

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 15th 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 Pledges of Allegiance to the United States and Texas flags.**

2. **Jana Osbourn and Stephen Zoeller, County AgriLife Extension Agents, recognized the following recipients of Awards for 4-H activity: Bronze Star—Jack Basil and Gold Star—Taryn Titsworth and Karyn Simpson.**

3. **THE STATE OF TEXAS**

COUNTY OF KENDALL **It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the Minutes for September 23, 2013.**

Motion was made by Commissioner Fineke, seconded by Commissioner Chapman, 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 Rusch, 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 Cash Balances for July and August 2013 (attached).**

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

6. **The County Treasurer reported on 2013 sales tax collections for September.**

7. **THE STATE OF TEXAS**

COUNTY OF KENDALL **It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the 2013 Tax Levy Roll total of \$17,510,654.86.**

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

8. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the plans and to authorize the engineer to bid out the construction of the water well treatment project for Water Control Improvement District (WCID) No. 1, in conjunction with the Texas Community Development Block Grant (TCDBG) Contract No. 712151.

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

9. PUBLIC COMMENTS: No one spoke.

10. No action was taken on reinstating the burn ban. It is still off.

11. Mark Carter, Regional Director for Democracy Live, gave a presentation of the Live Ballot System which delivers blank ballots to military and overseas voters.

12. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the Interlocal Agreement with Rockwall County to participate in the federal grant program to provide blank ballots for military and overseas voters.

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

13-1. & 13-2. These agenda items were addressed later in the meeting after agenda item #18.

14. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the Successor Carrier Agreement between Kendall County, Aetna Insurance, and United Healthcare Insurance.

Motion was made by Commissioner Fincke, seconded by Commissioner Rusch, 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 changing the name of Jamison Road to Sky Rose Ranch, which is a private road originating off of Upper Cibolo Creek Road. By approving the name change, two other roads that originate off of Jamison Road will require updated Road History Forms; those roads are Bella Springs Road and Rocky Top Road (attached).

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

16. The Road Superintendent informed the Court that starting the week of October 20, 2013 the Road & Bridge Department will resume their five-day work-week schedule.

17. 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 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 authorize the County Engineer to send a letter to the Guadalupe Valley Telephone Cooperative (GVTC) asking them to move the poles that are currently in the County right-of-way to outside of the new right-of-way as shown on the engineer's diagram from the Daily Bread Ministries.

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

13-1. A Public Hearing was held regarding the taking of 0.026 acres of land, more or less, owned by the City of Boerne and previously designated as a park. No one spoke.

13-2. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve Kendall County Order No. 10-15-2013 to acquire 0.026 acres of land owned by the City of Boerne and previously designated as a park, for the Herff Road Project (attached).

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

19. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve Resolution 10-15-2013 to nominate Don Edmondson as the Kendall County candidate for the Kendall Appraisal District Board of Directors (attached).

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

20. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the Local Project Advance Funding Agreement with the Texas Department of Transportation (TxDOT) for the Herff Road Widening and Extension Project.

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

21. **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 negotiating a construction contract for the Herff Road Project.
Motion was made by Commissioner Miertschin, seconded by Commissioner Chapman, and carried by a vote of 5-0.
-
22. **THE STATE OF TEXAS**
COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the Amending Plat of Cordillera Ranch, Unit 9, Block C, Lot 7 into Lot 7A and Unit 11, Block A, Lot 9 into Lot 9A.
Motion was made by Commissioner Miertschin, seconded by Commissioner Fincke, and carried by a vote of 5-0.
-
23. **THE STATE OF TEXAS**
COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the Preliminary Plat for Kendall Woods Office Complex in accordance with Section 203 of the Kendall County Development Rules and Regulations. The proposed commercial subdivision consists of a 6.885-acre tract, two lots, and no new roadway, for a density of 3.443 acres per lot. The subdivision will be serviced with private water wells and on-site sewage.
Motion was made by Commissioner Chapman, seconded by Commissioner Rusch, and carried by a vote of 5-0.
-
24. **THE STATE OF TEXAS**
COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the Amending Plat of Lakeview Estates for an unnumbered lot and Lot 4A into Lots 3A and 4A-1 in accordance with Section 209 of the Kendall County Development Rules and Regulations. The purpose of the Amending Plat is to move a common lot line.
Motion was made by Commissioner Rusch, seconded by Commissioner Chapman, and carried by a vote of 5-0.
-
25. **THE STATE OF TEXAS**
COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the Interlocal Agreement with Lubbock County to provide a Public Defender for capital cases and authorize the County Judge to sign.
Motion was made by Commissioner Fincke, seconded by Commissioner Rusch, and carried by a vote of 5-0.
-

26. **THE STATE OF TEXAS**
COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the Intergovernmental Agreement with Bandera County to house Kendall County prisoners.
Motion was made by Judge Lux, seconded by Commissioner Rusch, and carried by a vote of 5-0.
-
27. **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 establishing a point of contact for County IT (information technology) matters.
Motion was made by Judge Lux, seconded by Commissioner Rusch, and carried by a vote of 4-1 with Commissioner Miertschin voting against.
-
28. No action was taken at this time as pertains to the options available for IT (information technology) services for the County's data systems.
-
29. **THE STATE OF TEXAS**
COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the Commissioners Court organization chart as submitted (attached).
Motion was made by Commissioner Miertschin, seconded by Commissioner Fincke, and carried by a vote of 5-0.
-
30. **THE STATE OF TEXAS**
COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the 2014 Holiday Schedule for Kendall County as submitted (attached).
Motion was made by Commissioner Fincke, seconded by Judge Lux, and carried by a vote of 5-0.
-
31. **THE STATE OF TEXAS**
COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the 2014 Commissioners Court Calendar for Kendall County (attached).
Motion was made by Commissioner Fincke, seconded by Commissioner Miertschin, and carried by a vote of 5-0.
-
32. **THE STATE OF TEXAS**
COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the revised Kendall County Policy Manual, with one change on page 49, and effective October 15, 2013 (attached).
Motion was made by Commissioner Fincke, seconded by Commissioner Miertschin, and carried by a vote of 5-0.
-

33. No action was taken at this time as pertains to the formation of a Long Range Strategic Planning Committee.

At 11:35 a.m. the Court closed Open Session, took a break, and then went into Executive Session at 11:50 a.m. pursuant to Chapter 551 of the Texas Government Code:

- I. 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. Guy James Gray vs. Kendall County
 - 3. EEOC complaints

- II. 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 Road & Bridge Department
 - 2. Duties and responsibilities of the Parks Department
 - 3. Duties and responsibilities of the Emergency Management Coordinator

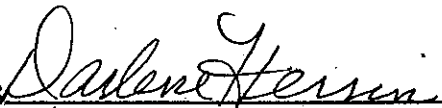
- III. Pursuant to Section 551.072 to deliberate the purchase, exchange, lease or value of real property.
(Note: Deliberations in an open meeting would have a detrimental effect on the position of Kendall County in negotiations with a third person.)
 - 1. Right-of-way / easements for the Herff Road Project


At 12:15 p.m. the Court recessed Executive Session and at 1:35 p.m. resumed Executive Session.

At 3:30 p.m. the Court closed Executive Session and went into Open Session.

Being no further business, the meeting was adjourned at 3:37 p.m.

EXAMINED AND APPROVED THIS 28th DAY OF October A.D., 2013.

ATTESTED: 
COUNTY CLERK
KENDALL COUNTY, TEXAS


COUNTY JUDGE
KENDALL COUNTY, TEXAS