

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 25th day of October 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.
Pledges of Allegiance to the United States and Texas flags.
Comments from the bench.

2. THE STATE OF TEXAS

COUNTY OF KENDALL **It is ordered by the Commissioners' Court of Kendall County, Texas, to**
approve the Minutes for October 12, 2021.

Motion was made by Commissioner Chapman, seconded by Commissioner Durden, 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**
approve the accounts payable claims for purchases, services, and vendors in the amount of \$711,501.97
(on file).

Motion was made by Commissioner Durden, seconded by Commissioner Chapman, 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**
accept the Fees of Office Report for September 2021 as presented (on file).

Motion was made by Commissioner Elkins, seconded by Commissioner Bergmann, 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 the resolution for the 2022 Indigent Defense Grant Program (attached).

Motion was made by Commissioner Elkins, 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 approve the agreement hiring Neffendorf & Blocker, P.C. to perform the Fiscal Year 2021 independent audit.

Motion was made by Commissioner Elkins, seconded by Commissioner Bergmann, 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 August 2021 (attached).

Motion was made by Commissioner Elkins, seconded by Commissioner Chapman, 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 Policy for FY 2022.

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

9. The County Treasurer presented the Sales Tax Report.

10. At 9:15 a.m. a public hearing was held on the application filed by Herbert and Bobbie Dearing for the proposed revision of the subdivision plat of Shadow Valley Ranch, Unit 4, Lot 62 filed in Volume 1, page 28, Plat Records of Kendall County, Texas. No one spoke.

At 9:16 a.m. the public hearing was closed.

11. The Kendall County Boerne Fair Oaks Transportation Study Committee Co-chairs Bob Manning and Don Durden gave the Court an update on the work of the Transportation Committee.

12. PUBLIC COMMENTS:

- Nolan Newsom spoke about Kendall County's health permit.
- Denise Dever spoke during item #25.

13. No action was taken on reinstating the burn ban. It is still off.

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

15. EMS Administrator Brian Webb updated the Court on the Special Response Team (SRT) Medics program and introduced the team: Brady Constantine, Don Davis, Gerald Neill, Lyle Mattick, Joe Rodriguez, and Christopher Kniffen.

16. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the Medical Training Agreement Between Kendall County Emergency Services And The United States Army For The Combat Paramedic Course and authorize EMS Administrator Brian Webb to sign the agreement.

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 approve advertising a Request for Qualifications for the selection of a pool of On Call Professional Engineering firm(s).

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

18. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the Professional Services Agreement with The Trust for Public Land with minor changes to Exhibit 1.

Motion was made by Commissioner Durden, 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 lease to the Kendall County Youth Agriculture & Equestrian Center (KCYAEC) of the property located adjacent to FM 289.

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

20. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the Interlocal Agreement between Kendall County and the City of Boerne for Fire Protection Services.

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

21. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the Interlocal Agreement with the Regional Public Defender Office-Local Government Corporation (RPDO-LGC) to provide qualified legal defense teams to represent indigent capital murder defendants in Kendall County.

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

22. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the agreement with Boerne Air Conditioning & Heating LLC to service HVAC systems throughout Kendall County Offices.

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

23. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the Services Agreement with the Texas Association of Counties-County Information Resources Agency (TAC- CIRA) for the storage and management of Kendall County emails.

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

24. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the Preservation & Archival Digitization of Commissioners Court Books & Vital Record Volumes agreement with Kofile Technologies for the County Clerk's Office.

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

25. A motion was made by Judge Lux and the motion was seconded by Commissioner Elkins to approve the RESOLUTION APPROVING THE FINANCING BY THE NEW HOPE CULTURAL EDUCATION FACILITIES FINANCE CORPORATION OF HEALTH FACILITIES LOCATED WITHIN KENDALL COUNTY, TEXAS, but it failed by a vote of 0-5.

26. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve closing on Saturday during the Thanksgiving, Christmas, and New Year Holiday weekends for the following county sites: solid waste, recycling, and the brush site.

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

27. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve changing Kendall County's mileage reimbursement rate to match the State of Texas' rate effective January 1, 2022.

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

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

29. The summary of Operations Department activities for September 2021 was presented (attached).

At 11:09 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 551.072 to deliberate the purchase, exchange, lease or value of real property. (Note: deliberation in an open meeting would have a detrimental effect on the position of Kendall County in negotiations with a third person.)
- III. 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 EMS
 2. Duties and responsibilities of Road & Bridge personnel

At 12:07 p.m. the Court closed Executive Session and resumed Open Session where there being no further business, the meeting was adjourned.

EXAMINED AND APPROVED THIS 8th DAY OF NOVEMBER 2021.

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

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