

**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 October 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 Rev. Carolyn McGuire, Gaddis United Methodist Church.**  
**Pledges of Allegiance to the United States and Texas flags.**  
**Judge Lux said that on Saturday, October 21st, the Bergheim Volunteer Fire Department would be holding a music fest fundraiser at the Kendall County Fairgrounds.**

---

**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 25, 2017.**  
**Motion was made by Commissioner Elkins, seconded by Judge Lux, 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 proclaim the month of October as Domestic Violence Awareness Month (attached).**  
**Motion was made by Judge Lux, 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 Elkins, and carried by a vote of 5-0.**

---

**5.        THE STATE OF TEXAS**  
**COUNTY OF KENDALL**        **It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the Investment Policy for 2017 (Kendall County Order No. 10-10-2017 attached).**  
**Motion was made by Judge Lux, seconded by Commissioner Elkins, and carried by a vote of 5-0.**

---

**6.        No action was taken on reinstating the burn ban. It was lifted September 28, 2017 at 8:00 a.m. by Judge Lux.**

---

**7.        PUBLIC COMMENTS:**

- **John Sadesky spoke about local doctors and Medicare coverage.**
- **Jack Waldrep spoke about Joe Klar Road speed limits and safety.**
- **James E. Stevenson, Jr. spoke about Joe Klar Road speed limits and safety.**
- **Johnny Coyle spoke about Joe Klar Road speed limits and safety.**
- **Jeff Finke, Fire Marshal, advised the Court that the Fire Chiefs meeting has been moved to October 23.**

---

8. **THE STATE OF TEXAS**  
**COUNTY OF KENDALL** It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the 2017 County Tax Levy Roll Total of \$22,419,485.08.  
Motion was made by Judge Lux, seconded by Commissioner Elkins, and carried by a vote of 5-0.  
\_\_\_\_\_
9. **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 various requirements of the Kendall County Development Rules and Regulations as described in the attached Request for Relief for the proposed Hidden Springs Development located on the west side of Hwy 87 in northern Kendall County with the following stipulations: 1) No Parking signs will be posted along the sections of the roads in Kendall County and 2) the request to leave desirable trees will be subject to the County Engineer or the Development Engineer decision that the trees do not create a hazard (attached).  
Motion was made by Commissioner Durden, 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 appoint Commissioner Don Durden and Commissioner Christina Bergmann as Kendall County's committee members to meet with the City of Boerne pertaining to development inside the ETJ (extraterritorial jurisdiction).  
Motion was made by Judge Lux, seconded by Commissioner Pfeiffer, and carried by a vote of 5-0.  
\_\_\_\_\_
11. **THE STATE OF TEXAS**  
**COUNTY OF KENDALL** It is ordered by the Commissioners' Court of Kendall County, Texas, to request the County Auditor secure the services of Neffendorf & Knopp, P.C. to perform the Fiscal Year 2017 annual audit.  
Motion was made by Commissioner Durden, seconded by Commissioner Elkins, 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 resolution for the Indigent Defense Grant Program (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 the agreement between Kendall County and Kendall W. Styskal, M.D. for EMS Medical Direction.  
Motion was made by Commissioner Elkins, seconded by Commissioner Bergmann, 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 Toshiba for a copy machine for the detention facility.  
Motion was made by Commissioner Elkins, seconded by Commissioner Bergmann, 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 the agreement with Burnet County to house Kendall County inmates.  
 Motion was made by Commissioner Elkins, seconded by Commissioner Bergmann, and carried by a vote of 5-0.
- 
16. **THE STATE OF TEXAS**  
**COUNTY OF KENDALL** It is ordered by the Commissioners' Court of Kendall County, Texas, to request the County Auditor to conduct an audit of the Sheriff's Department Chapter 59 asset forfeiture funds as required by Article 59.06 of the Code of Criminal Procedures.  
 Motion was made by Commissioner Durden, seconded by Commissioner Elkins, 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 bond rider for County Judge Darrel L. Lux.  
 Motion was made by Commissioner Elkins, seconded by Commissioner Durden, 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 bond for Tammie Coward, Deputy Treasurer.  
 Motion was made by Commissioner Elkins, seconded by Commissioner Bergmann, 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 2018 Holiday Calendar for Kendall County (attached).  
 Motion was made by Commissioner Durden, 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 Kendall County Commissioners Court Calendar for 2018 (attached).  
 Motion was made by Judge Lux, seconded by Commissioner Elkins, 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 authorize going out for bids on seal coat work for Old Blanco Road, Edge Falls Road, and Acker Road.  
 Motion was made by Commissioner Elkins, seconded by Commissioner Pfeiffer, and carried by a vote of 5-0.
- 

At 9:52 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. Nuisance property located at 37175 IH-10, Kendall County, Texas

- 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 Treasurer
  2. Duties and responsibilities of the County Auditor

At 11:35 a.m. the Court closed Executive Session and at 11:37 a.m. went into Open Session for the following items:

I-2. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to authorize Counsel to proceed as discussed in Executive Session pertaining to the Balderas property.

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

22. Commissioner Bergmann gave an update on the progress of nuisance investigation and cleanup of the property owned by Balderas and located at 37175 IH-10 West, Boerne, Texas.

Being no further business, the meeting was adjourned at 11:40 a.m.

EXAMINED AND APPROVED THIS 23rd DAY OF OCTOBER 2017.

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

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