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County Judge
Christi Whitley
District & County Clerk
James Lebow
Commissioner Precinct 1
Michael Poe
Commissioner Precinct 2
Kenley Kroll
Commissioner Precinct 3
Greg McGregor
Commissioner Precinct 4
David Jenkins
Sheriff, Tax Assessor Collector
Randall H. Robinson
County Attorney



COUNTY OF SAN SABA
500 E Wallace Street
SAN SABA, TEXAS 76877
325-372-3747

FILED THIS 7th DAY OF MAY 2025 @ 5:41 PM
Linda Stapp
COUNTY CLERK, BURNET COUNTY, TEXAS
BY *Stephani Smith* DEPUTY
Lois Van Beck County Treasurer
Neal Alexander County Agent
Sharon Blossman Justice of the Peace
Allan Garrett, Evan Stubbs District Judge
Perry Ellis District Attorney
Phil Pall Veterans Service Officer

May 6, 2025

Eddie Arredondo
Burnet County Attorney
220 S. Pierce
Burnet, Texas 78611

Burnet County Clerk: For filing
220 S. Pierce
Burnet, Texas 78611

Re: Investigation of County Commissioner Damon Bierle

Mr. Arredondo,

This investigation was requested by the Burnet County Attorney's Office based on an anonymous letter received from a "concerned citizen." To avoid potential conflicts of interest, the Burnet County Attorney requested Judge Cody Henson to appoint a Prosecutor Pre Tem to handle the Investigation. The Court appointed San Saba Assistant County Attorney, Russ Baker, to act as Prosecutor Pro Tem on this matter.

The letter from the "concerned citizen" raised an accusation that on two different occasions, Burnet County Commissioner Damon Bierle abstained from voting on an action item contained on the Court's agenda due to a conflict of interest. The first abstention allegedly occurred on May 5, 2023, and the second, May 23, 2023. The letter also raised the possibility the commissioner violated Local Government Code section 171.004 by failing to file, with the Commissioner's Court, sworn affidavits detailing his conflict of interest in the

**RANDALL H. ROBINSON, COUNTY ATTORNEY
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500 EAST WALLACE, 3rd FL EAST, SAN SABA, TX 76877**

matters for which he abstained. Pursuant to Local Government Code section 171.003 it is a Class A misdemeanor to *knowingly* violate section 171.004.

On March 24, 2025, the Court signed an order allowing this Prosecutor Pro Tem to hire a special investigator to assist him with making a determination whether or not probable cause existed to prosecute Commissioner Bierle for an offense(s) described above. Audio recordings of the relevant Commissioner Court meetings were obtained from the District Clerks office and provided to the special investigator for review. The special investigator also reached out to Mr. Bierle and subsequently interviewed him about these incidents. The investigator's report was filed along with this letter with the Burnet County Clerk's Office.

Having reviewed the relevant audio recordings and the report of the special investigator, I am declining to prosecute Commissioner Bierle for an offense under L.G.C. 171.003. At this time, there is no evidence that he knowingly violated L.G.C. section 171.004 by failing to file the required affidavits on these two occasions.

Sincerely,

/s/ Russ Baker

Russ Baker

Assistant County Attorney