

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 12th day of September 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 August 22 and September 6, 2022.

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 and certification of new
revenue (attached).

Motion was made by Commissioner Durden, seconded by Commissioner Chapman, 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
to approve accounts payable claims for purchases, services, and vendors.

Motion was made by Commissioner Elkins, seconded by Judge Lux, 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
accept the list of donations on behalf of Kendall County as per Local Government Code 81.032
(attached).

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

6. **THE STATE OF TEXAS**

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the hiring of Neffendorf & Blocker, P.C. to perform the Fiscal Year 2022 independent audit.

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

7. **THE STATE OF TEXAS**

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the cash summary at Frost Bank for July 2022 (attached).

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

8. **THE STATE OF TEXAS**

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to keep the burn ban off.

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

9. **PUBLIC COMMENTS:**

- Maxie Zinsmeister spoke concerning tax rates, bond
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10. **THE STATE OF TEXAS**

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve out-of-state travel for Stephen Zoeller on October 9-14, 2022 to Columbus, Ohio for the National 4-H Hippology Contest.

Motion was made by Judge Lux, seconded by Commissioner Bergmann, 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 approve the request by the Comfort Athletic Booster Club to use Faltin Field to build a bonfire and light it the evening of September 21, 2022.

Motion was made by Commissioner Durden, seconded by Commissioner Chapman, 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 approve the resolution for an equivalent match project with the Texas Department of Transportation for the replacement of an off system bridge located at the Waring Welfare Road and Big Joshua Creek.

Motion was made by Commissioner Durden, seconded by Commissioner Chapman, 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 approve the Letter of Credit for The Heartland at Tapatio in the amount of \$936,617.00 for the construction of roadway and drainage.

Motion was made by Commissioner Bergmann, seconded by Commissioner Elkins, 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 releasing financial guarantee of \$1,303,126.00, in the form of a cashier's check deposit, for the construction of roads, drainage, central water, and central sewer for The Heartland at Tapatio Springs.

Motion was made by Commissioner Bergmann, seconded by Commissioner Elkins, 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 request the County Auditor to conduct an audit for the Criminal District Attorney's Chapter 59 Asset Forfeiture Report.

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 resolution for the submittal of a grant application for the Criminal Justice Division (CJD) Public Safety Bullet-Resistant Shield Grant Program (attached).

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 amending the EMS Medical Director Agreement.

Motion was made by Judge Lux, seconded by Commissioner Durden, 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 contract with the Hill Country Dispute Resolution Center.

Motion was made by Commissioner Elkins, 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 proceed forward with the jail expansion using the current technology of the "eye in the sky" and get any savings available without taking out the "eye in the sky".

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

20-a. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to add to the Project Manager job description under licenses and certifications the following sentence:
possess or obtain within 9 months of employment an engineering training certification.

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

20-b. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve job descriptions for General Counsel, Justice Court Clerk, Rotating Justice Court Clerk, Human Resources Clerk I, School Resource Officer, Canine Handler, and Community Services Sergeant.

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 set the official newspaper for the fiscal year 2023 to be The Boerne Star.

Motion was made by Commissioner Bergmann, seconded by Commissioner Elkins, 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 Kendall County Holiday Calendar for 2023 (attached).

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 2023 Commissioners Court Meetings Calendar (attached).

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

24. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve a private road name "Fossil Creek Rd" (attached).

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

25. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve a private road name "Zinke Farm Rd" (attached).

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

At 10:09 a.m. the Court recessed Open Session 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. LEC litigation
- 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 Department
 2. Duties and responsibilities of the Human Resources Department
 3. Duties and responsibilities of the Criminal District Attorney

At 11:40 a.m. the Court closed Executive Session, resumed Open Session where there being no further business, the meeting was adjourned at 11:40 a.m.

EXAMINED AND APPROVED THIS 26th DAY OF SEPTEMBER 2022.

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

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