

**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 February 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**

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**1.     The meeting was called to order at 9:00 a.m.**  
**Prayer said by Pastor Jason Brown, nineteen:ten church.**  
**Pledges of Allegiance to the United States and Texas flags.**

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**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 28 and February 7, 2019.**  
**Motion was made by Commissioner Elkins, seconded by Commissioner Chapman, and carried by a vote**  
**of 5-0.**

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**3.     THE STATE OF TEXAS**  
**COUNTY OF KENDALL**     **It is ordered by the Commissioners' Court of Kendall County, Texas, to**  
**proclaim the month of February as Teen Dating Violence Awareness and Prevention Month in Kendall**  
**County (attached).**  
**Motion was made by Judge Lux, seconded by Commissioner Elkins, and carried by a vote of 5-0.**

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

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**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 Chapman, and carried by a vote**  
**of 5-0 with Commissioner Elkins abstaining from any matters related to GVTC.**

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**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 Chapman, and carried by a vote**  
**of 5-0.**

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7. **THE STATE OF TEXAS**

**COUNTY OF KENDALL** It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the Cash Summary at Frost Bank for November & December 2018 (attached).

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

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

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9. **PUBLIC COMMENTS:**

- Robert Imler – Upper Cibolo Creek Rd/Bella Springs Rd/Action of March 27, 2017
  - (During agenda item #10) John Kight – Agenda Item #10
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10. The Court discussed WCID #3.

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11. **THE STATE OF TEXAS**

**COUNTY OF KENDALL** It is ordered by the Commissioners' Court of Kendall County, Texas, to grant relief from the platting requirements in accordance to Sections 101 and 102 of the Kendall County Development Rules and Regulations for the proposed division to create a 9-acre tract with 82 feet of frontage and a 6-acre tract with 398 feet of frontage out of a parent tract of 15 acres at 102 Old Comfort Road.

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

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12. **THE STATE OF TEXAS**

**COUNTY OF KENDALL** It is ordered by the Commissioners' Court of Kendall County, Texas, to grant relief from Section 5.2.2 of Court Order 11-13-2006 regarding road width. An 18-foot wide road is proposed to provide access to 3-4 mobile homes at the back of the property on 50 Rust Lane (Tyler Bradford, QBRAD Holdings, LLC).

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

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13. **THE STATE OF TEXAS**

**COUNTY OF KENDALL** It is ordered by the Commissioners' Court of Kendall County, Texas, to grant relief from the platting requirements in accordance to Sections 101 and 102 of the Kendall County Development Rules and Regulations for the proposed division to create a 43-acre tract and a 15.6-acre tract out of a parent tract of 58.6 acres. Access to the proposed tracts would be over a 48.5-foot wide road easement to 406 Waring Welfare Road.

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

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**14. THE STATE OF TEXAS**

**COUNTY OF KENDALL** It is ordered by the Commissioners' Court of Kendall County, Texas, to grant relief from Section 203.2000 of the Kendall County Rules and Regulations to allow for the clearing of vegetation from the proposed Phase II street rights-of-way prior to the approval of the final plat of Sabinas Creek Ranch Subdivision, Phase II. The clearing operation will not include grubbing, excavation, or embankment operations. Stormwater pollution prevention measures will be installed in accordance with stormwater pollution prevention plan prior to clearing and as approved by the County Engineer.

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

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**15. THE STATE OF TEXAS**

**COUNTY OF KENDALL** It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the copy machine lease agreements with Dahill Office Technology Corporation and Xerox Financial Services for 26 new copy machines and with the option of 12,000 color copies per month.

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

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**16. THE STATE OF TEXAS**

**COUNTY OF KENDALL** It is ordered by the Commissioners' Court of Kendall County, Texas, to approve a resolution for the Sheriff's Office submittal of a grant application for the Justice Assistance Grant (JAG) Program (attached).

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

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**17. THE STATE OF TEXAS**

**COUNTY OF KENDALL** It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the Charity Care Payment Program for the EMS Department effective February 11, 2019 (attached).

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

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**18. No action was taken concerning a Salary Step Program.****19. Juanita Espino, HR Director, gave the annual report of the Sick Leave Pool Program.****20. The County Tax Assessor-Collector's Continuing Education Certificate/Transcript for 2018 was received by the Court as evidence of compliance with Texas Property Tax Code Section 6.231(d) V.T.C.A. (attached).**

At 10:17 a.m. the Court recessed Open Session, took a break 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
- II. Section 551.074, deliberations about officers and employees of the governmental body held in executive session 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 Department

At 11:18 a.m. the Court closed Executive Session and resumed Open Session where there being no further business, the meeting was adjourned.

EXAMINED AND APPROVED THIS 25th DAY OF FEBRUARY 2019.

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

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