

COLORADO COUNTY COMMISSIONERS COURT
NOTICE OF OPEN MEETING

DATE OF MEETING: September 10, 2021 – 8:30 A.M.
BUILDING: Colorado County Courthouse, County Courtroom
STREET LOCATION: 400 Spring Street
CITY OF LOCATION: Columbus, Texas

The Colorado County Commissioners Court Meetings will be broadcast live on Zoom <https://txcourts.zoom.us/j/93198500943>. Public comment must be made in person at the meetings but for those individuals who wish to watch or listen remotely, please join the Zoom meeting referenced above.

Pursuant to the authority granted under Government Code, Chapter 551, the Commissioners Court may convene in a closed meeting to discuss, deliberate and take action on any of the agenda items listed below. Immediately before any closed session, the specific section or sections of Government Code, Chapter 551, which provides statutory authority, will be announced.

On this the 10th day September 2021, the Commissioners Court of Colorado County, Texas met in Special Session at 8:30 A.M., in their regular meeting place at the Colorado County Courthouse, County Courtroom, 400 Spring Street, in the City of Columbus, Texas.

The Following Members were present, to wit:

Honorable Ty Prause	County Judge
Honorable Doug Wessels	Commissioner Precinct #1
Honorable Keith Neuendorff	Commissioner Precinct #3
Honorable Darrell Gertson	Commissioner Precinct #4
By: Nancy Davenport	Deputy Clerk

The Honorable Darrell Kubesch, Commissioner Precinct #2 and Kimberly Menke, County Clerk were unable to attend meeting.

County Judge Ty Prause called the meeting to order at 8:40 A.M., followed by Pledges to the United States Flag and Texas Flag.

**MINUTES OF THE COLORADO COUNTY
COMMISSIONER'S COURT SPECIAL MEETING
SEPTEMBER 10, 2021**

DELIBERATE AND CONSIDER ACTION ON THE FOLLOWING ITEMS:

__1. Agenda as posted.

Motion by Commissioner Wessels to approve Agenda; seconded by Commissioner Gertson; 4 ayes 0 nays; motion carried; it was so ordered.

(See Attachment)

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**COLORADO COUNTY COMMISSIONERS COURT
NOTICE OF OPEN MEETING**

FILED FOR RECORD
COLORADO COUNTY, TX

2021 SEP -7 AM 8:26

KIMBERLY MENNE
COUNTY CLERK

DATE OF MEETING: September 10, 2021 – 8:30 A.M.
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DELIBERATE AND CONSIDER ACTION ON THE FOLLOWING ITEMS:

1. Agenda as posted.
2. Public comments.
3. Adopt a burn ban to restrict outdoor burning pursuant to Texas Local Government Code Section 352.081(c)(1) or (c)(2) for up to 90 days.
4. Announcements (without discussion and no action) by elected officials/department heads. (Types of Announcements: Events, Road Conditions, Weather Occurrences, Important Dates, Vacancies in Offices or Positions, Accomplishments of Individuals, and Notices)
5. Adjourn.

The Colorado County Courthouse is wheelchair accessible and accessible parking spaces are available.

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__2. Public comments.

There were no Public Comments.

__3. Adopt a burn ban to restrict outdoor burning pursuant to Texas Local Government Code Section 352.081(c)(1) or (c)(2) for up to 90 days.

Motion by Commissioner Gertson to adopt a burn ban to restrict outdoor burning pursuant to Texas Local Government Code Section 352.081(c)(2) for up to 90 days; seconded by Commissioner Neuendorff; 4 ayes 0 nays; motion carried, it was so ordered.

(See Attachment)

**MINUTES OF THE COLORADO COUNTY
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**ORDER OF COMMISSIONERS COURT
RESTRICTING OUTDOOR BURNING
(Public Safety Hazard)**

WHEREAS, the Colorado County Commissioners Court finds that circumstances present in all of the unincorporated areas of the county create a public safety hazard that would be exacerbated by outdoor burning:

IT IS HEREBY ORDERED by the Commissioners Court that outdoor burning is restricted in the unincorporated areas of the county for 90 days from the date of this Order, unless the restrictions are terminated earlier based on a determination made by this Court or the County Judge. This Order is adopted pursuant to local Government Code §352.081(c)(2), and other applicable statutes. This Order restricts outdoor burning as follows:

1. **Outdoor burning banned.** Unless an exception appears below, the use of combustible materials in an outdoor environment by any person is prohibited. Combustible materials include, but are not limited to the use of all fireworks, burning of trash, brush and open campfires and materials used outdoors in activities that could result in a fire.
2. **Exceptions.** The following outdoor activities shall be allowed provided they are attended at all times and all following precautionary rules and measures are strictly followed:
 - **Household Trash.** Burning of household trash in a receptacle that is enclosed and covered with a mesh material with no more than ¼ inch openings and supervised in a safe area clear of debris.
 - **Barbecues** using above-ground grills, with enclosed fireboxes, in a safe area clear of debris or other combustible materials and attended at all times.
 - **Controlled burns** necessary for planting and harvesting agricultural crops with a defensible space around the burn area, presence of fire suppression tools, and personal presence during the entire controlled burn.
 - **Authorized by TCEQ.** This order does not prohibit outdoor burning activities related to public health and safety that are authorized by the Texas Commission on Environmental Quality for: (1) firefighting training; (2) public utility, natural gas pipeline or mining operations; (3) planting or harvesting of agriculture crops; or (4) burns that are conducted by a prescribed burn manager certified under Section 153.048, Natural Resource Code, and meet the standards of Section 153.047, Natural Resource Code.
 - **Attwater Prairie Chicken Refuge** maintenance activities.
 - **Non-Profit & Religious Organizations** shall be allowed to prepare barbecue provided they contact their local fire department in advance for a site visit by a member of the department and follow all precautionary measures directed by such department.
 - **Outdoor Welding** shall only be allowed under the following circumstances:
 - (i) welding, cutting and grinding associated with welding activities shall not take place when the wind is over 15 miles per hour;
 - (ii) the welder must notify the Colorado County Sheriff's Department before any welding, cutting or grinding begins;

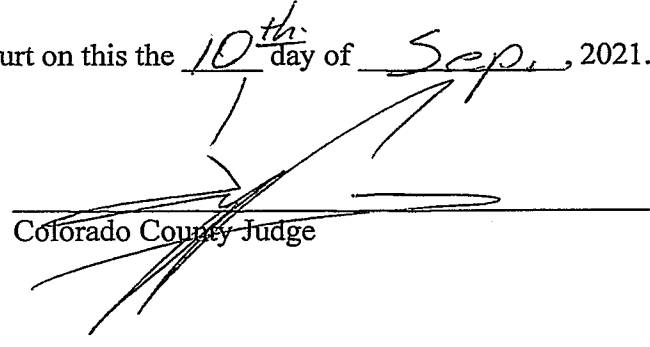
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- (iii) all grass, leaves, brush and other easily combustible materials must be cleared with a twenty (20) foot radius surrounding the area where activity is to take place before any welding, cutting or grinding begins; and,
- (iv) a spotter with water and a ready pressurized delivery system must be on hand before any welding, cutting or grinding begins and remain on hand until the activity is completed.

In accordance with the Local Government Code §352.081(h), a violation of this order is a Class C Misdemeanor, punishable by a fine of up to \$500.00.

The purpose of this Order is the mitigation of the public safety hazard posed by wildfires due to severe weather conditions by restricting use of combustible materials.

Approved and so ordered by Commissioners Court on this the 10th day of Sep., 2021.


Colorado County Judge

FILED FOR RECORD
COLORADO COUNTY TX
2021 SEP 10 AM 8:52
EMERLY HARRIS
COUNTY CLERK
N.D.

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- __4.** Announcements (without discussion and no action) by elected officials/department heads. (Types of Announcements: Events, Road Conditions, Weather Occurrences, Important Dates, Vacancies in Offices or Positions, Accomplishments of Individuals, and Notices)

There were no announcements.

- __5.** Adjourn.

Motion by Judge Prause to adjourn at 8:45 AM; seconded by Commissioner

Wessels.

An audio recording of this meeting of September 10, 2021 is available in the County Clerk's Office.

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Minutes were taken and prepared by Kimberly Menke, County Clerk on the 10th day of September 2021 with Judge Ty Prause presiding.

I, KIMBERLY MENKE, COUNTY CLERK AND EX-OFFICIO OF THE COMMISSIONERS COURT IN AND FOR COLORADO COUNTY, TEXAS do hereby certify that the foregoing is a true and correct copy of the minutes of the Commissioner Court in session on the 10th day of September 2021.

Given under my hand and official seal of office this date September 10, 2021.

