

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 27th day of August 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

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:
• 10 years of service: Robert Garcia, Sheriff's Office
• 5 years of service: John Jenkins, Parks Department

3. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the Minutes for August 13 and 20, 2012.

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

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 July 2012 (on file).

Motion was made by Commissioner Lux, 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 Budget Adjustments as submitted (attached).

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

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

7. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the June 2012 Cash Balances (attached).

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

8. The County Treasurer reported on the July and August 2012 sales tax for Kendall County.

9. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the Investment Report for the 3rd Quarter of 2012 (attached).

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

10. PUBLIC COMMENTS:

- David Judson with Veterans of Foreign Wars (VFW) Post 688 recognized two WWII veterans in the audience: Ed Mergele and Jack Mulhollan. He also asked the Court's assistance in finding a new location for the post.
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18. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to adopt the Resolution to apply for 2013-2014 Community Development Block Grant assistance with the Community Development Fund and a related Interlocal Agreement with Kendall County WCID No. 1 with appropriate changes as discussed (attached).

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

11. No action was taken on lifting the burn ban. It is still in effect.

12. 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 purchase of radios for the new 700 MHz radio system.

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

13. A Public Hearing was held regarding the Proposed Budget for 2013.

- 14-1. A Public Hearing was held regarding the proposal to increase the total tax revenues from properties on the tax roll in the preceding tax year by 6.48% (Chapter 26, Tax Code).
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The following people spoke regarding both of the above hearings: Bob Reinarz, Cleo Marquart, Vikki Smith, Jarrett Amerman, Elaine Zaner, Ray Weeks, Mike Luckey, Brandon Tindall and Earl Smith.

THE TAX ASSESSOR/COLLECTOR NOTED THAT THE NEXT HEARING FOR INCREASING THE TOTAL TAX REVENUES FROM PROPERTIES ON THE TAX ROLL IN THE PRECEDING YEAR BY 6.48% WOULD BE THURSDAY, AUGUST 30, 2012 AT 6:30 PM IN THE THIRD FLOOR ASSEMBLY ROOM IN THE COURTHOUSE.

- 14-2. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to schedule the meeting for the vote on the proposed tax rate of \$.395 per \$100.00 taxable value for Monday, September 10, 2012 at 9:30 a.m. in the Third Floor Assembly Room of the Kendall County Courthouse. Motion was made by Commissioner Lux, seconded by Commissioner Rusch, and carried by a vote of 5-0.

15. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to amend the polling location in Waring, Texas from the Waring Community Center to the Waring Schoolhouse. Motion was made by Commissioner Rusch, seconded by Commissioner Lux, 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 change the permanent polling location for Precinct 2 from the Kendall County Fairgrounds to the Burdick Community Center. Motion was made by Commissioner Miertschin, seconded by Commissioner Reissig, and carried by a vote of 5-0.

17. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the list of Presiding and Alternate Election Judges as submitted by the Elections Administrator (attached).

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

19. 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 contract with the State of Texas and report of persons charged with Failure to Appear offenses.

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

20. Grace San Miguel, Kendall County Community Supervision and Corrections Department Director, presented the Court with the approved Budget Adjustment Request for Fiscal Year 2012 (attached).

21. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the change to Kendall County Order No. 06-25-2012 (Adoption of the Rules and Regulations for Joshua Springs Park and Preserve) to remove the exhibits from the Order.

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

22. The Parks Department presented a summary of activities for Joshua Springs Park and Preserve.

23. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the Plat Revision of Inspiration Hill No. 2, Lot 4A into Lots 4A-1 through 4A-7 in accordance with Section 209 of the Kendall County Development Rules and Regulations. The proposed plat revision creates seven lots which vary from 5.12 acres to 7.26 acres with an average density of 6.13 acres.

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

24. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to grant relief from the 1990 Subdivision Regulations for Cordillera Ranch Subdivision, Di Lusso Site 2, to:

- 1) use a 50-foot right-of-way width and 21-foot pavement width in lieu of a 60-foot right-of-way and 36-foot pavement width as required by Subsection 302.21,
- 2) use a 6" roll curb and gutter in lieu of a 7" curb with no gutter as required by Section 620,
- 3) locate certain utilities (water, sewer, electric and telephone) inside the right-of-way in lieu of locating them outside of the right-of-way as required by Subsection 302.25,
- 4) use a prime coat under the 1½-inch HMAC pavement in lieu of a one-course surface treatment under the 1½-inch HMAC pavement as required by Subsection 404.10.

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

25. 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.

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

27-1. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to untable the agenda item #29 from the August 13, 2012 meeting pertaining to leasing antenna space on the Jennifer Drive Tower to S&P Communications.

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

27-2. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the lease agreement for antenna space on the Jennifer Drive Tower for use by S&P Communications.

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

At 11:38 a.m. the Court closed Open Session 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, bridges and County property
 2. EEOC complaints
- II. Pursuant to Section 551.074 to deliberate the duties and responsibilities of:
 1. Parks Department
 2. County Attorney's Office
- III. Pursuant to Section 551.076 to deliberate matters regarding security devices

At 11:40 a.m. the Court broke for lunch.

At 1:30 p.m. the Court resumed Executive Session. Judge Schroeder was absent.

At 3:00 p.m. the Court closed Executive Session and at 3:05 p.m. resumed Open Session where the following motions were made:

28-1. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to untable the agenda item #31 from the August 13, 2012 meeting pertaining to the change of job classifications in the County Attorney's Office.

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

28-2. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to authorize the creation of an Administrative Manager, job classification 13, in the County Attorney's Office.

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


Being no further business, the meeting was adjourned at 3:07 p.m.

EXAMINED AND APPROVED THIS 10th DAY OF SEPTEMBER A.D., 2012.

ATTESTED:



COUNTY CLERK
KENDALL COUNTY, TEXAS



COUNTY JUDGE
KENDALL COUNTY, TEXAS