

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 28th day of November 2011.

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

Absent: **GAYLAN L. SCHROEDER, COUNTY JUDGE**
 ANN REISSIG, COMMISSIONER, PCT. #1

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 following Service Awards were presented:

- 20 years of service: Kay Pugh, District Clerk
- 10 years of service: Jason Allen, Road & Bridge
- 5 years of service: Glen Duty, Sheriff's Office
 Brad McNair, Sheriff's Office

3. **THE STATE OF TEXAS**

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the Minutes for November 14 and 16, 2011.

Motion was made by Commissioner Miertschin, seconded by Commissioner Rusch, and carried by a vote of 3-0.

4. **THE STATE OF TEXAS**

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the Monthly Reports for October 2011 (on file).

Motion was made by Commissioner Miertschin, seconded by Commissioner Rusch, and carried by a vote of 3-0.

5. **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 Miertschin, seconded by Commissioner Rusch, and carried by a vote of 3-0.

6. The County Treasurer presented the first report on sales tax collections for Kendall County and will present this report monthly henceforth.

7. **PUBLIC COMMENTS:** No one spoke.

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

9. **THE STATE OF TEXAS**

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to authorize the reward for the 4th Annual Weight Loss Challenge for Kendall County employees in the manner of one day off each for the man and woman who achieve the highest weight loss and the man and woman who achieve the highest percentage of weight loss.

Motion was made by Commissioner Miertschin, seconded by Commissioner Rusch, and carried by a vote of 3-0.

10. A Public Hearing was held regarding the Plat Revision of Shadow Valley Ranch, Unit 3, Lot 35A into Lots 35A-1 and 35A-2. No one spoke.

11. **THE STATE OF TEXAS**

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to grant relief from minimum road frontage and lot size for proposed Plat Revision of Shadow Valley Ranch, Unit 3, Lot 35A into 35A-1 and 35A-2 to create a family cemetery which would be accessed by a 25-foot wide road easement (Faith Mountain Ranch LLC) with the following condition on the plat: This property cannot be sold to persons not related to Grantor within third degree by consanguinity or affinity without complying with Kendall County platting requirements in effect at such time.

Motion was made by Judge Pro-Tem Lux, seconded by Commissioner Miertschin, and carried by a vote of 3-0.

12. A Public Comment forum was opened regarding a proposed order granting relief to road frontage requirements and possibly other requirements of the Kendall County Development Rules and Regulations for certain situations including a division of property by Court proceeding, or otherwise, whereby parcels of the divided property are sold, given, or otherwise transferred to heirs of the record owner of the property, or to individuals who are related to the record owner within the third degree by consanguinity or affinity. No one spoke.

13. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to table this agenda item pertaining to County representatives approving requests for relief for road frontage requirements and possibly other requirements of the Kendall County Development Rules and Regulations for certain situations.

Motion was made by Judge Pro-Tem Lux, seconded by Commissioner Miertschin, and carried by a vote of 3-0.

14. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the purchase by the Sheriff's Department of four patrol vehicles for the Sheriff's Office and a pickup truck for Animal Control from Philpott Motors.

Motion was made by Commissioner Miertschin, seconded by Judge Pro-Tem Lux, and carried by a vote of 3-0.

15. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve Resolution 11-28-2011 casting Kendall County's votes for Don Edmondson as the candidate to the 2012-2013 Kendall Appraisal Board of Directors.

Motion was made by Judge Pro-Tem Lux, seconded by Commissioner Rusch, and carried by a vote of 3-0.

16. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to appoint Bryden Moon to the Historical Commission for the 2012-2013 year.

Motion was made by Judge Pro-Tem Lux, seconded by Commissioner Miertschin, and carried by a vote of 3-0.

17. The County Development Manager presented a summary of activities for October 2011.

18. The Parks Department Director presented a summary of activities for October 2011.

19. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the bids and award the contract for Road & Bridge materials for 2012.

Motion was made by Commissioner Miertschin, seconded by Judge Pro-Tem Lux, and carried by a vote of 3-0.

20. The Road Superintendent presented a summary of activities for Road & Bridge for October 2011 (attached).

At 9:55 a.m. the Court closed Open Session, took a Break and went into Executive Session pursuant to:

- I. Section 551.072 to deliberate the purchase, exchange or value of real property
- II. 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:
 - 1. County authority concerning subdivisions, county roads and bridges
 - 2. EEOC complaints
- III. Section 551.0785 to deliberate matters involving medical records of individual applicants for benefits.

At 10:45 a.m. the Court closed Executive Session and at 10:48 a.m. resumed Open Session where the following motion was made:

21. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to allow County employees to donate sick leave to another employee for up to 200 hours.

Motion was made by Commissioner Rusch, seconded by Judge Pro-Tem Lux, and carried by a vote of 3-0.

Being no further business, the meeting was adjourned at 10:50 a.m.

EXAMINED AND APPROVED THIS 12th DAY OF DECEMBER A.D., 2011.

ATTESTED: *Dalene Herin*
COUNTY CLERK
KENDALL COUNTY, TEXAS

David L. Lux
COUNTY JUDGE PRO-TEM
KENDALL COUNTY, TEXAS