

**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 October 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 Allen Taha, Trinity Presbyterian 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 October 15, 2019.

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

---

**3. Service Awards: 5 years: Michael Invergo, Sheriff's Office**  
**25 years: Deborah Gilbert, Juvenile Probation Office**

---

**4. Introductions / Recognitions: None**

---

**5. The Boerne Special Olympics Swim Team competed in the Texas State Swim Competition known as "The Fall Classic" on October 3-5, 2019 at Texas A&M University. The Court presented certificates of recognition for the following team members for achievement in their events: Alexa Boehm, Adam Cashion, Carley Fisk, Christopher (C.J.) Fisk, Jr., Kendall Leininger, Rebecca Stone, Stoney Marie Glass, Christopher Drollinger, Eric Sarabia, and Jeffrey Walker.**

---

**6. THE STATE OF TEXAS**

**COUNTY OF KENDALL** It is ordered by the Commissioners' Court of Kendall County, Texas, to proclaim the first Friday in November as Arbor Day in Kendall County (attached).

**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 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.**

---

**8. 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 September 2019 (on file).

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

---

**9. The County Treasurer presented the Sales Tax Report.**

---

**10. THE STATE OF TEXAS**

**COUNTY OF KENDALL** It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the 2019 Property Tax Levy Roll Total of \$25,291,476.86.

Motion was made by Judge Lux, seconded by Commissioner Elkins, 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 approve blocking off the following streets in Comfort for the annual Christmas in Comfort event starting on Friday, November 29, 2019 at noon through midnight on Saturday, November 30, 2019: 7th Street between Highway 27 and Main Street; High Street from 6th Street to 806 8th Street; 8th Street from the intersection of High Street and 8th Street to 523 8th Street.

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 closing the following streets in Comfort for the Christmas in Comfort Parade on Saturday, November 30, 2019 from 6:30 p.m. to 9:30 p.m.: Idlewilde Boulevard; Daniel Drive; Edgewood Drive; part of US Hwy 87 from north of Idlewilde to SH 27; part of SH27 from south of Lindner to just north of Lindner; Lindner Avenue; High Street from Lindner Avenue to 5th Street; 5th Street from High Street to Broadway; Broadway from 5th Street to 7th Street; 6th Street from Broadway to Main Street; and from 6:00 a.m. to 11 p.m. blocking off to through-traffic-only the following streets: Lindner Avenue; High Street from Lindner Avenue to 5th Street; 5th Street from High Street to Broadway; and Broadway from 5th Street to 7th Street.

Motion was made by Commissioner Durden, seconded by Commissioner Chapman, 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 request by the Comfort Chamber of Commerce to allow public parking on the north portion of the County Property at Main and 8th Streets known as Faltin Field during the Annual Christmas in Comfort event to be held November 30, 2019.

Motion was made by Commissioner Durden, seconded by Commissioner Chapman, 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 the letter required by the Texas Alcoholic Beverage Commission (TABC) from Commissioners Court to the Comfort Chamber of Commerce granting permission to the Chamber to sell beer at its booth at 7th Street and High Street from 10:00 a.m. to 9:00 p.m. on Saturday, November 30, 2019, during the annual Christmas In Comfort event.

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 instate the burn ban (Kendall County Order No. 10-28-2019 attached).

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

---

**16. PUBLIC COMMENTS:**

- Robert Imler – Agenda Item 16
  - During agenda item #20 the following people spoke: Lance Kyle, Robert Imler, Allan Bloxsom, Harold Zuflacht, and David Erfurt
- 

**17.** At 9:31 a.m. a public hearing was held on the application filed by Susan Morales for the proposed revision of the subdivision plat for Town of Comfort filed in Volume 56 Page 182A of the plat records of Kendall County, Texas. The proposed division would create two lots. Each lot would be approximately 0.1 acre each with approximately 50 feet of frontage on Avenue A (Donnie Boerner Survey Co., LP). No one spoke.

At 9:31 a.m. the public hearing was closed.

---

**18. THE STATE OF TEXAS**

**COUNTY OF KENDALL** It is ordered by the Commissioners' Court of Kendall County, Texas, to grant relief from minimum lot size and road frontage in accordance with Section 300.1100 of the Kendall County Development Rules and Regulations. The proposed division would create two lots. Each lot would be approximately 0.1 acre with approximately 50 feet of frontage on Avenue A.

Motion was made by Commissioner Durden, seconded by Judge Lux, 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 Plat Revision of Tracts 8G and 8F1 of the subdivision plat for Champee Springs Ranches, Kendall County, Texas in accordance to Section 209 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.

---

20. **Presentation by Josh Cude, Cude Engineers, concerning a proposed subdivision development at 22 Old Fredericksburg Road.**

---

21. **THE STATE OF TEXAS**

**COUNTY OF KENDALL** It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the release of the Financial Guarantee (letter of credit) for Cordillera Ranch, Unit 207F, for roadway and drainage improvements in the amount of \$678,877.00.

Motion was made by Commissioner Elkins, seconded by Judge Lux, 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 release of the Financial Guarantee (cash deposit) for Greco Bend Subdivision for roadway and drainage improvements in the amount of \$271,966.10 and for roadway and drainage improvements to FM 473 in the amount of \$30,402.53.

Motion was made by Commissioner Durden, seconded by Commissioner Chapman, 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 accepting a Maintenance Bond for Greco Bend Subdivision, roadway and drainage in the amount of \$45,359.79. The Maintenance Bond is effective for one year beginning October 28, 2019.

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

---

24. **Commissioner Bergmann gave an update concerning WCID #3 and the proposed development on Scenic Loop Road.**

---

25. **THE STATE OF TEXAS**

**COUNTY OF KENDALL** It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the Memorandum of Understanding between the San Antonio Council on Alcohol and Drug Awareness (SACADA) and the Kendall County Opioid Response Coalition.

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

---

**26. THE STATE OF TEXAS**

**COUNTY OF KENDALL** It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the agreement with Boerne Air Conditioning & Heating to service 44 HVAC systems throughout Kendall County Offices.

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

---

**27. THE STATE OF TEXAS**

**COUNTY OF KENDALL** It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the Section 125 Plan service provider agreement with changes for American Fidelity to serve as Kendall County's Section 125 Plan service provider.

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

---

**28. THE STATE OF TEXAS**

**COUNTY OF KENDALL** It is ordered by the Commissioners' Court of Kendall County, Texas, to approve hiring Neffendorf & Knopp, P.C. to perform the Fiscal Year 2019 independent audit.

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

---

**29. THE STATE OF TEXAS**

**COUNTY OF KENDALL** It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the resolution for the 2020 Indigent Defense Grant Program.

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

---

**30. THE STATE OF TEXAS**

**COUNTY OF KENDALL** It is ordered by the Commissioners' Court of Kendall County, Texas, to declare eight guns and 23 vests as surplus in order to be destroyed.

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

---

**31. THE STATE OF TEXAS**

**COUNTY OF KENDALL** It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the two-year lease of 18 Apple iPads for the Sheriff's Department for a total of \$9,503.28.

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

---

**32. The County Sheriff presented the Jail operations report for the 3rd quarter.**

---

**33. The summary of road activities by Road & Bridge for September 2019 was presented (attached).**

---

**34. The summary of Operations Department activities for September 2019 was presented (attached).**

---

At 11:25 a.m. the Court recessed Open Session and after a break went into Executive Session pursuant to Chapter 551 of the Texas Government Code:

- I. The Court will meet in Executive Session pursuant to 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.

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

EXAMINED AND APPROVED THIS 12th DAY OF NOVEMBER 2019.

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

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