

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 11th day of September 2017.**

Present: **DARREL L. LUX, COUNTY JUDGE**
 CHRISTINA BERGMANN, COMMISSIONER, PCT. #1
 TOMMY PFEIFFER, COMMISSIONER, PCT. #3
 DON DURDEN, COMMISSIONER, PCT. #4
 SALLY W. PETERS, DEPUTY COUNTY CLERK/ADMINISTRATIVE ASSISTANT

Absent: **RICHARD W. ELKINS, COMMISSIONER, PCT. #2**

1. The meeting was called to order at 9:03 a.m.
Prayer said by Pastor Eric Waters, St John Lutheran Church.
Pledges of Allegiance to the United States and Texas flags.
Judge Lux said that today is Patriot's Day and he asked to keep in everyone's thoughts and prayers those who died and to also remember their families.

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 28, 2017.**
Motion was made by Commissioner Durden, seconded by Commissioner Pfeiffer, and carried by a vote of 4-0.

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 as presented (on file).**
Motion was made by Commissioner Bergmann, seconded by Commissioner Durden, and carried by a vote of 4-0 with Commissioner Durden abstaining from matters related to Atkinson Seed & Supply.

4. THE STATE OF TEXAS
COUNTY OF KENDALL **It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the Investment Report for 3rd Quarter Fiscal Year 2017 (attached).**
Motion was made by Judge Lux, seconded by Commissioner Pfeiffer, and carried by a vote of 4-0.

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

6. PUBLIC COMMENTS: None.

7. THE STATE OF TEXAS
COUNTY OF KENDALL **It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the Second Amended and Restated Cashiers Checks Deposit Agreement between Miralomas Development Corporation and Kendall County to serve as financial guarantee for the satisfactory completion of Street and Drainage improvements related to the approved plat of Lerin Hills Garden Homes Subdivision, Unit 1, Phase 1. The Amended agreement will expire December 31, 2017.**
Motion was made by Commissioner Bergmann, seconded by Judge Lux, and carried by a vote of 4-0.

8. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the inspection and maintenance contract with Comfort-Air Engineering, Inc. for the HVAC system equipment at Ring Mountain 716 FM 289.

Motion was made by Commissioner Durden, seconded by Commissioner Pfeiffer, and carried by a vote of 4-0.

9. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the contract with the Hill Country Dispute Resolution Center.

Motion was made by Judge Lux, seconded by Commissioner Durden, and carried by a vote of 4-0.

10. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the Memorandum of Understanding with the Hill Country Council on Alcohol and Drug Abuse-Region 8.

Motion was made by Judge Lux, seconded by Commissioner Pfeiffer, and carried by a vote of 4-0.

11. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the amended interlocal agreement with the City of Boerne regulating subdivision platting in the extraterritorial jurisdiction (ETJ) of the City of Boerne located in Kendall County in compliance with Chapter 242 of the Texas Local Government Code and that the County Judge appoint a committee to meet with the City of Boerne representatives to discuss additional changes to the agreement in the future.

Motion was made by Commissioner Durden, seconded by Commissioner Bergmann, and carried by a vote of 4-0.

12. A Public Hearing was held at 9:19 a.m. pursuant to Section 251.152 of the Transportation Code concerning the following proposed traffic regulations: 1) Ranger Creek Road – lower the speed limit from 55 mph to 45 mph between Lake Boulevard and 0.3 miles west of Lake Boulevard, 2) North Creek Road – raise speed limit from 30 mph to 45 mph from north of the west-bound access road to US Hwy 87, 3) Grape Creek Road – set speed limit of 35 mph and post signs from Gillespie County line to Old No. 9, 4) Waring - post stop sign at Avenue E and N Front Street, and 5) Joe Klar Road - set speed limit of 35 mph and post signs for entire length of road. The following people spoke:

- Greg Gonyer spoke concerning the speed limit on Ranger Creek Road.
- Pam Sansone spoke concerning the speed limit on Ranger Creek Road.
- Jack L. Waldrep, Jr. spoke concerning the speed limit on Joe Klar Road.
- Judge Lux said that Commissioner Elkins requested that no action be taken on #5 Joe Klar Road.

The public hearing was closed at 9:27 a.m.

13. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the following proposed traffic regulations: 1) Ranger Creek Road – lower the speed limit from 55 mph to 45 mph between Lake Boulevard and 0.3 miles west of Lake Boulevard, 2) North Creek Road – raise speed limit from 30 mph to 45 mph from north of the west-bound access road to US Hwy 87, 3) Grape Creek Road – set speed limit of 35 mph and post signs from Gillespie County line to Old No. 9, and 4) Waring - post stop sign at Avenue E and N Front Street.

Motion was made by Commissioner Durden, seconded by Judge Lux, and carried by a vote of 4-0.

14. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve closing Lindner Avenue to through-traffic from September 18, 2017 through November 20, 2017 for the construction of the East Kerr County Center Point Wastewater System.

Motion was made by Commissioner Durden, seconded by Judge Lux, and carried by a vote of 4-0.

15. 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 Pfeiffer, and carried by a vote of 4-0.

At 9:31 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
- 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 Commissioners Court

At 11:15 a.m. the Court closed Executive Session and went into Open Session where there being no further business, the meeting was adjourned.

EXAMINED AND APPROVED THIS 25th DAY OF SEPTEMBER 2017.

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

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