

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 9th day of January 2017.

Present: **DARREL L. LUX, COUNTY JUDGE**
 CHRISTINA BERGMANN, COMMISSIONER, PCT. #1
 RICHARD W. ELKINS, COMMISSIONER, PCT. #2
 TOMMY PFEIFFER, COMMISSIONER, PCT. #3
 DON DURDEN, 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 Father Norm Ermis, St. Peter's Catholic Church.
Pledges of Allegiance to the United States and Texas flags.
Judge Lux introduced the two new members of Commissioners Court: Christina Bergmann, Commissioner Precinct 1, and Don Durden, Commissioner Precinct 4. He also commented on the Kendall County Youth Stock Show that begins this coming Friday. The Poultry Show was last weekend with two Grand Champions and two Reserve Champions already named this year. He said that the sale would be on Saturday at 12:30 p.m. with a dedication of the facility at 11:00 a.m. He encouraged everyone to attend.

2. **THE STATE OF TEXAS**
COUNTY OF KENDALL **It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the Minutes for December 27, 2016.**
Motion was made by Commissioner Elkins, seconded by Commissioner Pfeiffer, and carried by a vote of 5-0.

3. **THE STATE OF TEXAS**
COUNTY OF KENDALL **It is ordered by the Commissioners' Court of Kendall County, Texas, to appoint Commissioner Elkins as Judge Pro-Tem.**
Motion was made by Judge Lux, seconded by Commissioner Pfeiffer, and carried by a vote of 4-0-1 with Commissioner Elkins abstaining.

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 Durden, 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 Cash Summary for October 2016 (attached).**
Motion was made by Commissioner Elkins, seconded by Commissioner Bergmann, and carried by a vote of 5-0.

6. **The County Treasurer presented the Sales Tax Report.**

7. **THE STATE OF TEXAS**
COUNTY OF KENDALL **It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the Investment Report for 4th Quarter Fiscal Year 2016 (attached).**
Motion was made by Commissioner Elkins, seconded by Commissioner Pfeiffer, and carried by a vote of 5-0.

8. THE STATE OF TEXAS
COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to put the Burn Ban on effective today.
Motion was made by Judge Lux, seconded by Commissioner Elkins, and carried by a vote of 5-0.

9. PUBLIC COMMENTS:
• Bob Reinartz commented on water storage requirements as pertains to fire fighting.

10. THE STATE OF TEXAS
COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to release the Letter of Credit #8747440 for Cordillera Ranch, Unit 301A, in the amount of \$579,724.00 for water and waste water improvements.
Motion was made by Commissioner Elkins, seconded by Commissioner Pfeiffer, 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 release the Letter of Credit #8747430 for Cordillera Ranch, Unit 301B, in the amount of \$276,044.00 for water and waste water improvements.
Motion was made by Commissioner Elkins, seconded by Commissioner Durden, 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 Lot 1, High Point Ranch Subdivision, Phase 1, creating Lot 1A for the purpose of recording the location of a variable width fire department, property-owners association, and Cow Creek Groundwater Conservation District easement to an existing well, subject to the noted correction being made and approved by the Development Management Department.
Motion was made by Commissioner Pfeiffer, seconded by Judge Lux, 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 Plat Revision of Lot 9B in Deer Lake Subdivision creating Lot 9B-1 and Lot 9B-2 out of the parent Lot 9B.
Motion was made by Commissioner Bergmann, seconded by Commissioner Elkins, 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 Resolution to apply for the 2017-2018 Texas Community Development Block Grant (Kendall County WCID #1).
Motion was made by Commissioner Durden, 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 approve the intergovernmental agreement between Kendall County and the Kendall County WCID #1 for the 2017-2018 Texas Community Development Block Grant subject to the correction of the names on the agreement for the President of the Board and the Board Secretary.

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

16. The County Tax Assessor-Collector's Continuing Education Transcript for 2016 was received by the Court as evidence of compliance with Texas Property Tax Code Section 6.23(d) V.T.C.A. (attached).

17. No action was taken concerning a one-time contract to grind existing brush at the Kendall County Brush Site.

18. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to reassign office locations as depicted in Option 3 (attached).

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

At 9:40 a.m. the Court closed Open Session, took a break and at 9:50 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 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. Civil enforcement action against Volkswagen Aktiengesellschaft, Audi Aktiengesellschaft, Volkswagen Group of America Inc., Audi of America LLC, and other entities for alleged violations of applicable laws and regulations.
- 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 Criminal District Attorney
 2. Duties and responsibilities of the County Health Sanitarian Office
 3. Duties and responsibilities of Commissioners Court
 4. Duties and responsibilities of the County Judge
 5. Duties and responsibilities of Constable Precinct 2
- III. 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.

At 10:05 a.m. the Court recessed Executive Session and at 1:30 p.m. the Court reconvened Executive Session.

At 4:05 p.m. the Court closed Executive Session and at 4:07 p.m. went into Open Session.

Being no further business, the meeting was adjourned at 4:08 p.m.

EXAMINED AND APPROVED THIS 23rd DAY OF JANUARY 2017.

ATTESTED: /s/ Darlene Herrin
 COUNTY CLERK
 KENDALL COUNTY, TEXAS

/s/ Darrel L. Lux
 COUNTY JUDGE
 KENDALL COUNTY, TEXAS