

**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 July 2018.

**Present:**        **DARREL L. LUX, COUNTY JUDGE**  
                      **CHRISTINA BERGMANN, COMMISSIONER, PCT. #1**  
                      **RICHARD W. ELKINS, COMMISSIONER, PCT. #2**  
                      **DON DURDEN, COMMISSIONER, PCT. #4**  
                      **SALLY W. PETERS, DEPUTY COUNTY CLERK/ADMINISTRATIVE ASSISTANT**

**Absent:**         **TOMMY PFEIFFER, COMMISSIONER, PCT. #3**

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**1.**        **The meeting was called to order at 9:00 a.m.**  
**Prayer said by Pastor Steve Gross, Kendall County Cowboy Church.**  
**Pledges of Allegiance to the United States and Texas flags.**  
**Judge Lux and Commissioner Durden said the Comfort 4th of July parade and festivities were well attended and they thanked the Road & Bridge Department and EMS for their help during the event.**  
**Judge Lux and Commissioner Bergmann said the City of Boerne's 4th of July fireworks were spectacular and well attended despite the rain.**

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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 June 25 and 28, 2018.**  
**Motion was made by Commissioner Elkins, seconded by Judge Lux, and carried by a vote of 4-0.**

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**3.**        **Judge Lux presented the Texas Historical Commission's Distinguished Service Award to the Kendall County Historical Commission for accomplishments during the 2017 year of service.**

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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 amending the FY2018 budget through certification of new revenue and budget adjustments (attached).**  
**Motion was made by Judge Lux, seconded by Commissioner Durden, and carried by a vote of 4-0.**

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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 (on file).**  
**Motion was made by Commissioner Elkins, seconded by Commissioner Durden, and carried by a vote of 4-0.**

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**6.**        **THE STATE OF TEXAS**  
**COUNTY OF KENDALL**        **It is ordered by the Commissioners' Court of Kendall County, Texas, to accept the listed donations on behalf of Kendall County from June 1-30, 2018 per Local Government Code 81.032 (attached).**  
**Motion was made by Commissioner Durden, seconded by Commissioner Elkins, and carried by a vote of 4-0.**

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7. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to remove the burn ban. A DISASTER DECLARATION RELATED TO RISK OF WILDFIRES DD#06-28-2018 (attached) was in effect from June 28, 2018 until it expired at midnight on July 4, 2018. It is no longer in effect and the burn ban is lifted today at 9:15 a.m.

Motion was made by Judge Lux, seconded by Commissioner Bergmann, and carried by a vote of 4-0.

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8. PUBLIC COMMENTS: None.

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9. 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, road frontage, and building setback in accordance to Section 300.1100 of the Kendall County Development Rules and Regulations for the 0.540-acre tract to be divided into two parcels which would create a 0.261-acre tract with 50 feet of frontage and a 0.280-acre tract with 87.65 feet of frontage. The lots are provided with central water and sewer through WCID No. 1 and access to both properties will be on Hwy 27. Additional stipulations are a 25-ft building setback on Hwy 27 and no structures or improvements be located in a manner that would restrict vehicle-sight-distance. This relief is granted contingent on completion of the re-plat process (702-706 Front Street, Comfort, TX - Joey and Julia Asher).

Motion was made by Commissioner Durden, seconded by Commissioner Elkins, and carried by a vote of 4-0.

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10. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to grant relief from platting requirements and road frontage in accordance to Sections 101 and 102 of the Kendall County Development Rules and Regulations for the division to create a 6.625-acre tract with 110 feet of frontage out of a 20.187-acre parent tract. Access to the property will be provided by a driveway to FM 289 as approved by TXDOT. Additional stipulation is a 50-ft building setback on FM 289. This relief is granted contingent on the TXDOT permit approval (609 FM 289, Comfort, TX – KHLH 289 Properties LLC, Kenneth Hoerster).

Motion was made by Commissioner Durden, seconded by Commissioner Elkins, and carried by a vote of 4-0.

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11. 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, road frontage, and building setback in accordance to Section 300.1100 of the Kendall County Development Rules and Regulations for a 0.9320-acre tract, part of Outlot No. 20, to be divided into two tracts to create a 0.355-acre tract with 50 feet of frontage and a 0.577-acre tract with 94.44 feet of frontage. The lots are provided with central water and sewer through WCID No. 1 and access to both properties will be along High Street. Additional stipulations are a 30-ft building setback line and no mobile homes installed on the lots. This relief is granted contingent on completion of the re-plat process (914 High St, Comfort, TX – Carolyn Minshev).

Motion was made by Commissioner Durden, seconded by Commissioner Elkins, and carried by a vote of 4-0.

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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 maintenance contract for the three automated external defibrillators (AED) for the Courthouse from Physio Control, Inc.

Motion was made by Commissioner Elkins, seconded by Judge Lux, and carried by a vote of 4-0.

13. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the Memo of Understanding with GovDeals for online county auctions and stay with Option B2 under Flexible Pricing Options.

Motion was made by Commissioner Elkins, seconded by Commissioner Durden, and carried by a vote of 4-0.

14. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to waive the 2% administration fee for participants of the State Continuation of Coverage.

Motion was made by Commissioner Durden, seconded by Commissioner Elkins, and carried by a vote of 4-0.

At 9:32 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 as follows:
1. Commissioners Court authority and obligations concerning subdivisions, county property, roads and bridges
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. District Clerk's office and Criminal District Attorney's office
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 11:59 a.m. the Court closed Executive Session and resumed Open Session where there being no further business, the meeting was adjourned at 12:00 p.m.

EXAMINED AND APPROVED THIS 23rd DAY OF JULY 2018.

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

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