

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 9th day of September 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 Pledges of Allegiance to the United States and Texas flags.

2. **THE STATE OF TEXAS**

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the Minutes for August 26, 2013.

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

3. **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 Fincke, 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 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.

5. **THE STATE OF TEXAS**

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve a new class specification in the Facilities Maintenance Department, with corrections to the wording as discussed, and the promotion of a Facilities Maintenance employee to the new class specification (attached).

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

6. **PUBLIC COMMENTS:**

- **(During Agenda Item #14) Cynthia Lyons spoke against the proposed construction of fiber optic cable on poles by GVTC.**
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7. **The Elections Administrator presented the Voter Outreach Program for helping citizens understand and prepare for the required Photo ID (identification) required in Texas elections.**

8. **THE STATE OF TEXAS**

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the Sheriff's and Constables' Fees for 2014 as submitted, including additional new fees in the Sheriff's Office (attached).

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

9. **No action was taken on lifting the burn ban. It is still in effect.**

10. **THE STATE OF TEXAS**

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve designating Emergency Management Coordinator (EMC) vehicles, driven by the County EMC and the Assistant to the County Fire Marshal, as Authorized Emergency Vehicles.

Motion was made by Commissioner Rusch, seconded by Commissioner Chapman, 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 approve entering into a new agreement with the Hill Country Dispute Resolution Center to provide Dispute Resolution Services to litigants with cases filed in Kendall County courts.

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

12. **THE STATE OF TEXAS**

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the lease agreement with Capital City Leasing pertaining to a new vehicle for Road & Bridge and the Resolution included therewith.

Motion was made by Commissioner Rusch, seconded by Commissioner Miertschin, 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 payment for Emergency Call Out for Road & Bridge.
Motion was made by Commissioner Miertschin, seconded by Commissioner Rusch, and carried by a vote of 5-0.
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14. **THE STATE OF TEXAS**
COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to table this agenda item which pertains to proposed construction of fiber optic cable and appurtenances by GVTC in County right-of-way along Edge Falls Road, Crabapple Road, Old Blanco Road, and Walnut Grove Road.
Motion was made by Commissioner Chapman, seconded by Commissioner Rusch, and carried by a vote of 5-0.
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15. **THE STATE OF TEXAS**
COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve closing Avenue A (in front of 819 Avenue A) for a family function on September 14, 2013 from 9:00 a.m. until dark.
Motion was made by Commissioner Rusch, seconded by Commissioner Chapman, and carried by a vote of 5-0.
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16. **THE STATE OF TEXAS**
COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the blocking off of half of High Street from 725 High Street to the corner of 8th Street and High Street between the hours of 11:00 a.m. to 11:59 p.m. in front of the building for one day on September 28, 2013.
Motion was made by Commissioner Rusch, seconded by Commissioner Fincke, and carried by a vote of 5-0.
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17. **THE STATE OF TEXAS**
COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to release Cow Creek Groundwater Conservation District from Addendum 1 of the Interlocal Agreement with Kendall County; Addendum 1 pertains to insurance.
Motion was made by Judge Lux, seconded by Commissioner Fincke, and carried by a vote of 5-0.
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At 10:20 a.m. the Court closed Open Session and 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 Elections Office
 2. Duties and responsibilities of the County Surveyor


- 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(s) under the Texas Rules of Professional Conduct of the State Bar of Texas require confidential communications. Specific topics to be discussed are:
1. County authority concerning subdivisions, County roads, and bridges
 2. San Miguel vs. Kendall County
 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: Deliberations 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 11:50 a.m. the Court closed Executive Session and resumed Open Session where the Judge stated for the record that the Court had received a letter of resignation from the County Surveyor, Tommy Pfeiffer (attached).

Being no further business, the meeting was adjourned at 11:55 a.m.

EXAMINED AND APPROVED THIS 23rd DAY OF September A.D., 2013

ATTESTED: 
COUNTY CLERK
KENDALL COUNTY, TEXAS


COUNTY JUDGE
KENDALL COUNTY, TEXAS