

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 10th day of September 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
Vacant: **COMMISSIONER, PCT. #3**

1. **The meeting was called to order at 9:01 a.m.**
Prayer said by Pastor Jeremy Errickson, Living Hope Church.
Pledges of Allegiance to the United States and Texas flags.
Comments from the bench: Public Reading of the Constitution will be September 15 at 10:00 a.m., Hispanic Heritage Celebration will be September 15, Comfort Volunteer Fire Department Shrimp Boil and Car Show fundraiser will be September 22, Bergheim Volunteer Fire Department Music Fest fundraiser will be September 22, Kendall Gateway Workshop will be September 18 at 2:30 p.m. and 7:00 p.m. at the Kronkosky.

2. **THE STATE OF TEXAS**
COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the Minutes for August 27, September 4 and 6, 2018.
Motion was made by Commissioner Elkins, seconded by Commissioner Durden, and carried by a vote of 4-0.

3. **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 Commissioner Durden, seconded by Commissioner Elkins, and carried by a vote of 4-0.

4. **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 Bergmann, and carried by a vote of 4-0.

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 (attached).
Motion was made by Commissioner Elkins, seconded by Commissioner Bergmann, and carried by a vote of 4-0.

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 June and July 2018 (attached).
Motion was made by Commissioner Durden, seconded by Commissioner Elkins, and carried by a vote of 4-0.

7. **THE STATE OF TEXAS**
COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the Investment Report for 3rd Quarter FY 2018 (June, July & August 2018) (attached).
Motion was made by Commissioner Elkins, seconded by Commissioner Durden, and carried by a vote of 4-0.

8. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the Comfort Athletic Booster Club's request to use Faltin Field in Comfort for the annual Homecoming Bonfire on Wednesday, September 19, 2018.

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

9. At 9:18 a.m. a Public Hearing was held regarding the Fiscal Year 2019 proposed budget. No one spoke. The Public Hearing was closed at 9:19 a.m.

10. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to adopt the Fiscal Year 2019 Proposed Budget with the changes to the proposed budget as presented.

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

11. No action was taken on reinstating the burn ban which was rescinded on September 4, 2018 at 9:30 a.m. by the County Judge (attached).

12. PUBLIC COMMENTS:

- Rodney Vordenbaum spoke about the Kendall County Amateur Radio Society's move to their new location on Tower Road.
 - Denise Dever spoke about the Kendall Gateway Study.
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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 Polling Locations for the November 6, 2018 General Election (attached).

Motion was made by Commissioner Elkins, seconded by Commissioner Bergmann, 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 approve the Interlocal Contract between the Department of Information Resources and Kendall County for the purpose of obtaining an assessment of our election security.

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

(9:43 a.m.)

15. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to adopt the 2018 county property tax rate of \$0.412700 per \$100 taxable value, being \$0.351963 for Maintenance and Operations and \$.060737 for Debt Service.

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

Record vote: Judge Darrel Lux voted aye, Commissioner Christina Bergmann voted aye, Commissioner Richard Elkins voted aye, and Commissioner Don Durden voted aye.

THIS TAX RATE WILL RAISE MORE TAXES FOR MAINTENANCE AND OPERATIONS THAN LAST YEAR'S TAX RATE.

THE TAX RATE WILL EFFECTIVELY BE RAISED BY 1.54 PERCENT AND WILL RAISE TAXES FOR MAINTENANCE AND OPERATIONS ON A \$100,000 HOME BY APPROXIMATELY \$2.98.

Commissioner Elkins left Commissioners Court at 9:46 a.m.

16. THE STATE OF TEXAS
COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the new job descriptions for the Lieutenant positions in the Sheriff's Office.
Motion was made by Judge Lux, seconded by Commissioner Bergmann, and carried by a vote of 3-0.
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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 Plat Revision of Outlot 20E, Town of Comfort, to create two tracts of 0.355 acres (Tract 20E-1) and 0.577 acres (Tract 20E-2) with water and sewage facilities to be provided by Kendall County WCID #1.
Motion was made by Commissioner Elkins, seconded by Judge Lux, and carried by a vote of 3-0.
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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 the Plat Revision of Lots 29 and 30, Town of Comfort, to create two tracts of 0.280 acres (Tract 29A) and 0.261 acres (Tract 29B) with water and sewage facilities to be provided by Kendall County WCID #1.
Motion was made by Commissioner Durden, seconded by Judge Lux, and carried by a vote of 3-0.
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19. THE STATE OF TEXAS
COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to grant the request for relief for Greco Bend Subdivision requested by James McGarr, agent for Shawn Angelo Greco, Michelle Dawn Greco, and John Kyle Greco for the following items from Section 400 of the Kendall County Development Rules and Regulations: 1) Minimum pavement width of 24 feet versus 28 feet, 2) Minimum subgrade width of 28 feet versus 32 feet, 3) Minimum base width of 26 feet versus 30 feet, and 4) Trees may be located in the right-of-way, at the discretion of the County Engineer.
Motion was made by Commissioner Durden, seconded by Judge Lux, and carried by a vote of 3-0.
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20. THE STATE OF TEXAS
COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to release the Financial Guarantee for Miralomas Development Corporation, related to the approved plat of Lerin Hills Garden Homes Subdivision, Unit 1, Phase 1, in the amounts of \$913,263.00 for roadway and \$261,052.00 for drainage. Financial Guarantee for improvements to SH 46 in the amount of \$303,325.00 was released August 22, 2016.
Motion was made by Commissioner Bergmann, seconded by Commissioner Durden, and carried by a vote of 3-0.
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21. THE STATE OF TEXAS
COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to grant the request for relief from road frontage and platting requirements in accordance to Sections 101 and 102 of the Kendall County Development Rules and Regulations to allow the division that would create a (+/-) 0.15-acre family cemetery with access over a proposed 40' wide easement (Jim Schwarz, surveyor for Joe Kercheville).
Motion was made by Commissioner Durden, seconded by Commissioner Bergmann, and carried by a vote of 3-0.
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22. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the position of a non-paid Reserve Investigator for the Criminal District Attorney's office.

Motion was made by Judge Lux, seconded by Commissioner Bergmann, and carried by a vote of 3-0.

23. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the Memorandum of Understanding with the Hill Country Council on Alcohol and Drug Abuse – Region 8.

Motion was made by Commissioner Durden, seconded by Judge Lux, and carried by a vote of 3-0.

24. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the request by the Boerne Soccer Club to put a set of bleachers on the soccer field on Adler Road.

Motion was made by Judge Lux, seconded by Commissioner Bergmann, and carried by a vote of 3-0.

At 10:08 a.m. the Court recessed Open Session, took a break and at 10:16 a.m. went into Executive Session pursuant to Chapter 551 of the Texas Government Code:

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

At 10:26 a.m. the Court closed Executive Session and at 10:27 a.m. resumed Open Session where there being no further business, the meeting was adjourned.

EXAMINED AND APPROVED THIS 24th DAY OF SEPTEMBER 2018.

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

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