

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 25th day of August 2014.

Present: DARREL L. LUX, COUNTY JUDGE  
MIKE FINCKE, COMMISSIONER, PCT. #1  
GENE MIERTSCHIN, COMMISSIONER, PCT. #2  
KENNETH M. RUSCH, COMMISSIONER, PCT. #4  
SALLY W. PETERS, DEPUTY COUNTY CLERK/ADMINISTRATIVE ASSISTANT

Absent: RICHARD J. CHAPMAN, COMMISSIONER, PCT. #3

1. The meeting was called to order at 9:01 a.m. with the Pledge of Allegiance to the United States and Texas flags.  
  
Judge Lux said that Dave Rutherford, the father of Kendall County Road & Bridge employee Todd Rutherford, passed away on August 17. He extended the Court's sympathy and prayers to the family.
2. The following Service Awards were presented:
  - 5 years of service: Lawrence Drozd, Sheriff's Office
  - 5 years of service: Brandi Kneupper-Feller, Animal Control
3. THE STATE OF TEXAS  
  
COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the Minutes for August 11 and 12, 2014.  
  
Motion was made by Judge Lux, seconded by Commissioner Rusch, 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 Monthly Reports as submitted (on file).  
  
Motion was made by Commissioner Miertschin, seconded by Commissioner Rusch, and carried by a vote of 4-0.
5. THE STATE OF TEXAS  
  
COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the fiscal year 2014 Budget Adjustments and Emergency Declarations (attached).  
  
Motion was made by Commissioner Rusch, seconded by Commissioner Fincke, and carried by a vote of 4-0.
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 (on file).  
  
Motion was made by Commissioner Miertschin, seconded by Commissioner Fincke, and carried by a vote of 4-0.

(The following agenda items #18-21 were addressed out of sequence)

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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 appointment of the Presiding and Alternate Judges for a one-year term (attached).

Motion was made by Judge Lux, seconded by Commissioner Rusch, and carried by a vote of 3-0-1 with Commissioner Miertschin abstaining.

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19. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the Order of General Election for State and County officers to be held on November 4, 2014 with appropriate changes.

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

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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 polling locations for the November 4, 2014 elections with the exception of the third location for Precinct 1.

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

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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 hiring a temporary employee to work in the Elections Office for the November 4, 2014 elections.

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

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(The previous agenda items #18-21 were addressed out of sequence)

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7. THE STATE OF TEXAS

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

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

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8. No action was taken concerning the assessment of surcharges and convenience fees to credit card payments at the Justice of the Peace offices.

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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 D & G Quality Roofing to do the repairs on the roof of the jail and administrative facilities at the Sheriff's office in the amount of \$97,984.27 pending approval of the contract by the County Attorney's office.

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

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10. PUBLIC COMMENTS: No one spoke.

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11. No action was taken on lifting the burn ban. It is still on.

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12. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to authorize the application for the LCRA grant of \$3,450.00 to upgrade the current Message Board.

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

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13. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the Final Plat of Cordillera Ranch, Unit 207B-1.

Motion was made by Commissioner Miertschin, seconded by Commissioner Fincke, 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 accept the Letters of Credit for Unit 207B-1 of Cordillera Ranch in the amounts of \$295,190.00 for water and wastewater improvements and \$499,452.00 for streets and drainage structures contingent on approval by the County Attorney's office.

Motion was made by Commissioner Miertschin, seconded by Judge Lux, 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 approve the Amending Plat of Lots 42 & 43, Block 3, Tapatio Springs, Unit 17, Garden Home Subdivision, Kendall County, Texas, into Lot 42A in accordance with Section 209 of the Kendall County Development Rules and Regulations.

Motion was made by Commissioner Fincke, seconded by Commissioner Miertschin, 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 approve the payment for Emergency Call Out for Road & Bridge employees.

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

17. The Road Superintendent presented a summary of activities for Road & Bridge for July 2014 (attached).

(Agenda items #18-21 were addressed after agenda item #6)

At 9:55 a.m. the Court closed Open Session and at 10:10 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 Constable Precinct 3
  2. Duties and responsibilities of the Human Resources Director

At 11:17 a.m. the Court closed Executive Session and at 11:20 a.m. resumed Open Session.

Being no further business, the meeting was adjourned.

EXAMINED AND APPROVED THIS 8th DAY OF SEPTEMBER A.D., 2014

ATTESTED: *Darlene Herwin*  
COUNTY CLERK  
KENDALL COUNTY, TEXAS

*D. J. J.*  
COUNTY JUDGE  
KENDALL COUNTY, TEXAS