

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 December 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 Father Don Hughes, St. John's Anglican Church

Pledges of Allegiance to the United States and Texas flags.

Judge Lux announced that Governor Greg Abbott made the following appointments for the newly created 451st Judicial District Court in Kendall County that will be effective as of January 1, 2017: Bill Palmer, County Court at Law Judge, has been appointed District Judge and Nicole Bishop, Assistant County Attorney, has been appointed Criminal District Attorney.

2.      THE STATE OF TEXAS

COUNTY OF KENDALL      It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the Minutes for November 28 (as corrected) and December 1, 2016.

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 approve the accounts payable claims for purchases, services and vendors (on file).

Motion was made by Commissioner Fincke, seconded by Commissioner Elkins, 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 Cash Summary for September 2016 (attached).

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

5.      No action was taken concerning the status of the Cow Creek Groundwater Conservation District office relocation.

6.      THE STATE OF TEXAS

COUNTY OF KENDALL      It is ordered by the Commissioners' Court of Kendall County, Texas, to authorize the closure of Solid Waste, Recycle Center and the Brush Site on Christmas weekend and allow those employees to use either comp time or vacation.

Motion was made by Judge Lux, 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 job description for the Event Coordinator.

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



## 8. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the job description for the Recreation Coordinator.

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

---

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

## 10. PUBLIC COMMENTS: No one spoke.

## 11. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve Kendall County Order No 12-12-2016 A abandoning a portion of Avenue B and adjacent alley in Waring, Texas (attached).

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

---

(Agenda items #12-13 were addressed after agenda item #19)

---

## 14. 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 road frontage and platting requirements in accordance to Sections 101 and 102 of the Kendall County Development Rules and Regulations for the proposed division to create a ±4-acre tract and a ±11-acre tract. The proposed 4-acre tract which fronts on Old San Antonio Road is to be annexed into the City of Boerne. The proposed 11-acre tract would be combined with an existing Cibolo Preserve tract (Priscilla Jean Heard).

Motion was made by Commissioner Elkins, 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 the County Auditor to request proposals for a Comprehensive Classification and Compensation Study.

Motion was made by Commissioner Elkins, seconded by Commissioner Carpenter, 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 resolution to designate authorized signatories for the 2016 Texas CDBG 7216251 (Kendall County WCID #1, Water System Improvements) to be the County Judge, County Auditor and County Treasurer (attached).

Motion was made by Commissioner Carpenter, 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 resolution for the required CDBG Civil Rights policies (Kendall County WCID #1, Water System Improvements) (attached).

Motion was made by Judge Lux, 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 proclaim April as Fair Housing Month (Kendall County WCID #1, Water System Improvements) (attached).

Motion was made by Judge Lux, seconded by Commissioner Carpenter, 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 AMENDMENT 1 to the INTERLOCAL COOPERATION AGREEMENT FOR MOBILE RADIO SERVICES AND EQUIPMENT BETWEEN KENDALL COUNTY AND LOWER COLORADO RIVER AUTHORITY and acknowledge that Kendall County has the funds in the amount of \$300,000.

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

---

(The following agenda items #12-13 were addressed out of sequence)

---

12. (9:32 a.m.) A Public Hearing was held concerning adoption of a revised order regulating food establishments in Kendall County pursuant to Chapter 437, Texas Health and Safety Code. No one from the public spoke.
- 

## 13. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the revised order (Kendall County Order No. 12-12-2016 B) regulating food establishments in Kendall County with the additions made with the exception of leaving section A (attached).

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

---

## 20. 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 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 approve the draft of the Kendall County/Boerne Hazard Mitigation Plan.

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

---

22. EMS Administrator Jeff Fincke, gave a Presentation of Jurisdiction (Kendall County) Preparedness Profile.
- 

23. (9:51 a.m.) A Public Hearing was held on the application filed by Bob Koricanek for Dos Mijos Ranch, LLC for the proposed revision of the subdivision plat for Tapatio Springs Unit 1, Block 6, Lot 1A filed in Vol.7, Pg.322 of the plat records of Kendall County, Texas. The proposed plat revision will create two lots out of a previously combined four lots by amending plat. No one from the public spoke.
- 

At 9:50 a.m. the Court closed Open Session, took a break and at 10:03 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 Road Supervisor
2. Duties and responsibilities of the County Judge
3. Duties and responsibilities of the County Engineer
4. Duties and responsibilities of the County Attorney's Office
5. Duties and responsibilities of the Criminal District Attorney
6. Duties and responsibilities of the General Counsel

At 12:20 p.m. the Court closed Executive Session, went into Open Session and recessed.

At 2:02 p.m. Open Session was reconvened and the following item was addressed:


24. EMS Administrator Jeff Fincke led an Emergency Management Tabletop Exercise concerning emergency management training practices and policies for Kendall County department managers and elected officials.

Being no further business, the meeting was adjourned at 3:44 p.m.

EXAMINED AND APPROVED THIS 27th DAY OF DECEMBER 2016.

ATTESTED:

  
COUNTY CLERK  
KENDALL COUNTY, TEXAS

  
COUNTY JUDGE  
KENDALL COUNTY, TEXAS