#### 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 28th day of October 2013.

Present:

DARREL L. LUX, COUNTY JUDGE

MIKE FINCKE, COMMISSIONER, PCT. #1

GENE MIERTSCHIN, COMMISSIONER, PCT. #2

RICHARD J. CHAPMAN, COMMISSIONER, PCT. #3

KENNETH M. RUSCH, COMMISSIONER, PCT. #4

SALLY W. PETERS, DEPUTY COUNTY CLERK/ADMINISTRATIVE ASSISTANT

- 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. Judge Lux presented Texas State Representative, Doug Miller, with a Friend of County Government Award for his support of counties during the 83rd Texas Legislative Session.
- 3. The following Service Award was presented:
  - 10 years of service: Terry Anderson, County Engineer
- 4. THE STATE OF TEXAS

COUNTY OF KENDALL

It is ordered by the Commissioners' Court of Kendall County, Texas, to proclaim

November as National American Indian Heritage Month in Kendall County (attached).

Motion was made by Judge Lux, seconded by Commissioner Chapman, 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 Minutes for October 15, 2013.

Motion was made by Commissioner Fincke, seconded by Commissioner Miertschin, 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 Monthly Reports for September 2013 as submitted (on file).

Motion was made by Commissioner Miertschin, seconded by Commissioner Fincke, 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 Claims for purchases, services and vendors as submitted (on file).

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

# 8. PUBLIC COMMENTS:

- Bob Reinarz announced the annual dinner & raffle on November 9th to benefit the Sisterdale Volunteer Fire Department.
- Judge Lux announced the annual dinner & raffle on November 2nd to benefit the Kendalia Volunteer Fire Department.
- 9. No action was taken on reinstating the burn ban. It is still off.

# 10. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve Resolution #10-28-2013A regarding the contract for financing vehicles for the Sheriff's Office through Government Capital Corporation with changes as discussed (attached).

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

## 11. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to adopt Resolution #10-28-2013B to allow the County to apply and receive a grant for Indigent Defense (attached).

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

# 12-1. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to untable the agenda item #21 from the October 15, 2013 meeting pertaining to negotiating a construction contract for the Herff Road Project.

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

# 12-2. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve beginning the negotiations with the low bidder, J3 Construction from Comfort, Texas, for the construction contract for the Herff Road Widening Project.

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

## 13. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the Amending Plat of Kendall Ranch Estates, Lots 17 and 18 into Lots 17A and 18A.

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

14. The Road Superintendent presented a summary of activities for Road & Bridge for September 2013 (attached).

## 15. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the Lease/Purchase Agreement and Resolution through Capital City Leasing for the International Workforce 7600 Truck for the Road & Bridge Department.

Motion was made by Commissioner Rusch, seconded by Commissioner Chapman, 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 approve Kendall County Resolution and Order No. 10-28-2013C revising the Kendall County Tax Abatement policy with changes as discussed (attached).

Motion was made by Commissioner Miertschin, seconded by Commissioner Fincke, 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 job descriptions for Bailiffs and Administrative Specialist/Detention Officer (attached).

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

# 18. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve proceeding with the agreement with Tyler Technologies to purchase software for the Sheriff's Office and Justice of the Peace Courts,

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

At 9:47 a.m. the Court closed Open Session, took a break, and at 10:00 a.m. went into Executive Session 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:
  - 1. County authority and obligations concerning subdivisions, county roads and bridges, tax abatement and purchasing
  - 2. EEOC Complaints
  - 3. 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
  - 2. Duties and responsibilities of the Parks Department

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 the Herff Road Project

At 11:20 a.m. the Court closed Executive Session and at 11:25 a.m. resumed Open Session and recessed for lunch.

The Workshop began at 1:00 p.m.

C. Software enhancements for the Sheriff's Office, Kendall County information technology (IT) services, and other IT-related topics

The following people spoke: Commissioner Miertschin; Mike Raute, City of Boerne IT Director; Mark Northcutt, Tyler Technologies; Cissy Lee, J.P. Pct. 4 Office; Debby Hudson, J.P. Pct. 3; George Santos, HTS Voice & Data Systems; Rey Salinas, HTS; Luis Barragan, HTS; Commissioner Chapman; Corinna Speer, County Auditor; Sheriff Auxier; Judge Lux.

B. Copier services

The following people spoke: Judge Lux; Commissioner Miertschin; Commissioner Fincke; Susan McCord, Auditor's Office; Sheriff Auxier; Gene Sparks, Road & Bridge Operations Manager.

A. Long Range Planning

The following people spoke: Judge Lux; Commissioner Chapman; Commissioner Rusch; Commissioner Fincke; Commissioner Miertschin; Dan Rogers, Kendall County Economic Development Corporation; Bob Reinarz.

Being no further business, the meeting was adjourned at 3:08 p.m.

EXAMINED AND APPROVED THIS _	12 <sup>th</sup> DAY OF	NOVEMBER	A.D., <u>2013</u> .

COUNTY CLERK

KENDALL COUNTY, TEXAS

COUNTY JUDGE KENDALL COUNTY, TEXAS