

LLANO COUNTY COMMISSIONERS COURT

OPEN MEETING APRIL 27, 2020 1:00 P.M.

STATE OF TEXAS

COUNTY OF LLANO

1:00 P.M., April 27, 2020 the Llano County Commissioner's Court met. Members present in person & via Zoom were: Judge Ron Cunningham, Peter Jones, Linda Raschke, Mike Sandoval, Jerry Don Moss; Commissioners of Precincts 1,2,3,4; County Clerk Marci Hadelier, present via Zoom; Auditor Cindy Lent, present in person & via Zoom. Audience Estimated: 3

AGENDA ITEM #1:

Announce To Call For Public Comments Signup

AGENDA ITEM #2:

Consent Agenda:

- a. Commissioners Court Minutes – Regular Called Meeting April 13, 2020 & Emergency Called Meeting April 18, 2020
- b. Call For Bids/Discussions Of Bids/Approval And Or Awarding Of Bid/Bids/Contracts/Interlocals – Cindy Lent, Auditor
- c. Budget Amendments, Accounts Payable – Cindy Lent, Auditor
- d. Payroll Certification – Lisa Otto – Human Resource Department
- e. Monthly Reports:
 1. Constable Report (Pct #4)
 2. Justice Of The Peace Report (Pct #4)
 3. Sheriff's Office Report

MOTION: Jones; Second Raschke; **UNANIMOUS. MOTION PASSED.**
Approved Consent Agenda Items A, B, C, D & E.

AGENDA ITEM #3:

Public Comments.

No Public Comments.

AGENDA ITEM #4:

Update/Discussion: Llano County COVID-19 Response Including Llano County Emergency Declaration And Report On Information Received From Office Of The Governor And TDEM And Llano County Local Health Authority.

Discussion Only.

AGENDA ITEM #5:

Public Hearings/Discussion/Approval Of Plats/Replats/Vacating Of Lot/ Lots

5A. Public Hearing: A Public Hearing Will Be Held on April 27, 2020 In The Commissioners Court When It Meets At 1:00 PM Via Zoom.Com Due To The COVID-19 Restrictions. The Public Hearing Is On Closing, Abandoning And Vacating A Portion Of Eastridge, An Unimproved Road In The Royal Oaks Estates Country Club Addition, Unit 1, A Subdivision Located In Llano County, Texas As Show On Plat Recorded In Volume 1, Page 70 Of The Plat Records Of Llano County, Texas, Said 0.363 Being More Particularly By Metes And Bounds.

5B. Discussion/Action: On Closing, Abandoning And Vacating A Portion Of Eastridge, An Unimproved Road, Being 0.363 Acre Tract Of Land Out Of The Pacifica Bustamante Survey No. 401, Abstract 38, In Llano County, Texas, Further Being A Portion Of Eastridge, An Improved Road In The Royal Oaks Estates Country Club Addition, Unit 1, Subdivision Located In Llano County, Texas As Shown On Plat Recorded In Volume 1, Page 70 Of The Plat Records Of Llano County, Texas.

MOTION: Sandoval; Second Jones; **UNANIMOUS. MOTION PASSED.**
Rescind Original Motion To Close, Abandon And Vacate A Portion Of Eastridge, An Unimproved Road, Being 0.363 Acre Tract Of Land Out Of The Pacifica Bustamante Survey No. 401, Abstract 38, In Llano County, Texas, Further Being A Portion Of Eastridge, An Improved Road In The Royal Oaks Estates Country Club Addition, Unit 1, Subdivision Located In Llano County, Texas As Shown On Plat Recorded In Volume 1, Page 70 Of The Plat Records Of Llano County, Texas.

MOTION: Sandoval; Second Jones; **MOTION PASSED.**
Aye: Judge Cunningham, Jones, Raschke, Sandoval
Nay: Moss
Table Agenda Item #5B.

5C. Variance Exemption/Discussion/Action: Request To Approve A Variance To Accommodate Replacement Of A Previous Home Destroyed By The October 2018 Flood That Was On Ground Level. This Replacement Will Be Elevated +12-14 Feet Above The Flood Plain On Lot 31A, Bonny Cove Subdivision, A Subdivision In Llano County, Texas As Shown On Plat Recorded In Volume 7, Pages 20-21, Of Plat Records Of Llano County, Texas.

MOTION: Sandoval; Second Jones; **UNANIMOUS. MOTION PASSED.**
Remove Agenda Item #5C.

5D. Public Hearing: Being 1261.415 Acres Of Land Out Of The Elizabeth Betts Survey No. 2, Abstract 31, In Llano County, Texas, In Deed To Same Of Record In Document No. 19-03350 Llano County Public Records, Does Hereby Subdivide 660.10 Acres Of Land To Be Known As Vasterling Creek Subdivision.

5E. Discussion/Action: Being 1261.415 Acres Of Land Out Of The Elizabeth Betts Survey No. 2, Abstract 31, In Llano County, Texas, In Deed To Same Of Record In Document No. 19-03350 Llano County Public Records, Does Hereby Subdivide 660.10 Acres Of Land To Be Known As Vasterling Creek Subdivision.

MOTION: Moss; Second Raschke; **UNANIMOUS. MOTION PASSED.**
This Motion Is Being Made Due To COVID-19. I Move To Conditionally Approve Agenda 5E, Being 1261.415 Acres Of Land Out Of The Elizabeth Betts Survey No. 2, Abstract 31, In Llano County, Texas, In Deed To Same Of Record In Document No. 19-03350 Llano County Public Records, Does Hereby Subdivide 660.10 Acres Of Land To Be Known As Vasterling Creek Subdivision, Conditioned On The Commissioner's Court Or It's Designee Receiving The Required LCRA Letter, And Any And All Plat Changes Required By LCRA Being So Noted On The Final Plat, And The Appropriate Local Official Signatures On All Applications And Document Papers.

AGENDA ITEM #6:

Discussion/Action: Prohibiting Or Restricting Outdoor Burning In Llano County.

MOTION: Jones; Second Raschke; **UNANIMOUS. MOTION PASSED.**
Table Agenda Item #6.

AGENDA ITEM #7:

Discussion/Action: Approve And Update The Hotel Occupancy Tax Rules And Regulations And Meeting Dates.

MOTION: Moss; Second Raschke; **UNANIMOUS. MOTION PASSED.**

Approved The Updated Hotel Occupancy Tax Rules And Regulations And Meeting Dates With Effective Date Of May 1, 2020. One Yearly Meeting To Be Held The First Commissioner Court Date In November.

AGENDA ITEM #8:

Executive/Closed Session: To Receive Legal Advice Regarding Pending Or Contemplated Litigation Or Settlement Offers, Or Other Legal Advice, Pursuant To §551.071 (1) and (2) Of The Texas Government Code, Including But Not Limited To The Following Items:

Llano School Lands Solar Farm Lease
Holley v. Llano County, et al
Hutchings v. Llano County, et al; United States District Court (Austin)
Marshall, et al v. Llano County, et al; United States District Court (Austin)

Legal Advice Regarding The Texas Local Government Code, The Open Meetings Act, The Public Information Act, Llano Jail, Employment And Personnel Law, Utility Law, Llano Local Health Authority, Llano School Lands, Procurement, And Contract Law, Evidentiary And Procedural Law, Road And Bridge Law, Ethics Law And General Government Law. Legal Advice Regarding Any Item On This Open Meeting Agenda.

MOTION: Raschke; Second Sandoval; **MOTION PASSED.**

Aye: Judge Cunningham, Jones, Raschke, Sandoval

Abstained: Moss

Approved Settlement On Holley v. Llano County, et al

AGENDA ITEM #9:

Discussion/Action: Authorizing County Judge And/Or His Designee(s), Commissioner Moss And Outside Counsel, Dwain Rogers, To Engage In Lease Negotiations With Core Solar, Subsequent Bidder, For Development And Construction Of A Solar Project On Llano School Lands Located In Tom Green County.

MOTION: Moss; Second Sandoval; **UNANIMOUS. MOTION PASSED.**

Approved Lease Negotiations With Core Solar For Development And Construction Of Solar Project On Llano School Lands Located In Tom Green County.

AGENDA ITEM #10:

Discussion/Action: Extending And Modifying The Declaration Of Local Disaster For Public Health Emergency-COVID-19, Currently Set Time Expire April 30, 2020. The Court May Also Amend And Modify The Emergency Management Plan That Was Activated On March 20, 2020. The Modification Discussion And Action May Include Necessary Additional Emergency Measures To Assure The Health And Safety Of Llano Citizens And Visitors Of Llano County. These Modifications As Additions May Be Added To The Declaration And/Or The Emergency Management Plan.

MOTION: Moss; Second Raschke ; **UNANIMOUS. MOTION PASSED.**

Extend The Declaration Of Local Disaster For Public Health Emergency-COVID-19 To May 29, 2020.

Meeting Adjourned By Judge Ron Cunningham

Attest: *Marci Hadel*
Marci Hadel, County Clerk