

**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 14th day of November 2022.

**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**  
                              **PAULA PFEIFFER, DEPUTY COUNTY CLERK**

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 24, 2022.**

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

3.     **Service Awards:**  
  
                              **Retirement     28 years     Debbie Gilbert, Juvenile Probation Officer**

4.     **THE STATE OF TEXAS**  
  
**COUNTY OF KENDALL**     **It is ordered by the Commissioners' Court of Kendall County, Texas, to**  
  
**approve amending the FY2023 budget through regular budget adjustments (attached).**

**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 accounts payable claims for purchases, services, and vendors in the amount of \$479,658.99.**

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

6.     **THE STATE OF TEXAS**  
  
**COUNTY OF KENDALL**     **It is ordered by the Commissioners' Court of Kendall County, Texas, to**  
  
**accept the list of donations on behalf of Kendall County as per Local Government Code 81.032 for**  
  
**donations received prior to October 31, 2022 (attached).**

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

7. **Jeff Fincke, EMC/Fire Marshal gave an update on the status of the Harris Radio purchase for the Emergency Services and Fire Departments.**

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8. **The court discussed the status of the Harris Radio purchase for the Sheriff's Department.**

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9. **Don Durden and Bob Manning, members of the Countywide Transportation Committee gave a presentation of the Final Report.**

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10. **PUBLIC COMMENTS:**

- **The following persons spoke during public comments: Brent Evans, Northern Hendrix, Maxie Zinsmeister, Denise Dever and Wanda McCarty**
  - **Edward Rogers – spoke during item #12**
  - **John Kight – spoke during item #12**
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11. **No action was taken on lifting the burn ban. It is still on.**

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12. **THE STATE OF TEXAS**

**COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to adopt the proposed Kendall County Development Rules and Regulations.**

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

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13. **THE STATE OF TEXAS**

**COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to execute a specified rate contract with Hewitt Engineering, Inc. for general engineering/plan review services.**

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

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14. **THE STATE OF TEXAS**

**COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve execution of the contract with Beaty Palmer Architects for architectural services for design and construction of an EMS facility at Voss Parkway on the contingency that the architect strike the limitation of liability clause on exhibit B page 2.**

**Motion was made by Commissioner Chapman, seconded by Commissioner Durden, carried by a vote of 4-1 with Commissioner Elkins voting against.**

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**15. THE STATE OF TEXAS**

**COUNTY OF KENDALL** It is ordered by the Commissioners' Court of Kendall County, Texas, to execute the contract with AGCM for project management services of the new EMS facility at Voss Pkwy.

Motion was made by Commissioner Chapman, seconded by Commissioner Durden, and carried by a vote of 4-1 with Commissioner Elkins voting against.

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**16. THE STATE OF TEXAS**

**COUNTY OF KENDALL** It is ordered by the Commissioners' Court of Kendall County, Texas, to execute a contract with Flash Demolition for the demolition of the building and slab at 114 Rosewood.

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

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**17. THE STATE OF TEXAS**

**COUNTY OF KENDALL** It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the Lease Agreement with the Boerne Soccer Club allowing use of the County property on Adler Road.

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

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**18. THE STATE OF TEXAS**

**COUNTY OF KENDALL** It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the proposed service agreement with Lonestar Aerobic Services, LLC. for the inspection and limited repair of the OSSF systems located at the Kendall County Animal Shelter.

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

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**19. THE STATE OF TEXAS**

**COUNTY OF KENDALL** It is ordered by the Commissioners' Court of Kendall County, Texas, to approve signing the CAD Interface agreement with Tyler Technologies for county fire departments.

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

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**20. Corinna Speer, County Auditor gave a presentation of the Community Supervision and Corrections Department Statement of Financial Position for the fiscal year ending August 31, 2022.**

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**21. THE STATE OF TEXAS**

**COUNTY OF KENDALL** It is ordered by the Commissioners' Court of Kendall County, Texas, to award Road Material Bid #2023-02 for the Fiscal Year 2023 to Vulcan Construction Materials, Texas Materials, Brauntex Materials, Inc., Reeh Quarry, LP and Ergon Asphalt & Emulsions, Inc. as presented.

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

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22. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve closing the solid waste site, recycling center, and the brush site on Saturday November 26, Saturday December 24 and Saturday December 31, 2022.

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

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23. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve modifications to the office of Justice of the Peace #4.

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

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24. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the 3 - month unpaid internship for the IT Department.

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

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25. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the purchase of a JAMAR multi-lane traffic counter that exceeded the budgeted amount of \$4,750.00. The current price is now \$5,245.00.

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

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26. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to supplement the balance of \$39,390.25 with an additional \$3,600.00 to purchase a 2023 Chevrolet Tahoe for this current year budget.

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

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27. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to accept the settlement of \$19,936.25 for damage done to the county owned guardrail on Whitworth Road.

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

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- 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. Kniffin
  
- 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
  - 2. Duties and responsibilities of EMS personnel
  - 3. Duties and responsibilities of the General Counsel position

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

EXAMINED AND APPROVED THIS 28th DAY OF NOVEMBER 2022.

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

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