

**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 **12th** day of **November, 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. Consideration and action on approval of Minutes for October 28, 2013: Sally Peters, Deputy Clerk/Administrative Assistant
3. Consideration and action on the approval of claims for purchases, services, and vendors: Cindy Silva, Assistant County Auditor
4. Consideration and action to request the County Auditor to perform an audit of the Sheriff's Chapter 59 Asset Forfeiture Funds as required by Article 59.06 of the Code of Criminal Procedures: Corinna Speer, County Auditor
5. Presentation of the October Sales Tax Report: Sheryl D'Spain, County Treasurer
6. Consideration and action on the burn ban (Authority Section 352.081, Texas Local Government Code): Darrel L. Lux, County Judge / Jeffery Fincke, Fire Marshal
7. Consideration and action to allow the Kendall County Relay for Life team to offer tacos for donation to employees in the breakroom: Michelle Lux, Benefits Coordinator
8. Consideration and action to allow the Armed Forces Benefit Association to enroll employees of the Sheriff's Department, EMS, and fire departments in a free \$5,000.00 life insurance benefit with a presentation regarding an individual life insurance policy: Michelle Lux, Benefits Coordinator

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9. **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.*
10. Presentation of the telephone bill audit by Carolyn Arnold, President and CEO of CACC, Inc.: Gene Miertschin, Commissioner Precinct 2
11. Consideration and action on a request for relief from the platting requirements in accordance with Section 101.1000 of the Kendall County Development Rules and Regulations. The proposed division would create a (+/-) 3.007-acre tract out of the parent (+/-) 587-acre tract with access through an existing 10-foot easement to Giles Ranch Road (Dorothy Beckmann Leslie): Kenneth M. Rusch, Commissioner Precinct 4
12. Consideration and action on an Amending Plat of Diamond Ridge, Lots 26, 27, and 28 into Lots 26A and 28A in accordance with Section 209 of the Kendall County Development Rules and Regulations (Joe W. & Connie M. Meyer, Scott D. & Laurie H. Syamken): Mike Fincke, Commissioner Precinct 1
13. Consideration and action on a Plat Revision of the subdivision plat for Pleasant Valley Estates, Unit 1, Lot 3 filed in Volume 1, page 36 of the plat records of Kendall County, Texas. The plat revision would create two lots consisting of 0.063 and 1.538 acres. The proposed 0.063-acre tract will accommodate a 20,000-gallon water storage tank for use by the Kendall County volunteer fire departments (SSK Partner LTD): Gene Miertschin, Commissioner Precinct 2
14. Consideration and action on the Final Plat of the Kendall Woods Office Complex in accordance with Section 204 of the Kendall County Development Rules and Regulations. The proposed commercial development consists of a 6.885-acre tract, two lots, and no new roadway for a density of 3.443 acres per lot. The subdivision will be serviced by a private water well and on-site sewage. The Preliminary Plat was approved October 15, 2013 (George E. Metz III, Manager—JTLK2, LLC): Richard J. Chapman, Commissioner Precinct 3
15. Consideration and action on an Amending Plat of Comfort Outlot 68C and part of Outlot 68, Kendall County, Texas into Outlots 68D and 68E in accordance with Section 209 of the Kendall County Development Rules and Regulations (Julie Kathryn Quest and Farrell M. Brooks, Jr.): Kenneth M. Rusch, Commissioner Precinct 4
16. Consideration and action on the request by the Comfort Chamber of Commerce for a letter of permission from Commissioners Court to the Texas Alcoholic Beverage Commission (TABC) to allow the Chamber to sell alcohol on Saturday, November 30th at the Chamber booth on 7th Street, which will be closed to traffic, during the Christmas in Comfort event: Kenneth M. Rusch, Commissioner Precinct 4
17. Consideration and action on leasing the FEMA lot located at 226 8th Street in Comfort for recreational purposes: Kenneth M. Rusch, Commissioner Precinct 4

18. Consideration and action to enter into a contract with Government Capital Corporation for the purchase of vehicles for the Sheriff's Department: Bob Eason, Assistant County Attorney / Darrel L. Lux, County Judge
19. Consideration and action on the execution of a contract with J3 Company, LLC, for the construction of Herff Road from State Highway 46 to Old San Antonio Road: Terry Anderson, County Engineer / Gene Miertschin, Commissioner Precinct 2
20. Consideration and action on the approval of paying Road & Bridge personnel in lieu of compensation time when they substitute for an attendant at the Brush Site, Solid Waste Collection Station, or the Recycling Facility: Terry Anderson, County Engineer / Darrel L. Lux, County Judge
21. Consideration and action to approve Resolution 11-12-2013 to cast Kendall County's votes for the County's nominee, Don Edmondson, to the Kendall Appraisal District Board of Directors: Darrel L. Lux, County Judge
22. Consideration and action on the benefits of joining the area Chambers of Commerce: Richard J. Chapman, Commissioner Precinct 3 / Darrel L. Lux, County Judge
23. Consideration and action to set the Texas County & District Retirement System (TCDRS) employer contribution rate for calendar year 2014: Juanita Espino, Human Resources Director / Darrel L. Lux, County Judge
24. Consideration and action to designate the Human Resources Director as the Sick Leave Pool Administrator: Darrel L. Lux, County Judge
25. Consideration and action to designate two individuals to serve on the Sick Leave Pool Review Panel: Darrel L. Lux, County Judge
26. Consideration and action to approve the Sick Leave Pool enrollment/contribution forms: Darrel L. Lux, County Judge
27. Consideration and action to allow the Human Resources Director to conduct informational workshops about the Sick Leave Pool to all Kendall County employees: Darrel L. Lux, County Judge
28. Consideration and action to submit a contract with the Texas Department of Public Safety to obtain the driving record information on prospective employees and current employees: Juanita Espino, Human Resources Director / Darrel L. Lux, County Judge

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 and obligations concerning subdivisions, county roads and bridges, and purchasing**
 - 2. Guy James Gray vs. Kendall County**
- II. The Court will meet in Executive Session pursuant to Section 551.074 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 Sheriff's Office**
- 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**

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

ADJOURNMENT

Dated this the 6th day of November, 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 Avenue on the 7th day of November, 2013.



Darlene Herrin
County Clerk

Posted at 2:15 p.m. on the 7th day of November, 2013—Suf

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.