

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 8th day of July 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 9:01 a.m.

Prayer said by Pastor Ricky Burk, First United Methodist Church.

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 June 24, 2019.

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 FY2019 budget through regular budget adjustments (attached).

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

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

6. The County Treasurer presented the Sales Tax Report.

7. The Keys to the Past spring/summer journal will be presented at the next Commissioners Court.

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

9. **PUBLIC COMMENTS:**

- Jennifer McCall - mobility
 - Robert Imler - public health, safety & welfare
 - Jody Rios Pereda - #10 & #11
 - (During agenda item #16) John Kite - 16
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10. At 9:20 a.m. a public hearing was held on the application filed by Wade Russell Saur for the proposed revision of the Subdivision Plat for The Town of Comfort, Outlots 26A, 26B, and 27A filed in Volume 5, page 318 of the plat records of Kendall County, Texas. The proposed plat revision would create six lots ranging in size from 0.159 acres to 3.175 acres. The following person spoke during public comments: Jody Rios Pereda. Also, Raymundo Castro via letter.

At 9:22 a.m. the public hearing was closed.

11. Commissioner Durden recused himself from this item stating that he had a conflict of interest. Judge Lux made a motion to grant relief for the proposed plat revision for Town of Comfort Outlots 26A, 26B, and 27A from the following sections of the Kendall County Development Rules and Regulation: Section 300.1100 for lot size density and road frontage, Section 304.1100 for building setbacks. The motion died for lack of a second.

12. **THE STATE OF TEXAS**

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to grant relief from road frontage and platting requirements in accordance to Sections 101 & 102 of the Kendall County Development Rules and Regulations. The proposed division would create an approximately 105-acre tract out of four adjacent tracts. The proposed tract has 27.6 feet of frontage on Fuller Road (William Dierks).

Motion was made by Commissioner Chapman, seconded by Judge Lux, 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 relief from the 1997 Development Guidelines and Regulations Rule Book for Cordillera Ranch. The request for relief for Cul-de-sac geometry, pavement width for curbed and uncurbed residential streets, pavement width for curbed and uncurbed collector streets, pavement markings for residential and collector streets, construction methods for HMAC pavement, erosion control methods, and curb geometry as detailed in attached exhibit. The request for relief is for an approximately 2,120-acre tract generally bordered on the west by FM 3351, to the north by Edge Falls Road, to the east by the Guadalupe River, and to the south by Mertens Ranch LLC (Agenda item #13 EXHIBIT attached).

Motion was made by Commissioner Chapman, 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 accept Poehnert Road into the county road system and accept the right-of-way dedication as described in Volume 1650, pages 954-1001 of the Kendall County Official Records and to accept a one-year Maintenance Bond for roadway and drainage in the amount of \$68,936.22. The Maintenance Bond is effective for one year beginning July 8, 2019.

Motion was made by Commissioner Durden, seconded by Commissioner Chapman, 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 Kendall County's participation with the Texas State Soil & Water Conservation Board and the Kendall County Soil & Water Conservation District on funding the rehabilitation of the Upper Cibolo Creek Watershed Floodwater Retarding Structures No. 2 and No. 4 in the estimated amounts of \$302,500.00.

Motion was made by Commissioner Durden, 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 Order to Modify Kendall County Development Rules and Regulations, Subdivision Rules Section 405.1600 to become effective July 12, 2019 (Order attached).

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

17. The Jail operations report for 2nd quarter of 2019 will be presented at a future court.

There being no further business, the meeting was adjourned at 10:05 a.m.

EXAMINED AND APPROVED THIS 22nd DAY OF JULY 2019.

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

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