

**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 **22<sup>nd</sup>** day of **April, 2013** at **9:00 a.m.** in the **Kendall County Courthouse, Third Floor Assembly Room**, 201 E. San Antonio, 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: Darrel L. Lux, County Judge Pro Tem
2. Presentation of Awards:
  - a. Service Award, Michael Barron 10 years Road & Bridge by Darrel L. Lux, County Judge Pro Tem
  - b. Commendation Award to Deputy Sheriff Glenn Duty by Sheriff Al Auxier
3. Consideration and action on approval of minutes for April 8, 2013:  
Sally Peters, Deputy Clerk
4. Consideration and action on approval of claims for purchases, services, and vendors: Corinna Speer, County Auditor, Cindy Silva, Assistant County Auditor
5. Consideration and action on approval of Monthly Reports for March 2013:  
Corinna Speer, County Auditor/ Cindy Silva, Assistant County Auditor
6. Consideration and action on 2012-2013 budget adjustments: Corinna Speer, County Auditor

7. Consideration and action to approve Cash Balances for February 2013: Sheryl D'Spain, Treasurer
8. **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. Please limit comments to 3 minutes.
9. Consideration and action concerning authorization of the county representative to sign the closing documents and the disbursement of funds from Herff Road Projects Fund #71 for the purchase of a right of way parcels from the Friends of Cibolo Wilderness: The Friends of Cibolo Wilderness (Herff Farms)/ Commissioner Gene Miertschin, Precinct 2
10. Presentation of Report from Texas AgriLife Office regarding Kendall County 4-H Interpretation, Major Stock Show Update, Outdoor Family Fair Report: Stephen Zoeller/ Jana Osbourn AgriLife Extension Agents/Darrel L. Lux, County Judge Pro Tem
11. Consideration and action on Preliminary Plat for Cordillera Ranch Kendall County, Texas Unit 301A, 301B, 301C, 301D, and 301E in accordance to section 202 of the Kendall County Development Guidelines and Regulations effective January 1, 1997. The proposed subdivision consists of 111.82 acres, sixty six (66) single family lots and seven (7) roadways for a density of 1.69 acres/lot (CR/KWW Partnership, LTD, David Hill): Darrel L. Lux, Commissioner Precinct 3, Richard Tobolka, Development Management
12. Consideration and action on Amending Plat of Lots 16A, 17, 18 and Outlot 49A into Lot 18A, Comfort, Texas in accordance to section 209 of the Kendall County Development Rules and Regulations (Boys and Girls Club of the Texas Hill Country, Karl Ransleben, President): Kenneth M. Rusch, Commissioner Precinct 4, Richard Tobolka, Development Management
13. Presentation of summary of activities by Road & Bridge Department during March 2013 to Commissioners Court: Ricky Pfeiffer, Road Superintendent
14. Consideration and action on the burn ban (Authority Section 352.081, Texas Local Government Code): Jeff Fincke, Fire Marshal
15. Consideration and action on a proclamation for Emergency Medical Services Week, for the week of May 19 through May 25, 2013: Jeff Fincke, Fire Marshal /Darrel L. Lux, County Judge Pro Tem

**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 551.074 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 Elections Administrator.**
  2. **Duties and Responsibilities of County Attorney.**
  3. **Duties and Responsibilities of County Development Manager's Office.**
  4. **Duties and Responsibilities of County Indigent Health Coordinator's Office.**
  
- II. **Commissioners 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 under the Texas Rules of Professional Conduct of the State Bar of Texas requires confidential communications. Specific topics to be discussed are as follows:**
  1. **County authority concerning subdivisions, county roads, and bridges.**
  2. **EEOC Complaints**
  
- 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**

16. Consideration and action to employ law firm of Davidson Troilo Ream & Garza, P.C., to represent Kendall County in obtaining right of way and easements for the Herff Road Project: Don Allee, County Attorney

**BREAK-LUNCH**

**RESUME OPEN SESSION 1:30 p.m.**

17. Consideration and action if any regarding reevaluation of the advisability of asking the Legislature to create a new District Court for Kendall County: Gene Miertschin, Commissioner Precinct 2.

**ADJOURNMENT**

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

Darrel L. Lux

Darrel L. Lux  
Kendall County Judge Pro Tem

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 18<sup>th</sup> day of April, 2013.

Darlene Herrin

Darlene Herrin  
County Clerk

Posted at 3 A.M./ P.M. on the 18<sup>th</sup> day of April, 2013 OH

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.