

**NOTICE OF REGULAR MEETING  
OF THE KENDALL COUNTY COMMISSIONERS COURT**



**NOTICE** is hereby given that a regular meeting of the above named Commissioners Court will be held on the **23<sup>rd</sup>** day of **September, 2013** at **9:00 a.m.** in the **Kendall County Courthouse, Third Floor Assembly Room**, 201 E. San Antonio Avenue, Boerne, Texas, at which time the following will be discussed and appropriate action taken; pursuant to V.T.C.A. Government Code Chapter 551, Open Meetings Act, including all Subchapters and Sections:

All matters listed on the following Agenda may be discussed in Executive Session at the option of the Kendall County Commissioners Court and following verbal announcement, if an appropriate exception to the open meeting requirement of the Texas Open Meetings Act is applicable.

**NO CELL PHONES, AUDIBLE PAGERS, AND/OR BEEPERS SHALL BE USED WHILE COURT IS IN SESSION**

Pledge of allegiance to the United States Flag  
Pledge of allegiance to the Texas Flag

1. Call to Order - 9:00 a.m.  
Comments from the bench
2. Presentation of Service Awards:  

<b>10 years:</b>	<b>Steven Fleming</b>	<b>Parks Department</b>
	<b>Staci Decker</b>	<b>Elections Administrator</b>
3. Consideration and action on approval of Minutes for September 9 and 16, 2013: Sally Peters, Deputy Clerk/Administrative Assistant
4. Consideration and action on approval of Monthly Reports for August 2013: Corinna Speer, County Auditor
5. Consideration and action on the approval of fiscal year 2013 Budget Adjustments and Emergency Declarations: Corinna Speer, County Auditor
6. Consideration and action on approval of claims for purchases, services, and vendors: Cindy Silva, Assistant County Auditor
7. Consideration and action to proclaim October 2013 as Family History Month: Darrel L. Lux, County Judge / Jim Westermeier, Genealogical Society of Kendall County
8. Consideration and action to proclaim September 2013 as Hunger Action Month: Darrel L. Lux, County Judge

**KENDALL COUNTY COMMISSIONERS COURT**

9. **Public Hearing (9:15 a.m.)** - The Court will receive comments from the public regarding the application filed by SSK Partners, Ltd for a proposed revision of the subdivision plat for Pleasant Valley, Unit 1, Lot 3, filed in Volume 1, page 36, of the plat records of Kendall County, Texas. The proposed Plat Revision would create two lots consisting of 0.063 and 1.538 acres. Applicant is requesting relief for minimum road frontage, minimum lot size, and density. The proposed 0.063-acre tract would accommodate a 20,000-gallon water storage tank for the benefit of the Bergheim Volunteer Fire Department (SSK Partners, Ltd): Gene Miertschin, Commissioner Precinct 2
10. Consideration and action on a request for relief for minimum road frontage, minimum lot size, and density in accordance with Section 300.1100 of the Kendall County Development Rules and Regulations for the proposed Plat Revision of Pleasant Valley, Unit 1, Lot 3 resulting in a 0.063-acre tract and a 1.538-acre tract. The proposed 0.063-acre tract would accommodate a 20,000-gallon water storage tank for the benefit of the Bergheim Volunteer Fire Department: Gene Miertschin, Commissioner Precinct 2
11. Consideration and action on a Plat Revision of the Sleepy Hollow Subdivision, Unit 2, Lot 7A, filed in Volume 5, pages 253-254 of the plat records of Kendall County, Texas. The proposed Plat Revision creates a 6.01-acre lot and a 33.98-acre lot with an average density of 20 acres. Relief for minimum road frontage was granted by Commissioners Court on August 12, 2013 (Russell S. and Lyneele Katherine Boyd): Gene Miertschin, Commissioner Precinct 2
12. Consideration and action on a request for relief from platting requirements in accordance with Section 101.1000 of the Kendall County Development Rules and Regulations. The purpose of the division is to create a (+/-) 6.11-acre tract and a (+/-) 3.75-acre tract from the (+/-) 9.86-acre parent tract. The proposed family division would result in a (+/-) 3.75-acre tract for domestic/residential use (Paul S. Duran): Kenneth M. Rusch, Commissioner Precinct 4
13. **PUBLIC COMMENTS**— opportunity for the general public to address the Court on any matter. The Court may not discuss any presented issue, nor may any action be taken on any issue at this time. *Comments are limited to 3 minutes.*
14. Consideration and action on naming an appointee to the Kendall Appraisal District Board of Directors: Darrel L. Lux, County Judge
15. Consideration and action to nominate the County's representative to the Kendall County Economic Development Corporation Board of Directors: Darrel L. Lux, County Judge
16. Consideration and action on the purchase of a new computer for \$1,170.00 for the Facilities Maintenance Department using money from line item 10-510-55900 and 10-510-54503: Robert Kinsey, Facilities Manager / Darrel L. Lux, County Judge
17. Consideration and action concerning an amendment to the Rabies Prevention and Animal Control Order: Al Auxier, County Sheriff



18. Update on the Voter Outreach Program: Staci Decker, Elections Administrator / Darrel L. Lux, County Judge
19. Consideration and action to approve the creation of social media accounts for the Kendall County Elections Office: Staci Decker, Elections Administrator / Darrel L. Lux, County Judge
20. Consideration and action concerning an Interlocal Agreement with Rockwall County to participate in a federal grant program to provide blank ballots to military and overseas voters: Staci Decker, Elections Administrator / Darrel L. Lux, County Judge
21. Consideration and action on the burn ban (Authority Section 352.081, Texas Local Government Code): Darrel L. Lux, County Judge / Jeffery Fincke, Fire Marshal
22. Consideration and action on a Discount Policy change pertaining to Intermedix billing: Jeffery Fincke, Fire Marshal
23. Consideration and action on the Bergheim Volunteer Fire Department's request to use funds allocated for pagers to be used instead to reimburse a fire truck payment: Gene Miertschin, Commissioner Precinct 2
24. Consideration and action to authorize the negotiation of a new contract for 16 copier / printer / scanner / fax machines with a vendor in ranking order as approved by the Kendall County Commissioners Court on this date: Gene Miertschin, Commissioner Precinct 2
25. Consideration and action concerning an Interlocal Agreement with the Texas Department of Transportation – Master Agreement Governing Local Transportation Project Advance Funding Agreement: Terry Anderson, County Engineer / Don Allee, County Attorney
26. Consideration and action concerning the following contracts and agreements:
  1. Renewal Contract with Horizon Telephone Voice and Data Systems (HTS) for continuing computer and network, monitoring and maintenance: Gene Miertschin, Commissioner Precinct 2
  2. Interlocal Contract between Kendall County and the City of Boerne for Detention Services: Darrel L. Lux, County Judge
  3. Interlocal Agreement for Fire Protection Services: Darrel L. Lux, County Judge
  4. Interlocal Agreement for Public Safety and Utilities Communication Services: Darrel L. Lux, County Judge
  5. Non-exclusive Memorandum of Understanding with the Hill Country Council on Alcohol and Drug Abuse: Darrel L. Lux, County Judge
  6. Interlocal Agreement for the Kendall County Emergency Response Team: Al Auxier, County Sheriff
  7. Interlocal Agreement between Kendall County and the City of Boerne for Health Sanitarian Services: Don Allee, County Attorney

27. Consideration and action on adopting and approving the Investment Policy for fiscal year 2014: Sheryl D'Spain, County Treasurer / Darrel L. Lux, County Judge
28. Present summary of activities by Road and Bridge during August 2013: Ricky Pfeiffer, Road Superintendent
29. Consideration and action on a Notice of Proposed Construction on County right-of-way by Guadalupe Valley Telephone Cooperative (GVTC) for placing fiber optic communications cable and appurtenances along Edge Falls Road, Crabapple Road, and Old Blanco Road: Richard J. Chapman, Commissioner Precinct 3
30. Consideration and action concerning the County Calendar on the Kendall County website: Richard J. Chapman, Commissioner Precinct 3

**BREAK**

**EXECUTIVE SESSION (Closed to public)**

**Pursuant to Chapter 551 of the Texas Government Code**

- I. The Court will meet in Executive Session 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, settlement offers 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 follows:
  1. County authority concerning subdivisions, county roads and bridges
  2. San Miguel vs. Kendall County
  3. Guy James Gray vs. Kendall County
- II. The Court will meet in Executive Session pursuant to Section 551.0745 to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee; or to hear a complaint or charge against an officer or employee:
  1. Duties and responsibilities of the Kendall County Sheriff's Department
  2. Duties and responsibilities of the Tax Assessor-Collector's Office
  3. Duties and responsibilities of the Road & Bridge Department
  3. Duties and responsibilities of the Human Resources Department
  3. Duties and responsibilities of the County Surveyor
- III. The Court will meet in Executive Session pursuant to Section 551.072 to deliberate the purchase, exchange, lease or value of real property. (Note: Deliberation in an open meeting would have a detrimental effect on the position of Kendall County in negotiations with a third person.)
  1. Right-of-way / easements for Herff Road Project

- IV. The Court will meet in Executive Session pursuant to Section 551.087 to discuss or deliberate regarding commercial or financial information that the Kendall County Economic Development Corporation ("KCEDC") has received from a business prospect that the KCEDC seeks to have locate, stay, or expand in Kendall County and with which the KCEDC is conducting economic development negotiations; or to deliberate the offer of a financial or other incentive to a business prospect.**

**RESUME OPEN SESSION AND TAKE ANY NECESSARY ACTION  
RESULTING FROM EXECUTIVE SESSION DELIBERATIONS**

**ADJOURNMENT**



Dated this the 18<sup>th</sup> day of September, 2013.



Darrel L. Lux  
Kendall County Judge

I, the undersigned County Clerk, do hereby certify NOTICE of Regular meeting of the above named Commissioners Court is a true and correct copy of said Notice and that I have caused said Notice to be posted on the door at the Courthouse of Kendall County, Texas located at 201 E. San Antonio Street on the 19<sup>th</sup> day of September, 2013.



Darlene Herrin  
County Clerk

Posted at 1:15 p.m. on the 19<sup>th</sup> day of September, 2013—*sep*

NOTE: The Kendall County Commissioners Court complies with A.D.A. requirements. If you have an impairment and wish to appear at a meeting, please call (830)249-9343, 48 hours in advance to make arrangements.