

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 14th day of August 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 Chaplain Dennis Smith, Morningside Ministries.
 Pledges of Allegiance to the United States and Texas flags.
 Judge Lux thanked everyone who attended the Sisterdale Volunteer Fire Department function this past weekend; he said it was a success.

2. **THE STATE OF TEXAS**
 COUNTY OF KENDALL **It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the Minutes for July 24, 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 amending the FY2017 budget through budget adjustments (attached).**

 Motion was made by Commissioner Elkins, seconded by Commissioner Durden, 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 as presented (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.

5. **THE STATE OF TEXAS**
 COUNTY OF KENDALL **It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the 2018 Optional Fees for the County Road & Bridge Fee and Child Safety Fee to be the same as last year.**

 Motion was made by Judge Lux, seconded by Commissioner Elkins, 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 approve the Cash Summary for June 2017 (attached).**

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

7. **Larry Boccaccio, Texas Association of Counties (TAC) Risk Management Consultant, presented the 2016 TAC Risk Management Pool Gold Star Safety Award to Kendall County.**

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

9. PUBLIC COMMENTS:

- Glenn Cummings spoke concerning the nuisance conditions at 37175A IH-10.
 - Rollin Senger spoke concerning pay increases for the Sheriff's Office.
 - Travis Sabine spoke concerning agenda item #18.1 and road safety.
 - Sarah Boerner spoke concerning pay increases for the Sheriff's Office.
 - Karen Daly spoke concerning pay increases for the Sheriff's Office.
 - Jodi Pereda, on behalf of Emilio Pereda, spoke concerning pay increases for the Sheriff's Office.
 - Michael Webber spoke concerning pay increases for the Sheriff's Office.
 - Alan Langford spoke concerning pay increases for the Sheriff's Office.
 - Brittney Dullnig spoke concerning pay increases for the Sheriff's Office.
 - Tom Dudley spoke concerning pay increases for the Sheriff's Office.
 - Josh Criddle spoke concerning pay increases for the Sheriff's Office.
 - Roger Baker spoke concerning pay increases for the Sheriff's Office.
 - Dorothy Schindler spoke concerning pay increases for the Sheriff's Office.
 - Neil Quick spoke concerning pay increases for the Sheriff's Office.
 - Jack Short spoke concerning pay increases for the Sheriff's Office.
 - Rod Fowler spoke concerning pay increases for the Sheriff's Office.
 - Jeffery Willis spoke concerning pay increases for the Sheriff's Office.
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At 9:58 a.m. the Court took a 10-minute break.

10. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the 2017 Certified Appraisal Roll total of \$4,519,523,015.

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

11. James Hudson, Tax Assessor-Collector presented the 2017 Effective and Rollback Tax Rates.

12. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the form for a dark skies permit application and authorize a dark skies permit fee of \$300.00 effective September 1, 2017.

Motion was made by Judge Lux, seconded by Commissioner Elkins, 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 the platting requirements and road frontage in accordance to Sections 101 and 102 of the Kendall County Development Rules and Regulations for the proposed division to create a tract of 6.0 acres or larger out of a parent tract of +/- 90.18 acres. Access to the proposed 6.0-acre tract will be over a 60-foot-wide easement of the roadway purposed to Johns Road (George and Alice Plummer).

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 Lease Agreement with Market Days Management to allow the use of the Courthouse grounds for Market Days on October 13-15, 2017.

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

15. No action was taken concerning a maintenance contract for the HVAC System at the Ring Mountain Event Center.
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16. THE STATE OF TEXAS
COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the Kendall County Equal Employment Opportunity Plan (attached).
Motion was made by Commissioner Elkins, seconded by Commissioner Durden, 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 Kendall County WCID #1's request to obtain bids for the construction of a 125,000-gallon storage tank as specified in their Texas Community Development Block Grant 7216251.
Motion was made by Commissioner Durden, seconded by Judge Lux, 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 scheduling a public hearing on September 11, 2017 at 9:15 a.m. as required by Section 251.152 of the Transportation Code to consider issuing traffic regulations on roads throughout the county as specified by the Commissioners.
Motion was made by Commissioner Durden, seconded by Commissioner Pfeiffer, 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 authorize the transfer of road maintenance for Herff Road from State Highway 46 to Old San Antonio Road to the City of Boerne.
Motion was made by Judge Lux, seconded by Commissioner Elkins, and carried by a vote of 5-0.
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20. THE STATE OF TEXAS
COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to authorize the transfer of road maintenance for Herff Road from Old San Antonio Road to US Highway 87 (Main Street) to the City of Boerne effective August 25, 2017.
Motion was made by Judge Lux, seconded by Commissioner Elkins, and carried by a vote of 5-0.
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21. Presentation by the United States Geological Service Texas Water Science Center regarding the possibility of assisting Kendall and Kerr Counties with the design, implementation and operation of an early flood warning system in the flood prone areas.
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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 Lease Agreement with the Boerne Youth Football Association allowing use of the Soccer Field on Adler Road on August 14-25, 2017, Mondays-Fridays from 5:30 p.m. until 8:30 p.m.
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 paying an Operations employee for Emergency Call Out time.

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

24. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve paying Road & Bridge employees for Emergency Call Out time.

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

At 11:16 a.m. the Court closed Open Session, took a 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. 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 for personnel in the following departments:
Adult Probation; County Auditor; Constable, Precinct 1; Constable, Precinct 2; Constable, Precinct 3; Constable, Precinct 4; County Clerk; County Engineer; County Judge; Criminal District Attorney; Development Engineer; District Clerk; District Judge; Elections; EMS/Emergency Management; Extension Office; Facilities Maintenance; Fire Marshal; General Counsel; Health Inspector; Human Resources; Indigent Health; Information Technology; Justice of the Peace, Precinct 1; Justice of the Peace, Precinct 2; Justice of the Peace, Precinct 3; Justice of the Peace, Precinct 4; Juvenile Probation; Parks; Road & Bridge & Operations; Sheriff; Tax Office; Treasurer; Veterans Services
- III. Pursuant to Section 551.0785 to deliberate matters involving medical records of an individual applicant for benefits.

At 4:28 p.m. the Court closed Executive Session and went into Open Session where the following motions were made:

25. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to name Alamo Insurance Group as Agent of Record for Kendall County's group medical, dental, vision and life insurance for plan year 2017-2018.

Motion was made by Commissioner Elkins, seconded by Commissioner Durden, and carried by a vote of 4-0-1 with Commissioner Bergmann voting against.

26. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the renewal of Kendall County's group medical coverage for employees and dependents for plan year October 1, 2017 through September 30, 2018 with United Healthcare.

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

27. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to renew Kendall County's group dental coverage with MetLife for employees and dependents for plan year October 1, 2017 through September 30, 2018.

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

28. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to renew Kendall County's group vision coverage for employees and dependents for plan year October 1, 2017 through September 30, 2018 with Ameritas.

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

29. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to renew Kendall County's group life insurance coverage for employees and dependents for plan year October 1, 2017 through September 30, 2018 with MetLife.

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 4:52 p.m.

EXAMINED AND APPROVED THIS 28th DAY OF AUGUST 2017.

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

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