

**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 25<sup>th</sup> day of June 2012.

**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**

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

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**3.**      **THE STATE OF TEXAS**

**COUNTY OF KENDALL**      It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the Minutes for June 11, 2012.

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

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**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 May 2012 (on file).

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

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**5-1.**    **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.

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**5-2.**    **THE STATE OF TEXAS**

**COUNTY OF KENDALL**      It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the Budget Adjustments requiring Emergency Declarations pertaining to the Help America Vote Act (HAVA) grant (attached).

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

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6. 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 Reissig, and carried by a vote of 5-0.

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7. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the April 2012 Financial Report (attached).

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

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8. The County Treasurer reported on the May 2012 sales tax for Kendall County.

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2. The following Service Award was presented:

- 5 years of service: Lisa Kelley, EMS
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9. PUBLIC COMMENTS:

- Thomas David White, Jr. read two letters to the Court regarding Upper Cibolo Creek Road.
  - Tana Kehoe spoke about her property and right-of-way.
  - The County Attorney spoke in response to Mr. White's two letters.
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10. No action was taken on reinstating the burn ban. It is still lifted.

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11. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to authorize the Auditor's Office to issue a purchase order for the third Kendall County Lower Colorado River Authority (LCRA) tower 700 MHz radio system.

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

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12. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to table this agenda item which pertains to allowing the Church of Jesus Christ of Latterday Saints to use the parking lot of the Kendall County Courthouse Annex located at 221 Fawn Valley Drive for parking during Sunday services for approximately two years.

Motion was made by Judge Schroeder, seconded by Commissioner Lux, 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 authorize the Alamo Insurance Group, agent of record, to send out requests for proposals on group medical and dental insurance.

Motion was made by Commissioner Lux, seconded by Commissioner Reissig, 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 table this agenda item which pertains to leasing the Old Comfort Softball Field located at Eighth and Main Streets in Comfort.

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

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**15-1. THE STATE OF TEXAS**

**COUNTY OF KENDALL** It is ordered by the Commissioners' Court of Kendall County, Texas, to untable the agenda item #14 from the May 29, 2012 meeting pertaining to the Maintenance Bond for Loop 1087 in Comfort and the release of the Developer's Letter of Credit.

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

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**15-2. THE STATE OF TEXAS**

**COUNTY OF KENDALL** It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the Maintenance Bond for Loop 1087 in Comfort in the amount of 15% of the total cost of the road and drainage improvements (\$171,000.00) for a period of one year from this date and release the Developer's Letter of Credit in the amount of \$1,380,000.00.

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

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**16-1. THE STATE OF TEXAS**

**COUNTY OF KENDALL** It is ordered by the Commissioners' Court of Kendall County, Texas, to untable the agenda item #15 pertaining to the Letter of Credit for the construction of a left turn lane from U.S. Highway 87 to Loop 1087 at Love's Truck Stop in Comfort.

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

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**16-2. THE STATE OF TEXAS**

**COUNTY OF KENDALL** It is ordered by the Commissioners' Court of Kendall County, Texas, to accept the Letter of Credit in the amount of \$113,000.00 for the construction of a left turn lane from U.S. Highway 87 to Loop 1087 at Love's Truck Stop in Comfort.

Motion was made by Commissioner Rusch, seconded by Commissioner Lux, 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 accept the construction of Summit Pass in Cordillera Ranch Subdivision, Unit 205A-1 and release the Cashier's Check in the amount of \$18,446.50 for completion of guard rails.

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

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**18. THE STATE OF TEXAS**

**COUNTY OF KENDALL** It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the Preliminary Plat of Cordillera Ranch Subdivision, Unit 207A.

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

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**19. THE STATE OF TEXAS**

**COUNTY OF KENDALL** It is ordered by the Commissioners' Court of Kendall County, Texas, to grant relief from the platting requirements in accordance with Section 101.1000 of the Kendall County Development Rules and Regulations for two 100-plus-acre tracts at 420 Upper Cibolo Creek Road that would be subject to permanent conservation easements and would not allow for future division of the tracts. The proposed tracts would be accessed by a 60-foot easement for road right-of-way purposes (R. Yates Properties II, Ltd.).

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

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**20. The County Development Manager presented a summary of activities for May 2012.**

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**21. The Parks Department Director presented a summary of activities for May 2012.**

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22. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to adopt the Rules and Regulations, Kendall County Order No. 06-25-2012, concerning the use of County-owned property and facilities at Joshua Springs Park and Preserve (attached).

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

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23. 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 Commissioner Lux, seconded by Commissioner Rusch, and carried by a vote of 5-0.

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24. The Road Superintendent presented a summary of activities for Road & Bridge for May 2012 (attached).

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25. The Elections Administrator presented the financial cost for the County to switch to all electronic voting.

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26. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the rental rate for an iVotronic election voting unit to remain at \$145.80.

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

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At 11:15 a.m. the Court closed Open Session, took a 10-minute Break, and went into Executive Session pursuant to:

- 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 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
- II. Pursuant to Section 551.074 to deliberate the duties and responsibilities of:
  1. County Clerk's office
  2. Appointed officials
- III. Pursuant to Section 551.087 to discuss or deliberate matters regarding commercial or financial information that the County has received from a business prospect that the County seeks to have locate or expand in Kendall County and that the County through the Kendall County Economic Development Corporation is conducting economic development negotiations.

At 2:50 p.m. the Court closed Executive Session and resumed Open Session where the following motions were made:

27. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to authorize two job descriptions in the County Clerk's office—Chief Deputy County Clerk, Real Property Records, and Chief Deputy County Clerk, Misdemeanor Department, both at pay grade 13 effective the next budget year.

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

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28. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to table this agenda item which pertains to a contractual agreement with Starplex Operating, LLC.

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

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Being no further business, the meeting was adjourned at 2:52 p.m.

EXAMINED AND APPROVED THIS 9<sup>th</sup> DAY OF JULY A.D., 2012.

ATTESTED: *Darlene Hessin*  
COUNTY CLERK  
KENDALL COUNTY, TEXAS

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