

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 22nd day of July 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

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. **The following Service Award was presented:**
 • **5 years of service: George Jordan, Sheriff's Office**

3. **THE STATE OF TEXAS**
COUNTY OF KENDALL **It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the Minutes for July 8 & 9, 2013.**

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

4. **THE STATE OF TEXAS**
COUNTY OF KENDALL **It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the Monthly Reports for June 2013 as submitted (on file).**

Motion was made by Commissioner Fincke, seconded by Commissioner Rusch, and carried by a vote of 4-0-1 with Commissioner Miertschin abstaining.

5. **THE STATE OF TEXAS**
COUNTY OF KENDALL **It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the Budget Adjustments for fiscal year 2013 as submitted (attached).**

Motion was made by Commissioner Miertschin, seconded by Commissioner Rusch, 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 Claims for purchases, services and vendors 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 Cash Balances for May 2013 as submitted (attached).

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

8. The County Treasurer reported on 2013 sales tax collections for April and May which were received in June.

9. **PUBLIC COMMENTS:**

- Commissioner Miertschin reported that the problem with GVTC customers that are Kendall County residents and being charged with a Comal County tax would soon see relief with the new rule that is to be published July 26th in the Texas Register.
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10-1. No action was taken at this time on the contract for document shredding, but was addressed after Executive Session.

11. No action was taken on reinstating the burn ban. It is still lifted.

12. Mike Howle, GIS Coordinator, discussed procedures regarding the current 911 program through Alamo Area Council of Governments (AACOG) and with Bexar Metro 911. No action was taken at this time.

13. **THE STATE OF TEXAS**

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the Final Plat of Cordillera Ranch, Unit 207A.

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

14. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to grant relief from double yellow centerline striping on the following streets in Cordillera Ranch Subdivision, Unit 301A: Marigold Circle, Ledgestone Trail, and Ledgestone Place; and deny relief from the double yellow centerline stripe for Vaquero Pass.

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

15. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the requested budget adjustments for the Sheriff's Office pertaining to the Law Enforcement Center (LEC).

Motion was made by Judge Lux, seconded by Commissioner Fincke, 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 the request from the Sheriff's Office to use \$1,400.00 in allocated funds from Capital Outlay for fiscal year 2013 to purchase two computer monitors for the Law Enforcement Center (LEC).

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

17-1. No action was taken at this time for awarding the bid for sealcoat work for County roads. It was addressed when the Court resumed on July 23, 2013.

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

19. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the Order by the Commissioners' Court of Kendall County, Texas authorizing the issuance of "Kendall County, Texas Unlimited Tax Road Bonds, Series 2013" levying an annual Ad Valorem tax without limit as to rate or amount, upon all taxable property in the county for the payment of the bonds; prescribing the form terms, conditions, and resolving other matters incident and related to the issuance, sale and delivery of the bonds; authorizing the execution of a Paying Agent/Registrar Agreement and a Purchase and Investment Letter; complying with the letter of representations on file with the depository trust company; and providing an effective date and accept the low bid from American National Bank of Texas for the Herff Road Project (attached).

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

At 10:05 a.m. the Court closed Open Session, took a break, and at 10:35 a.m. went into Executive Session pursuant to Chapter 551 of the Texas Government Code:

- I. 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 Human Resources Department
 2. Duties and responsibilities of the Sheriff's Office

- II. 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 require confidential communications. Specific topics to be discussed:
 1. County authority concerning subdivisions, county roads, and bridges
 2. EEOC complaints
 3. Guy James Gray vs. Kendall County

- III. 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 11:48 a.m. the Court closed Executive Session and resumed Open Session where the following motions were made:

I-2. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the class change and salary adjustments for personnel in the Sheriff's Office.

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

10-2. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the document shredding service contract with First Shred with appropriate changes to the contract as discussed.

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

Court was recessed at 11:55 a.m.

On July 23, 2013 at 10:00 a.m. the Court resumed Open Session.

Commissioner Rusch was absent.

The following motion was made:

17-2. THE STATE OF TEXAS


COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the bid from Ronald R. Wagner & Co., L.P. for sealcoat work for County roads.

Motion was made by Commissioner Fincke, seconded by Commissioner Chapman, and carried by a vote of 4-0.

Being no further business, the meeting was adjourned at 10:07 a.m.

EXAMINED AND APPROVED THIS 12th DAY OF AUGUST A.D., 2013.

ATTESTED:



COUNTY CLERK
KENDALL COUNTY, TEXAS



COUNTY JUDGE
KENDALL COUNTY, TEXAS