

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 8th day of November 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 9:01 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 25, 27, and November 1, 2021.

Motion was made by Commissioner Durden, seconded by Commissioner Chapman, 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 certification of new revenue and regular budget
adjustments (attached).

Motion was made by Commissioner Chapman, seconded by Commissioner Durden, 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 the accounts payable claims for purchases, services, and vendors (on file).

Motion was made by Judge Lux, seconded by Commissioner Elkins, and carried by a vote of 5-0 with
Commissioner Elkins abstaining from any matters related to GVTC.

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

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

7. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the agreement with H20 Partners for the development of a hazard mitigation plan.

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

8. Stephanie Cash, Executive Director of Hill Country CASA, gave a presentation to the Court on the work of Hill Country CASA on behalf of the children of Kendall County in foster care.

9. PUBLIC COMMENTS:

- Nolan Newsom spoke about Kendall County's health permit.
 - County Development Engineer Mary Ellen Schulle gave an update on the digital scans of the County's development files.
 - Epifanio Ruiz, new Development Engineer, was introduced to the court.
 - Denise Dever spoke about transportation/roads
-

10. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to grant the request for relief from road frontage and platting requirements in accordance to Sections 101 and 102 of the Kendall County Development Rules and Regulations for 12 Peek Ranch Road. The proposed division would create a (+/-) 50-acre tract and a (+/-) 154-acre tract out of an approximately 204-acre tract with access to the proposed tracts being over an existing 50-foot wide road easement which is Peek Ranch Road to Mill Dam Road (Jeffery and Deborah Royall, owners).

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

11. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to accept the right-of-way dedication along Seewald Road from Southerland Heritage Hills Ranch, LLC.

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

12-13. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the proposal from Vanir Construction Management, Inc. to develop a Facility Master Plan and to approve a steering committee to consist of Commissioner Christina Bergmann, County Auditor Corinna Speer, County Treasurer Sheryl D'Spain, County Engineer Rick Tobolka, IT Director John Buckelew, Facilities Manager Robert Kinsey, 451st District Judge Kirsten Cohoon, a representative from emergency management services, and a representative from law enforcement.

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

14. No action on the item concerning funds to Kronkosky Place to purchase a Handicap Accessible Van.
-

15. **THE STATE OF TEXAS**

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the agreement with Lonestar Aerobic Services for the County Animal Shelter OSSF systems. Motion was made by Judge Lux, seconded by Commissioner Elkins, and carried by a vote of 5-0.

16. No action on the item concerning an agreement with Prime Coat Coating Systems to repair 24 shower stalls in the jail.
-

17. **THE STATE OF TEXAS**

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the agreement with Computer Software Solutions, LP ("CSS") to provide specialized software for use by the pre-trial services department.

Motion was made by Commissioner Elkins, 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 job description for Emergency Medical Technician (EMT-B).

Motion was made by Commissioner Chapman, 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 upgrade wireless access to the Historic Courthouse.

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

20. The Court discussed the Hill Country Mental Health and Developmental Disability Board of Trustees.
-

At 10:27 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.
1. Opioid Lawsuit
 2. LEC litigation

- 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 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.

At 11:47 a.m. the Court closed Executive Session and resumed Open Session. Commissioner Chapman was not present.

21. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners’ Court of Kendall County, Texas, to approve the settlement and resolution with Johnson & Johnson (Janssen) in Cause No. 2018-77023 (attached).

Motion was made by Commissioner Bergmann, seconded by Commissioner Elkins, and carried by a vote of 4-0.

There being no further business, the meeting was adjourned at 11:49 a.m.

EXAMINED AND APPROVED THIS 22nd DAY OF NOVEMBER 2021.

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

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