

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 27th 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

1. The meeting was called to order at 9:00 a.m.  
Prayer said by Jim Holt, Pastor, Comfort Baptist Church  
Pledges of Allegiance to the United States and Texas flags.
2. The following Service Awards were presented:
  - 15 years of service: Kate Engleman, Tax Assessor-Collector's Office
3. Employee Introduction / Recognition:
  - Boerne Police Department Officer Rebecca Foley, Dr. Tom Spurgat, Dr. Steven Sanchez, Kendall County Sheriff's Deputy Neil Quick, Kendall County EMS Paramedics Shelly Jennings and Brian Webb were all recognized for their life-saving efforts in March on an automobile driver who suffered a heart attack.
  - District Clerk Susan Jackson introduced one of her new Deputy Clerks, Cassandra Cortez.
  - Sheriff Al Auxier recognized LeAnn Pyles on her retirement from Kendall County.
4. THE STATE OF TEXAS  
COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the Minutes for April 13, 2015.  
Motion was made by Commissioner Fincke, seconded by Commissioner Steubing, and carried by a vote of 5-0.
5. THE STATE OF TEXAS  
COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the Monthly Reports for March 2015 (on file).  
Motion was made by Commissioner Fincke, 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 accounts payable claims for purchases, services and vendors (on file).  
Motion was made by Commissioner Elkins, seconded by Commissioner Fincke, and carried by a vote of 5-0.
7. The Court recognized Dan Rogers, President of the Boerne Kendall County Economic Development Corporation (EDC) on his retirement from the EDC, which under his leadership was established as Kendall County's first full-time economic development agency. The Court thanked him for his contributions to the economic growth of Kendall County.
8. Crisanne Zamponi, President of the Boerne Chamber of Commerce, informed the Court of the Greater Boerne Kendall County Job Fair to be held at the Boerne Civic Center on May 20, 2015.

9. Andra Wisian and Rick Wood, Kendall County 4-H Horse Club representatives, and Marty Carroll, Kendall County Jr. Livestock Association representative, gave a presentation on the progress and future plans for the Kendall County Youth Agriculture and Equestrian Center (YAEC) located at Joshua Springs Park and Preserve.

10. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve overnight stays for the Elections Administrator and her Assistant in Bexar County while attending training.

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

11. PUBLIC COMMENTS: No one spoke.

(Agenda item #12 was addressed after agenda item #14)

13. No action was taken on reinstating the burn ban. It is still off.

14. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the Lease Agreements with Market Days Management to allow them to use the Courthouse grounds for Market Days on June 12-14, 2015 and October 9-11, 2015.

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

(The following agenda item #12 was addressed out of sequence)

12. Allen Goodwin and Steve Spence, representatives of the Comfort Preservation Alliance, presented information concerning the incorporation of Comfort, Texas.

15. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the Resolution 04-27-2015A for an administration service provider for the 2015 Texas Capital Fund Contract 7215022 (AJW Project) (attached).

Motion was made by Commissioner Elkins, seconded by Commissioner Pfeiffer, 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 Resolution 04-27-2015B to designate authorized signators for the 2015 Texas Capital Fund Contract 7215022 (AJW Project) (attached).

Motion was made by Commissioner Elkins, seconded by Judge Lux, 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 the Resolution 04-27-2015C to adopt Complaint and Grievance Procedures related to the Texas Community Development Block Grant Program (attached).

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

18. THE STATE OF TEXAS  
COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to proclaim April as Fair Housing Month (attached).  
Motion was made by Judge Lux, seconded by Commissioner Fincke, and carried by a vote of 5-0.
- 
19. THE STATE OF TEXAS  
COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to authorize the architect (LMD Architects) and the construction manager (MJ Boyle General Contractor) to proceed with the Design Development Phase for the remodel of the EMS facility.  
Motion was made by Commissioner Fincke, seconded by Commissioner Pfeiffer, and carried by a vote of 5-0.
- 
20. THE STATE OF TEXAS  
COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to authorize the County Development Manager to solicit bids for the construction of improvements known as Herff Road Phase II between Old San Antonio Road and U.S. Highway 87.  
Motion was made by Judge Lux, seconded by Commissioner Steubing, 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 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 0.851-acre tract which would be combined with the adjacent 180.73-acre tract. The remainder of the 20.93-acre tract will have ±28.5 feet of frontage while the 0.851-tract will have 60 feet of frontage (Lost Valley Road - Mike Essick).  
Motion was made by Commissioner Steubing, seconded by Judge Lux, 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 platting requirements for the proposed family division to create a 31.78-acre tract out of a 315-acre parent tract over variable width easements to FM 474 with the appropriate note concerning family division on the affidavit and deed (19A Smiser-Smith Road - Roy Smith).  
Motion was made by Commissioner Pfeiffer, 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 Cancellation Plat of part of the subdivision known as His Hill, Chapel Hill Area, Lots 11-31, in accordance with Section 210 of the Kendall County Development Rules and Regulations.  
Motion was made by Commissioner Steubing, seconded by Commissioner Pfeiffer, 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 the Amending Plat of Lots 6 and 7, Inspiration Hill, No. One, Kendall County, Texas, in accordance with Section 209 of the Kendall County Development Rules and Regulations for the purpose of relocating a common lot line between the subject tracts.  
Motion was made by Commissioner Steubing, 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 approve the Amending Plat of Lots 18 and 19, Block A, Unit 101, Cordillera Ranch, in accordance with Section 209 of the Kendall County Development Rules and Regulations for the purpose of combining the two lots into Lot 19A.  
Motion was made by Commissioner Elkins, seconded by Commissioner Fincke, and carried by a vote of 5-0.
26. THE STATE OF TEXAS  
COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the Final Plat of Unit 207D, Cordillera Ranch, in accordance with Section 203 of the 1990 Kendall County Regulations, Rules and Specifications for Roads and Subdivisions. The proposed subdivision consists of 11.01 acres, 8 residential lots, and 1,368 linear feet of roadway for a density of 1.33 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.
27. THE STATE OF TEXAS  
COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the Final Plat of Unit 207C-1, Cordillera Ranch, in accordance with Section 203 of the 1990 Kendall County Regulations, Rules and Specifications for Roads and Subdivisions. The proposed subdivision consists of 10.94 acres, 8 residential lots, and 630 linear feet of roadway for a density of 1.37 acres per lot and will be served by a central water and sewer system.  
Motion was made by Commissioner Elkins, 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 the Letters of Credit for Cordillera Ranch Subdivision, Unit 207C-1, in the amounts of \$220,096.00 for roads and drainage and \$78,804.00 for water and wastewater improvements.  
Motion was made by Commissioner Elkins, seconded by Commissioner Fincke, 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 approve the Letters of Credit for Cordillera Ranch Subdivision, Unit 207D, in the amounts of \$388,526.00 for roads and drainage and \$19,164.00 for water and wastewater improvements.  
Motion was made by Commissioner Elkins, seconded by Commissioner Pfeiffer, 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 grant the request for relief by Cordillera Ranch Subdivision for Unit 206A-3 and grant blanket relief from this time on for the following items requested by Cordillera Ranch from the 1997 Development Guidelines and Regulations Rules Book: (1) use a prime coat under the HMAC pavement in lieu of a one-course surface treatment; (2) allow a 50-foot right-of-way in lieu of 60 feet; (3) allow a pavement width of 21 feet for local streets in lieu of 28 feet; (4) allow a 6" roll curb in lieu of the standard 7" curb; and (5) eliminate centerline striping for street pavement widths of 21 feet.

Motion was made by Commissioner Elkins, seconded by Judge Lux, 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 approve paying Road & Bridge employees for Emergency Call Out time.

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

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

33. The summary of activities by the Road & Bridge Operations Department for March 2015 was presented (attached).

At 11:39 a.m. the Court closed Open Session and at 11:40 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. Kendalia property
- 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 Adult Probation
  2. Duties and responsibilities of the County Auditor
  3. Duties and responsibilities of the Service Writer
  4. Duties and responsibilities of the County Attorney's Office
  5. Duties and responsibilities of the Information Technology Specialist
  6. Duties and responsibilities of the Road & Bridge Operations Supervisor
  7. Duties and responsibilities of the Development Management Office
  8. Duties and responsibilities of the Animal Control Shelter

At 12:05 p.m. the Court recessed Executive Session for lunch and at 1:35 p.m. resumed Executive Session.

At 5:01 p.m. the Court closed Executive Session and at 5:10 p.m. resumed Open Session and being no further business, the meeting was adjourned.

EXAMINED AND APPROVED THIS 11th DAY OF MAY A.D., 2015

ATTESTED:

  
 COUNTY CLERK  
 KENDALL COUNTY, TEXAS

  
 COUNTY JUDGE  
 KENDALL COUNTY, TEXAS