

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 14th day of July 2014.

Present: DARREL L. LUX, COUNTY JUDGE
 MIKE FINCKE, COMMISSIONER, PCT. #1
 RICHARD J. CHAPMAN, COMMISSIONER, PCT. #3
 KENNETH M. RUSCH, COMMISSIONER, PCT. #4
 SALLY W. PETERS, DEPUTY COUNTY CLERK/ADMINISTRATIVE ASSISTANT

Absent: GENE MIERTSCHIN, COMMISSIONER, PCT. #2

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

 The Court extended sympathy to the family of Mildred O. Hille, who is the mother of Michelle Lux, County Benefits Coordinator.

 The Court also extended sympathy to the family of Mark Sorenson, former County Engineer for Kendall County, who died in an auto accident and to remember his wife who is hospitalized from the accident.

 Judge Lux also asked to remember Commissioner Miertschin who is in Houston at M.D. Anderson Hospital for tests and treatment.

2. THE STATE OF TEXAS

 COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the Minutes for June 23, 24, 25 & 26, 2014.

 Motion was made by Commissioner Fincke, seconded by Commissioner Rusch, and carried by a vote of 4-0.

3. THE STATE OF TEXAS

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

 Motion was made by Commissioner Fincke, seconded by Commissioner Chapman, and carried by a vote of 4-0.

4. THE STATE OF TEXAS

 COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the claims as submitted (on file).

 Motion was made by Judge Lux, seconded by Commissioner Rusch, and carried by a vote of 4-0.

5. The County Judge presented the 2013 Distinguished Service Award from the Texas Historical Commission to the Kendall County Historical Commission.

6. The Court discussed the procedures to be followed as directed by the State of Texas to fill the vacancy of office of Constable Precinct 3. The information will be available from the Elections Office and on the County website.

7. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the request from the Comfort Chamber of Commerce, in conjunction with Wrangler Jeans advertising promotion, to temporarily proclaim the name of Comfort, Texas, to be Advanced Comfort, Texas on July 23, 2014 (attached).

Motion was made by Judge Lux, seconded by Commissioner Rusch, and carried by a vote of 4-0.

8. A Public Hearing was held regarding the application filed by The Comfort Village LTD for the proposed Plat Revision for Outlot 53A-1A, Town of Comfort, filed in Volume 5, pages 269-270 of the Plat Records of Kendall County, Texas. The proposed Plat Revision would create two Outlots 53A-2A (15.198 acres) and 53A-3A (26.028 acres) from Outlot 53A-1A (41.22 acres). No one spoke.

9. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the Plat Revision of the Town of Comfort, Outlot 53A-1A into Outlots 53A-2A and 53A-3A in accordance with Section 209 of the Kendall County Development Rules and Regulations.

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

10. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to authorize the Boerne Area Model Society (BAMS) to hold their First Annual Fall Fun Fly at Joshua Springs Park and Preserve on October 4, 2014, and also to allow overnight parking, pending approval of indemnity agreement by the County Attorney's Office.

Motion was made by Judge Lux, seconded by Commissioner Fincke, and carried by a vote of 4-0.

11. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the payment to Facilities Maintenance employees for Emergency Call Out at the Law Enforcement Center (LEC).

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

12. PUBLIC COMMENTS:

- Jackie Palmer, Executive Director of the Hill Country Animal League (HCAL), told the Court of their free spay/neuter program and also of a \$57,400.00 grant received from PetSmart Charities for the purpose of free spay/neuter service for 900 cats in the City of Boerne and the City of Fair Oaks Ranch.
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13. THE STATE OF TEXAS
COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to put the Burn Ban on effective immediately.
Motion was made by Judge Lux, seconded by Commissioner Rusch, and carried by a vote of 4-0.
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14. THE STATE OF TEXAS
COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to declare the following items as surplus property: Laptop Scopist, Laptop Editing Station, and Stenograph Machine.
Motion was made by Judge Lux, seconded by Commissioner Rusch, and carried by a vote of 4-0.
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15. THE STATE OF TEXAS
COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to advertise the following declared surplus property in the appropriate manner and to accept sealed bids for their purchase with the minimum bid for the group package set at \$3,500.00: Laptop Scopist, Laptop Editing Station, and Stenograph Machine.
Motion was made by Judge Lux, seconded by Commissioner Fincke, and carried by a vote of 4-0.
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16. THE STATE OF TEXAS
COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to grant relief from platting requirements and road frontage in accordance with Sections 101 and 102 of the Kendall County Development Rules and Regulations. The proposed division will create a ±7.99-acre tract out of a ±230.67-acre tract over a prescriptive private easement (Aaron and Philip Wheeler).
Motion was made by Commissioner Rusch, seconded by Commissioner Chapman, and carried by a vote of 4-0.
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17. THE STATE OF TEXAS
COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the Preliminary Plat for Cordillera Ranch, Unit 207B, in accordance with Section 200 of the 1990 Kendall County Regulations, Rules and Specifications for Roads and Subdivisions. The proposed Subdivision consists of 23.94 acres, 15 single-family lots and 2,426 linear feet of roadway.
Motion was made by Judge Lux, seconded by Commissioner Fincke, and carried by a vote of 4-0.
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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 Amending Plat of portions of Comfort Town Lot 105 into Lots 105A and 105B in accordance with Section 209 of the Kendall County Development Rules and Regulations.

Motion was made by Commissioner Rusch, seconded by Commissioner Fincke, and carried by a vote of 4-0.

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 in accordance with Sections 101 and 102 of the Kendall County Development Rules and Regulations. The proposed family division will create a 3-acre tract out of a 56.9-acre parent tract with access over a 60-foot easement for roadway purposes within the parent tract and a 30-foot wide road easement to Manning Road (Charlie Newson).

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

20. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to authorize the Parks Department to advertise and choose a Volunteer Host at Joshua Springs Park and Preserve in accordance with application approval by the Kendall County Attorney.

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

21. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the contract for detention services between Kendall County and the City of Boerne.

Motion was made by Judge Lux, seconded by Commissioner Fincke, and carried by a vote of 4-0.

22. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to authorize Wiginton, Hooker & Jeffry to bring back a proposal for the Court to review for conducting a comprehensive study of the existing facilities at the Kendall County Law Enforcement Center.

Motion was made by Judge Lux, seconded by Commissioner Chapman, and carried by a vote of 4-0.

23. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve Kendall County Order No. 07-14-2014 pertaining to the granting of tax abatement to Albany Engineered Composites for tax year 2014 (attached).

Motion was made by Judge Lux, seconded by Commissioner Rusch, and carried by a vote of 4-0.

24. The Court discussed the applicant process for the Animal Control Advisory Committee. Information will be on the County website.

25. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the updated Memorandum of Understanding for Texas Statewide Interoperability Channel Plan (TSICP) and have the County Judge sign.

Motion was made by Commissioner Rusch, seconded by Commissioner Fincke, and carried by a vote of 4-0.

26. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve entering into an Interlocal Agreement with Harris County Department of Education (HCDE) to meet legal procurement requirements at no cost to the County.

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

At 10:07 a.m. the Court closed Open Session, took a break and at 10:15 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 County Engineer's Office / Brush Site Attendant
 2. Duties and responsibilities of the Human Resources Director
 3. Duties and responsibilities of the County Sheriff's Office

IV. Pursuant to Section 551.0785 to deliberate matters involving medical records of an individual applicant for benefits.

At 11:55 a.m. the Court closed Executive Session and resumed Open Session where the following motions were made:

II-1. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, in the event that the Commissioners in the Roerig condemnation matter make an award in an amount in excess of the amount that the County has already paid to the Roerigs, issuance of a check in the amount required and in the form required is hereby authorized.

Motion was made by Commissioner Fincke, seconded by Commissioner Chapman, and carried by a vote of 4-0.

27. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to authorize payment of health insurance for a period of 60 days after the expiration of FMLA (Family and Medical Leave Act) for County employees who have either returned to work or are scheduled to return to work within 60 days of the expiration of FMLA.

Motion was made by Judge Lux, seconded by Commissioner Rusch, and carried by a vote of 4-0.

Being no further business, the meeting was adjourned at 11:58 a.m.

EXAMINED AND APPROVED THIS 28th DAY OF July A.D., 2014

ATTESTED:



COUNTY CLERK
KENDALL COUNTY, TEXAS



COUNTY JUDGE
KENDALL COUNTY, TEXAS