

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 14th day of November 2016.

Present: DARREL L. LUX, COUNTY JUDGE
 MIKE FINCKE, COMMISSIONER, PCT. #1
 RICHARD W. ELKINS, COMMISSIONER, PCT. #2
 TOMMY PFEIFFER, COMMISSIONER, PCT. #3
 CHAD CARPENTER, 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 Reverend Eric Waters, St. John's Lutheran Church
 Pledges of Allegiance to the United States and Texas flags.
 Judge Lux thanked everyone who attended the Volunteer Fire Department fundraiser events for Waring, Sisterdale, and Kendalia and he said that the Boerne Chamber of Commerce Wild Game Dinner was also well attended.
 Judge Lux showed a map of the TXDOT 20-month project to put in climbing/passing lanes on State Highway 46 East and gave details of the project. He also spoke about other TXDOT improvement projects that Kendall County requested: IH-10 and State Highway 87 in Comfort, passing/climbing lanes on State Highway 46 West, and entrance/exit ramps on IH-10 at the location of Joshua Springs Park & Preserve.

2. THE STATE OF TEXAS
 COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the Minutes for October 24 and November 7, 2016.
 Motion was made by Commissioner Fincke, 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 approve the accounts payable claims for purchases, services and vendors (on file).
 Motion was made by Commissioner Elkins, seconded by Commissioner Pfeiffer, and carried by a vote of 5-0 with Commissioner Elkins abstaining from any matters related to GVTC.

4. THE STATE OF TEXAS
 COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the contract with KoFile Technologies for the Preservation and Restoration of old and historic Court Record Books.
 Motion was made by Judge Lux, seconded by Commissioner Pfeiffer, 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 contract with Records Consultants, Inc. for identifying records eligible for destruction and/or retention and development of a destruction and retention schedule.
 Motion was made by Commissioner Elkins, seconded by Commissioner Carpenter, 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 the contract with Tyler Technologies concerning the configuration of the District Clerk's Case Management System.
 Motion was made by Commissioner Fincke, seconded by Commissioner Elkins, 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 safety test contract with Thyssenkrupp Elevator Corporation.

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

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

9. PUBLIC COMMENTS: No one spoke.

10. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to issue an access permit to Coveney Ranch Subdivision, Lot 3, Block 4, Unit 2A. The Coveney Ranch Home Owners Association approved the request for access to Joe Klar Road. The purpose of the request for relief is that the Final Plat and covenants state that access to all lots will be through subdivision roads (Jack L. Waldrep, Jr.).

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

11. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to grant the request for relief for road frontage in accordance to Section 300.1100 of the Kendall County Development Rules and Regulations. The purpose of the proposed Amending Plat is to relocate lot lines to eliminate encroachments on Lots 114, 115, and 116 in Skyview Acres.

Motion was made by Commissioner Fincke, seconded by Commissioner Elkins, 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 approve the Final Plat of the Lodges at Cordillera Ranch in accordance to Section 203 of the Kendall County, Texas, Regulations, Rules and Specifications for Roads and Subdivisions, 1990, revised December 1994. The proposed subdivision consists of 3.785 acres with one non-residential lot and will be serviced by central water and central sewer.

Motion was made by Commissioner Elkins, seconded by Commissioner Pfeiffer, 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 approve the Final Plat of Cordillera Ranch Utility Site consisting of 1.148 acres with one non-residential lot.

Motion was made by Commissioner Pfeiffer, seconded by Judge Lux, 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 Amending Plat of Lots 64 and 65 in Waterstone Subdivision creating Lot 64A.

Motion was made by Commissioner Pfeiffer, seconded by Commissioner Carpenter, 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 applying for a 2017 Texas Community Development Block Grant for Comfort WCID #1.

Motion was made by Commissioner Carpenter, 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 award the Request for Proposal of Administrative Services for the Texas Community Development Block Grant 7216251 for water system improvements at the Comfort WCID #1 to Grantworks and authorize the County Judge to sign the contract pending review by the County Attorney's office.

Motion was made by Commissioner Carpenter, seconded by Commissioner Pfeiffer, 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 award the Request for Qualifications of Engineering Services for the Texas Community Development Block Grant 7216251 for water system improvements at the Comfort WCID #1 to Vordenbaum Engineering and authorize the County Judge to sign the contract pending review by the County Attorney's office.

Motion was made by Commissioner Carpenter, 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 scheduling a public hearing and authorizing publication of notice of the hearing concerning adoption of a revised order regulating food establishments in Kendall County pursuant to Chapter 437, Texas Health and Safety Code.

Motion was made by Commissioner Elkins, seconded by Commissioner Fincke, 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 change of park hours (attached).

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

20. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the automatic gate system for Joshua Springs Park & Preserve with final approval from Commissioner Carpenter and the County Attorney's office and not to exceed \$12,500.

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

(Agenda item #21 was addressed after Executive Session)

22-a. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the funding of Phase 1 of the courthouse project plan as submitted by the Alliance for Community Solutions.

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

(Agenda items #22b-d were addressed after Executive Session)

23. After update by EMS Administrator Jeff Fincke, no action was taken concerning peak time unit.

24. After update by EMS Administrator Jeff Fincke, no action was taken concerning a tabletop exercise.

25. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve paying Road & Bridge employees for Emergency Call Out time.

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

26. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the INTERLOCAL AGREEMENT FOR THE ALAMO WORKFORCE DEVELOPMENT AREA (Third Amendment) and authorize the County Judge to sign.

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

At 10:03 a.m. the Court closed Open Session, took a break and at 10:20 a.m. went into Executive Session pursuant to Chapter 551 of the Texas Government Code:

- I. Pursuant to Section 551.071 to seek the advice of the County Attorney and/or 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. County authority and obligations concerning subdivisions, county property, roads and bridges
 2. Five Oaks Holding LLC D/B/A Bella Springs Special Events Venue, Plaintiffs vs. B. Scott Kehoe and Tanita F. White Kehoe, Defendants
 3. Richard Wagner, Beverly Wagner, Steven Clouse, Gerardine Clouse, Jeff Jureczki, Tiffany Jureczki, Robert C. Chambers, Rena M. Chambers, Sandra Glomski, Jeff Dunklin and Karen Brickey, Plaintiffs vs. Thomas David White, Jennifer White, Tanita Faye Kehoe and Scott Kehoe, Defendants
 4. Civil enforcement action against Volkswagen Aktiengesellschaft, Audi Aktiengesellschaft, Volkswagen Group of America Inc., Audi of America LLC, and other entities for alleged violations of applicable laws and regulations.
- II. 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 Commissioners Court
 2. Duties and responsibilities of the County Attorney
 3. Duties and responsibilities of the Criminal District Attorney
 4. Duties and responsibilities of the County Auditor's Office

At 12:02 p.m. the Court closed Executive Session and at 12:04 p.m. went into Open Session where the following motions were made:

22-b. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to rescind the motion approving the funding of Phase 1 of the courthouse project plan as submitted by the Alliance for Community Solutions.

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

22-c. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to declare that the purchase is necessary to preserve or protect the public health and safety of the residents of Kendall County (Phase 1 of the courthouse project plan as submitted by the Alliance for Community Solutions).

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

22-d. THE STATE OF TEXAS

COUNTY OF KENDALL

It is ordered by the Commissioners' Court of Kendall County, Texas, to authorize the payment of the invoice for Phase 1 of the courthouse project plan as submitted by the Alliance for Community Solutions.

Motion was made by Judge Lux, seconded by Commissioner Elkins, 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 authorize Tommy Pfeiffer, Commissioner Precinct 3, to approve change orders at the Law Enforcement Center.

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

27. THE STATE OF TEXAS

COUNTY OF KENDALL

It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the job description of General Counsel.

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

Being no further business, the meeting was adjourned at 12:07 p.m.

EXAMINED AND APPROVED THIS 28th DAY OF NOVEMBER 2016.

ATTESTED:



COUNTY CLERK
KENDALL COUNTY, TEXAS



COUNTY JUDGE
KENDALL COUNTY, TEXAS