

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 2011.

Present: **DARREL L. LUX, JUDGE PRO-TEM (COMMISSIONER, PCT. #3)**
 ANN REISSIG, COMMISSIONER, PCT. #1
 GENE MIERTSCHIN, COMMISSIONER, PCT. #2
 KENNETH M. RUSCH, COMMISSIONER, PCT. #4
 SALLY W. PETERS, DEPUTY COUNTY CLERK
Absent: **GAYLAN L. SCHROEDER, COUNTY JUDGE**

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 October 24, 2011.

Motion was made by Commissioner Reissig, seconded by Commissioner Miertschin, and carried by a vote of 4-0.

3. **THE STATE OF TEXAS**

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the Claims for purchases, services and vendors (on file).

Motion was made by Commissioner Reissig, seconded by Commissioner Miertschin, and carried by a vote of 4-0.

4. **PUBLIC COMMENTS:**

- Tana Kehoe spoke about Upper Cibolo Creek Road.
- Jeff Fincke, Emergency Management Coordinator, asked the Court to pin the newly created EMS uniform badge on the EMS crew present in Court.

5. No action was taken on lifting the burn ban. It is still on; burning is allowed only by permit.

6-1. Commissioner Rusch made and rescinded a motion to renew the copy machine contract with Xerox for the office of the Justice of the Peace, Precinct 4, and it was determined that the agenda item would be considered again later in the meeting.

7. THE STATE OF TEXAS

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

Motion was made by Judge Pro-Tem Lux, seconded by Commissioner Rusch, and carried by a vote of 4-0.

9. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the proposal from Midstate Environmental Services for the disposal of waste oil.

Motion was made by Commissioner Miertschin, seconded by Commissioner Rusch, and carried by a vote of 4-0.

10. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to authorize the installation of internet service at the Road & Bridge facility in Kendalia.

Motion was made by Judge Pro-Tem Lux, seconded by Commissioner Rusch, and carried by a vote of 4-0.

11-1. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the construction method for the Kendall Youth Agriculture and Equestrian Center to be Construction Manager-at-Risk and authorize Request for Proposals.

Motion was made by Judge Pro-Tem Lux, seconded by Commissioner Rusch, and carried by a vote of 4-0.

11-2. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the joint venture between Kendall County and the Kendall Youth Agriculture and Equestrian Center for potable water at Joshua Springs Park & Preserve.

Motion was made by Commissioner Miertschin, seconded by Commissioner Reissig, and carried by a vote of 4-0.

12. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve moving the County's long distance phone service to Quest Communications for the proposed rate of 2.4¢ per minute.

Motion was made by Commissioner Miertschin, seconded by Commissioner Reissig, and carried by a vote of 4-0.

13. The Parks Department Director presented a progress report on construction at Joshua Springs Park & Preserve.

8. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to table action on bids and contracts for Road & Bridge materials for fiscal year 2012.

Motion was made by Judge Pro-Tem Lux, seconded by Commissioner Rusch, and carried by a vote of 4-0.

At 10:15 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, lease 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:
 1. County authority concerning subdivisions, county roads and bridges
 2. EEOC complaints
 3. Claim by TxDOT concerning Zoeller Lane Bridge delay
- III. Pursuant to Section 551.087 to discuss or deliberate regarding commercial or financial information that the County has received from a business prospect that the County seeks to have locate, stay or expand in Kendall County and that the County through the Kendall County Economic Development Corporation is conducting economic development negotiations.
- IV. Pursuant to Section 551.074 to deliberate the duties and responsibilities of the Parks Department

At 2:25 p.m. the Court closed Executive Session and at 2:40 p.m. resumed Open Session where the following motions were made:

6-2. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to renew the copy machine contract with Xerox for the office of the Justice of the Peace, Precinct 4, and authorize the Judge Pro-Tem to sign.

Motion was made by Commissioner Rusch, seconded by Commissioner Miertschin, and carried by a vote of 4-0.

II-3. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to authorize the expenditure of \$15,299.66 for the Guadalupe River bridge project.

Motion was made by Commissioner Rusch, seconded by Judge Pro-Tem Lux, and carried by a vote of 4-0.

IV-1. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to authorize Rick Tobolka, Parks Department Director, to approve and sign change orders at Joshua Springs Park & Preserve.

Motion was made by Commissioner Rusch, seconded by Commissioner Reissig, and carried by a vote of 4-0.


Being no further business, the Regular Meeting was adjourned at 2:45 p.m.

EXAMINED AND APPROVED THIS 28th DAY OF NOVEMBER A.D., 2011.

ATTESTED:



COUNTY CLERK
KENDALL COUNTY, TEXAS



COUNTY JUDGE PRO-TEM
KENDALL COUNTY, TEXAS