

**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 10th day of July 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**

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**1.        The meeting was called to order at 9:03 a.m.**  
**Prayer said by the Right Reverend James E. Folts, St. Helena's Episcopal Church.**  
**Pledges of Allegiance to the United States and Texas flags.**

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**2.        THE STATE OF TEXAS**  
**COUNTY OF KENDALL**        **It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the Minutes for June 26-27, 2017.**  
**Motion was made by Commissioner Elkins, seconded by Commissioner Pfeiffer, and carried by a vote of 5-0.**

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**3.        THE STATE OF TEXAS**  
**COUNTY OF KENDALL**        **It is ordered by the Commissioners' Court of Kendall County, Texas, to approve amending the FY2017 budget through new revenue certification and budget adjustments (attached).**  
**Motion was made by Commissioner Elkins, seconded by Commissioner Durden, and carried by a vote of 5-0.**

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**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 Durden, seconded by Commissioner Pfeiffer, and carried by a vote of 5-0 with Commissioner Elkins abstaining from matters related to GVTC.**

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**5.        THE STATE OF TEXAS**  
**COUNTY OF KENDALL**        **It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the agreement with KoFile Technologies for the preservation of Plat Records originally filed in Deed Records Volumes 1-94 in the County Clerk's office.**  
**Motion was made by Commissioner Elkins, seconded by Commissioner Bergmann, and carried by a vote of 5-0.**

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**6.        No action was taken concerning the Interlocal Agreement with the City of Boerne for regulating subdivision platting in the extraterritorial jurisdiction of the City of Boerne located in Kendall County.**

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

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**8.        PUBLIC COMMENTS:**

- **John Kight spoke concerning agenda item #6 – the Interlocal Agreement with the City of Boerne.**
- **Glenn Cummings spoke concerning agenda item #15 – nuisance conditions at 37175A IH-10.**
- **James Lanoue spoke concerning agenda item #15 – nuisance conditions at 37175A IH-10.**

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9. **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 3, for roadway and drainage in the amount of \$572,398.15. Motion was made by Commissioner Pfeiffer, seconded by Commissioner Durden, and carried by a vote of 5-0.
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10. **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 3, for roadway and drainage in the amount of \$85,859.72. Motion was made by Commissioner Pfeiffer, seconded by Judge Lux, and carried by a vote of 5-0.
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11. **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 4, for roadway and drainage in the amount of \$365,040.05. Motion was made by Commissioner Pfeiffer, seconded by Commissioner Durden, and carried by a vote of 5-0.
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12. **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 4, for roadway and drainage in the amount of \$54,756.01 effective for one year beginning July 10, 2017. Motion was made by Commissioner Pfeiffer, seconded by Commissioner Elkins, and carried by a vote of 5-0.
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13. **THE STATE OF TEXAS**  
**COUNTY OF KENDALL** It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the road history form for "Bar Angle Trail" a new private road in Kendall County which was created for 9-1-1 addressing purposes (attached). Motion was made by Commissioner Pfeiffer, seconded by Commissioner Durden, and carried by a vote of 5-0.
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14. **THE STATE OF TEXAS**  
**COUNTY OF KENDALL** It is ordered by the Commissioners' Court of Kendall County, Texas, to appoint the following members to a committee with the authority to 1) Rank responders, 2) Select the most qualified responder, 3) Enter into contract negotiations, and 4) Execute a professional services contract for Construction Materials Testing for the Law Enforcement Center project: Tommy Pfeiffer, Commissioner Precinct 3; Bill Ballard, Assistant CDA-Civil; Rick Tobolka, County Engineer; and Mary Ellen Schulle, Development Engineer. Motion was made by Commissioner Durden, seconded by Commissioner Elkins, and carried by a vote of 5-0.
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15. **THE STATE OF TEXAS**  
**COUNTY OF KENDALL** It is ordered by the Commissioners' Court of Kendall County, Texas, to proceed in accordance with the Kendall County nuisance policy concerning the property at 37175A IH-10. Motion was made by Commissioner Bergmann, seconded by Commissioner Elkins, and carried by a vote of 5-0.
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## 16. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to adopt the prevailing wages for Kendall County as presented on the document titled "Texas WDA, MSA, Texas A&M Bexar County, Hays County Wages" (attached).

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

At 9:50 a.m. the Court closed Open Session, took a break and at 10:00 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, public works, roads and bridges
  2. Claim of Max Voight
- 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 Road & Bridge Department

At 11:07 a.m. the Court closed Executive Session and went into Open Session where the following motions were made:

## I-2. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the claim of Max Voight.

Motion was made by Commissioner Elkins, seconded by Commissioner Durden, 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 authorize the County Judge to execute a letter amendment to the agreement between Kendall County and Turner Construction Company, Construction Manager at Risk for the Kendall County Law Enforcement Center for the purpose of incorporating payment of prevailing wages into the agreement.

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

Being no further business, the meeting was adjourned at 11:09 a.m.

EXAMINED AND APPROVED THIS 24th DAY OF JULY 2017.

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

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