

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 24th day of March 2014.

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.

Judge Lux announced the passing of Joaquin "Jack" Morales who is the father of Danny Morales, Kendall County Assistant Fire Marshall, and extended the Court's sympathy and prayers to the family.

2. The following Service Award was presented:
 • 5 years of service: Cody Neal, 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 March 10, 2014.

Motion was made by Commissioner Fincke, 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 Monthly Reports for February 2014 as submitted (on file).

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

6. The County Treasurer presented the February Sales Tax Report.

7. THE STATE OF TEXAS
COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the January 2014 Cash Summary (attached).

Motion was made by Judge Lux, seconded by Commissioner Rusch, 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 authorize County Treasurer Sheryl D'Spain to fly to Dallas in June for a conference.

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

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

10. PUBLIC COMMENTS:

- Mike Fincke reminded the Court of the American Cancer Society Relay for Life event that will be held at 7:00 p.m. on Friday, March 28th, at the Champion High School track. He invited everyone to come and either volunteer to help or to participate in the Relay. Raffle tickets still available for wreaths and a quilt.
- Judge Lux recognized Kelly Follis from Senator Donna Campbell's Office.

11. THE STATE OF TEXAS
COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to appoint Wes Rexrode as County Surveyor effective April 1, 2014.

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

(The following agenda item #24 was addressed out of sequence)

24. THE STATE OF TEXAS
COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the Amendment to the Tyler Technologies Software as a Service and Professional Services Agreement to add three additional users to the agreement: County Clerk, District Clerk, and County Court-at-Law Court Reporter.

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

12. This agenda item was addressed later in the meeting after Executive Session.

13. THE STATE OF TEXAS
COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to allow Texas Association of Counties (TAC) to conduct training for supervisors and employees.

Motion was made by Judge Lux, seconded by Commissioner Rusch, 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 table this agenda item which pertains to the Safety Committee Chairperson and the Safety Committee members.
Motion was made by Commissioner Fincke, seconded by Commissioner Miertschin, and carried by a vote of 5-0.
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15. This agenda item was addressed later in the meeting after agenda item #17.
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16. THE STATE OF TEXAS
COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to award the construction contract to the low bidder, Associated Construction Partners, for \$295,960.00 pending TCEQ approval.
This bid is in conjunction with grant contract TxCDBG No. 712151.
Motion was made by Commissioner Rusch, seconded by Commissioner Chapman, and carried by a vote of 5-0.
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17. Presentation of Health Report activities for Kendall County from the Department of State Health Services Nurse for Kendall County, Tenia Houck, and a presentation of regional mass fatality planning and strategic national stockpile by Region 8 Public Health Preparedness representatives: Steve Hannemann, Emergency Preparedness Program Manager, and Sammy Sikes, Strategic National Stockpile Coordinator.
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- (The following agenda item #15 was addressed out of sequence)
15. THE STATE OF TEXAS
COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the job description for the Administrative Sergeant-Sheriff.
Motion was made by Judge Lux, seconded by Commissioner Miertschin, and carried by a vote of 5-0.
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18. 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 Chapman, and carried by a vote of 5-0.
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19. The Road & Bridge Operations Manager presented a summary of activities for Road & Bridge for February 2014 (attached).
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20. THE STATE OF TEXAS
COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to increase the Ring Mountain Event Center fees for in-county residents to \$800.00 and for out-of-county residents to \$1,100.00 effective March 24, 2014.
Motion was made by Commissioner Fincke, seconded by Judge Lux, and carried by a vote of 5-0.
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21. 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 201B, Block A, Lots 4 and 5 into Lot 4A.
Motion was made by Commissioner Miertschin, seconded by Commissioner Fincke, and carried by a vote of 5-0.
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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 Coveney Ranch Subdivision, Unit 2A, Block 4, Lots 15 and 16 into Lot 15A.
Motion was made by Commissioner Miertschin, seconded by Commissioner Fincke, and carried by a vote of 5-0.
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- 23-1. THE STATE OF TEXAS
COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to enter into an agreement with Electronic Transactions Systems (ETS) for each of the Justice of the Peace Offices.
Motion was made by Commissioner Miertschin, seconded by Judge Lux, and carried by a vote of 5-0.
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- 23-2. THE STATE OF TEXAS
COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to authorize Kendall County to impose a 3% convenience fee on each credit card transaction at the four Justice of the Peace Offices.
Motion was made by Commissioner Miertschin, seconded by Commissioner Fincke, and carried by a vote of 5-0.
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- 23-3. THE STATE OF TEXAS
COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to authorize the County Treasurer to give 90-day written notice to Official Payments that their service is no longer needed and to send the notice on April 15, 2014.
Motion was made by Commissioner Miertschin, seconded by Judge Lux, and carried by a vote of 5-0.
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24. This agenda item was addressed earlier in the meeting after agenda item #11.
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At 10:15 a.m. the Court closed Open Session, took a break and at 10:25 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
 2. Guy James Gray vs. Kendall County

- II. 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
- III. 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 Director
 2. Duties and responsibilities of the EMS Director
 3. Duties, responsibilities and compensation for personnel in the following departments:
 - County Judge's Office
 - County Auditor's Office
 - District Clerk's Office
 - Justice of the Peace, Precinct 1 Office
 - Justice of the Peace, Precinct 3 Office
 - Justice of the Peace, Precinct 4 Office
 - County Attorney's Office
 - Human Resources Department
 - Tax Assessor-Collector's Office
 - Facilities Maintenance Department
 - EMS Department
 - Development Management Department
 - Road & Bridge Department
 - Sheriff's Office

At 10:55 a.m. the Court closed Executive Session and at 11:00 a.m. resumed Open Session where the following motion was made:

12. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to accept the Fiscal Year 2013 Annual Audit.

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

At 11:35 a.m. the Court closed Open Session and resumed Executive Session.

At 12:20 p.m. the Court recessed for lunch and resumed Executive Session at 1:30 p.m.

At 4:45 p.m. the Court closed Executive Session and resumed Open Session where the following motion was made:


III-3. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the salary compensation for Kendall County personnel as discussed.

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

Being no further business, the meeting was adjourned at 4:48 p.m.

EXAMINED AND APPROVED THIS 14th DAY OF APRIL A.D., 2014.

ATTESTED: 
COUNTY CLERK
KENDALL COUNTY, TEXAS


COUNTY JUDGE
KENDALL COUNTY, TEXAS