

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 28th day of September 2015.

Present: DARREL L. LUX, COUNTY JUDGE
 MIKE FINCKE, COMMISSIONER, PCT. #1
 RICHARD W. ELKINS, COMMISSIONER, PCT. #2
 TOMMY PFEIFFER, COMMISSIONER, PCT. #3
 ROYCE STEUBING, 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 Danny Phillips, Ecclesia Hill Country Church.
 Pledges of Allegiance to the United States and Texas flags.
 Judge Lux announced that a new Audio/Visual system had been installed in the Commissioners Courtroom and he thanked John Buckelew, Robert Kinsey, Pedro Fernandez, Edward Huerta, and Mike Howle for their part in the installation process.

2. THE STATE OF TEXAS

 COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the Minutes for September 14, 2015.

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

3. The following Service Awards were presented:
 - 5 years of service: Nicole Bishop, County Attorney's Office
 - 10 years of service: Barbara Christman, Health & Welfare Office
 - 10 years of service: Sylvia Zapata, Human Resources Office
 - 10 years of service: Brenda Bell, Health Inspector
 - 10 years of service: Sally Peters, County Judge's Office
 - 30 years of service: Linda Schacht, County Attorney's Office

4. Introduction / Recognition:
 - District Clerk Susan Jackson introduced her new Deputy Clerk, Nancy Schuchardt.
 - County Attorney Don Allee introduced Michelle Jurica who is in the Victim Services office.

5. THE STATE OF TEXAS

 COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the fiscal year 2015 Budget Adjustments (attached).

 Motion was made by Commissioner Elkins, 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 approve the Monthly Reports for August 2015 (on file).

 Motion was made by Commissioner Fincke, 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 approve the accounts payable claims for purchases, services and vendors (on file).

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

8. The Judge discussed the public meeting that Kendall County is hosting at the Boerne Civic Center on October 8th at 7:00 p.m. where the public can see and hear about the proposed expansion of the Law Enforcement Center. The decision on the project will be made in the Bond Election on November 3rd.
-
9. THE STATE OF TEXAS
COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to proclaim October 11, 2015 to be the 125th Anniversary of the Daughters of the American Revolution (attached).
Motion was made by Judge Lux, seconded by Commissioner Elkins, and carried by a vote of 5-0.
-
10. THE STATE OF TEXAS
COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to proclaim the month of October 2015 to be Family History Month (attached).
Motion was made by Judge Lux, seconded by Commissioner Steubing, and carried by a vote of 5-0.
-
11. THE STATE OF TEXAS
COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to proclaim the month of October 2015 to be Domestic Violence Awareness Month (attached).
Motion was made by Judge Lux, seconded by Commissioner Fincke, and carried by a vote of 5-0.
-
12. No action was taken on the proposed improvements to the soccer field on Adler Road.
-
13. No action was taken on lifting the burn ban. It is still on.
-
14. PUBLIC COMMENTS:
• Commissioner Fincke gave an update on Herff Road Phase I.
-
15. THE STATE OF TEXAS
COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to authorize Neffendorf & Knopp, P.C. to perform the Fiscal Year 2015 annual audit.
Motion was made by Commissioner Fincke, 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 A JOINT RESOLUTION BETWEEN THE CITY OF BOERNE AND THE COUNTY OF KENDALL REQUESTING THAT THE TEXAS DEPARTMENT OF TRANSPORTATION RESUME ITS PLANNING FOR VIABLE TRANSPORTATION CORRIDORS (Resolution 09-28-2015-A attached).
Motion was made by Commissioner Elkins, seconded by Commissioner Pfeiffer, 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 Don Edmondson as the County's nominee for candidacy to the Kendall Appraisal District Board of Directors for 2016-2017 (Resolution 09-28-2015-B attached).
Motion was made by Judge Lux, seconded by Commissioner Elkins, and carried by a vote of 5-0.
-

(Agenda item #18 was addressed after agenda item #19)

19. Frank Pickart, representative from the Boerne Area Model Society (BAMS), gave a report on BAMS Second Annual Fall Fun Fly that was held at Joshua Springs Park & Preserve on September 19th.
-

18. The County Development Manager gave a status report on Herff Road Phase II.
-

(Agenda item #19 was addressed before agenda item #18)

20. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the Amending Plat of Lots 43A and 43B, Town of Comfort, Kendall County, Texas, in accordance with Section 209 of the Kendall County Development Rules and Regulations. The purpose of the Amending Plat is to relocate a common lot line creating Lots 43A-1 and 43A-2 (Janet H. Hendrix).

Motion was made by Commissioner Steubing, seconded by Commissioner Pfeiffer, 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 approve the Amending Plat of Lots 4 and 5A, Willowshire Farms Estates, Unit 2, Kendall County, Texas, in accordance with Section 209 of the Kendall County Development Rules and Regulations. The purpose of the Amending Plat is to relocate a common lot line creating Lots 4A and 5B (Schatzie M. Norris).

Motion was made by Commissioner Steubing, 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 grant relief from road frontage and platting requirements in accordance with Sections 101 and 102 of the Kendall County Development Rules and Regulations. The proposed tracts of 7.71 acres and 3.81 acres are the result of conveying property to a family member. The tracts are located at 619 Walnut Grove Road (Robert Cravey).

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

23. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the Interlocal Agreement between Kendall County and the City of Boerne for provision of health sanitarian services.

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

24. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve Order No. 09-28-2015 adopting the 2015 International Fire Codes for the unincorporated areas of Kendall County effective January 1, 2016, with the fee schedule to be approved at a later court date (attached).

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

25. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to appoint Commissioner Pfeiffer and Commissioner Steubing to the Development Rules & Regulations joint committee with Cow Creek Groundwater Conservation District.

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

26. This agenda item was delayed until after Executive Session.

27. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve blocking off the following streets in Comfort starting on Friday, November 27, 2015 at noon through midnight on Saturday, November 28, 2015 for the annual Christmas in Comfort event: Seventh Street between Highway 27 and Main Street, High Street between Sixth and Eighth Streets, and from the intersection of High Street and Eighth Street at 806 High Street.

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

28. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve closing the following streets in Comfort for the Christmas in Comfort parade on Saturday, November 28, 2015 from 6:30 p.m. to 9:30 p.m.: Idlewilde Boulevard, Daniel Drive, Edgewood Drive, part of Highway 87 and Highway 27, and from 6:00 a.m. to 11:00 p.m.: Lindner Avenue, High Street (from Lindner Avenue to 5th Street), 5th Street (from High Street to Broadway), and Broadway (from 5th Street to 7th Street) and from 8:55 p.m. to 9:10 p.m.: FM 473 for 15 minutes.

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

29. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to send a letter of permission from Commissioners Court to the Comfort Chamber of Commerce for the Texas Alcoholic Beverage Commission (TABC) to allow the Chamber to sell beer and wine during the Christmas in Comfort event on Saturday, November 28, 2015 at the Chamber booth on 7th Street which will be closed to traffic for the event.

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

30. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to authorize the use of the north portion of Faltin Field in Comfort for vendor parking at the Christmas in Comfort event on Saturday, November 28, 2015.

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

31. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to release the Letters of Credit for water and wastewater infrastructure construction in Cordillera Ranch Subdivision, Unit 207B-1, in the amount of \$295,190.

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

32. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to release the Letters of Credit for water and wastewater infrastructure construction in Cordillera Ranch Subdivision, Unit 207C-1, in the amount of \$78,804.

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

33. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to release the Letters of Credit for water and wastewater infrastructure construction in Cordillera Ranch Subdivision, Unit 207D, in the amount of \$19,164.

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

34. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to release the Letters of Credit for water and wastewater infrastructure construction in Cordillera Ranch Subdivision, Unit 206A-3, in the amount of \$17,802.

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

35. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to release the Letters of Credit for water and wastewater infrastructure construction in Cordillera Ranch Subdivision, Unit 207E, in the amount of \$44,066.

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

36. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the change in the Road & Bridge work schedule effective October 19, 2015.

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

37. The summary of road activities by Road & Bridge for August 2015 was presented (attached).

38. The summary of activities by the Operations Department for August 2015 was presented (attached).

At 10:40 a.m. the Court closed Open Session, took a break and at 10:55 a.m. went into Executive Session pursuant to Chapter 551 of the Texas Government Code:

- I. Pursuant to Section 551.071 to seek the advice of the County Attorney and/or 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. County authority and obligations concerning subdivisions, county roads and bridges
 2. Guy James Gray vs. Kendall County
- II. Pursuant to Section 551.072 to deliberate the purchase, exchange, lease or value of real property.
(Note: Deliberations in an open meeting would have a detrimental effect on the position of Kendall County in negotiations with a third person.)
 1. Right-of-way / easements for the Herff Road Project
 2. Capital improvements / real estate
- III. 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 County Attorney's Office
 2. Duties and responsibilities of the County Engineer
- IV. The Court will meet in Executive Session pursuant to Section 551.087 to discuss or deliberate regarding commercial or financial information that the Kendall County Economic Development Corporation ("KCEDC") has received from a business prospect that the KCEDC seeks to have locate, stay, or expand in Kendall County and with which the KCEDC is conducting economic development negotiations; or to deliberate the offer of a financial or other incentive to a business prospect.

At 12:00 p.m. the Court recessed for lunch.

At 1:35 p.m. the Court resumed Executive Session.

At 3:50 p.m. the Court closed Executive Session and resumed Open Session to address the following item:

26. No action was taken concerning the Kendall County Policy Manual.

Being no further business, the meeting was adjourned at 3:50 p.m.

EXAMINED AND APPROVED THIS 13th DAY OF OCTOBER A.D., 2015

ATTESTED:


COUNTY CLERK
KENDALL COUNTY, TEXAS


COUNTY JUDGE
KENDALL COUNTY, TEXAS