

**NOTICE OF REGULAR MEETING
OF THE KENDALL COUNTY COMMISSIONERS COURT**



NOTICE is hereby given that a regular meeting of the Kendall County Commissioners Court will be held on the **13th** day of **November 2017** at **9:00 a.m.** in the **Kendall County Courthouse, Third Floor Assembly Room**, 201 E. San Antonio Avenue, Boerne, Texas, at which time the following will be discussed and appropriate action taken; pursuant to V.T.C.A. Government Code Chapter 551, Open Meetings Act, including all Subchapters and Sections:

All matters listed on the following Agenda may be discussed in Executive Session at the option of the Kendall County Commissioners Court and following verbal announcement, if an appropriate exception to the open meeting requirement of the Texas Open Meetings Act is applicable.

NO CELL PHONES, AUDIBLE PAGERS, AND/OR BEEPERS SHALL BE USED WHILE COURT IS IN SESSION

1. Call to Order - 9:00 a.m.
Pledge of allegiance to the United States Flag
Pledge of allegiance to the Texas Flag
Comments from the bench
2. Consideration and action on the approval of the Minutes for October 23, 2017: Sally Peters, Deputy Clerk/Administrative Assistant
3. Presentation of Service Award:
15 years: Sharon Barter, Auditor's Office
4. Consideration and action on recognizing November 18, 2017 as Texas Adoption Day – No More Black Trash Bags in Kendall County: Darrel L. Lux, County Judge
5. Consideration and action on the approval of accounts payable claims for purchases, services, and vendors: Corinna Speer, County Auditor
6. Discussion concerning the necessity for Special Called Meetings to approve payroll as a claim on the County. Action as necessary: Darrel L. Lux, County Judge
7. Consideration and action on scheduling a public hearing on November 27, 2017 to discuss and hear public comments on the proposed amendments to Order 08-10-2009A Regulation of Outdoor Lighting: Richard Elkins, Commissioner Precinct 2
8. Consideration and action on the burn ban (Authority Section 352.081, Texas Local Government Code): Darrel L. Lux, County Judge / Jeffery Fincke, Fire Marshal

9. Discussion concerning the proposed Vulcan Construction Materials permit application to the Texas Commission on Environmental Quality (TCEQ): Richard Elkins, Commissioner Precinct 2
10. PUBLIC COMMENTS— opportunity for the general public to address the Court on any matter. The Court may not discuss any presented issue, nor may any action be taken on any issue at this time. Comments are limited to 3 minutes.
11. Presentation by the Friends of the Kendall County Historic Jail (FKCHJ) concerning the operation of a museum in the Historic Jail. Actions as necessary, which may include:
 - 1) Consideration and action concerning activities of the Friends of the Kendall County Historic Jail (FKCHJ). (A finding that the activities of the FKCHJ serve a public purpose is necessary.),
 - 2) Consideration and action concerning the use of the Historic Jail by the FKCHJ. (A determination that the use of the Historic Jail by the FKCHJ is a public purpose of benefit to Kendall County and its residents is necessary.), and
 - 3) Consideration and action concerning a use agreement with the FKCHJ providing that the non-profit organization would operate a museum at the Historic Jail:
Don Allee, General Counsel / Darrel L. Lux, County Judge
12. Consideration and action on a request for relief for Philip Ranch Subdivision by Southerland Land Boerne, LLC from Section 400 of the Kendall County Development Rules and Regulations for the following items:
 - 1) Minimum right-of-way of 50 feet versus 60 feet
 - 2) Minimum design speed of 25 mph versus 30 mph
 - 3) Minimum pavement width of 22 feet versus 26 feet (no edge stripe)
 - 4) Minimum K value of 26 versus 40 (sag vertical curve)
 - 5) Minimum K value of 12 versus 20 (crest vertical curve)
 - 6) Minimum horizontal curve radius of 200 feet versus 229 feet
 - 7) Minimum subgrade width of 26 feet versus 30 feet
 - 8) Minimum base width of 24 feet versus 28 feet
 - 9) Minimum right-of-way radius for cul-de-sac of 62 feet versus 66 feet
 - 10) Minimum pavement radius for cul-de-sac of 48 feet versus 50 feet
 - 11) Construct safety end treatment to edge of pavement versus a 6-foot offset (Dan Mullins, Southerland Boerne Land, LLC): Tommy Pfeiffer, Commissioner Precinct 3 / Rick Tobolka, County Engineer
13. Consideration and action on a request for relief from the platting requirements and road frontage in accordance with Sections 101 and 102 of the Kendall County Development Rules and Regulations. The proposed division would create a tract of 33.741 acres and a tract of 66.317 acres out of a 100.058-acre parent tract. Access to the proposed tracts would be over a 60-foot-wide road easement to Lost Valley Road. Relief from platting and road frontage requirements was previously granted on May 26, 2015 for the creation of the 100.058-acre parent tract (Ken Muller - Muller Assets, Ltd): Don Durden, Commissioner Precinct 4 / Mary Ellen Schulle, Development Engineer

14. Consideration and action concerning a Memorandum of Understanding between the County and land owners of property adjacent to Fuller Drive. The purpose of the memorandum is to provide for the construction of a cul-de-sac at the end of Fuller Drive so that motor vehicles, including school buses and emergency vehicles can turn around without encroaching on private property: Tommy Pfeiffer, Commissioner Precinct 3 / Don Allee, General Counsel
15. Consideration and action concerning the lease agreement for 24 Apple iPads to be used by the Sheriff's Department: Al Auxier, County Sheriff
16. Consideration and action concerning the approval of an agreement with TimeClock Plus to provide electronic time keeping services to Kendall County: Juanita Espino, HR Director
17. Consideration and action concerning the approval of Consent to Assignment of Economic Development Incentive Reimbursables for Boerne Hotel, Ltd.: Bill Ballard, Assistant CDA
18. Consideration and action concerning EDI Provider Transaction Agreement for Intermedix to submit transactions to Wisconsin Physicians Service Insurance Corporation for EMS bills: Jeffery Fincke, EMS Administrator
19. Consideration and action concerning the approval of an agreement with the Texas Wildlife Services Program: Darrel L. Lux, County Judge
20. Consideration and action concerning the approval of work orders providing for the annual elevator inspections: Robert Kinsey, Facilities Manager
21. Consideration and action on purchasing a new vehicle for the Deputy Fire Marshal: Jeffery Fincke, Fire Marshal
22. Consideration and action on approving the Resolution to cast Kendall County's votes for the County's nominee, Don Edmondson, to the Kendall Appraisal District Board of Directors: Darrel L. Lux, County Judge
23. Review and accept the Compensation and Classification Study conducted by MGT of America Consulting, LLC: Corinna Speer, County Auditor
24. Consideration and action to transfer heavy equipment from the Road & Bridge Department to the Parks Department: Daniel Vetter, Parks Manager
25. Consideration and action for approval to obtain bids for FY2018 Road Materials: Corinna Speer, County Auditor
26. Consideration and action to award the bid for Sealcoat Work on Bid # 2017.05: Corinna Speer, County Auditor

27. Consideration and action on the work schedule for the Solid Waste Site, Recycle Center, and Brush Site over the Thanksgiving Holiday. Solid Waste, Recycle, and the Brush Site are off Thursday and Friday November the 23rd and 24th and scheduled to be open Saturday November 25th after the Thanksgiving holiday: Rick Tobolka, County Engineer

BREAK

EXECUTIVE SESSION (Closed to public)

Pursuant to Chapter 551 of the Texas Government Code

- I. The Court will meet in Executive Session pursuant to Section 551.071 to seek the advice of 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 as follows:**
1. Commissioners Court authority and obligations concerning subdivisions, county property, roads and bridges
 2. Vulcan Concrete Batch Plant permit application to TCEQ
 3. Opioid Lawsuit
 4. Requirements of the FLSA concerning pay for overtime
- II. The Court will meet in Executive Session pursuant to Section 551.072 to deliberate the purchase, exchange, lease or value of real property. (Note: Deliberation in an open meeting would have a detrimental effect on the position of Kendall County in negotiations with a third person.)**
- III. The Court will meet in Executive Session 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 Juvenile Probation Officer
- IV. 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.**

RESUME OPEN SESSION AND TAKE ANY NECESSARY ACTION RESULTING FROM EXECUTIVE SESSION DELIBERATIONS

28. Consideration and action concerning a Listing Agreement with Carter TX Realty for the sale of real property located at 112 Sparrowhawk Trail, legally described as Lot 21, Block 1, Ranger Creek Unit 1 Viewpoint at Ranger Creek.: Christina Bergmann, Commissioner Precinct 1 / Don Allee, General Counsel

ADJOURNMENT

Dated this the 9th day of November 2017.



Darrel L. Lux
Kendall County Judge

I, the undersigned County Clerk, do hereby certify NOTICE of regular meeting of the above-named Commissioners Court is a true and correct copy of said Notice and that I have caused said Notice to be posted on the door at the Courthouse of Kendall County, Texas, located at 201 E. San Antonio Avenue on the 9th day of November 2017.



Darlene Herrin
County Clerk

Posted at 4:30p.m. on the 9th day of November 2017- guf

NOTE: The Kendall County Commissioners Court complies with A.D.A. requirements. If you have an impairment and wish to appear at a meeting, please call (830)249-9343, 48 hours in advance to make arrangements.