

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 27th day of December 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 December 13 and 16, 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 amending the FY2022 budget through regular budget adjustments (attached).

Motion was made by Commissioner Elkins, seconded by Commissioner Bergmann, 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**
approve accounts payable claims for purchases, services, and vendors in the amount of \$725,469.14.

Motion was made by Commissioner Durden, seconded by Commissioner Chapman, 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**
appoint Jeffrey Fincke as Kendall County Fire Marshal for the two-year term 2022-2023.

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

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

7. EMC Jeff Fincke gave updates on Coronavirus COVID-19 for Kendall County.

8. **PUBLIC COMMENTS:**

- Robert Imler spoke about a TABC permit request from a local event center.
- The following people spoke during item #13: Robert Imler, Alex Rudd, Lance Kyle, Brad Rockwell, Tom Adelstein, Harold Zuflacht, Steve Lea, Bob Benson.
- The following people spoke during item #14: Robert Imler, Lance Kyle, Brad Rockwell, Tom Adelstein, Bob Benson.

9. **THE STATE OF TEXAS**

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the release of Letter of Credit for Cordillera Ranch, Final Plat, Unit 302 in the amount of \$641,004.00 for construction of roads and drainage.

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

10. **Discussion on Kendall County Brush Site Operation.**

11. **THE STATE OF TEXAS**

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the Plat Revision of Shadow Valley Ranch, Unit 4, Lot 62, Kendall County, Texas, in accordance to Section 209 of the Kendall County Development Rules and Regulations. The plat revision will create a 6.28-acre lot (Lot 62A-1) and a 7.7-acre lot (Lot 62A-2).

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

12. **THE STATE OF TEXAS**

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to deny the request for relief from road frontage and platting requirements for the proposed division of a 20-acre tract recorded in document number 2021-359856 into a 6-plus-acre tract and a (+/-) 14-acre tract (Jeremy and Ashleigh Holst, owners).

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

13. **THE STATE OF TEXAS**

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to grant the request for relief for various items of the Kendall County Development Rules and Regulations for approximately 80 acres of the Lily Ranch Subdivision. The approval of these variances provides the developer Kendall County input regarding these variances and enables the developer to proceed with the engineering and development of a preliminary or final plat. This approval will have no impact on the requirements necessary for the approval of the preliminary and/or final plat including the requirements of other jurisdictions, such as the City of San Antonio or SAWS (San Antonio Water System).

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

14. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the Preliminary Plat for Lily Ranch, Unit 1, in accordance to Section 203 of the 2010 Kendall County Development Rules and Regulations. The proposed subdivision consists of 42.538 acres; 65 residential lots; 4 open space lots; and 3,625 linear feet of roadway with a density of 0.65 acres per lot. The proposed subdivision will be served by central water and central sewer (JEN Texas 27, LLC). Approving the preliminary plat allows the developer to proceed with the development of a final plat and will have no impact on the approval process of the final plat including the requirements of other jurisdictions, such as the City of San Antonio or SAWS (San Antonio Water System).

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

15. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to authorize TK Elevator Corporation to perform the annual State required elevator inspections.

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

16. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the new job description for the position of Support Services Lieutenant in the Sheriff's Office.

Motion was made by Judge Lux, seconded by Commissioner Elkins, 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 the ARPA-Coronavirus State and Local Fiscal Recovery Funds form with minor changes (attached).

Motion was made by Judge Lux, seconded by Commissioner Bergmann, 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 use of ARPA funds to Kronkosky Place to purchase a Handicap Accessible Van totaling \$75,000 contingent on the submittal of the ARPA-Coronavirus State and Local Fiscal Recovery Funds form.

Motion was made by Commissioner Elkins, seconded by Judge Lux, and carried by a vote of 3-2 with Commissioner Bergmann and Commissioner Chapman voting against.

19. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the use of ARPA funds to the Christian Job Corp training program totaling \$40,000 contingent on the submittal of the ARPA-Coronavirus State and Local Fiscal Recovery Funds form.

Motion was made by Commissioner Elkins, seconded by Judge Lux, and carried by a vote of 3-2 with Commissioner Bergmann and Commissioner Chapman voting against.

20. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to designate InVeris Training Solutions as the sole source provider of SURVIVR's Virtual Reality Training Suite (Auditor Statement and Order attached).

Motion was made by Judge Lux, 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 use of ARPA funds for the Sheriff's Office to purchase the InVeris SURVIVR Simulator for \$112,200.00 contingent on the submittal of the ARPA-Coronavirus State and Local Fiscal Recovery Funds form.

Motion was made by Judge Lux, seconded by Commissioner Chapman, 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 purchase of a real property located at #5 Toepperwein for the purchase price of \$1,000,000 to be paid to Kendall County Abstract Company as follows: \$100,000 earnest money and \$900,000 in escrow, and to authorize payment of closing costs.

Motion was made by Judge Lux, seconded by Commissioner Elkins, 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 proposal and sales agreement with ADT concerning the fire alarm system at the historic courthouse.

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

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

25. The summary of Operations Department activities for November 2021 was presented (attached).

At 11:34 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 551.072 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 the IT Director

At 12:03 p.m. the Court closed Executive Session and resumed Open Session where there being no further business, the meeting was adjourned at 12:04 p.m.

EXAMINED AND APPROVED THIS 10th DAY OF JANUARY 2022.

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

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