

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 26th day of April 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 9:00 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 April 12, 2021.

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

3. Service Awards: 10 years Norma Balderas, Development Management
 10 years Wes Speer, Development Management

4. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to proclaim May 15th as Peace Memorial Day and May 9-15 as National Police Week in Kendall County (attached).

Motion was made by Judge Lux, seconded by Commissioner Durden, 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 FY2021 budget through regular budget adjustments (attached).

Motion was made by Judge Lux, 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 approve the accounts payable claims in the amount of \$961,015.66 (on file).

Motion was made by Commissioner Chapman, seconded by Commissioner Durden, and carried by a vote of 5-0 with Commissioner Elkins abstaining from any matters related to GVTC.

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 March 2021 (on file).

Motion was made by Commissioner Elkins, seconded by Commissioner Durden, 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:**

- Katherine McDaniel spoke about a local health authority
 - Brian Webb spoke about a local health authority
 - John Kight spoke about the scheduled closure of IH10 by TXDOT
 - The following people spoke during agenda item #18: Robert Imler, Lance Kyle, Denise Dever, Tom Adelstein, Elizabeth Johnson, Steve Lea, Harold Zuflacht, and Art Anderson
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10. EMC Jeff Fincke gave updates on Coronavirus COVID-19 for Kendall County.

11. No action was taken at this time concerning a declaration in response to the ongoing border crisis.

12. **THE STATE OF TEXAS**

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the following members of the Parks Advisory Board: Frederick Cook, Jonathan Piper, Maritza Gonzalez-Cooper, Jed Mazour, Brent Evans, Patricia Ptak, Andrew Robinson, Brad Gessner, and Dale Bransford.

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

(Agenda item #13 was addressed after agenda item #19)

14. **THE STATE OF TEXAS**

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the purchase of new appliances for the Comfort EMS station that is being remodeled.

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

15. Sheriff Auxier gave an update on the trash pickup program that is being done by probationers.

16. **THE STATE OF TEXAS**

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the purchase of an additional K-9 drug dog for the Sheriff's Office.

Motion was made by Commissioner Elkins, seconded by Commissioner Bergmann, 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 release the Letter of Credit for Cordillera Ranch, Final Plat, Unit 301C, in the amount of \$255,550.00 for construction of roadway and drainage.

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

At 10:27 a.m. the Court recessed Open Session and went into Executive Session.

At 11:06 a.m. the Court recessed Executive Session and resumed Open Session.

18-a. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to grant the request for relief from the Kendall County Development Rules and Regulations for Lily Ranch Subdivision, Unit 1, for minimum side setback from 10 feet to 5 feet provided there are no fences or other obstructions within the setback between the buildings.

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

18-b. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to grant the request for relief from the Kendall County Development Rules and Regulations for Lily Ranch Subdivision, Unit 1, for minimum rear setback from 50 feet to 20 feet.

Motion was made by Commissioner Elkins, seconded by Commissioner Bergmann, 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 approve the Department of State Health Services Cities Readiness Initiative grant Contract No. HHS000145800001, Amendment No. 03 Renewal.

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

(The following agenda item #13 was addressed out of sequence)

- 13. No discussion or action was taken concerning the Kendall County Historical Commission's dedication of the memorial bench for Theda Sueltenfuss on May 17, 2021 at 5:15 p.m. on the courthouse grounds.**

20. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the Lease Agreement with Market Days Management to allow the use of the Courthouse grounds for Market Days on October 8-10, 2021.

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

- 21. The summary of road activities by Road & Bridge for March 2021 was presented (attached).**

- 22. The summary of Operations Department activities for March 2021 was presented (attached).**

At 11:28 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 road supervisor and assistant crew leader

At 12:14 p.m. the Court closed Executive Session and resumed Open Session at 12:16 p.m.

II-1. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to move DonL Evans into the Road & Bridge Road Supervisor position at a salary of \$65,000 effective today.

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

Being no further business, the meeting was adjourned at 12:17 p.m.

EXAMINED AND APPROVED THIS 10th DAY OF MAY 2021.

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

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