

**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 13th day of April 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**

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1.      **The meeting was called to order at 9:00 a.m.**  
**Prayer said by Jason Brown, lead pastor, nineteen:ten church**  
**Pledges of Allegiance to the United States and Texas flags.**  

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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 March 23, 2015.**  
**Motion was made by Commissioner Fincke, seconded by Commissioner Elkins, and carried by a vote of 5-0.**  

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3.      **THE STATE OF TEXAS**  
**COUNTY OF KENDALL**      **It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the Budget Adjustments as submitted (attached).**  
**Motion was made by Commissioner Fincke, seconded by Commissioner Elkins, and carried by a vote of 5-0.**  

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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 the accounts payable claims for purchases, services, and vendors (on file).**  
**Motion was made by Commissioner Elkins, seconded by Commissioner Pfeiffer, and carried by a vote of 5-0 with Commissioner Elkins abstaining from any matters related to GVTC.**  

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5.      **THE STATE OF TEXAS**  
**COUNTY OF KENDALL**      **It is ordered by the Commissioners' Court of Kendall County, Texas, to proclaim May 3, 2015 as Lemonade Day in Kendall County (attached).**  
**Motion was made by Judge Lux, seconded by Commissioner Elkins, and carried by a vote of 5-0.**  

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6.      **THE STATE OF TEXAS**  
**COUNTY OF KENDALL**      **It is ordered by the Commissioners' Court of Kendall County, Texas, to proclaim May 9, 2015 as Shriners Hospitals for Children Day (attached).**  
**Motion was made by Judge Lux, seconded by Commissioner Pfeiffer, and carried by a vote of 5-0.**  

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7. THE STATE OF TEXAS  
COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve Training for Supervisors to be conducted by the Texas Association of Counties.

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

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8. THE STATE OF TEXAS  
COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve training concerning heat exposure and working outdoors to be conducted at the Parks Department.

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

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9. No action was taken on reinstating the burn ban. It is still off.
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(Agenda item #10 was addressed after agenda item #16)

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11. PUBLIC COMMENTS:
- Judge Lux commented on the number of rattlesnakes and their current activity and asked Jeffery Fincke, EMC, to share information on what to do if bitten.
  - Judge Lux thanked everyone who supported the Comfort Volunteer Fire Department's BBQ dinner fund raiser held last Saturday.
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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 extending the Depository contract with Frost Bank.

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

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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 using Non-Competitive Procurement for Central Texas Electrical Cooperative and Atmos Energy for the 2015 Texas Capital Fund Contract #7215002 which concerns AJW Architectural Products.

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

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14. THE STATE OF TEXAS  
COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to authorize granting tax abatement for Fifty Door Partners, LLC dba AJW Architectural Products and PSD3 Enterprises, LLC dba Apache Rifle Works if they meet the minimum investment amount.

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

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15. THE STATE OF TEXAS  
COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the reappointment of Joe Gerber to the Kendall County Economic Development Corporation Board of Directors for the next term.

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

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16. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve paying for hotel expenses in San Antonio for the Sheriff to attend the annual Sheriff's Association of Texas Conference.

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

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(The following agenda item #10 was addressed out of sequence)

10. (9:30 a.m.) A Public Hearing was held on the application filed by His Hill Broadcasting to cancel part of the subdivision known as His Hill, Chapel Hill Area. No one spoke.
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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 following revised job descriptions and the change of grade numbers for Animal Control: Shelter Coordinator as a Grade 14, Administrative Specialist II as a Grade 9, Animal Control Officer Supervisor, Animal Control Officer, and Animal Control Kennel Technician.

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

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18. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to grant the request for relief for Cordillera Ranch Subdivision, Unit 207C, to use a nonstandard culvert headwall design in lieu of the standard headwall design as required by Section 630 of the 1990 Regulations, Rules, and Specifications for Roads and Subdivisions.

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

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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 relief from platting requirements in accordance with Sections 101 and 102 of the Kendall County Development Rules and Regulations where the proposed division would create a 5.76-acre tract out of a 96.89-acre tract as defined by last will and testament (James Stewart, Independent Executor of the Estate of Landon J. Lockett)

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

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20. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the Preliminary Plat of Cordillera Ranch, Unit 207E, in accordance with Section 202 of the 1990 Kendall County Regulations, Rules and Specifications for Roads and Subdivisions. The proposed subdivision will consist of 10.67 acres, 7 residential lots, and 240 linear feet of roadway with a density of 1.52 acres per lot and will be served by a central water and sewer system.

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

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21. THE STATE OF TEXAS  
COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the Amending Plat of Twin Canyon Ranch Subdivision, Lots 1 and 2 into Lots 1A and 2A.  
Motion was made by Commissioner Pfeiffer, seconded by Judge Lux, and carried by a vote of 5-0.
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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 Amending Plat of Tapatio Springs Subdivision, Unit 2, Block 1, Lots 2 and 3 into Lot 2A in accordance with Section 209 of the Kendall County Development Rules and Regulations.  
Motion was made by Commissioner Fincke, seconded by Commissioner Steubing, and carried by a vote of 5-0.
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23. THE STATE OF TEXAS  
COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve paying Road & Bridge employees for Emergency Call Out time.  
Motion was made by Commissioner Fincke, seconded by Commissioner Pfeiffer, and carried by a vote of 5-0.
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24. The Road Supervisor and the Operations Supervisor from the Road & Bridge Department updated the Court on the total loss of a backhoe.
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25. THE STATE OF TEXAS  
COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the road name change of Habenicht-Fischer Road to Bloodhound Trail (Road History Forms attached).  
Motion was made by Commissioner Pfeiffer, seconded by Commissioner Steubing, and carried by a vote of 5-0.
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At 9:55 a.m. the Court closed Open Session, took a break and at 10:10 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
- 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 Sheriff
  2. Duties and responsibilities of the County Auditor
  3. Duties and responsibilities of the Road & Bridge Road Supervisor
  4. Duties and responsibilities of the Road & Bridge Operations Supervisor
  5. Duties and responsibilities of the County Veterans Service Officer
- IV. (1:30 p.m.) 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 12:10 p.m. the Court recessed Executive Session for lunch and at 1:30 p.m. resumed Executive Session.

At 3:45 p.m. the Court closed Executive Session and resumed Open Session where the following motions were made:

26-1. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to authorize the publishing of notice to request qualifications of architects to be considered for employment by Kendall County to provide architectural services for the construction of a new Kendall County Law Enforcement Center which will include the jail, law enforcement offices, adult probation, and other necessary offices. The responses to the request for qualifications must be received in the Auditor's Office by 2:00 p.m. May 4, 2015.

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

26-2. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the following committee to review the responses to the request for qualifications of architects concerning the new Kendall County Law Enforcement Center and to make recommendations to Commissioners Court by May 11, 2015: Richard Elkins (Commissioner), Corinna Speer (Auditor), Rick Tobolka (Development Management), Al Auxier (Sheriff), and Don Allee (County Attorney).

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

Being no further business, the meeting was adjourned at 3:53 p.m.

EXAMINED AND APPROVED THIS 27th DAY OF APRIL A.D., 2015

ATTESTED: Dorlene Herin  
COUNTY CLERK  
KENDALL COUNTY, TEXAS

D. J. L.  
COUNTY JUDGE  
KENDALL COUNTY, TEXAS