

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, and via Zoom on the 14th day of February 2022.

Present: **DARREL L. LUX, COUNTY JUDGE**
 CHRISTINA BERGMANN, COMMISSIONER, PCT. #1
 RICHARD W. ELKINS, COMMISSIONER, PCT. #2
 RICHARD CHAPMAN, 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.
Pledges of Allegiance to the United States and Texas flags.
Comments from the bench.

2. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the Minutes for January 24, 2022.

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

3. Judge Lux and the County Commissioners presented a certificate recognizing Boerne Champion High School Junior Maddie Barber and her \$30,500.00 donation to St. Jude Children's Hospital from the sale of her livestock at the 2022 Kendall County Jr. Livestock Show (attached).

4. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to proclaim the month of March 2022 as American Red Cross Month (attached).

Motion was made by Judge Lux, 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 amending the FY2022 budget through certification of new revenue and regular budget adjustments (attached).

Motion was made by Commissioner Chapman, seconded by Commissioner Durden, 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 accounts payable claims for purchases, services, and vendors in the amount of \$4,299,777.33.

Motion was made by Commissioner Elkins, seconded by Commissioner Durden, and carried by a vote of 5-0 with Commissioner Elkins abstaining from any matters related to GVTC.

7. **THE STATE OF TEXAS**

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to accept the Fees of Office Report for December 2021 as presented (on file).

Motion was made by Commissioner Bergmann, seconded by Commissioner Elkins, 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 accept the list of donations on behalf of Kendall County as per Local Government Code 81.032 (attached).

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

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

10. EMC Jeff Fincke gave updates on Coronavirus COVID-19 for Kendall County.

11. **PUBLIC COMMENTS:**

- Brent Evans spoke in support of parks.
 - Lance Kyle and Josh Lawson spoke during agenda item #18.
-

12. At 9:28 a.m. a public hearing was held on the application filed by Sandra Williams for the proposed revision of the subdivision plat for Lot 1, Mark Twain Subdivision, Kendall County, Texas recorded in Volume 1, pages 175-177 Kendall County Plat Records. The proposed plat revision would create two lots consisting of approximately 8 acres and 5 acres out of a 13-acre lot. The following person spoke: Assistant County Engineer Mary Ellen Schulle read a February 13, 2022 email from Alexandra Rudd addressed to Judge Lux.

At 9:29 a.m. the public hearing was closed.

13. **THE STATE OF TEXAS**

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the request for relief from the minimum road frontage requirements in Section 300.1100 of the Kendall County Development Rules and Regulations for Lot 1, Mark Twain Subdivision.

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

14. **THE STATE OF TEXAS**

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the selection of a pool of Professional Engineering, Surveying, Project Management, and Environmental Services as proposed by the County Engineer and his staff (attached).

Motion was made by Commissioner Durden, seconded by Commissioner Chapman, 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 appoint Lesa Pritchard as Kendall County's representative to the Hill Country MHDD Board of Directors.

Motion was made by Judge Lux, seconded by Commissioner Elkins, 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 appoint Assistant County Engineer Mary Ellen Schulle as the Kendall County alternate to the Active Transportation Advisory Committee of the Alamo Area Metropolitan Planning Organization.

Motion was made by Commissioner Bergmann, 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 set a hearing for March 14, 2022 at 1:30 p.m. in the Commissioners Courtroom on the 3rd floor of the Kendall County Courthouse to consider the petition to create Emergency Services District #1 in compliance with Texas Health and Safety Code Section 775.015(b).

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 approve the Interlocal Agreement with the City of Boerne to use \$1,500,000 of County ARPA funds to address certain stormwater projects.

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

19. No action was taken concerning funding to the 501(c)(3) nonprofit Das Greenhaus to renovate a public building for the incubator project.

20. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to authorize the County to submit a grant proposal for the Community Coalition Partnership Covid Grant from San Antonio Council on Alcohol and Drug Awareness in the amount of \$40,000 to accept a shade structure for the playground at Joshua Springs Park and Preserve.

Motion was made by Commissioner Durden, seconded by Commissioner Chapman, 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 approve the countywide Polling Locations for the May 7, 2022 Special Joint Election as submitted with the addition of the Sisterdale location (attached).

Motion was made by Judge Lux, seconded by Commissioner Elkins, 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 the lease renewal addendum for office space for Justice of the Peace Precinct 2.

Motion was made by Judge Lux, seconded by Commissioner Elkins, 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 the work order from TKElevator Corporation to perform the annual State required elevator inspections at the Kendall County Law Enforcement Center.

Motion was made by Commissioner Durden, seconded by Commissioner Chapman, 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 entering into a five-month Interlocal Cooperation Contract with DPS Crime Laboratory Services for a technician to perform seized drug analysis for drugs seized by Kendall County law enforcement agencies with the agreement to become effective April 28, 2022.

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

25. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the lease agreement for 24 Apple iPads to be used by the Sheriff's Department.

Motion was made by Judge Lux, seconded by Commissioner Elkins, and carried by a vote of 4-1 with Commissioner Chapman voting against.

26. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to accept the Racial Profiling Reports for Constables for Precincts 1, 2, 3, and 4.

Motion was made by Commissioner Elkins, seconded by Commissioner Durden, 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 approve the resolution for the submittal of a grant application for the 2022 State Homeland Security Program – Competitive National Priority Area Projects (SHSP-NPA) (attached).

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

28. Kendall County Sheriff Al Auxier presented the Sheriff's Department 2021 Racial Profile Report and 2021 Annual Report.

At 11:31 a.m. the Court recessed Open Session, took a break, and went into Executive Session:

- I. Pursuant to Chapter 551 of the Texas Government Code, 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.
 1. Newsom Vineyards @ Comfort, LLC
 2. Crystal Thompson
- II. Pursuant to Chapter 551 of the Texas Government Code, 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 EMS

At 12:19 p.m. the Court closed Executive Session and resumed Open Session.

I-1. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to institute official proceedings against Newsom Vineyards@Comfort, LLC for nonpayment of health permit fees.

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

I-2. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to institute official proceedings against Crystal Thompson for nonpayment of health permit fees.

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

Being no further business, the meeting was adjourned at 12:21 p.m.

EXAMINED AND APPROVED THIS 28th DAY OF FEBRUARY 2022.

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

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