

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 25th day of June 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.**

Judge Lux said that Rubin Seidensticker, who is the husband of Harriet Seidensticker, who works in the County Clerk's office, passed away last night.

Prayer said by Pastor Eric Waters, St. John Lutheran Church.

Pledges of Allegiance to the United States and Texas flags.

Judge Lux thanked everyone who supported the Kendalia Homecoming this past weekend and he also thanked the Road & Bridge Department and the Parks Department for their efforts there.

Commissioner Durden invited everyone to Comfort for the 4th of July festivities.

Commissioner Bergmann invited everyone to the City of Boerne fireworks on July 4th.

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 4-7, 11, 14, and 18, 2018.**

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

3. **Service Awards:**

- **10 years of service: Rick Tobolka, County Engineer**
 - **15 years of service: Tobias Bagley, Road & Bridge**
 - **15 years of service: Roger Baker, Sheriff's Office**
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4. **Introductions / Recognitions:**

- **County Clerk Darlene Herrin introduced new Deputy Clerk, Jordan Frantzen.**
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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 the accounts payable claims for purchases, services, and vendors in the amount of \$1,408,898.60 (on file).**

Motion was made by Commissioner Durden, seconded by Commissioner Elkins, and carried by a vote of 5-0 with Commissioner Elkins abstaining from matters related to GVTC.

6. **Misty Mayo, EDC President/CEO, gave a presentation concerning ongoing activities of the Boerne Kendall County Economic Development Corporation.**

7. **THE STATE OF TEXAS**

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

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

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

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 April 2018 (attached).

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

- 10-a. Burn Ban discussion: dry conditions; Bill Ballard, ACDA, was tasked with researching Court's options concerning fireworks and reporting back later in this meeting.
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11. PUBLIC COMMENTS:

- Travis Sabine spoke about the successful cooperation between Kendall County and the City of Boerne responders in putting out the fire on his property.
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12. Bill Ballard, ACDA, presented information on the jurisdiction of justice courts to hear Kendall County truancy cases.
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13. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the partial release of the Financial Guarantee in the amount of \$35,000.00 for Public Water Supply for Pleasant Valley Business Park.

Motion was made by Commissioner Elkins, seconded by Commissioner Durden, 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 ADVANCE FUNDING AGREEMENT FOR VOLUNTARY LOCAL GOVERNMENT CONTRIBUTIONS TO TRANSPORTATION IMPROVEMENT PROJECTS WITH NO REQUIRED MATCH ON-SYSTEM for the purpose of a highway improvement project generally described as IH-10 frontage road and intersection improvements between North Creek Road and US 87 in Comfort, Texas.

Motion was made by Commissioner Durden, seconded by Judge Lux, 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 Department of State Health Services Contract No. HHS000145800001 - Cities Readiness Initiative Grant Program.

Motion was made by Judge Lux, 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 maintenance contract for eleven automated external defibrillators (AED) for the Law Enforcement Center from Physio Control, Inc.

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

- 10-b. Burn Ban discussion: Bill Ballard, ACDA, returned to the meeting with information concerning the Court's options concerning fireworks. Jeff Fincke, Fire Marshal, reported that the Forest Service has an allowance for declaration of a local disaster declaration when a County's Keetch-Byram Drought Index number is 575 or greater.
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17. Discussion concerning the pending retirement of Judge Larry James, Justice of the Peace Precinct 1 on July 31st and options to fill the vacancy until January 1.

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

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

20. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve renewing the CONTRACT & DATA USE AGREEMENT with the Department of State Health Services for the Remote Birth Access System for the County Clerk's Office.

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

10-c. Burn Ban discussion: Jeff Fincke, Fire Marshal, advised the Court that Local Government Code allows a local disaster declaration to restrict the discharge of certain fireworks; depending on the advice of counsel, a disaster declaration will be issued later this week. The burn ban is still on.

At 10:20 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. Pending or threatened litigation: consider litigation against a business for violation of Texas Health and Safety Code §366 and Texas Administrative Code §285.
3. Receive advice from attorney regarding the upcoming legislative session.
4. Receive advice from attorney regarding legal issues concerning animal shelter.
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. Constable Precinct 1
2. Personnel issue involving the District Clerk's office
3. Personnel issue involving the Criminal District Attorney's office

At 12:14 p.m. the Court closed Executive Session and resumed Open Session where there being no further business, the meeting was adjourned at 12:15 p.m.

EXAMINED AND APPROVED THIS 9th DAY OF JULY 2018.

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

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