

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 February 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 Pastor Jason Brown, nineteen:ten church.
 Pledges of Allegiance to the United States and Texas flags.
 Judge Lux thanked all the first responders and volunteers who answered the emergency call concerning his mother.

 2. **THE STATE OF TEXAS**
COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the Minutes for January 23, 2017.
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 proclaim the month of February as Dating Violence Awareness Month (attached).
Motion was made by Judge Lux, seconded by Commissioner Elkins, and carried by a vote of 5-0.

 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 Bergmann, and carried by a vote of 5-0 with Commissioner Elkins abstaining from any matters related to GVTC.

 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 November 2016 (attached).
Motion was made by Judge Lux, seconded by Commissioner Elkins, and carried by a vote of 5-0.

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

 7. **No action was taken on lifting the burn ban. It is still on.**

 8. **PUBLIC COMMENTS:**
 - **City of Boerne Mayor Mike Schultz spoke about the proposed hotel/conference center.**
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9. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve a 381 agreement tax abatement with the Boerne Hotel, LLC concerning a proposed commercial development and a hotel conference center and proposed economic development incentives as 75% for 10 years.

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

10. No action was taken concerning rules for the new Dog Park.

11. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to allow Kendall County Boy Scouts of America and Kendall County Girl Scouts of America to use Joshua Springs Park & Preserve initially and expand later with Commissioner Court approval and also approve the rental use agreement.

Motion was made by Judge Lux, 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 renew the contract with CIRA for provision of email and website services.

Motion was made by Commissioner Elkins, 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 grant the request for relief from Section 301, Kendall County Development Rules and Regulations, potable water supplies and facilities where Section 301 requires a Groundwater Availability Report submission with the Preliminary Plat (Pleasant Valley Business Park).

Motion was made by Commissioner Elkins, seconded by Judge Lux, 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 Preliminary Development Plat of Pleasant Valley Business Park in accordance to Kendall County Order No. 06-27-2016A and Section 203 of the Kendall County Development Rules and Regulations for a non-residential subdivision that would create 17 lots out of 26 acres for an average density of 1.53 acres per lot with 1,563 linear feet of private roadway and would be served by a public water supply and on-site sewage facilities.

Motion was made by Commissioner Elkins, seconded by Judge Lux, 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 Plat Revision of Shadow Valley Ranch, Unit 3, Lot 30, creating Lot 30A (±6.6 acres) and Lot 30B (±6.1 acres).

Motion was made by Commissioner Pfeiffer, seconded by Judge Lux, 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 Amending Plat of Lots 3 and 4, Block 6, in Alamo Springs Ranch Subdivision in accordance to Section 209 of the Kendall County Development Rules and Regulations to relocate a common lot line creating Lots 3A and 4A.
Motion was made by Commissioner Durden, seconded by Commissioner Pfeiffer, and carried by a vote of 5-0.
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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 Amending Plat of Lots 7 and 8, Block 6, Tapatio Springs Subdivision, Unit 1, in accordance to Section 209 of the Kendall County Development Rules and Regulations for the purpose of combining Lots 7 & 8 into Lot 7A.
Motion was made by Commissioner Bergmann, seconded by Commissioner Durden, 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 approve the Amending Plat of Lots 40 and 41, Block A, Cordillera Ranch, Unit 206A-2, in accordance to Section 209 of the Kendall County Development Rules and Regulations for the purpose of combining Lots 40 and 41 into Lot 40A.
Motion was made by Commissioner Elkins, seconded by Judge Lux, 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 allow the winners of the 9th Annual Weight Loss Challenge to have a day off with pay and without using their leave time.
Motion was made by Commissioner Elkins, seconded by Commissioner Bergmann, and carried by a vote of 5-0.
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20. **Juanita Espino, HR Director, presented the Annual Report of the Sick Leave Pool Program.**
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21. **THE STATE OF TEXAS**
COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to appoint Commissioner Bergmann as a member of the Sick Leave Pool Panel.
Motion was made by Judge Lux, seconded by Commissioner Pfeiffer, 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 revised job description for Deputy Sheriff (attached).
Motion was made by Judge Lux, seconded by Commissioner Elkins, 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 the Safety Committee members as submitted with Tommy Pfeiffer as the Commissioner representative and adding Sheriff Auxier to the list.
Motion was made by Judge Lux, seconded by Commissioner Elkins, and carried by a vote of 5-0.
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24. **THE STATE OF TEXAS**
COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve paying a Facilities employee for Emergency Call Out time.
 Motion was made by Judge Lux, seconded by Commissioner Elkins, and carried by a vote of 5-0.
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25. **THE STATE OF TEXAS**
COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to authorize the transfer of a Sheriff's Department car to the Facilities Department.
 Motion was made by Judge Lux, seconded by Commissioner Elkins, and carried by a vote of 5-0.
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26. **THE STATE OF TEXAS**
COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the service agreements with Stryker and payment amounts due for the new Stretcher and Power Load System with changes to the contract and service agreement as discussed.
 Motion was made by Commissioner Durden, seconded by Commissioner Pfeiffer, and carried by a vote of 5-0.
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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 the work schedule for EMS Peak Crew.
 Motion was made by Commissioner Elkins, seconded by Commissioner Bergmann, and carried by a vote of 5-0.
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28. **THE STATE OF TEXAS**
COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the job description for Assistant Criminal District Attorney – Civil with the following exceptions: on page 3 under “2. CDA Related Civil Duties” delete paragraph “a.” in its entirety, and on paragraph “h.” strike out the words “Includes but not” at the beginning of the phrase.
 Motion was made by Commissioner Elkins, seconded by Commissioner Bergmann, and failed by a vote of 2-3.
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29. **The County Sheriff presented the Racial Profiling report and an overall review of the 2016 Annual Report.**
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At 12:10 p.m. the Court closed Open Session, took a short break and 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. Commissioners Court authority and obligations concerning subdivisions, county property, roads and bridges
 2. Claim against a former employee of Kendall County
- 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 Commissioners Court
 2. Duties and responsibilities of the Human Resources Director
 3. Duties and responsibilities of the County Engineer
 4. Duties and responsibilities of the Sheriff's Office
- III. 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.

At 1:25 p.m. the Court recessed Executive Session and at 2:30 p.m. the Court reconvened Executive Session.

At 3:34 p.m. the Court closed Executive Session and at 3:40 p.m. went into Open Session where there being no further business, the meeting was adjourned.

EXAMINED AND APPROVED THIS 27th DAY OF FEBRUARY 2017.

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

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