

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 8th day of September 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 9:00 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 August 21 and 25, 2014.

Motion was made by Commissioner Fincke, seconded by Commissioner Miertschin, 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 fiscal year 2014 Budget Adjustments as submitted (attached).

Motion was made by Commissioner Miertschin, 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 claims for purchases, services, and vendors as submitted (on file).

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

(The following agenda item #6 was addressed out of sequence)

6. **THE STATE OF TEXAS**

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the 3rd Quarter Investment Report for April through June 2014 (attached).

Motion was made by Commissioner Fincke, 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 renewing the contract with the Department of State Health Services (DSHS) for the Remote Birth Access System.

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

(Agenda item #6 was addressed after agenda item #4)

7. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to proclaim September as Hunger Action Month in Kendall County (attached).

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

8. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve entering into a joint election with the City of Fair Oaks Ranch, Comfort Independent School District, Kendall County WCID #2 and Kendall County WCID #2A.

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

9. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the final polling location for the November 4, 2014 General Election for precincts 1115, 1170, 1180, 1190 and 1200 to be at the Hampton Inn in Boerne, Texas (attached).

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

10. PUBLIC COMMENTS:

- Corinna Speer, County Auditor, said that the proposed fiscal year 2015 Budget is on the County website and it has been filed in the County Clerk's office where a copy can be purchased.
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11. No action was taken on lifting the burn ban. It is still on.

12. No action was taken on appointments to the advisory committee for the Kendall County Animal Shelter.

(Agenda item #13 was addressed after Executive Session)

14. THE STATE OF TEXAS
COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the Memorandum of Understanding with the Hill Country Council on Alcohol and Drug Abuse, Inc.
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 accept the Road History Form for Adler Street (attached).
Motion was made by Judge Lux, seconded by Commissioner Rusch, 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 Amending Plat of Lots 35, 36 and 37, Block A, Unit 7D, Cordillera Ranch into Lots 35A and 37A.
Motion was made by Commissioner Miertschin, seconded by Judge Lux, 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 Interlocal Agreement between Kendall County, the City of Boerne, and Fair Oaks Ranch for Public Safety and Utilities Communication Services.
Motion was made by Commissioner Fincke, seconded by Commissioner Rusch, and carried by a vote of 3-1 with Commissioner Miertschin voting against.
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18. THE STATE OF TEXAS
COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to leave the Sheriffs and Constables Fees for 2015 the same as they were in 2014.
Motion was made by Commissioner Miertschin, seconded by Judge Lux, and carried by a vote of 4-0.
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At 9:38 a.m. the Court closed Open Session, took a break and at 9:47 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, and purchasing of goods and services (after you copy this for October—take this off and make it black)
 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 Human Resources Director
 - 2. Duties and responsibilities of the County Attorney's Office
 - 3. Duties and responsibilities of the County Health Sanitarian
 - 4. Duties and responsibilities of the County Treasurer
- IV. Pursuant to Section 551.087 to deliberate regarding commercial or financial information that the Kendall County Economic Development Corporation (KCEDC) has received from a business prospect that the KCEDC seeks to have locate, stay, or expand in Kendall County and with which the KCEDC is conducting economic development negotiations; or to deliberate the offer of a financial or other incentive to a business prospect.

At 11:55 a.m. the Court closed Executive Session and resumed Open Session at 11:58 a.m. where the following motion was made:

13. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the Interlocal Agreement with the City of Boerne for Sanitarian Services.

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

(The above agenda item #13 was addressed out of sequence)

Being no further business, the meeting was adjourned at 12:01 p.m.

EXAMINED AND APPROVED THIS 22nd DAY OF SEPTEMBER A.D., 2014

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

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