 2021.

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

3. **Service Awards: 10 years: Jose Guerrero, Road & Bridge Department**

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 Judge Lux, seconded by Commissioner Elkins, 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 Fees of Office Report for February 2021 (on file).

Motion was made by Commissioner Durden, seconded by Commissioner Chapman, 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 award the Bulk Fuel bid #2021.02 for Road & Bridge to Sun Coast Resources the low bid that met all the requirements.

Motion was made by Judge Lux, 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 approve the work order providing for the annual State-required elevator inspections at the LEC.

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

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

9. **PUBLIC COMMENTS:**

- Kendall County Engineer Rick Tobolka recognized Jerry Reichenau and his company for donating 11 hours of grinding time for 31 loads of brush collected by Road & Bridge after the ice storm.
 - Laura Bray commented on the legislation for more county authority, the 2nd Amendment Sanctuary County order, and the creation of a local health authority.
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10. Commissioner Chapman gave EMC Jeff Fincke's update concerning the Coronavirus COVID-19 for Kendall County.

11. The Court heard information about a local health authority for Kendall County.

12. **THE STATE OF TEXAS**

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the Interlocal Cooperation Agreement for Medical Examiner Services Between Travis County and Kendall County.

Motion was made by Judge Lux, seconded by Commissioner Elkins, 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 approve Court Order 03-22-2021 Regulating the Discharge of Firearms in Subdivisions as amended (attached).

Motion was made by Commissioner Durden, seconded by Commissioner Chapman, 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 Kendall County Order No. 03-22-2021-A RESOLUTION DESIGNATING KENDALL COUNTY AS A SECOND AMENDMENT SANCTUARY COUNTY (attached).

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

15. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to disapprove the Master Plan and Preliminary Plat Unit 1A applications for The Reserve at Fair Oaks Ranch, 344+/- acre tract, Volume 1680, Page 7-13 of the Official Public Records of Kendall County, Texas. In accordance with Local Government Code §232.0025 the reasons for disapproving the Master Plan and Preliminary Plat are all related to the entirety of the technical requirements found in Chapter 232. The reasons for disapproval are:

- Terms, conditions and provisions in that certain Development Agreement between the City of Fair Oaks Ranch and R.W. Pfeiffer Properties, LLC, filed April 9, 2014, recorded in Volume 1411, Page 587, Official Public Records, Kendall County, Texas, and filed April 10, 2014, recorded under Instrument No. 201406011766, Official Public Records, Comal County, Texas; and
- Terms and conditions of Comprehensive Settlement and Release Agreement files in Cause No. 2016-CI-05444, City of Fair Oaks Ranch, Texas v. R.W. Pfeiffer Properties, LLC in the 57th Judicial District Court of Bexar County, Texas; and
- The Special Warranty Deed with Vendor's Lien, effective March 6, 2019 filed in the Kendall County Official Records in Volume 1680, Beginning page 7.

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

16. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the letter of engagement with Denton Navarro Rocha Bernal & Zech, P.C. and Scott Tschirhart to act as special counsel when requested.

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

17. No action was taken concerning the request to provide unrestricted internet access for the Criminal District Attorney's office.

18. No action was taken concerning the request to set up a dedicated and secure internet for the Criminal District Attorney's office.

19. A status report for the office of Precinct 1 Justice of the Peace was given.

20. The summary of road activities by Road & Bridge for February 2021 was presented (attached).

21. The summary of Operations Department activities for February 2021 was presented (attached).

22. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to accept the Fiscal Year 2020 Annual Audit.

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

At 11:09 a.m. the Court recessed Open Session, took a break and went into Executive Session:

- I. 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.
 1. Network security

- II. 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 road supervisor and crew leader

At 11:59 a.m. the Court closed Executive Session and resumed Open Session where there being no further business, the meeting was adjourned at 12:00 p.m.

EXAMINED AND APPROVED THIS 12th DAY OF APRIL 2021.

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

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