

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 23rd day of June 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**

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1.        The meeting was called to order at 9:00 a.m. with the Pledge of Allegiance to the United States and Texas flags.

The Judge noted that last Saturday, June 14th, was Flag Day, the day that commemorates the adoption of the United States flag, and also the 60th Anniversary of the day President Dwight D. Eisenhower signed a law adding the phrase "under God" to the Pledge of Allegiance to the United States flag.

The Court extended sympathy to the family of Justin Bohmann, Assistant Fire Chief for the Kendalia Volunteer Fire Department.

The Court also extended sympathy to the family of John Maxwell, the father of Kendall County employee, Jean "Max" Maxwell.

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2.        The following Service Award was presented:  
          • 10 years of service: Jason Barter, Sheriff's Office
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3.        THE STATE OF TEXAS

COUNTY OF KENDALL        It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the Minutes for June 9, 2014.

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

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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 May 2014 as submitted (on file).

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

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5. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the Budget Adjustments as submitted (attached).

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

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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 Judge Lux, and carried by a vote of 5-0.

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7. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to continue service with Pitney Bowes for postal machine service.

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

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8. The County Treasurer presented the June 2014 Sales Tax Report.

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9. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the Cash Balance Summary for April 2014 as submitted (attached).

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

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10. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the 2nd Quarter Investment Report for fiscal year 2014 (attached).

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

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11. Renee Snyder, Community Outreach Coordinator for Hill Country Mission for Health, gave a presentation on the program called Cultivar Community Joint Venture Garden and asked for any help that the County might be able to provide.

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12. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to accept the Road History Form for Sabinas Mountain Rd (Road History Form attached)

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

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

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14. PUBLIC COMMENTS:

- Geri Clouse spoke about Rocky Top Road and Upper Cibolo Creek Road.
  - Ed Clouse spoke about Upper Cibolo Creek Road.
  - Richard Wagner spoke about Rocky Top Road.
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15. Andra Wisian, President of the Kendall County 4-H Horse Club, and Wayne Zoeller, President of the Kendall County Jr. Livestock Show, gave an update on the progress of the Kendall County Youth, Ag & Equestrian Center and thanked the Court for their support. Abby Snyder, Past President of the Kendall County 4-H Horse Club and enrolled as a Fall freshman at Texas A&M, talked about what 4-H has meant to her in developing life skills, business skills, and also through scholarships.

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16. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to allow the purchase of a freezer from line item 10-512-55900 for the Law Enforcement Center.

Motion was made by Judge Lux, seconded by Commissioner Rusch, 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 reappoint Alamo Insurance Agency as agent of record for Kendall County insurance and benefits.

Motion was made by Commissioner Miertschin, seconded by Commissioner Rusch, 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 Accident Investigation Program and the forms to be used.

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

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19. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to grant relief from platting requirements and road frontage for a property division that would create three tracts, 24 acres or larger, and accessed by a 60-foot easement with 20 feet of road frontage (the Harold Barrow Family Partnership LTD—149 Scheele Road).

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

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20. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the Final Plat of Lerin Hills Garden Homes Subdivision, Unit 1, Phase 1, consisting of 126.207 acres divided into 183 residential lots, common area, amenity center and 9,836 linear feet of roadway in accordance with Section 202 of the Kendall County Development Guidelines and Regulations Book effective January 1, 1997. The proposed subdivision will be served by central water and central sewer with an average density of 0.69 acres per lot.

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 financial guarantee for Lerin Hills Subdivision, Unit 1, Phase 1, in the form of cashier's checks for \$303,325.00 for TxDOT work on State Highway 46, \$913,263.00 for street improvements, and \$261,052.00 for drainage improvements, and authorize the Cashier's Check Deposit Agreement.

Motion was made by Commissioner Fincke, seconded by Commissioner Rusch, 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 Lots 1A and 1B, La Cancion Subdivision, Kendall County, Texas, into Lot 1A-1.

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

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23. 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 Rusch, seconded by Commissioner Chapman, and carried by a vote of 5-0.

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24. The Road Superintendent presented a summary of activities for Road & Bridge for May 2014 (attached).
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25. Flint Britton and Charlie Kearns, representing Wiginton, Hooker & Jeffry, presented to the Court their credentials and experience as relates to needs assessments and possible solutions for law enforcement buildings.
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26. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the AGREEMENT FOR LOAN OF EQUIPMENT PURCHASED WITH HOMELAND SECURITY FUNDS. Agreement between Bexar County and Kendall County.

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

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At 11:03 a.m. the Court closed Open Session, took a break and at 11:09 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
- II. 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
- 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 Justice of the Peace Precinct 3 Office
  2. Duties and responsibilities of the Road & Bridge Department
  3. Duties and responsibilities of the Office of the County Judge
- IV. Pursuant to Section 551.075 to deliberate the duties of a member of an advisory body, the Kendall County Economic Development Corporation.

At 12:25 p.m. the Court closed Executive Session and resumed Open Session and being no further business, the meeting was adjourned at 12:27 p.m.

ATTESTED:

  
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COUNTY CLERK  
KENDALL COUNTY, TEXAS

  
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COUNTY JUDGE  
KENDALL COUNTY, TEXAS