

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 9th day of April 2018.

Present: **DARREL L. LUX, COUNTY JUDGE**
 CHRISTINA BERGMANN, COMMISSIONER, PCT. #1
 RICHARD W. ELKINS, COMMISSIONER, PCT. #2
 TOMMY PFEIFFER, 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 Jason Brown, nineteen:ten 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 March 22 and 26, 2018.**
Motion was made by Commissioner Elkins, 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 proclaim April 8-14, 2018 as Crime Victims' Rights Week (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 proclaim April 2018 as Child Abuse Prevention Month (attached).**
Motion was made by Judge Lux, seconded by Commissioner Elkins, 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 approve the accounts payable claims for purchases, services, and vendors (on file).**
Motion was made by Commissioner Durden, seconded by Commissioner Pfeiffer, 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 accept the list of donations on behalf of Kendall County as per Local Government Code 81.032 (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 distribute the proceeds from the sale of 112 Sparrow Hawk, which was property donated to Kendall County by Judge Ken and Ada Muller, as follows: Hill Country Family Services \$12,798.07, Patrick Heath Public Library \$4,266.02, Comfort Public Library \$4,266.02, and Kendalia Public Library \$4,266.02.**
Motion was made by Judge Lux, 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 proclaim April 21, 2018 as Shriners Hospitals for Children Day (attached).

Motion was made by Judge Lux, seconded by Commissioner Bergmann, 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 Cash Summary for January 2018 (attached).

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

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

11. PUBLIC COMMENTS:

- Jeff Fincke said there would be a Fire Chiefs meeting next Monday, April 19 at the new EMS facility. He also spoke about the Stop the Bleed program and encouraged everyone to attend.
 - John Sadesky spoke about criminal activity at his house and law enforcement.
 - Amber Clowney spoke about a TCEQ Public Hearing on April 19 concerning Vulcan concrete batch plant.
 - Janice Murphy spoke about the proposed Vulcan concrete batch plant.
 - Snehal Patel spoke about the proposed Vulcan concrete batch plant.
 - Toni Lott spoke about the proposed Vulcan concrete batch plant.
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12. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the Second Amended and Restated Cash Deposit Agreement between Anthony Palumbo, Karl Gramling d/b/a Gramling Real Estate Holdings LLC, and Kendall County to serve as financial guarantee for the satisfactory completion of street and drainage improvements, construction of detention pond, and public water supply related to the approved plat of Pleasant Valley Business Park. The amended agreement will expire July 31, 2018.

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 Fourth Amended and Restated Cashiers Checks Deposit Agreement between Miralomas Development Corporation and Kendall County to serve as financial guarantee for the satisfactory completion of street and drainage improvements related to the approved plat of Lerin Hills Garden Homes Subdivision, Unit 1, Phase 1. The amended agreement will expire July 31, 2018.

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

14. Charles Cook, Director of Miralomas Development Corporation, gave an update of the Miralomas Subdivision.

15. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to grant the request for relief from the platting requirements and road frontage for the proposed division to create two tracts of (+/-) 15.5 acres, one tract of (+/-) 24 acres, and one tract of (+/-) 80 acres from a parent tract of (+/-) 135 acres on Bar M Ranch Road, Kendalia, Texas (Maxie and Donna Jonas).

Motion was made by Commissioner Pfeiffer, seconded by Commissioner Durden, and carried by a vote of 4-0-1 with Judge Lux abstaining.

16. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to grant the request for relief from the platting requirements and road frontage in accordance to Sections 101 and 102 of the Kendall County Development Rules and Regulations. The proposed division would create up to 18 tracts out of a parent tract of 3,300 acres with each tract being at least 100 acres. Access will be provided by a private paved entrance road from FM 1376 to a cul-de-sac that has a 100-foot diameter. Each lot will have an easement for roadway purposes from their property across the paved entrance road to FM 1376.

Motion was made by Commissioner Durden, seconded by Judge Lux, 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 moving current employees to the new classifications and changing the job titles according to the Classification Scale and Salary Bracket.

Motion was made by Commissioner Bergmann, seconded by Commissioner Elkins, 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 adjusting employees' salaries up to the new minimum according to the Classification Scale and Salary Bracket effective April 1, 2018 and for any of those employees that have been employed before April 1, 2018 to be retroactive with a lump sum from October 1, 2017.

Motion was made by Commissioner Bergmann, 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 require that the payroll agenda items for overtime be done in the Commissioner Court meetings that approve payroll.

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

20. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the Emergency Response Time Policy for Kendall County departments.

Motion was made by Commissioner Bergmann, 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 award the Concrete Work Bid, #2018-4 to Bernhard Quality Construction Inc.

Motion was made by Commissioner Durden, seconded by Commissioner Pfeiffer, 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 award the Pavement Surface Repair Bid, #2018-5 to Texas Road Repair and Patches.

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

23. The County Sheriff reported jail and operation status to Commissioners Court.

At 10:50 a.m. the Court recessed Open Session, took a Break, and 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. Specific topics to be discussed are:
 - 1. Commissioners Court authority and obligations concerning subdivisions, county property, roads and bridges
 - 2. 112 Stonegate N.
 - 3. Vulcan litigation
 - 4. Road & Bridge employee
 - 5. M5 Utilities

- II. The Court will meet in Executive Session pursuant to 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 Emergency Management Coordinator
 - 2. Duties and responsibilities of the County Auditor
 - 3. Duties and responsibilities of the Justice of the Peace Precinct 1
 - 4. Duties and responsibilities of the Justice of the Peace Precinct 1 Court Clerk
 - 5. Duties and responsibilities of the Constable Precinct 1

- III. The Court will meet in Executive Session pursuant to Section 551.076 to deliberate: (1) the deployment, or specific occasions for implementation, of security personnel or devices; or (2) a security audit.

At 12:25 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 23rd DAY OF APRIL 2018.

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

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