

**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 8th day of **July, 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
2. Consideration and action on approval of minutes for June 24, 25, 26, 27 and July 1, 2013: Sally Peters, Deputy County Clerk
3. Consideration and action on approval of claims for purchases, services, and vendors: Cindy Silva, Assistant County Auditor
4. The Court will receive comments from the public regarding: Local Gov't Code 118.025 "Records Archive Fee and Plan" for the preservation and restoration services performed by the County Clerk's Office: Darlene Herrin, County Clerk
5. Consideration and action to approve and adopt the County Clerk's Records Archive Fee and Plan (Local Gov't Code 118.025): Darlene Herrin, County Clerk

6. **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.
7. Consideration and action to upgrade software program to run A/C system at Courthouse: Robert Kinsey, Facilities Manager/ Darrel L. Lux, County Judge
8. Consideration and action on the Final Plat for Cordillera Ranch for Unit 206A-2, consisting of 33.41 acres divided into 25 residential lots and 1 joint access easement lot and 2396 linear feet of private roadway. The subdivision will be served by centralized water and sewer. Preliminary Plat for Unit 206A was approved February 12, 2007 (Charles P Hill, Vice-President for CRHN, LLC and Cordillera Ranch, LTD): Gene Miertschin, Commissioner Precinct 2/Terry Anderson, County Engineer
9. Consideration and action on Letters of Credit for the construction of Unit 206A-2 roads and drainage structures in the amount of \$418,880 and water distribution lines and sanitary sewers in the amount of \$241,599: Gene Miertschin, Commissioner Precinct 2/ Richard Tobolka, Development Management
10. Consideration and action on a request for relief by Lerin Hills Subdivision, from the 1997 Development Rules and Regulations to allow a 6" high and 8" wide limestone curb in lieu of the 7" high by 9" wide concrete curb required by Rule 620: Mike Fincke, Commissioner Precinct 1/Terry Anderson, County Engineer
11. Consideration and action on the burn ban (Authority Section 352.081, Texas Local Gov't Code): Jeffery Fincke, Fire Marshal
12. Consideration and action to approve new county voting precinct boundaries with the effective date to be January 1st, 2014. Any further action as necessary: Staci Decker, Elections Administrator
13. **Untable item 11 from the June 24th Commissioners Court:** Gene Miertschin, Commissioner Precinct 2
 11. *Consideration and action to authorize the County Attorney to request that the Attorney General of the State of Texas proceed with our request for an opinion regarding the Comal County Emergency Service District and Library District taxes being assessed to Kendall County residents on certain services provided by Guadalupe Valley Telephone Cooperative: Gene Miertschin, Commissioner Precinct 2*
14. Consideration and action, if any, authorizing the County Attorney to send a letter of approval to the Comptroller's Office concerning the proposed new rule that

would eliminate the ESD tax being imposed upon Kendall County residents by Comal County: Gene Miertschin, Commissioner Precinct 2

EXECUTIVE SESSION (Closed to public)

Pursuant to Chapter 551 of the Texas Government Code:

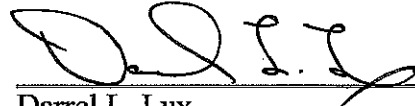
- I. The Court will meet in Executive Session pursuant to Section 551.074 to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee; or to hear a complaint or charge against an officer or employee:**
 - 1. Duties and responsibilities of employees of Kendall County Indigent Health Care Program**
 - 2. Duties and responsibilities of County Judge**
 - 3. Duties and responsibilities of the Elections Administrator**
- 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**
 - 3. Guy James Gray v. Kendall County**
- 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

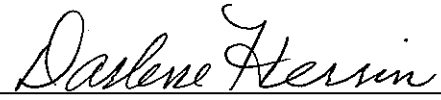
ADJOURNMENT

Dated this the 3rd day of July, 2013.



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 3rd day of July, 2013.



Darlene Herrin
County Clerk

Posted at 11:30 A.M. P.M. on the 3rd day of June, 2013



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.