

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 28th 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 Pastor Ricky Burk, First United Methodist Church.

Pledges of Allegiance to the United States and Texas flags.

Judge Lux commented on the devastation of Hurricane Harvey and asked everyone to continue their thoughts and prayers for those affected. He said that while Kendall County was spared, our thanks go to Jeff Fincke, EMC, for the preparations done in advance of the storm.

Judge Lux reminded everyone about the Kendall County Fair this coming weekend with the parade on Saturday at 10:00 a.m. He encouraged everyone to go and enjoy the fair.

2. THE STATE OF TEXAS

COUNTY OF KENDALL **It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the Minutes for August 14, 15, 16, and 22, 2017.**

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

3. The following Service Awards were presented:

- **15 years of service: Robert Garcia, Sheriff's Department**
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4. Introductions / Recognitions:

- **County Treasurer Sheryl D'Spain introduced the new Deputy County Treasurer, Tammie Coward.**
 - **Judge Lux recognized Kendall County AgriLife Extension Agent Jana Osbourn for her contributions to Kendall County and wished her well in her new position as Texas A&M AgriLife Extension Service Regional Program Leader for 41 counties.**
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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 amending the FY2017 budget through budget adjustments as presented (attached).**

Motion was made by Commissioner Durden, 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 accounts payable claims for purchases, services, and vendors (on file).**

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

7. THE STATE OF TEXAS

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

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

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

9. PUBLIC COMMENTS:

- The following person spoke during agenda item #16: John Kight.
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10. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve placing the proposal to adopt the tax rate of \$.4127 per \$100.00 taxable value on the agenda of a future meeting. Since the current and proposed rate of \$.4127 is higher than the effective rate, notice will be published for two public hearings scheduled for September 11, 2017 at 6:30 p.m. and September 18, 2017 at 11:00 a.m.

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

Record vote: Judge Darrel L. Lux voted aye, Commissioner Christina Bergmann voted aye, Commissioner Richard W. Elkins voted aye, Commissioner Tommy Pfeiffer voted aye, and Commissioner Don Durden voted aye.

11. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve sending a letter of permission from Commissioners Court to the Comfort Chamber of Commerce for the Texas Alcoholic Beverage Commission (TABC) to allow the Chamber to sell beer and wine from 7:00 p.m. to 11:00 p.m. during the Disco Dance event on Saturday, September 9, 2017 at Comfort Park.

Motion was made by Commissioner Durden, seconded by Commissioner Pfeiffer, 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 approve the appointment of the three personnel listed for the Central Counting Station for the term on one year.

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 approve the appointment of Election Judges (attached).

Motion was made by Commissioner Elkins, seconded by Commissioner Pfeiffer, 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 polling locations for the November 7, 2017 Constitutional Amendment Election as presented (attached).

Motion was made by Commissioner Durden, 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 approve reappointing Wallace E. Whitworth, Jr. to the Hill Country MHDD Board of Directors for the term of September 1, 2017 through August 31, 2019.

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

(The following person made public comment during agenda item #16: John Kight)

16. No action was taken concerning the interlocal agreement with the City of Boerne regulating subdivision platting in the extraterritorial jurisdiction of the City of Boerne.

17. THE STATE OF TEXAS
 COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the agreement with Bastrop County to house Kendall County inmates.
 Motion was made by Judge Lux, seconded by Commissioner Pfeiffer, and carried by a vote of 5-0.

18. THE STATE OF TEXAS
 COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the agreement with Comanche County to house Kendall County inmates.
 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 service agreement with Stericycle for the collection of medical waste at the Kendall County jail for a period of 60 months effective August 1, 2017.
 Motion was made by Judge Lux, seconded by Commissioner Elkins, and carried by a vote of 5-0.

20. THE STATE OF TEXAS
 COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the Resolution providing that the terms of the Kendall Appraisal District Board of Directors be staggered (attached).
 Motion was made by Commissioner Elkins, seconded by Commissioner Pfeiffer, and carried by a vote of 5-0.

(The following agenda items #21 & #22 were addressed out of sequence)

22. The summary of activities by the Operations Department for July 2017 was presented (attached).

21. The summary of road activities by Road & Bridge for July 2017 was presented (attached).

At 9:38 a.m. the Court closed Open Session, took a Break, and then at 9:46 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. EEOC Complaint – Richard G. Lozano
- 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 County Judge
 2. Duties and responsibilities of the County Auditor
 3. Duties and responsibilities of the Road Supervisor
 4. Duties and responsibilities of the County Sheriff

At 11:48 a.m. the Court closed Executive Session and at 11:51 a.m. went into Open Session where there being no further business, the meeting was adjourned.

EXAMINED AND APPROVED THIS 11th DAY OF SEPTEMBER 2017.

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

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