

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 October 2010.

Present:

GAYLAN L. SCHROEDER, COUNTY JUDGE

ANN REISSIG, COMMISSIONER, PCT. #1

GENE MIERTSCHIN, COMMISSIONER, PCT. #2

DARREL L. LUX, COMMISSIONER, PCT. #3

KENNETH M. RUSCH, COMMISSIONER, PCT. #4

SALLY W. PETERS, DEPUTY COUNTY CLERK

1. The meeting was called to order at 9:00 a.m. with the Pledge of Allegiance to the United States and Texas flags.

2. **THE STATE OF TEXAS**

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the Minutes for September 27, 2010.

Motion was made by Commissioner Lux, seconded by Commissioner Reissig, 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 Claims as submitted (on file).

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

4. **PUBLIC COMMENTS:**

- Judge Schroeder noted that Jeff Fincke, Emergency Management Coordinator, was one of those recognized by the Texas EMS Magazine for having 20 or more years of experience in EMS.
- Commissioner Lux thanked Ricky Pfeiffer, Road Superintendent, and his crew who worked over the holiday to asphalt the parking area at the Animal Control facility.

5. **THE STATE OF TEXAS**

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the Texas Parks & Wildlife Department's (TPWD) County Boat Agent Agreement with Kendall County in order to allow the Tax Assessor-Collector's Office to continue to act as an agent for the TPWD.

Motion was made by Commissioner Lux, seconded by Commissioner Miertschin, 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 following job descriptions: Sergeant Animal Control, Animal Control Kennel Technician, Animal Control Administrative Assistant, and Geographic Information System (GIS) Specialist.

Motion was made by Commissioner Lux, seconded by Commissioner Rusch, 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 reappoint Judge Larry James, Justice of the Peace, Precinct One, as a member of the Criminal Justice Advisory Committee with his alternate being Ron Bennett, and also appointing Matt King, Sheriff's Office, with his alternate being Don Allee.

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

10. A Public Hearing was held regarding the application by William E. Hooks and Rebecca Gaines Hooks to cancel Lots 101, 102 and 103 from Stone Springs Estates Subdivision. The following person spoke:

- William Hooks said that his intent was not to adversely affect any other lot owners.
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7-1. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to untable the agenda item #26 from the September 27, 2010 meeting which pertains to the reporting structure for all departments directly overseen by the Commissioners' Court.

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

7-2. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve two organizational charts with the following changes: move the Emergency Operations Coordinator to the chart title "Direct Reports to County Judge" and to add Administrative Specialist II subordinate to the Administrative Manager at Road & Bridge on the chart titled "Direct Reports to Commissioners' Court" effective November 1, 2010 (attached).

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

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

11. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve Resolution 10-12-2010A pertaining to the Rainbow Senior Center and Texans Feeding Texans grant (attached).

Motion was made by Commissioner Lux, seconded by Commissioner Reissig, 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 Resolution 10-12-2010B pertaining to the Indigent Defense Grant Program (attached).

Motion was made by Commissioner Lux, seconded by Commissioner Rusch, 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 Resolution 10-12-2010C confirming Marquardt Road as a County-maintained road with 40 feet of right-of-way to satisfy the requirement of the Texas Department of Transportation for replacing the bridge over Violet Creek (attached).

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

14. This agenda item pertaining to publishing a notice to request Statements of Qualifications for Administrative Services for the Energy Efficiency Conservation Block Grant was withdrawn by the County Judge.

15. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to authorize the publication of a Public Notice for a Public Hearing on October 25, 2010 at 9:15 a.m. pertaining to the adoption of the Kendall County Development Rules and Regulations.

Motion was made by Commissioner Lux, seconded by Commissioner Miertschin, 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 entering into an Interlocal Agreement for a regional public defender for capital cases and authorize the County Judge and the County Clerk to sign.

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

At 10:20 a.m. the Court closed Open Session, took a 10-minute Break, and then went into Executive Session:

- I. Pursuant to Section 551.072, to deliberate the purchase, exchange or value of real property
- II. Pursuant to Section 551.071, to seek the advice of the County Attorney and/or attorneys representing the County, concerning pending and/or threatened litigation 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:
 - 1. County authority concerning subdivisions and county roads and bridges, and nuisance conditions
 - 2. EEOC Complaint—Angela San Miguel
 - 3. Lucas Lancaster vs. Kendall County, et al
- III. Pursuant to Section 551.074 to deliberate the duties and responsibilities of personnel in:
 - 1. Parks Department
 - 2. County Auditor's Office

At 4:50 p.m. the Court closed Executive Session and went into Open Session where the following motion was made:

17. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to schedule a grievance hearing for David Cheney on November 22, 2010 at 1:30 p.m. and authorize the County Attorney to develop a procedure for the grievance hearing.

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

Being no further business, the meeting was adjourned at 4:51 p.m.

EXAMINED AND APPROVED THIS 25th DAY OF OCTOBER A.D., 2010.

ATTESTED: Dalene Herrin
COUNTY CLERK
KENDALL COUNTY, TEXAS

Stephen L. Schroeder
COUNTY JUDGE
KENDALL COUNTY, TEXAS