

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 8th day of April 2019.

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.

Prayer said by Rev. David Read, St. Helena's Episcopal Church.

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 March 25 and April 4, 2019.

Motion was made by Judge Lux, seconded by Commissioner Elkins, 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 April 2019 as Child Abuse Prevention Month in Kendall County (attached).

Motion was made by Judge Lux, seconded by Commissioner Elkins, 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 amending the FY2019 budget through regular budget adjustments as presented (attached).

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

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

Motion was made by Commissioner Durden, seconded by Commissioner Bergmann, 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 Investment Report for 1st Quarter FY 2019 (October-December 2018) (attached).

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

8. **Commissioner Durden and Commissioner Chapman gave an update on the proceedings of the Land and Resource Management Committee meeting held on April 2, 2019 in Austin, Texas, concerning CSHB 2590 which relates to the administration, powers, and duties of a municipal utility district.**

9. **No action was taken on reinstating the burn ban. It is still off.**

10. **PUBLIC COMMENTS:**

- **Robert Imler – Public Corruption**
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11. **THE STATE OF TEXAS**

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the Plat Revision of Lot 2, Sleepy Hollow Subdivision, Kendall County, Texas in accordance to Section 209 of the Kendall County Development Rules & Regulations. The plat revision of the 13.01-acre parent tract will create Tract 2A (6.002 acres) and Tract 2B (7.00 acres). A public hearing was held on March 11, 2019 and relief was granted on March 25, 2019 for road frontage. No one was present to speak on the proposed plat revision.

Motion was made by Commissioner Chapman, seconded by Commissioner Durden, 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 grant relief from platting requirements and road frontage in accordance with Sections 101 and 102 of the Kendall County Development Rules & Regulations. The proposed division will create three tracts ranging in size from 6 acres to 8.75 acres out of a 20.75-acre parent tract. Access to Tracts 2 and 3 will be over a 60-foot-wide road easement to State Highway 46 East (Andrew Cobb).

Motion was made by Judge Lux, seconded by Commissioner Chapman, and carried by a vote of 4-0-1 with Commissioner Elkins abstaining.

13. **THE STATE OF TEXAS**

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve travel outside of the state for the purpose of attending CERA (Certified Elections Registration Administrator) certification classes.

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

14. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to authorize going out for bids for bulk fuel for the Road & Bridge department.

Motion was made by Commissioner Chapman, 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 not enter into a service agreement at this time with Carrier for the service and maintenance of the HVAC system at the Kendall County Courthouse, but to take the FY2019 budgeted funds and replace some of the pneumatic thermostats with electronic thermostats for efficiency in the air conditioning system.

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

At 10:20 a.m. the Court recessed Open Session and went into Executive Session pursuant to Chapter 551 of the Texas Government Code:

- I. The Court will meet in Executive Session 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 as follows:
 1. Constable Precinct 1
 2. Worldwide Canine, Inc.
- II. The Court will meet in Executive Session pursuant to Section 551.072 to deliberate the purchase, exchange, lease or value of real property. (Note: Deliberation in an open meeting would have a detrimental effect on the position of Kendall County in negotiations with a third person.)
- III. The Court will meet in Executive Session pursuant to Section 551.074 to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee; or (2) to hear a complaint or a charge against an officer or employee.
 1. EMS Operations Manager and other personnel

At 11:50 a.m. the Court closed Executive Session and resumed Open Session where the following motions were made:

I-2. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, that Kendall County initiate litigation against Worldwide Canine, Inc.

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

II. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, that Kendall County enter into a listing agreement with Mangus Realty Group to lease 6.05 acres at 105C Jennifer Drive for land for a cell tower and to authorize Bill Ballard, Kendall County General Counsel, to execute the listing agreement on behalf of Kendall County.

Motion was made by Commissioner Durden, seconded by Commissioner Chapman, and carried by a vote of 4-0-1 with Judge Lux abstaining.

III-1-a. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve setting the EMS Operations Manager salary at \$63,380.00 effective April 8, 2019.

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

III-1-b. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to fill the Assistant Administrative position with EMS with the job duties as a paramedic only.

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

Being no further business, the meeting was adjourned at 11:54 a.m.

EXAMINED AND APPROVED THIS 22nd DAY OF APRIL 2019.

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

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