

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 March 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 Rob Clark, Community Bible Church.
Pledges of Allegiance to the United States and Texas flags.

2. THE STATE OF TEXAS
COUNTY OF KENDALL **It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the Minutes for February 27, 2017.**
Motion was made by Commissioner Elkins, seconded by Commissioner Durden, 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 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 matters related to GVTC and Commissioner Bergmann abstaining from matters related to Bergmann Lumber.

4. THE STATE OF TEXAS
COUNTY OF KENDALL **It is ordered by the Commissioners' Court of Kendall County, Texas, to proclaim April 15, 2017 as Shriners Hospitals for Children Day (attached).**
Motion was made by Judge Lux, seconded by Commissioner Elkins, 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 proclaim March 2017 as Texas History Month in Kendall County (attached).**
Motion was made by Judge Lux, seconded by Commissioner Pfeiffer, and carried by a vote of 5-0.

6. Stephen Zoeller, Texas Agrilife Extension Agent, presented information concerning the wildfires in the Texas panhandle and gave information on how to help those in need in that area.

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 1st Quarter Fiscal Year 2017 as presented (attached).**
Motion was made by Commissioner Durden, seconded by Commissioner Bergmann, and carried by a vote of 5-0.

8. The County Treasurer presented the Sales Tax Report.

9-a. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the Guaranteed Maximum Price (GMP) as presented by Turner Construction Company.

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

(Agenda item #9-b was addressed after agenda item #17)

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

11. PUBLIC COMMENTS:

- David Pipes spoke about Upper Cibolo Creek Road.
 - Rod Fowler spoke about HB914 and SB3677.
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12. 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 1A, Block 6, Tapatio Springs Subdivision, Unit 1, Kendall County, Texas, in accordance to Section 209 of the Kendall County Development Rules and Regulations for the purpose of dividing Lot 1A into Lots 1A-1 and 1A-2.

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

13. Charles Cook, Director of Miralomas Development Corporation, gave an update of the Miralomas project.

14-a. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to accept the Resolution for supporting special legislation for the addition of road powers to Lerin Hills Municipal Utility District of Kendall County with Section 2 stating that the Kendall County Commissioners Court hereby remains neutral as to the passage of special legislation in the 85th Texas Legislation for the addition of road powers to the District.

Motion was made by Commissioner Bergmann, seconded by Commissioner Durden, and failed by a vote of 2-2-1 with Commissioner Elkins abstaining.

14-b. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the Resolution pertaining to the addition of road powers to Lerin Hills Municipal Utility District of Kendall County with Section 2 stating that the Kendall County Commissioners Court acknowledges the notification of special legislation in the 85th Texas Legislature for the addition of road powers to the District (attached).

Motion was made by Judge Lux, seconded by Commissioner Elkins, 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 authorize Commissioner Don Durden to proceed forward with the negotiations and/or final contract with the City of Boerne pertaining to the Boerne City Lake parking entrance with the total project not to exceed \$140,000.

Motion was made by Judge Lux, 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 authorize the rental agreement for portable restrooms at all parks.

Motion was made by Judge Lux, 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 approve the Road & Bridge work schedule of a four-day week from 6:30 a.m. to 5:00 p.m. starting April 3, 2017.

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

(The following agenda item #9-b was addressed out of sequence)

9-b. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to authorize the payment of \$7,703 for the plan fee and \$15,475 for the permit fee to be taken out of line item 72-409-55130 which is the Law Enforcement Center Capital Projects.

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

At 10:25 a.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
- 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 Sheriff's Office
 2. Duties and responsibilities of the County Auditor's Office
 3. Duties and responsibilities of the Criminal District Attorney's Office
 4. Duties and responsibilities of the Victim Services Department

At 12:00 p.m. the Court recessed Executive Session and at 1:30 p.m. the Court reconvened Executive Session.

At 4:08 p.m. the Court closed Executive Session and went into Open Session where the following motions were made:

18. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the interlocal agreement with TechShare to provide Case Management Software for the Criminal District Attorney's Office that includes the law enforcement case submission portal and the defense portal for discovery.

Motion was made by Judge Lux, seconded by Commissioner Elkins, 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 Victim Services' budget adjustment reallocating Victim Advocate funding to fund a part-time Victim Support Specialist 1, Grade 5, and Case Management Software cost for four users.

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

Being no further business, the meeting was adjourned at 4:12 p.m.

EXAMINED AND APPROVED THIS 27th DAY OF MARCH 2017.

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

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