

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 25th day of July 2016.

Present: DARREL L. LUX, COUNTY JUDGE
 MIKE FINCKE, COMMISSIONER, PCT. #1
 RICHARD W. ELKINS, COMMISSIONER, PCT. #2
 TOMMY PFEIFFER, COMMISSIONER, PCT. #3
 CHAD CARPENTER, 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 Robert Chesser, nineteen:ten church.
 Pledges of Allegiance to the United States and Texas flags.
 Judge Lux commented on the Appreciation Lunch for all of the "first responders" in Kendall County at the Kendall County Youth Agriculture and Equestrian Center on Sunday August 7th.
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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 July 11 and 12, 2016.
 Motion was made by Commissioner Elkins, seconded by Commissioner Pfeiffer, and carried by a vote of 5-0.
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3. The following Service Awards were presented:
- 5 years of service: Chad Sells, Sheriff's Office
 - 10 years of service: Michael Colwell, Sheriff's Office
 - 20 years of service: Brian Webb, EMS
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Jeff Fincke, EMS Coordinator, introduced Tim Gibbons, newly hired as an Emergency Management Technician and Brady Constantine, part-time EMS Technician.

4. THE STATE OF TEXAS
 COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the FY2016 Budget Adjustments and Emergency Declarations (attached).
 Motion was made by Commissioner Fincke, seconded by Commissioner Elkins, and carried by a vote of 5-0.
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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 Fincke, and carried by a vote of 5-0 with Commissioner Elkins abstaining from any matters related to GVTC.
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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 June 2016 (on file).
 Motion was made by Commissioner Fincke, seconded by Commissioner Carpenter, and carried by a vote of 5-0.
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7. The County Treasurer presented the Sales Tax Report.
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8. No action was taken on lifting the burn ban. It is still on.
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9. **PUBLIC COMMENTS:**

- Mary Davis commented on traffic concerns on Upper Cibolo Creek Road.
 - David Pipes commented on traffic concerns on Upper Cibolo Creek Road.
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10. **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, 7-10 and 16-22, Block 7, in Golden Fawn Subdivision, Kendall County, Texas, in accordance to Section 209 of the Kendall County Development Rules and Regulations for the purpose of combining Lots 4, 7-10 and 16-22 into Lot 4A, Block 7 (Edward and Elisa McClure).

Motion was made by Commissioner Elkins, seconded by Judge Lux, 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 approve the Amending Plat of Lots 133 and 134 in Skyview Acres, Unit 5, Kendall County, Texas, in accordance to Section 209 of the Kendall County Development Rules and Regulations for the purpose of relocating a common lot line creating Lots 133A and 134A.

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

12. **THE STATE OF TEXAS**

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the Amending Plat of the remaining portion of Lot 2 and all of Lot 81 in Diamond Ridge, Kendall County, Texas, in accordance to Section 209 of the Kendall County Development Rules and Regulations for the purpose of correcting the plat to reflect the sale of 4.484 acres to the owner of Lot 81 in 2007.

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

13. **THE STATE OF TEXAS**

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the Amending Plat of Lot 18, Block 7, and Lot 19, Block 8, Coveney Ranch Subdivision, Unit 2B, Kendall County, Texas, in accordance to Section 209 of the Kendall County Development Rules and Regulations for the purpose of relocating a common lot line creating Lot 18A, Block 7, and Lot 19A, Block 8, (Thomas A. Laurin).

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

14. **THE STATE OF TEXAS**

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the Amending Plat of Lot 18A and 18D, Block 8, in Alamo Springs Subdivision, Kendall County, Texas, in accordance to Section 209 of the Kendall County Development Rules and Regulations for the purpose of relocating a common lot line creating Lots 18A-1 and 18D-1

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

15. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to notify the City of Boerne of the proposed amendments to the Interlocal Agreement between Kendall County and the City of Boerne for regulation of subdivision platting in the extraterritorial jurisdiction (ETJ) of the City of Boerne.

Motion was made by Commissioner Elkins, seconded by Commissioner Carpenter, 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 of Support for the Castle Lake Ranch Volunteer Fire Department's application for a grant from the Lower Colorado River Authority (LCRA) (attached).

Motion was made by Commissioner Fincke, seconded by Commissioner Elkins, 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 proceed with the improvements at the Recycle Center.

Motion was made by Judge Lux, seconded by Commissioner Elkins, 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 approve the Interlocal Agreement between Kendall County and the City of Boerne concerning contraband forfeiture of gambling paraphernalia, devices, equipment, other property, proceeds and cash.

Motion was made by Commissioner Elkins, seconded by Commissioner Carpenter, 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 approve the revised job descriptions for Victims Assistance Coordinator, Victims Assistance Advocate I and Victims Assistance Advocate II.

Motion was made by Judge Lux, seconded by Commissioner Elkins, 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 a 32.5-hour per week employee position to be moved to a 40-hour position at the same annual budgeted salary, at no additional cost to the County, including the necessary funds transfer from line item 10-499-51080 Part-time (\$5,120.00) to line item 10-499-51045 Deputies.

Motion was made by Commissioner Elkins, 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 2017 Optional Fees – County Road and Bridge Fee and Child Safety Fee to be the same as last year.

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

22. The County Development Manager gave a status report on Herff Road Phase II.
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23-1. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve RESOLUTION 07-25-2016 which is an AGREEMENT TO CONTRIBUTE RIGHT OF WAY FUNDS (FIXED PRICE) of \$119,837.73 between Kendall County and the State of Texas for the expansion of State Highway 46 pending final review of the Resolution by Commissioners Court.

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

23-2. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the ADVANCE FUNDING AGREEMENT FOR VOLUNTARY LOCAL GOVERNMENT CONTRIBUTIONS TO TRANSPORTATION IMPROVEMENT PROJECTS WITH NO REQUIRED MATCH between Kendall County and the State of Texas for the expansion of State Highway 46.

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 schedule a public hearing and authorize publishing notice pursuant to Transportation Code section 251.152 before the Court issues traffic regulations.

Motion was made by Commissioner Elkins, seconded by Commissioner Carpenter, 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 request to hire a temporary employee to assist the Elections Department and the necessary budget adjustment.

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

26. The summary of activities by the Operations Department for June 2016 was presented (attached).
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27. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve paying an Operations employee for Emergency Call Out time.

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

At 10:10 the Court took a break and resumed at 10:15 a.m.

28. The summary of road activities by Road & Bridge for June 2016 was presented (attached).
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29. Misty Mayo, EDC President/CEO, gave a presentation concerning ongoing activities of the Boerne Kendall County Economic Development Corporation.
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At 10:35 a.m. the Court closed Open Session, took a Break, and at 10:45 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 property, roads and bridges
 2. Five Oaks Holding LLC D/B/A Bella Springs Special Events Venue, Plaintiffs vs. B. Scott Kehoe and Tanita F. White Kehoe, Defendants
 3. Richard Wagner, Beverly Wagner, Steven Clouse, Gerardine Clouse, Jeff Jureczki, Tiffany Jureczki, Robert C. Chambers, Rena M. Chambers, Sandra Glomski, Jeff Dunklin and Karen Brickey, Plaintiffs vs. Thomas David White, Jennifer White, Tanita Faye Kehoe and Scott Kehoe, Defendants
- II. 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 Constable Precinct 3
 3. Duties and responsibilities of the County Auditor's Office
- III. The Court will meet in Executive Session pursuant to Section 551.087 to discuss or deliberate regarding commercial or financial information that the Boerne Kendall County Economic Development Corporation ("EDC") has received from a business prospect that the EDC seeks to have locate, stay, or expand in Kendall County and with which the EDC is conducting economic development negotiations; or to deliberate the offer of a financial or other incentive to a business prospect.

The Court recessed at 11:50 a.m. and resumed at 1:35 p.m.


At 2:04 p.m. the Court closed Executive Session and at 2:07 p.m. resumed Open Session.

Being no further business, the meeting was adjourned at 2:08 p.m.

EXAMINED AND APPROVED THIS 8th DAY OF AUGUST 2016.

ATTESTED:


COUNTY CLERK
KENDALL COUNTY, TEXAS


COUNTY JUDGE
KENDALL COUNTY, TEXAS