

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 12th day of March 2018.

**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
 DARLENE HERRIN, COUNTY CLERK**

1. **The meeting was called to order at 9:00 a.m.
Prayer said by Pastor Tim Ekno, Faith Bible Church.
Pledges of Allegiance to the United States and Texas flags.
Judge Lux spoke about the Kendall County Primary Election Day last Tuesday and he also asked for thoughts and prayers be extended to the family of Sally Peters concerning her mother.**

2. **THE STATE OF TEXAS
COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the Minutes for February 26, 2018.
Motion was made by Commissioner Durden, 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 March 2018 as American Red Cross Month (attached).
Motion was made by Judge Lux, seconded by Commissioner Pfeiffer, 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 FY2018 budget through new revenue certification and budget adjustments (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 the accounts payable claims for purchases, services, and vendors (on file).
Motion was made by Commissioner Elkins, 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 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 Fiscal Year 2018 (October, November, and December 2017) (attached).
Motion was made by Commissioner Elkins, seconded by Judge Lux, and carried by a vote of 5-0.**

8. **Bob Worrall, Post Quartermaster for VFW Post 688, made a presentation concerning the post's need for a new permanent location.**

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

10. **PUBLIC COMMENTS:**

- **Richard Chapman spoke about being a poll watcher on election day at the March Primary Election.**
 - **Amy Dutton, Kuper Southerby Realtor representing Becky and John Eterno, spoke concerning a requested variance on property on Pfeiffer Road.**
 - **Jeremy Diller, a commercial insurance agent, spoke in support of Requests for Proposals (RFP) for insurance products.**
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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 Preliminary submission of the Plat Revision of Lots 1 and 11, Block B, Lot 1002, Block Z, and a portion of Lot 1000, Block Z, in Cordillera Ranch, Unit 1, filed in Vol. 2, Pg. 354-359 of the plat records of Kendall County Texas. The proposed plat revision would revise the configuration of Unit 1, extend an existing roadway (Cordillera Ridge), and create 13 additional lots with a density of 3.69 acres.

Motion was made by Commissioner Elkins, seconded by Judge Lux, 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 the request for relief from the platting requirements and road frontage in accordance to Sections 101 and 102 of the Kendall County Development Rules and Regulations. The proposed division would create a 10-acre tract and a 15-acre tract out of a parent tract of 25 acres. The existing parent tract has approximately 25 feet of frontage on Pfeiffer Road. Access to the 10-acre tract would be over an existing 25-foot easement for roadway purposes. Both tracts would be restricted such that the 25-foot easement would be restricted from allowing any gates, fences, locks, improvements or other facilities to be erected that might impair access ingress and egress and maintenance to and from the existing property owners that use that easement and secondly that the grantee of the easement shall have the right to maintain and improve the easement for the benefit of their use at their sole expense and thirdly that the restrictions be placed upon the 10-acre and 15-acre tracts upon division that prohibits commercial developments, noxious illegal and offensive activities that no commercial hunting and no commercial shooting ranges will be placed on those tracts (Becky & John Entero).

Motion was made by Commissioner Durden, seconded by Judge Lux, 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 authorize the Request for Proposals (RFP) for insurance products as provided by the County Auditor.

Motion was made by Judge Lux, seconded by Commissioner Elkins, 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 listed 38 job descriptions as presented (attached).

Motion was made by Commissioner Bergmann, seconded by Commissioner Durden, 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 offering Kendall County employees membership to MASA Medical Transport Solutions payable through payroll deduction.

Motion was made by Commissioner Elkins, seconded by Commissioner Pfeiffer, 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 renewing an agreement between Kendall County and the Texas Workforce Commission for a data exchange program.

Motion was made by Judge Lux, 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 Memorandum of Agreement (MOA) with Immigration and Customs Enforcement (ICE) in order to allow Kendall County to receive delegated authority for immigration enforcement within the County and authorize the County Sheriff to sign the MOA on its behalf.

Motion was made by Commissioner Bergmann, seconded by Commissioner Pfeiffer, 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 authorize the advertising for a new employee at the Kendall County Brush Site with work hours of between 30-40 hours a week with benefits.

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

At 10:22 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:
 1. Commissioners Court authority and obligations concerning subdivisions, county property, roads and bridges
 2. Vulcan litigation
 3. Corvara litigation
 4. AJW litigation
 5. Road & Bridge employee
- 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.)
 1. Sale of County property - easement
 2. Sale of County property
- 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 to hear a complaint or charge against an officer or employee:
 1. Duties and responsibilities of the Benefits Coordinator
 2. Duties and responsibilities of the County Sheriff

At 1:45 p.m. the Court closed Executive Session and resumed Open Session where the following motions were made:

I-3. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve Kendall County Resolution 03-12-2018 requesting a contested case hearing concerning the application of Corvara West LLC for an air quality permit to authorize construction of a permanent concrete batch plant at 236 Hwy 46 East, Boerne, Kendall County, Texas (attached).

Motion was made by Commissioner Elkins, seconded by Commissioner Durden, 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 proceed with the sale of the easement as outlined on the drawing for the price of \$10,916 with the City of Boerne (attached).

Motion was made by Commissioner Bergmann, seconded by Judge Lux, and carried by a vote of 3-1-1 with Commissioner Pfeiffer voting against and Commissioner Durden abstaining.

20. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to proceed with the sale of the Kendall County property located at 112 Sparrow Hawk in Kendall County, Texas, and to set the funds aside for distribution at a later date.

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

Being no further business, the meeting was adjourned at 1:52 p.m.

EXAMINED AND APPROVED THIS 26th DAY OF MARCH 2018.

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

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