

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 11th day of April 2011.

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 March 28, 2011.**
Motion was made by Commissioner Reissig, seconded by Commissioner Miertschin, and carried by a vote of 5-0.

3-1. **THE STATE OF TEXAS**
COUNTY OF KENDALL **It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the Budget Adjustments as submitted (attached).**
Motion was made by Commissioner Lux, seconded by Commissioner Rusch, and carried by a vote of 5-0.

3-2. **THE STATE OF TEXAS**
COUNTY OF KENDALL **It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the Budget Adjustments which require Emergency Declaration (attached).**
Motion was made by Commissioner Lux, seconded by Commissioner Rusch, and carried by a vote of 5-0.

4-1. **THE STATE OF TEXAS**
COUNTY OF KENDALL **It is ordered by the Commissioners' Court of Kendall County, Texas, to approve all of the Claims except for vendor #1065 for Bandera Electric Co-Op, Inc. (on file).**
Motion was made by Commissioner Lux, seconded by Commissioner Rusch, and carried by a vote of 5-0.

4-2. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to authorize Commissioner Lux to negotiate with Bandera Electric Co-Op, Inc. pertaining to the pole site at the Recycling Center and authorize payment.

Motion was made by Commissioner Miertschin, seconded by Commissioner Reissig, 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 Financial Report for February 2011 (attached).

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

6. PUBLIC COMMENTS:

- Scott Kehoe and Tana Kehoe asked Commissioner Rusch for updates about any activity concerning the classification of Upper Cibolo Creek Road.
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7. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to declare April 23, 2011 as Shriners Hospitals for Children Day in Kendall County (attached).

Motion was made by Judge Schroeder, seconded by Commissioner Lux, 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 proclaim April 2011 as National County Government Month in Kendall County (attached).

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

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

10. Tracy Acre was introduced as the new Kendall County Point of Dispensing (POD) Director.

11. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to authorize Intermedix to handle the Medicare changes pertaining to the Affordable Care Act.

Motion was made by Commissioner Lux, seconded by Commissioner Rusch, 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 send letters of notification to the newspapers of general circulation in Kendall County for bids in regard to being selected as the official newspaper for publication of official notices for Kendall County.
Motion was made by Judge Schroeder, seconded by Commissioner Reissig, and carried by a vote of 5-0.
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13. THE STATE OF TEXAS
COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to ratify the decision made last week to pay \$700.00 for the burial of a deceased pauper from Kendall County.
Motion was made by Judge Schroeder, seconded by Commissioner Lux, 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 select GovDeals as the Kendall County auctioneer for surplus and salvage equipment and use payment option B3.
Motion was made by Commissioner Miertschin, seconded by Commissioner Lux, 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 accept the bids from Salvador Hernandez for concrete flat work at Spanish Pass Road, Staudt Street, Charger Boulevard, and Joe Klar Road.
Motion was made by Commissioner Lux, seconded by Commissioner Miertschin, and carried by a vote of 5-0.
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16. THE STATE OF TEXAS
COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to authorize the extension of seal coat service with Big Tex Paving.
Motion was made by Commissioner Lux, seconded by Commissioner Rusch, and carried by a vote of 5-0.
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17. THE STATE OF TEXAS
COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to authorize the County Auditor to add two cell phone lines for the Facility Management Department and combine those with the existing four cell phone lines from Road & Bridge to all be under one Foundation Account.
Motion was made by Commissioner Lux, seconded by Commissioner Miertschin, and carried by a vote of 5-0.
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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 attorney(s) 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 are as follow:
 - 1. County authority concerning subdivisions, county roads and bridges and regulation of land use
 - 2. EEOC complaints
 - 3. Lucas Lancaster vs. Kendall County, et al
 - 4. William E. Hooks, Jr. and Rebecca G. Hooks vs. Kendall County
- III. Pursuant to Section 551.074 to deliberate the duties and responsibilities of personnel:
 - 1. Constables
 - 2. County Health Sanitarian

At 11:55 a.m. the Court closed Executive Session and went into Open Session where the following motion was made:

18. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to authorize the temporary exchange of a Ford F150 truck from the Sheriff's Office to be used by Constable, Precinct 3, with any alterations to be approved by the Sheriff's Office and no permanent sign affixed and authorize the temporary exchange of the vehicle for Constable, Precinct 3, to the Sheriff's Office.

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 12:05 p.m.

EXAMINED AND APPROVED THIS 25th DAY OF APRIL A.D., 2011.

ATTESTED:

Darlene Herin
COUNTY CLERK
KENDALL COUNTY, TEXAS

Wayne L. Schroeder
COUNTY JUDGE
KENDALL COUNTY, TEXAS