

**NOTICE OF REGULAR MEETING  
OF THE KENDALL COUNTY COMMISSIONERS COURT**



**NOTICE** is hereby given that a regular meeting of the Kendall County Commissioners Court will be held on the **26th** day of **July 2021** at **9:00 a.m.** in the **Kendall County Courthouse, Third Floor Assembly Room**, 201 E. San Antonio Avenue, Boerne, Texas, and **via Zoom** at which time the following will be discussed and appropriate action taken; pursuant to V.T.C.A. Government Code Chapter 551, Open Meetings Act, including all Subchapters and Sections:

On March 16, 2020, in accordance with Texas Government Code §418.016, Governor Abbott suspended various provisions of the Open Meetings Act that require government officials and members of the public to be physically present at a specified meeting location due to COVID-19.

The public may join this meeting while in progress by calling 1-346-248-7799 and entering the meeting ID **565 651 9107** followed by #. Or by going to <https://txcourts.zoom.us/j/5656519107>

An electronic copy of the agenda and agenda backup documents can be found at:

<https://www.co.kendall.tx.us/page/Comm.Court.agendas.minutes>

**NO CELL PHONES, AUDIBLE PAGERS, AND/OR BEEPERS SHALL BE USED WHILE COURT IS IN SESSION**

1. Call to Order  
Comments from the bench
2. Consideration and action on the approval of the Minutes for July 12 and 22, 2021:  
Sally Peters, Deputy Clerk/Administrative Assistant
3. Presentation of Service Awards:  
15 years Michael Colwell, Sheriff's Office  
25 years Brian Webb, EMS Administrator
4. Presentation of a Distinguished Service Award given by the Texas Historical Commission to the Kendall County Historical Commission for accomplishments during the 2020 year of service: Darrel L. Lux, County Judge
5. Consideration and action on the approval of amending the FY2021 budget through regular budget adjustments: Corinna Speer, County Auditor
6. Consideration and action on the approval of accounts payable claims for purchases, services, and vendors: Corinna Speer, County Auditor

7. Consideration and action on the renewal of Kendall County's group medical insurance for the plan year October 1, 2021 to September 30, 2022: Michelle Lux, Benefits Coordinator
8. Consideration and action on the renewal of Kendall County's group dental and life insurance with MetLife for the plan year October 1, 2021 to September 30, 2022: Michelle Lux, Benefits Coordinator
9. Consideration and action on the renewal of Kendall County's group vision insurance with Ameritas for the plan year October 1, 2021 to September 30, 2022: Michelle Lux, Benefits Coordinator
10. Consideration and action to appoint Brown & Brown Lone Star Insurance Services, Inc. as Kendall County's Agent of Record for group medical, dental, vision and life insurance for the plan year October 1, 2021 to September 30, 2022: Michelle Lux, Benefits Coordinator
11. Consideration and action to renew Kendall County's contract with Deer Oaks Employee Assistance Program (EAP) Services for the plan year October 1, 2021 to September 30, 2022: Michelle Lux, Benefits Coordinator
12. (9:15 a.m.) Public hearing on the application filed by Clyde Moody for the proposed revision of the subdivision plat Comfort Outlot 55A filed in Volume 8, pages 84-86, Plat Records of Kendall County, Texas. The proposed plat revision would create 9 lots out of a parent tract of approximately 36 acres): Don Durden, Commissioner Precinct 4 / Mary Ellen Schulle, Development Engineer
13. PUBLIC COMMENTS– opportunity for the general public to address the Court on any matter. The Court may not discuss any presented issue, nor may any action be taken on any issue at this time. Comments are limited to 3 minutes.
14. Consideration and action on the burn ban (Authority Section 352.081, Texas Local Government Code): Darrel L. Lux, County Judge / Jeffery Fincke, Fire Marshal
15. Consideration and action on Amending the Kendall County Fire Code from the 2015 International Fire Code (IFC) to the 2021 IFC: Jeffery Fincke, Fire Marshal
16. Consideration and action on a request for relief from the road frontage and platting requirements in accordance to Sections 101 and 102 of the Kendall County development Rules and Regulations for 33 Lost Valley Road. The proposed division of 33 Lost Valley Road would create one 20 acre tract, three 10+ acre tracts, and a 39 acre tract of land out of an approximately 89 acre parent tract. Access to the proposed tracts would be over an existing 50 foot wide easement (Lost Valley Road) to Walnut Grove Road (Kyle Greco, Boerne Assets, LLC - Owner): Don Durden, Commissioner Precinct 4 / Mary Ellen Schulle, Development Engineer

17. Consideration and action on a partial vacate of Miralomas Garden Homes Subdivision, Unit 1. The purpose of the partial vacate is to vacate Common Space Lot C and incorporate it into Unit 2: Christina Bergmann, Commissioner Precinct 1 / Mary Ellen Schulle, Development Engineer / Rick Tobolka, County Engineer
18. Consideration and action on the final plat of Miralomas Garden Homes Subdivision, Unit 2. The proposed plat would establish the right-of-way for Terrapin, Telegraph Road, and Miralomas Boulevard and Common Space Lot C: Christina Bergmann, Commissioner Precinct 1 / Mary Ellen Schulle, Development Engineer / Rick Tobolka, County Engineer
19. Consideration and action on approving the financial guarantee for Miralomas Garden Homes Subdivision, Unit 2, in the form of Cashier's Checks for \$2,959,767.68 and \$1,078,403.98 totaling \$4,038,171.66 for Roadway and Drainage Improvements: Christina Bergmann, Commissioner Precinct 1 / Mary Ellen Schulle, Development Engineer / Rick Tobolka, County Engineer
20. Consideration and action on release of financial guarantee (cash deposit) for Sabinas Creek Ranch, Phase 2, Letter of Map Revision in the amount of \$25,000.00: Richard Chapman, Commissioner Precinct 3 / Mary Ellen Schulle, Development Engineer
21. Consideration and action on the Fees of Office Report for June 2021: Corinna Speer, County Auditor
22. Consideration and action to declare items as surplus and salvage property and to proceed with disposition through an online county auction: Corinna Speer, County Auditor
23. Discuss Temporary Emergency Sick Leave (TESL): Jeffery Fincke, Fire Marshal
24. Update Commissioners Court on Kendall County Brush Site operation: Rick Tobolka, County Engineer
25. Discussion and action if necessary regarding needed repairs to the Law Enforcement Center jail showers and water treatment system: Al Auxier, Sheriff
26. Consideration and action on a mutual agreement in accordance with paragraph 8 of Century Asphalt, Ltd Contract and their proposed sale to Texas Materials Group, Inc.: Bill Ballard, General Counsel
27. Summary of road activities for June 2021.
28. Summary of operations activities for June 2021.

**BREAK**

EXECUTIVE SESSION (Closed to public)

- 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.
  1. Opioid lawsuit
  
- II. 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 County Health Sanitarian Department
  2. Duties and responsibilities of EMS
  3. Duties and responsibilities of the Road & Bridge Department

RESUME OPEN SESSION AND TAKE ANY NECESSARY ACTION RESULTING FROM EXECUTIVE SESSION DELIBERATIONS

ADJOURNMENT

Dated this the 22nd day of July 2021.



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Darrel L. Lux  
Kendall County Judge

I, the undersigned County Clerk, do hereby certify NOTICE of regular meeting of the above-named Commissioners Court is a true and correct copy of said Notice and that I have caused said Notice to be posted on the door at the Courthouse of Kendall County, Texas, located at 201 E. San Antonio Avenue on the 22nd day of July 2021.



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Darlene Herrin  
County Clerk

Posted at 3:00p.m. on the 22nd day of July 2021- LB

NOTE: The Kendall County Commissioners Court complies with A.D.A. requirements. If you have an impairment and wish to appear at a meeting, please call (830)249-9343, 48 hours in advance to make arrangements.