

**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 December 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**

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**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.**

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**2.       THE STATE OF TEXAS**  
**COUNTY OF KENDALL**     **It is ordered by the Commissioners' Court of Kendall County, Texas, to**  
**approve the Minutes for November 28, 2022.**

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

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

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**4.       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 \$746,597.85.**

**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.**

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**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.**

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

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**6.       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 September & October 2022 (attached).

Motion was made by Commissioner Elkins, seconded by Commissioner Bergmann, 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 appoint Rodney Edmondson as Kendall County representative to the Kendall Appraisal District Board of Directors for 2023-2024.

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 appoint the following members to the 2023-2024 Kendall County Historical Commission:

- Robin Stauber, Bryden Moon, Kathryn Adam-Hurst, Val Anderson, Alfredo Arizola, Scott Barthel, Paul Barwick, Glenn Cummings, Julie Gossell, Hal Harwell, Martha Hawkins, Joe Hegyesi, Karen Hogg, Sandra Johnston, Stanley Jones, Graham Littrell, Nalga Mebane, Betty Murphy, Lois Poth, Brenda Seidensticker, Eddie Seidensticker, Sandra Senecal, Richard Tomlinson, Karen Walsemann, Bill Whitney and Suzanne Young.

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

9. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the updated By-Laws of the Kendall County Historical Commission.

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

10. PUBLIC COMMENTS:

The following people spoke during public comments: Denise Dever, Jeff Hoffstadt  
The following people spoke during item #19: Andra Wisian, Denise Dever, Wanda McCarthy, Vialissa Gerhard, Mike Luckey, Chad Carpenter, Lance Kyle, Mark John Crews, Maxie Zinsmeister, Skip Griffin, Alexandria Rudd, Bonnie Clanin, Jan Couch and Brad Rockwell

11. At 9:28 a.m. a public hearing was held on the application filed by 4B Brooks Investments, LLC for the proposed plat cancellation of Escorial Subdivision recorded in Volume 2, Page 75 of the Kendall County Plat Records. No one spoke. At 9:29 a.m. the public hearing was closed.

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

13. THE STATE OF TEXAS

**COUNTY OF KENDALL** It is ordered by the Commissioners’ Court of Kendall County, Texas, to apply for a grant to purchase a 45Vkw trailer mounted generator for the Emergency Management Command/Rehab trailer.

Motion was made by Judge Lux, seconded by Commissioner Bergmann, 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 grant relief from the road frontage and platting requirements in accordance to Chapter 2 of the Kendall County Development Rules and Regulations. The proposed division would create a 302- acre tract (Tract 1) and a 327-acre tract (Tract 2). Access to Tract 2 would be off of a proposed 40-foot wide easement for roadway proposes to Sisterdale Lindendale Road. Each tract may be subdivided into no more than four separate tracts with each tract being a minimum of 50 acres and deed restrictions as presented to Commissioners Court. (Charles Warren Ferguson – Trustee of the Charles Warren Ferguson Lifetime Trust – Owner).

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

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**15. THE STATE OF TEXAS**

**COUNTY OF KENDALL** It is ordered by the Commissioners’ Court of Kendall County, Texas, to grant relief from the road frontage and platting requirements in accordance to Chapter 2 of the Kendall County Development Rules and Regulations. The proposed division would create five tracts with a minimum lot size of 29 acres. Access to the proposed tracts would be off a 35-foot wide easement for roadway purposes to FM 474. There will be no further divisions of the five tracts; single family use only, no commercial/industrial; deed restrictions should be submitted to the Kendall County Engineer’s Office for approval and recordation of the deed restrictions in the County Clerk’s Office (Cindy Pfeiffer, Pfeiffer Revocable Trust - Owner).

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

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**16. THE STATE OF TEXAS**

**COUNTY OF KENDALL** It is ordered by the Commissioners’ Court of Kendall County, Texas, to grant relief from the minimum road frontage and lot size requirements for a one-lot subdivision. The property is served by individual well and septic (FM 3351-Harry Clay Kuhn – Owner).

Motion was made by Commissioner Chapman, seconded by Commissioner Durden, 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 Preliminary Plat of Coltam Ridge Subdivision, in accordance to Sections 202 and 203 of the 2010 Kendall County Development Rules and Regulations. The proposed subdivision consists of 541 acres in Kendall County split between Lot 5 and Lot 6. The proposed subdivision will be served by private well and OSSF. No roads in Kendall County are proposed. Access to Lots 5 and 6 will be through Lane Valley Rd in Kerr County (Teton JT, LLC).

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

Motion was made by Commissioner Durden, seconded by Commissioner Chapman, 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 take no action concerning the adoption of the amended interlocal agreement for regulation of plats, subdivision construction plans, subdivision of land, and other statutes applicable to municipalities and counties that will be enforced within the ETJ of the City of Boerne.

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

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20. **THE STATE OF TEXAS**

**COUNTY OF KENDALL** It is ordered by the Commissioners' Court of Kendall County, Texas, to approve amending the Project Manager job description to remove Engineering in Training certification under Licenses and Certifications.

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

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21. **THE STATE OF TEXAS**

**COUNTY OF KENDALL** It is ordered by the Commissioners' Court of Kendall County, Texas, to set the bond in the amount at \$5,000.00 for County Surveyor.

Motion was made by Judge Lux, seconded by Commissioner Elkins, 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 proceed with repairs to County buildings that were damaged in a hailstorm in May 2021.

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

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At 11:10 a.m. the Court recessed Open Session, took a Break, and went into Executive Session:

- I. 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 General Counsel position
  - 3. Duties and responsibilities of the Criminal District Attorney

At 12:40 p.m. the Court closed Executive Session, resumed Open Session where there being no further business, the meeting was adjourned at 12:41 p.m.

EXAMINED AND APPROVED THIS 27th DAY OF DECEMBER 2022.

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

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