

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 8th 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 9:02 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 February 22, 2021.

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 proclaim the month of March 2021 as American Red Cross Month (attached).

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

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 Commissioner Elkins, 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 accept the list of donations on behalf of Kendall County as per Local Government Code 81.032 (attached).

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 declare the list of items as surplus and salvage property and to proceed with disposition through an online county auction (attached).

Motion was made by Commissioner Chapman, seconded by Commissioner Durden, 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 cash summary at Frost Bank for December 2020 (attached).

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

8. **THE STATE OF TEXAS**

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the Investment Report for 1st Quarter Fiscal Year 2021 (attached).

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

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

10-a. **The burn ban was rescinded on 02-27-2021 by the County Judge (attached).**

11. **County Judge Darrel Lux and EMC Jeff Fincke gave updates on Coronavirus COVID-19 for Kendall County.**

12. **PUBLIC COMMENTS:**

- Denise Dever spoke about COVID-19 vaccinations.
 - Lance Kyle asked for clarification on time allotted to speak during an agenda item.
 - Jan Couch spoke about COVID-19 vaccinations.
 - Jeff Fincke, EMC, spoke about COVID-19 vaccinations.
 - Al Auxier, County Sheriff, spoke about 2nd Amendment Sanctuary County.
 - Brad Gessner spoke during item #13.
 - Lillian Bass spoke during item #13.
 - Craig McDonald spoke during item #13.
 - Nick Watson spoke during item #13.
 - Gary Louie spoke during item #13.
 - Al Auxier spoke during item #13.
 - Teri Nunley spoke during item #13.
 - Buck Benson spoke during item #19.
 - Brad Rockwell spoke during item #19.
 - Annalisa Peace spoke during item #19.
 - Katie Kam spoke during item #19.
 - Denise Dever spoke during item #19.
 - Lance Kyle spoke during item #19.
 - Jeff Kessel spoke during item #19.
 - Tom Adelstein spoke during item #19.
 - Harold Zuflacht spoke during item #19.
 - Elizabeth Johnson spoke during item #19.
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13. **Commissioner Durden presented for discussion a proposed Court Order Regulating the Discharge of Firearms in Subdivisions.**

14. **The final approval of the nine-member Kendall County Parks Advisory Board will be addressed during the April 26, 2021 Commissioners Court.**

15. **451st District Judge Kirsten Cohoon gave an update on the District Court's numbers and jury trials held during the COVID-19 pandemic.**

16. **Commissioner Richard Elkins gave an update on the public survey validating proposed legislation for the 87th Texas Legislative Session.**

Commissioner Bergmann left the Zoom meeting during agenda item #17.

17. 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 setback requirements in accordance to Section 304.1100 of the Kendall County Development Rules and Regulations to allow detention facilities to extend 25 feet into the building setback at a commercial facility to be constructed at 919 SH 46 East (James Schuepbach). Motion was made by Commissioner Chapman, seconded by Commissioner Elkins, and carried by a vote of 4-0.

18. 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 building setback requirements in Section 304.1100 of the Kendall County Development Rules and Regulations to allow Cabin 1 to be located 11.8 feet from the edge of Spring Road Right-Of-Way at 106 Spring Road in Alamo Springs Ranch (Richard Orr, Jr.). Motion was made by Commissioner Durden, seconded by Judge Lux, and carried by a vote of 3-1 with Commissioner Chapman voting against.

19. 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 Judge Lux, and carried by a vote of 4-0.

10-b. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to leave the Burn Ban off. Motion was made by Judge Lux, seconded by Commissioner Durden, and carried by a vote of 4-0.

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

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

22. The presentation of Emergency Services Activity for year 2020 was postponed until a future court.

23. Kendall County Sheriff Al Auxier presented the Sheriff's Department 2020 Racial Profile Report.

24. Kendall County Sheriff Al Auxier presented the Sheriff's Department 2020 Annual Report.

25. Kendall County Sheriff Al Auxier presented the Sheriff's Department Strategic Plan.

At 12:04 p.m. the Court recessed Open Session, took a break and at 12:15 p.m. 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 interim road superintendent
 2. Duties and responsibilities of the Road & Bridge Supervisor and Road & Bridge Assistant Crew Leader
 3. Duties and responsibilities of the IT Department

At 12:50 p.m. the Court closed Executive Session and resumed Open Session where there being no further business, the meeting was adjourned at 12:51 p.m.

EXAMINED AND APPROVED THIS 22nd DAY OF MARCH 2021.

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

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