

**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 **13th** day of **September 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 approval of the Minutes for August 23 and 30, 2021:
Sally Peters, Deputy Clerk/Administrative Assistant
3. Consideration and action on the approval of amending the FY2021 budget through regular budget adjustments: Corinna Speer, County Auditor
4. Consideration and action on the approval of accounts payable claims for purchases, services, and vendors: Corinna Speer, County Auditor
5. Consideration and action on the Fees of Office Report for July 2021: Corinna Speer, County Auditor
6. Report on the Boerne Area Model Society (BAMS) upcoming annual Fun Fly: Frank Pickart, BAMS representative / Darrel L. Lux, County Judge
7. Consideration and action on the burn ban (Authority Section 352.081, Texas Local Government Code): Darrel L. Lux, County Judge / Jeffery Fincke, Fire Marshal
8. Consideration and action on a proposed amendment to the current international fire code: Jeffery Fincke, Fire Marshal

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9. Update on Coronavirus COVID-19 for Kendall County: Darrel L. Lux, County Judge / Jeffery Fincke, EMC
10. 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.
11. (9:15 a.m.) Public hearing on the application filed by North Creek 16, LLC and North Creek Ten Investments, LLC for the proposed revision of the subdivision plat of Comfort Outlot 55A filed in Volume 8, pages 84-86, Plat Records of Kendall County, Texas. The proposed plat revision would create 5 lots out of a parent tract of approximately 36 acres: Don Durden, Commissioner Precinct 4 / Mary Ellen Schulle, Development Engineer
12. Consideration and action on a request for relief from minimum lot size and platting requirements in accordance to Sections 101 and 102 of the Kendall County Development Rules and Regulations for 39 FM 1621. The proposed division would create a 32-acre tract and three 3.1-acre tracts. Access to the three 3.1-acre tracts would be over a 70-foot wide easement for roadway purposes to FM 1621. The proposed division is for a family division in accordance to Section 102.1000.2 (Mary Jimenez – Owner): Don Durden, Commissioner Precinct 4 / Mary Ellen Schulle, Development Engineer
13. Consideration and action on a request for relief from minimum road frontage and platting requirements in accordance to Sections 101 and 102 of the Kendall County Development Rules and Regulations for 42 Rust Lane. The proposed division would create a 6.4-acre tract and a 9.1-acre tract out of a 15.4-acre parent tract. Access to the 6.4-acre tract would be over a 50-foot wide road easement to Rust Lane (Tammy Blake – Owner): Richard Elkins, Commissioner Precinct 2 / Mary Ellen Schulle, Development Engineer
14. Consideration and action on a request for relief from minimum road frontage and platting requirements in accordance to Sections 101 and 102 of the Kendall County Development Rules and Regulations for 140 Delaware Creek Road. The proposed division would create a 38.1-acre tract and a 262-acre tract out of a 300-acre parent tract. Access to the tracts would be over a proposed 60-foot wide easement for roadway purposes and multiple existing 60-foot wide easements to FM 1880 (Frederick Mueller – Owner): Richard Chapman, Commissioner Precinct 3 / Mary Ellen Schulle, Development Engineer
15. Consideration and action on a request for relief from Court Order 06-27-2016A, Section 6.2, perimeter fencing, for Doc Holladay Business Park (Robert Fox, III/Frank Holladay-Owners): Don Durden, Commissioner Precinct 4 / Mary Ellen Schulle, Development Engineer
16. Discussion and possible action on developing a Memorandum of Understanding (MOU) with the City of Boerne to fund proposed stormwater infrastructure projects: Richard Chapman, Commissioner Precinct 3 / Don Durden, Commissioner Precinct 4 / Mary Ellen Schulle, Development Engineer

17. Consideration and action on approving the Amending Plat for the Town of Comfort, in accordance to Section 209.200 of the Kendall County Development Rules and Regulations. The proposed Amending Plat creates 11 lots out of 11 existing lots. The proposed lots will be served by central water and central sewer (Real Business LLC, Sustainable Comfort LLC): Don Durden, Commissioner Precinct 4 / Rick Tobolka, County Engineer
18. Consideration and action on approval of a Letter of Credit for Amending Plat of Comfort (lots 129A, 129B, 129C, 129D, 129E, 129F, 129G, 129H, 129J, 129K, 129L) in the amount of \$11,582.00 for construction of a detention pond (Real Business LLC, Sustainable Comfort LLC): Don Durden, Commissioner Precinct 4 / Rick Tobolka, County Engineer
19. Consideration and action on the release of Letters of Credit for Cordillera Ranch, Unit 302A, in the amount of \$59,312.00 for construction of water improvements (CR/KWW Partnership, Ltd.): Richard Chapman, Commissioner Precinct 3 / Rick Tobolka, County Engineer
20. Consideration and action to approve the revised Military Leave Policy as mandated by HB1589: Juanita Espino, HR Director
21. Consideration and action to approve the job descriptions for Firefighter and those in the Pretrial Services Office which are Pretrial Services Director, Indigent Defense Coordinator, and Case Manager I: Juanita Espino, HR Director
22. Consideration and action to authorize the County Judge to issue notice to proceed to Burns Architecture, LLC upon receipt of signed contract and insurance certificates: Don Durden, Commissioner Precinct 4
23. Consideration and action on the 2021-2022 School Resource Officer agreement with the Boerne Independent School District: Al Auxier, County Sheriff
24. Consideration and action on an Interlocal Cooperation Agreement with Burnet County to house Kendall County inmates: Al Auxier, County Sheriff
25. Consideration and action to approve the Interlocal agreement with the Sheriff's Association to purchase vehicles: Al Auxier, County Sheriff
26. Consideration and action for the County Auditor to conduct an audit of the Kendall County Sheriff's Office Chapter 59 Asset Forfeiture Report as required by Article 59.06 of the Code of Criminal Procedure: Al Auxier, County Sheriff
27. Consideration and action on requesting the County Auditor to conduct an audit of CDA's Chapter 59 Asset Forfeiture Report as required by Article 59.06 of the Code of Criminal Procedure: Nicole Bishop, CDA
28. Consideration and action to approve a settlement agreement and release of claims with the Longhorn Café: Christina Bergmann, Commissioner Precinct 1

29. Consideration and action to approve a settlement agreement and release of claims with CME Enterprises Inc: Christina Bergmann, Commissioner Precinct 1
30. Consideration and action to approve amended settlement agreement and release of claims with Ricky Pfeiffer and Billy Shussler: Bill Ballard, General Counsel
31. Consideration and action on the approval of the Memorandum of Understanding with the Hill Country Council on Alcohol & Drug Abuse - Region 8: Darrel L. Lux, County Judge
32. Discussion of various issues regarding the affidavit of land location: Mary Ellen Schulle, Development Manager / Rick Tobolka, County Engineer
33. Consideration and action to approve the naming of two private roads for 911 addressing purposes. Road names are "Sonderland" and "LaJoya": Mike Howle, 911 Coordinator / Don Durden, Commissioner Precinct 4

BREAK

EXECUTIVE SESSION (Closed to public)

- I. 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.)
- 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 Road & Bridge
- III. Pursuant to Section 551.076 to deliberate: (1) the deployment, or specific occasions for implementation, of security personnel or devices; or (2) a security audit
- IV. Pursuant to Section 551.087 to discuss or deliberate regarding commercial or financial information that the Boerne Kendall County Economic Development Corporation ("BKCEDC") has received from a business prospect that the BKCEDC seeks to have locate, stay, or expand in Kendall County and with which the BKCEDC is conducting economic development negotiations; or to deliberate the offer of a financial or other incentive to a business prospect.

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

ADJOURNMENT

Dated this the 9th day of September 2021.



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 9th day of September 2021.



Darlene Herrin
County Clerk

Posted at 3:30p.m. on the 9th day of September 2021- sup

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.