

**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 24th day of August 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**

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

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**2. THE STATE OF TEXAS**

**COUNTY OF KENDALL** It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the Minutes for August 10, 2020.

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

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**3. Service Awards:**   **5 years (July): Brenda Brown, Tax Assessor-Collector's Office**  
                              **5 years (July): Jessie Lozano, Sheriff's Office**  
                              **5 years (August): Randall Yount, Road & Bridge**  
                              **10 years (August): Rebecca Wilson, EMS**  
                              **45 years (July): Ricky Pfeiffer, Road & Bridge**

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**4. 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 (attached).

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

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**5. 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 Chapman, seconded by Commissioner Elkins, and carried by a vote of 5-0 with Commissioner Elkins abstaining from matters related to GVTC.

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**6. 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 July 2020 (on file).

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

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**7. The County Treasurer presented the Sales Tax Report.**

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**8. THE STATE OF TEXAS**

**COUNTY OF KENDALL** It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the Cash Summary at Frost Bank for July 2020 (attached).

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

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**9. No action was taken on lifting the burn ban. It is still on.**

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

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**11. PUBLIC COMMENTS:**

- Eric Christopher spoke concerning road construction on FM 1376
  - Chris Blackburn, District representative to State Representative Kyle Biedermann, spoke concerning road construction on FM 1376
  - Mike Howle acknowledged the passing of former Kendall County Constable John Eddie Vogt
  - Denise Herbst spoke concerning road construction on FM 1376
  - Lance Kyle spoke during agenda item #25
  - Harold Zuflacht spoke during agenda item #25
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**12. At 9:26 a.m. a public hearing was held pursuant to Texas Local Government Code Chapter 111.007 on the Fiscal Year 2021 Proposed Budget.**

The following people spoke: Commissioner Christina Bergmann; James Hudson, Tax Assessor-Collector; and Teri Nunley, Justice of the Peace.

At 9:32 a.m. the public hearing was closed.

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**13. THE STATE OF TEXAS**

**COUNTY OF KENDALL** It is ordered by the Commissioners' Court of Kendall County, Texas, to set the salary, expenses and other allowances of elected county or precinct officers.

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

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**14-a. THE STATE OF TEXAS**

**COUNTY OF KENDALL** It is ordered by the Commissioners' Court of Kendall County, Texas, to adopt the Fiscal Year 2021 Proposed Budget as proposed.

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

Record vote: Judge Darrel Lux voted aye, Commissioner Christina Bergmann voted aye, Commissioner Richard Elkins voted aye, Commissioner Richard Chapman voted aye, and Commissioner Don Durden voted aye.

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**14-b. THE STATE OF TEXAS**

**COUNTY OF KENDALL** It is ordered by the Commissioners' Court of Kendall County, Texas, to rescind the motion, second, and vote for adopting the Fiscal Year 2021 Proposed Budget.

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

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**14-c. THE STATE OF TEXAS**

**COUNTY OF KENDALL** It is ordered by the Commissioners' Court of Kendall County, Texas, to adopt the Fiscal Year 2021 Proposed Budget with 34 changes.

Motion was made by Judge Lux, seconded by Commissioner Elkins, and carried by a vote of 5-0.  
Record vote: Judge Darrel Lux voted aye, Commissioner Christina Bergmann voted aye, Commissioner Richard Elkins voted aye, Commissioner Richard Chapman voted aye, and Commissioner Don Durden voted aye.

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**15. THE STATE OF TEXAS**

**COUNTY OF KENDALL** It is ordered by the Commissioners' Court of Kendall County, Texas, to ratify the property tax increase as reflected in the budget.

Motion was made by Commissioner Elkins, seconded by Commissioner Durden, and carried by a vote of 5-0.  
Record vote: Judge Darrel Lux voted aye, Commissioner Christina Bergmann voted aye, Commissioner Richard Elkins voted aye, Commissioner Richard Chapman voted aye, and Commissioner Don Durden voted aye.

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**16. At 9:53 a.m. a public hearing was held pursuant to Texas Transportation Code Sections 251.151 et seq, on a proposed order regulating vehicular traffic on county roads. Proposed regulations will include the placement of Stop, Yield, and Speed Limit signs in the unincorporated area of the county.**

No one spoke.  
At 9:54 a.m. the public hearing was closed.

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**17. THE STATE OF TEXAS**

**COUNTY OF KENDALL** It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the placement of Stop, Yield and Speed Limit signs in the unincorporated area of the county (attached).

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

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

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**19. THE STATE OF TEXAS**

**COUNTY OF KENDALL** It is ordered by the Commissioners' Court of Kendall County, Texas, to adopt the voting systems for use in Kendall County elections (resolution attached).

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

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**20. THE STATE OF TEXAS**

**COUNTY OF KENDALL** It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the Joint Election Agreement with various Local Political Subdivisions for the November 3, 2020 Joint Special Election.

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

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**21. THE STATE OF TEXAS**

**COUNTY OF KENDALL** It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the Polling Locations for the November 3, 2020 Joint Special Election (attached).

Motion was made by Commissioner Elkins, seconded by Commissioner Durden, 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 appointment of various personnel for the Central Counting Station for a one-year term to begin September 1, 2020 (attached).

Motion was made by Judge Lux, seconded by Commissioner Elkins, 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 the appointment of Election Judges to include election precinct judges, central counting station judges and the early voting ballot board judge for a term of one year beginning September 1, 2020 and ending August 31, 2021 (attached).

Motion was made by Commissioner Elkins, seconded by Commissioner Chapman, 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 approve moving forward with Kendall County participating with the Texas State Soil & Water Conservation Board and the Kendall County Soil & Water Conservation District on the rehabilitation for Upper Cibolo Creek Watershed Floodwater Retarding Structure No. 4.

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

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**25. Josh Cude, Cude Engineers, presented information concerning the proposed Lily Ranch Development.**

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**26. THE STATE OF TEXAS**

**COUNTY OF KENDALL** It is ordered by the Commissioners' Court of Kendall County, Texas, to request the County Auditor to conduct an audit of the Criminal District Attorney's Chapter 59 Asset Forfeiture Report as required by Article 59.06 of the Code of Criminal Procedure.

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

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**27. THE STATE OF TEXAS**

**COUNTY OF KENDALL** It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the Expert Witness Agreement as presented by the Criminal District Attorney's Office.

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

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**28. THE STATE OF TEXAS**

**COUNTY OF KENDALL** It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the Interlocal Agreement with the City of Boerne regarding the provision of sanitation services.

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

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**29. THE STATE OF TEXAS**

**COUNTY OF KENDALL** It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the agreement with MVBA for EMS collections for out-of-district accounts over 120 days old.

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

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**30. THE STATE OF TEXAS**

**COUNTY OF KENDALL** It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the Memorandum of Understanding with the Department of Health & Human Services to provide access to death records by identified county personnel for the purposes of COVID-19.

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

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**31. THE STATE OF TEXAS**

**COUNTY OF KENDALL** It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the resolution calling on the Texas Department of Transportation (TxDOT) to strictly enforce its contract with the contractor for RM 1376 and to bring the project to completion as soon as possible (attached).

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

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**32. THE STATE OF TEXAS**

**COUNTY OF KENDALL** It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the abandonment of a private road named Deuley Lane in accordance with Kendall County Development Guidelines (January 1, 1997) Section 203.9100 (attached).

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

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## 33. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve soliciting Road Material bids for Fiscal Year 2021.

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

34. The summary of Operations Department activities for July 2020 was presented (attached).

35. The summary of road activities by Road & Bridge for July 2020 was presented (attached).

At 11:38 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 551.071 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.
- 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 County Engineer

At 12:08 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 14th DAY OF SEPTEMBER 2020.

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

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