

**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 28th day of May 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 Rev. Carol Blaine, St. Boniface Episcopal Church.**

**Pledges of Allegiance to the United States and Texas flags.**

**Comments from the bench.**

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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 May 13, 2019.

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

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**3. Service Awards:** 15 years: Lissy San Miguel, EMS Department  
                          30 years: Earlene Pankratz, PBX Operator  
                          35 years: Frieda Pressler, Justice of the Peace, Precinct 4

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**4. Introductions / Recognitions: None**

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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 amending the FY2019 budget through regular budget adjustments (attached).

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

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

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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 Fees of Office Report for April 2019 as presented (on file).

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

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8. The County Treasurer presented the Sales Tax Report.

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9. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the Investment Report for 2nd Quarter FY 2019 (attached).

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

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10. Commissioner Durden led discussion with the Court concerning transportation planning. The City of Boerne Mayor Tim Handren and the City of Fair Oaks Ranch Mayor Garry Manitzas spoke at the Court's invitation. The following members of the public spoke: Lance Kyle, Paula Cairns, Denise Dever, Sue Willoughby, and Jeff Thompson.

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The Court took a two-minute break.

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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 having a workshop on June 24 at 1:30 p.m. concerning the Hotel Occupancy Tax.

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

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

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13. PUBLIC COMMENTS: All spoke during agenda item #10.

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(The following agenda item #20 was addressed out of sequence)

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20. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the Professional Services Agreement for Forms and Calendar from Tyler Technologies that will enable the 451st District Court to fully utilize the Odyssey Calendar function.

Motion was made by Commissioner Elkins, seconded by Commissioner Bergmann, 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 release the Letters of Credit for Cordillera Ranch, Unit 207F, in the amount of \$131,593.00 for construction of water and wastewater improvements.

Motion was made by Commissioner Elkins, 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 release the Letter of Credit for Hidden Springs Subdivision in the amount of \$940,608.00 for construction of roads, drainage, and subdivision entrance improvements at US 87.

Motion was made by Commissioner Durden, seconded by Commissioner Chapman, 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 approve the Letter of Credit for Hidden Springs Subdivision in the amount of \$313,832.00 for incomplete items for construction of roads, drainage, and subdivision entrance improvements at US 87.

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

17. County Engineer Rick Tobolka informed the Court about Kendall County's coordination with Joint Base San Antonio for the purpose of developing a Memorandum of Understanding concerning the preservation of dark skies for military training at the base.

18. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the Department of State Health Services Contract No. HHS000145800001 Amendment No. 01 Renewal (Cities Readiness Initiative Contract).

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 agreement with Kofile Technologies for the Vanguard Records Management & Imaging System for land and vital statistics recording in the County Clerk's Office.

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

(Agenda item #20 was addressed out of sequence earlier after agenda item #13)

21. The summary of road activities by Road & Bridge for April 2019 was presented (attached).

22. The summary of activities by the Operations Department for April 2019 was presented (attached).

At 10:56 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. The specific topic to be discussed is as follows:
1. Fence in right-of-way

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.)

At 11:36 a.m. the Court closed Executive Session and resumed Open Session where the following motion was made:

23. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the lease of Kendall County property for approximately six acres of land known as the "Tower Tract" to Texas RSA 15B2 Limited Partnership and to pay the listing broker's fee of \$5,000.00 to Mangus Realty Group upon submission of an acceptable invoice.

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

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Being no further business, the meeting was adjourned at 11:39 a.m.

EXAMINED AND APPROVED THIS 10th DAY OF JUNE 2019.

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

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