

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 25th day of September 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 Jim Holt, Comfort Baptist 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 September 7, 11, and 18, 2017.

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

3. **Introductions / Recognitions:**

- **Corinna Speer, County Auditor, introduced the new Assistant Auditor, Marti Kuhns.**
- **Daniel Vetter, Parks Manager, thanked TAC (Texas Association of Counties) for the safety kits for the Road & Bridge department.**
- **Judge Lux recognized October 1-7, 2017 as National 4-H Week by reading the proclamation provided by the Texas Agrilife Extension Agent Stephen Zoeller and 4-H Program Assistant Hilary Putrite.**
- **Jeff Fincke, Emergency Management Coordinator, said that Kendall County's Hazard Mitigation Plan had been approved by FEMA. Judge Lux thanked Jeff and everyone else who participated in the plan process.**

4. **THE STATE OF TEXAS**

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to proclaim October 7, 2017 to be Hillingdon Ranch Day in Kendall County (attached).

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

5. **The Court acknowledged issuance of a permanent peace officer license to James Schmidt, Constable for Precinct 2.**

6. **THE STATE OF TEXAS**

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the Special Prosecutor Agreement with Amy Lambiase for the prosecution of two while-collar criminal cases.

Motion was made by Commissioner Elkins, seconded by Judge Lux, 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 amending the FY2017 budget through certification of new revenue and budget adjustments (attached).

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

8. 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 with Commissioner Elkins abstaining from matters related to GVTC.

9. THE STATE OF TEXAS

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

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

10. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to renew Kendall County's contract with Deer Oaks EAP (Employee Assistance Program) Services from October 1, 2017 to September 30, 2018.

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

11. The County Treasurer presented the Sales Tax Report.

12. THE STATE OF TEXAS

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

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 Kendall County Order No. 09-25-2017 prohibiting outdoor burning (attached).

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

14. PUBLIC COMMENTS:

- The following person spoke during agenda item #16: Tana Kehoe.
-

15. The Court heard a presentation by Paul Barwick and Dean Sprowl, Friends of the Kendall County Historic Jail Board, on the business plan for using the Historic Jail as a Museum.

(The following person made public comment during agenda item #16: Tana Kehoe)

16. 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 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 approximately 13.7 acres out of a parent tract of approximately 66.12 acres with access to the proposed 13.7-acre tract over a 40-foot-wide road easement to Upper Cibolo Creek Road (Richard and Beverly Wagner).

Motion was made by Commissioner Durden, seconded by Commissioner Pfeiffer, 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 approve the Resolution nominating Don Edmondson to the 2018 Kendall Appraisal District Board of Directors (attached).
Motion was made by Judge Lux, seconded by Commissioner Elkins, 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 set the Sheriffs' and Constables' Fees for 2018 as presented (attached).
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 request by the Comfort Athletic Booster Club to use Faltin Field in Comfort for the annual Homecoming Bonfire on Wednesday, October 25, 2017.
Motion was made by Judge Lux, seconded by Commissioner Durden, 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 blocking off the following streets in Comfort starting on Friday, November 24, 2017 at noon through midnight on Saturday, November 25, 2017 for the annual Christmas in Comfort event: 7th Street between Highway 27 and Main Street, High Street from 6th Street to 806 8th Street, and 8th Street from the intersection of High Street and 8th Street to 523 8th Street.
Motion was made by Commissioner Durden, seconded by Judge Lux, and carried by a vote of 5-0.
-
21. **THE STATE OF TEXAS**
COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to grant permission for use of the north portion of Faltin Field in Comfort for event parking at the Christmas in Comfort event on Saturday, November 25, 2017.
Motion was made by Commissioner Durden, seconded by Commissioner Pfeiffer, and carried by a vote of 5-0.
-
22. **THE STATE OF TEXAS**
COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve closing the following streets in Comfort for the Christmas in Comfort parade on Saturday, November 25, 2017 from 6:30 p.m. to 9:30 p.m.: Idlewilde Boulevard, Daniel Drive, Edgewood Drive, part of Highway 87 and Highway 27, Lindner Avenue, High Street from Lindner Avenue to 5th Street, 5th Street from High Street to Broadway, Broadway from 5th Street to 7th Street, 6th Street from Broadway to Main Street and from 6:00 a.m. to 11 p.m.: Lindner Avenue, High Street from Lindner Avenue to 5th Street, 5th Street from High Street to Broadway, Broadway from 5th Street to 7th Street.
Motion was made by Commissioner Durden, seconded by Commissioner Pfeiffer, and carried by a vote of 5-0.
-

23. 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 during the Christmas in Comfort event on Saturday, November 25, 2017 at the Chamber booth on 7th Street.

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

24. At 9:50 a.m. a Public Hearing was held regarding the Fiscal Year 2018 proposed budget. The following person spoke:

- Debby Hudson, Justice of Peace Precinct 3, spoke concerning Constables salaries.
- Judge Lux spoke about the tax rate remaining the same as last year, the addition of a new full-time EMS crew located in Bergheim, new employee positions added in several departments, road projects to improve mobility, capital improvements paid for with cash not credit, department operating requests approved
- Corinna Speer, County Auditor, presented changes to the proposed budget (attached).

The Public Hearing was closed at 9:57 a.m.

25. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to adopt the Fiscal Year 2018 Proposed Budget with the changes to the proposed budget as presented.

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

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

26. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to adopt the 2017 property tax rate of \$0.412700 per \$100 taxable value, same as last year, being \$0.34898 for Maintenance and Operations and \$.06372 for Debt Service.

Motion was made by Commissioner Elkins, 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.

THIS TAX RATE WILL RAISE MORE TAXES FOR MAINTENANCE AND OPERATIONS THAN LAST YEAR'S TAX RATE.

THE TAX RATE WILL EFFECTIVELY BE RAISED BY 1.79 PERCENT AND WILL RAISE TAXES FOR MAINTENANCE AND OPERATIONS ON A \$100,000 HOME BY APPROXIMATELY \$2.49.

27. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve taxpayer discounts for early payment of property taxes at 3% if paid in October, 2% if paid in November, and 1% if paid in December.

Motion was made by Judge Lux, seconded by Commissioner Elkins, 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 approve the Resolution pertaining to the Rainbow Senior Center's application for grant funds from the Texas Department of Agriculture for home-delivered meals (attached).

Motion was made by Judge Lux, seconded by Commissioner Elkins, 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 approve the Interlocal Agreement between Kendall County, the City of Boerne, and Fair Oaks Ranch for Public Safety and Utilities Communication Services.

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

30. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve a letter of permission from Commissioners Court to the Kendall County Jr. Livestock Association for beer and wine to be served at the Kendall County Youth Agriculture & Equestrian Center Wild Game Dinner event on Saturday, November 4, 2017 with the provision that servers are in accordance with the laws of the State of Texas and the policies of the Texas Alcoholic Beverage Commission.

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

31. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the Road & Bridge work schedule change to an 8-hour-a-day work week effective October 16, 2017.

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

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

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

At 10:14 a.m. the Court closed Open Session, took a Break, and then 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 County Health Sanitarians
 2. Duties and responsibilities of the Commissioners Court

At 11:35 a.m. the Court closed Executive Session and at 11:37 a.m. went into Open Session where there being no further business, the meeting was adjourned.

EXAMINED AND APPROVED THIS 10th DAY OF OCTOBER 2017.

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

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