

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, on the 28th day of January 2019.

**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.

Prayer said by Pastor Steve Gross, Kendall County Cowboy Church.

Pledges of Allegiance to the United States and Texas flags.

2. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the Minutes for January 10, 14, and 24, 2019.

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

3. Service Awards:

5 years:	Jared Moore, Sheriff's Office
10 years:	Corrie Lindstrom, Tax Office
10 years:	Emilio Pereda, Sheriff's Office
10 years:	James Whitt, Sheriff's Office
10 years:	Chris Reimann, Brush Site
30 years:	Bonnye Vidal, Criminal District Attorney's Office

4. Introductions / Recognitions:

- Judge Lux recognized Lessly Barajas, who has been employed with Kendall County since October 2017 as translator and notary public, and who last Thursday in a ceremony at the Institute of Texan Cultures in San Antonio was sworn in as a United States citizen.**
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5. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve amending the FY2019 budget (attached).

Motion was made by Commissioner Elkins, seconded by Commissioner Chapman, 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 Emergency Declaration to amend the FY2019 budget for the purpose of out-of-county prisoner housing expenses. This amendment would raise the General Fund revenue and expense budget by \$130,000.00 (Order filed with Budget).

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 accounts payable claims for purchases, services, and vendors totaling \$474,131.65 (on file).

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

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

9. **PUBLIC COMMENTS:**

- Robert Imler – Upper Cibolo Creek Road
 - Toni Lott – Ag. #12, 13, 14, 15
 - John Kite – WCID #3 – Public Comments
 - Denise Dever – #9
 - Pattie Beebe – Pleasant Valley / Hwy 46
 - (During agenda item #14) Brad McFarland - #14
 - (During agenda item #14) Jan Couch – WCID 3 and others to come
 - (During agenda item #14) Nigel Benchoff – #9
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10. **At 9:38 a.m. a public hearing was held on the application filed by Allen Goodwin and May Thim for the proposed revision of the subdivision plat for Hill Crest Addition Subdivision, Block 6, Lots 5 & 6 filed in Volume 23, page 346 of the plat records of Kendall County, Texas. The proposed plat revision would create a 10-lot gated community on 0.828 acres for a density of 0.083. The following person spoke: Bobby Hunt.**

At 9:40 a.m. the public hearing was closed.

11. **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 the proposed Hill Crest Subdivision for the following items: 1) Building set-backs and lot size (Section 5.1 of Court Order 06-27-2016A), 2) Minimum residential class B street requirements (Section 5.3.2 of Court Order 06-27-2016A), and 3) Dead-end streets (Section 400 of the Kendall County Development Rules and Regulations).

Motion was made by Commissioner Durden, seconded by Commissioner Chapman, 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 approve the Final Development Plat of Pleasant Valley Business Park Phase II in accordance to the Kendall County Development Rules and Regulations and Kendall County Order No. 06-27-2016A. The proposed commercial subdivision would create 8 lots out of 15 acres for an average density of 1.875 acres per lot and 1,297 linear feet of private roadway. The proposed subdivision would be served by a public water system and individual OSSF. Relief was granted on 9/24/2018 for cul-de-sac geometry and subdivision fencing.

Motion was made by Commissioner Elkins, seconded by Commissioner Durden, 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 approve the Subdivision Bond for Pleasant Valley Business Park Phase II in the amount of \$230,000.00 for construction of roads, drainage and public water supply (Karl Gramling, Tony Palumbo).

Motion was made by Commissioner Elkins, seconded by Judge Lux, 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 drafting a letter to Senator Donna Campbell requesting denial of WCID #3 by repealing SB 914 and to also send a letter to the Texas Commission on Environmental Quality (TCEQ).

Motion was made by Commissioner Bergmann, seconded by Commissioner Elkins, 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 approve the resolution concerning the transmittal of a letter to Senator Donna Campbell and to Representative Kyle Biedermann, requesting they draft, file, and endeavor to pass legislation that allows certain counties to adopt rules that allow those counties to regulate residential density and to recover from the developers of certain tracts the costs of upgrading county infrastructure that is rendered inadequate by that development.

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

Commissioner Bergmann left the courtroom.

16. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to start contract negotiations with the low proposal, which was from Dahill - option 2, concerning the Copy Machine Lease RFP #2019.02

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

Commissioner Bergmann returned to court.

17. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to accept the Fees of Office Report for December 2018 (on file).

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

18. No action was taken concerning the CID Investigative Analyst/Evidence Technician.

19. No action was taken concerning the re-construction of Scenic Loop Road.

20. Jeff Fincke, Emergency Management Coordinator/EMS Administrator/Fire Marshal, presented the 2018 Annual Report for Emergency Management, EMS, and the Fire Service.

21. The summary of road activities by Road & Bridge for December 2018 was presented (attached).

22. The summary of activities by the Operations Department for December 2018 was presented (attached).

At 11:47 a.m. the Court recessed Open Session and went into Executive Session pursuant to Chapter 551 of the Texas Government Code:

- I. Section 551.074, deliberations about officers and employees of the governmental body held in executive session to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee; or (2) to hear a complaint or a charge against an officer or employee.
1. EMS Department

At 12:05 p.m. the Court closed Executive Session and resumed Open Session where there being no further business, the meeting was adjourned.

EXAMINED AND APPROVED THIS 11th DAY OF FEBRUARY 2019.

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

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