

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 December 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 November 25, 2013.

Motion was made by Commissioner Chapman, seconded by Commissioner Miertschin, 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 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.

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

5. PUBLIC COMMENTS:

- Bob Reinarz spoke about the future improvements at the Scenic Loop interchange with IH-10.
- Sheriff Al Auxier said that his petition to the Texas Commission on Law Enforcement for his office to become a Contract Training Provider, for the purpose of saving tax dollars, was approved.

6. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve authorizing the issuance of "KENDALL COUNTY, TEXAS LIMITED TAX REFUNDING BONDS, SERIES 2014", LEVYING AN ANNUAL AD VALOREM TAX, WITHIN THE LIMITATIONS PRESCRIBED BY LAW, 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, A PURCHASE AND INVESTMENT LETTER, AND AN ESCROW DEPOSIT LETTER, COMPLYING WITH THE PROVISIONS OF THE DEPOSITORY TRUST COMPANY'S LETTER OF REPRESENTATIONS; DELEGATING THE AUTHORITY TO CERTAIN MEMBERS OF THE COMMISSIONERS COURT AND COUNTY STAFF TO EXECUTE CERTAIN DOCUMENTS RELATING TO THE SALE OF THE BONDS; AND PROVIDING AN EFFECTIVE DATE.

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

7., 8., 9. & 10. These agenda items were addressed after agenda item #11.

11. A Public Hearing was held regarding the application filed by Great Central Mortgage Acceptance Company LTD for the proposed revision of the subdivision plat for Cordillera Ranch, Unit 205, filed in Volume 6, pages 39-40 of the Plat Records of Kendall County, Texas. The proposed plat revision would recreate two lots previously combined by amending plat. The following person spoke:
- Rick Tobolka, County Development Manager, said that all adjacent landowners had been contacted and none spoke in objection.

7. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the agreement with County Information Resources Agency Services (CIRA) for email and website hosting.

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

8-1. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the job descriptions for the Assistant Auditor I and Assistant Auditor II positions with changes to the wording as noted on page 2 of each description.

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

8-2. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to create an additional Assistant Auditor II position and eliminate one Assistant Auditor I position effective January 22, 2014. Motion was made by Commissioner Fincke, seconded by Commissioner Miertschin, and carried by a vote of 5-0.

9. The County Auditor presented the Fiscal Year 2013 Statement of Financial Position of the Kendall County Community Supervision and Corrections Department (also known as Adult Probation).

10. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to allow the disposition of the surplus and salvage property for which no bids were received. Motion was made by Judge Lux, seconded by Commissioner Rusch, and carried by a vote of 5-0.

11. This agenda item was addressed earlier in the meeting after agenda item #6.

12. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the variance for road frontage and density in accordance with Section 300.1100 of the Kendall County Development Rules and Regulations for the lot division in Cordillera Ranch, Unit 205, Block A, Lot 9A into Lots 9A-1 and 9A-2. 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 Cordillera Ranch, Unit 10, Block A, Lots 19 and 20 into Lot 20A. 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 approve the request for relief from platting requirements in accordance with Section 101.1000 of the Kendall County Development Rules and Regulations to create a (+/-) 3.01-acre tract out of a (+/-) 24.5-acre parent tract, with access on Lewis Road and with the requirement of a note on the Deed and the Affidavit of Land Location stating that the remaining (+/-) 21 acres cannot be subdivided (Clayton Dykes). Motion was made by Commissioner Chapman, 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 the Amending Plat of Kendall Woods Office Complex, Lots 1 and 2 into Lots 1A and 2A in accordance with Section 209 of the Kendall County Development Rules and Regulations.

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

At 9:45 a.m. the Court closed Open Session and at 9:55 a.m. went into Executive Session 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 and obligations concerning subdivisions, County roads and bridges
 - 2. Guy James Gray vs. Kendall County
 - 3. Claim of Amy Dutton
- 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 Development Management Department
 - 2. Duties and responsibilities of the Parks Department
- 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 11:00 a.m. the Court closed Executive Session and went into Open Session where the following motion was made:

I-3. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve paying the claim of Amy Dutton for damages to her property due to construction on a County building.

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

Being no further business, the meeting was adjourned at 11:05 a.m.

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

ATTESTED: 
COUNTY CLERK
KENDALL COUNTY, TEXAS


COUNTY JUDGE
KENDALL COUNTY, TEXAS