

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 14th 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 9:00 a.m.

2. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the tax abatement agreement with RGH Real Estate Holdings, LLC and LLRG Real Estate Holdings, LLC, as presented.

Motion was made by Commissioner Durden, seconded by Commissioner Chapman, 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 the Minutes for August 20 and 24, 2020.

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

4. Service Awards: **5 years (May):** **Charity Barnes, Animal Control Department**
 5 years (May): **Rebecca Senger, Elections Department**
 10 years (May): **Melody Hansen, JP Clerk**
 15 years (May): **Donna Sharp, CDA's Office**
 20 years (June): **Laurie Meadows, CDS's Office**
 45 years (July): **Ricky Pfeiffer, Road & Bridge Department**

5. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to proclaim September 20, 2020 to be Lemonade Day in Kendall County (attached).

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

6. Larry Boccaccio, Texas Association of Counties (TAC) Risk Management Consultant, presented the 2019 TAC Risk Management Pool Excellence in Safety Award to Kendall County.

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

8. 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 Bergmann, and carried by a vote of 5-0.

9. 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 Elkins, seconded by Commissioner Chapman, and carried by a vote of 5-0.

10. 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 Judge Lux, seconded by Commissioner Bergmann, 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 declare the list of additional items as surplus and salvage property and to proceed with disposition through an online county auction (attached).

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

12. PUBLIC COMMENTS:

- Jeff Fincke, EMC, gave an update on the new EMS tower.
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13. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to appoint Todd Setliff on October 1, 2020 to the office of Constable Precinct 1.

Motion was made by Commissioner Bergmann, seconded by Judge Lux, 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 set the bond for the appointment of Todd Setliff to the office of Constable Precinct 1 in the amount of \$1,500.00 in accordance with Texas Local Government Code §86.002.

Motion was made by Commissioner Bergmann, seconded by Commissioner Chapman, 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 approve the bond previously set by the Court for Todd Setliff, Constable Precinct 1 for the remainder of the unexpired term (December 31, 2020).

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

(THE BURN BAN WAS RESCINDED ON 09-04-2020 BY THE COUNTY JUDGE – Order attached)

16. **THE STATE OF TEXAS**

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to lift the burn ban.

Motion was made by Judge Lux, seconded by Commissioner Elkins, 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 Comfort Athletic Booster Club's request to use Faltin Field in Comfort for the annual Homecoming Bonfire on Wednesday, September 23, 2020.

Motion was made by Commissioner Durden, seconded by Commissioner Chapman, 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 **RESOLUTION ADOPTING THE NATIONAL INCIDENT MANAGEMENT SYSTEM AS AMENDED AS THE STANDARD FOR INCIDENT MANAGEMENT** (attached).

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

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

20. **THE STATE OF TEXAS**

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to accept and approve the recommendations from the HHS Stimulus-Coronavirus Relief Fund Grant Committee concerning the 24 applicants that the committee approved (attached).

Motion was made by Judge Lux, seconded by Commissioner Elkins, 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 not approve the deferral of social security tax through December 31, 2020.

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

22. **THE STATE OF TEXAS**
COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the Investment Report for 3rd Quarter FY 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 Investment Policy for FY 2021.
Motion was made by Commissioner Elkins, seconded by Commissioner Durden, 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 set the Sheriff's and Constables' fees for 2021 the same as last year (attached).
Motion was made by Judge Lux, seconded by Commissioner Bergmann, 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 request the County Auditor conduct an audit of the Kendall County Sheriff's Office Chapter 59 Asset Forfeiture Report as required by Article 59.06 of the Code of Criminal Procedures.
Motion was made by Judge Lux, seconded by Commissioner Bergmann, and carried by a vote of 5-0.
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26. **THE STATE OF TEXAS**
COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the agreement with Burnet County to house Kendall County inmates and authorize the County Sheriff to co-sign the agreement.
Motion was made by Commissioner Elkins, 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 Texas Parks and Wildlife Department's (TPWD) County Boat Agent Agreement to allow the Tax Assessor's Office to continue to act as an agent for TPWD and authorize the Tax Assessor-Collector to co-sign the agreement.
Motion was made by Commissioner Durden, seconded by Commissioner Bergmann, 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 Memorandum of Understanding with the Hill Country Council on Alcohol & Drug Abuse - Region 8.

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

29. Kirsten B. Cohoon, 451st District Judge, gave an update on the District Court's numbers and first jury trial since Covid.

At 10:41 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 551.076 to deliberate (1) the deployment, or specific occasions for implementation, of security personnel or devices; or (2) a security audit.

At 12:20 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 28th DAY OF SEPTEMBER 2020.

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

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