

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 27th 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 Jeremy Errickson, Living Hope 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 March 13, 2017.**
Motion was made by Commissioner Elkins, seconded by Commissioner Durden, and carried by a vote of 5-0.

3. The following Service Awards were presented:

- **5 years of service: David Harmon, EMS**
- **10 years of service: Robert Kinsey, Facilities Manager**

4. Introductions / Recognitions:
Jeff Fincke, EMS Administrator, introduced Rodney Vorndam, who will be taking over the volunteer position of POD (Point of Dispensing) Director for Kendall County, and new EMS employees Don Davis and Joey Osnaya.

5. THE STATE OF TEXAS
COUNTY OF KENDALL **It is ordered by the Commissioners' Court of Kendall County, Texas, to proclaim March 27-31, 2017 as American Cancer Society Relay For Life Days in Kendall County (attached).**
Motion was made by Judge Lux, seconded by Commissioner Pfeiffer, and carried by a vote of 5-0.

6. THE STATE OF TEXAS
COUNTY OF KENDALL **It is ordered by the Commissioners' Court of Kendall County, Texas, to proclaim April 2017 as Child Abuse Prevention Month in Kendall County (attached).**
Motion was made by Judge Lux, seconded by Commissioner Elkins, and carried by a vote of 5-0.

7-a. 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 Judge Lux, seconded by Commissioner Elkins, and carried by a vote of 5-0 with Commissioner Bergmann abstaining from matters related to Bergmann Lumber Company and Commissioner Durden abstaining from matters related to Atkinson Seed & Supply.

(Agenda item #7-b was addressed after Executive Session)

8. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the Monthly Reports for February 2017 (on file).

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

9. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the Cash Summary for January 2017 (attached).

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

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

11. PUBLIC COMMENTS:

- John Kight spoke about a proposed Water Control and Improvement District.
 - Rod Fowler spoke about a proposed Water Control and Improvement District.
 - During agenda item #13 the following people spoke: John Kight and Rod Fowler.
 - During agenda item #14 the following people spoke: David Pipes, Kevin Katzer, Rodney Yates, and Steve Clouse.
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12. The County Fire Marshal gave a report on the County Fire Code.

(The following people spoke during agenda item #13: John Kight and Rod Fowler)

13. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve KENDALL COUNTY RESOLUTION 03-27-2017 OPPOSING PASSAGE OF HB 3677 (attached).

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

(The following people spoke during agenda item #14: David Pipes, Kevin Katzer, Rodney Yates, and Steve Clouse)

14. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the Memorandum of Understanding and Agreement concerning Bella Springs Road.

Motion was made by Commissioner Durden, seconded by Judge Lux, and carried by a vote of 4-1 with Commissioner Bergmann voting against.

15. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to accept the Maintenance Bond for High Point Ranch, Phase I, for Roadway and Drainage in the amount of \$115,698.55.

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 release the Subdivision Bond for High Point Ranch, Phase I, for Roadway and Drainage in the amount of \$771,323.65.

Motion was made by Commissioner Pfeiffer, seconded by Judge Lux, 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 award the contract for the Compensation and Classification Study to MGT of America Consulting, LLC.
 Motion was made by Judge Lux, seconded by Commissioner Bergmann, 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 reject the bids for road materials that were not in compliance with the specifications and reject the bids for Emulsified Asphalt; and re-bid those products; and award the remaining road materials as recommended (attached).
 Motion was made by Commissioner Durden, seconded by Judge Lux, and carried by a vote of 5-0.
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19. Commissioner Durden gave a status report on the EMS Building Project (attached).
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20. **THE STATE OF TEXAS**
COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the Resolution supporting the application of the Criminal District Attorney's Office to become a Law Enforcement Agency through the Texas Commission on Law Enforcement (attached).
 Motion was made by Judge Lux, seconded by Commissioner Elkins, and carried by a vote of 5-0.
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21. **THE STATE OF TEXAS**
COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to proclaim April 2-8, 2017 as Crime Victims' Rights Week (attached).
 Motion was made by Judge Lux, seconded by Commissioner Elkins, and carried by a vote of 5-0.
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22. The summary of road activities by Road & Bridge for February 2017 was presented (attached).
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23. The summary of activities by the Operations Department for February 2017 was presented (attached).
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24. **THE STATE OF TEXAS**
COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to accept the contractor's traffic control plan of the intermittent closures of Shooting Club Road.
 Motion was made by Commissioner Durden, seconded by Judge Lux, and carried by a vote of 5-0.
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At 11:08 a.m. the Court closed Open Session, took a Break, and at 11:17 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. Commissioners Court 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

