

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 22nd day of September 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.
2. A Public Hearing was held regarding the Fiscal Year 2015 Proposed Budget: No one spoke.

4. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to adopt the Fiscal Year 2015 Budget with the changes as discussed.

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

Record vote: Judge Darrel L. Lux voted aye, Commissioner Mike Fincke voted aye, Commissioner Gene Miertschin voted aye, Commissioner Richard J. Chapman voted aye, and Commissioner Kenneth M. Rusch voted aye.

4. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to adopt the 2014 property tax rate of \$0.394 per \$100.00 taxable value, including the Debt Service Rate of \$0.043204 and the Maintenance and Operations Rate of \$0.350796 (both rates are per \$100.00 of taxable value).

THIS TAX RATE WILL RAISE MORE TAXES FOR MAINTENANCE AND OPERATIONS THAN LAST YEAR'S TAX RATE.

THE TAX RATE WILL EFFECTIVELY BE RAISED BY .82 PERCENT AND WILL RAISE TAXES FOR MAINTENANCE AND OPERATIONS ON A \$100,000 HOME BY APPROXIMATELY \$2.23.

Motion was made by Commissioner Miertschin, seconded by Commissioner Chapman, and carried by a vote of 5-0.
 Record vote: Judge Darrel L. Lux voted aye, Commissioner Mike Fincke voted aye, Commissioner Gene Miertschin voted aye, Commissioner Richard J. Chapman voted aye, and Commissioner Kenneth M. Rusch voted aye.

KENDALL COUNTY, TEXAS, ADOPTED A TAX RATE THAT WILL RAISE MORE TAXES FOR MAINTENANCE AND OPERATIONS THAN LAST YEAR'S TAX RATE.

5. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve taxpayer discounts for early payment of property taxes at 3% if paid in October, 2% if paid in November, and 1% if paid in December.

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

6. The following Service Award was presented:

- 15 years of service: Juanita Espino, Human Resources

7. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the Minutes for September 8, 2014.

Motion was made by Commissioner Fincke, seconded by Commissioner Miertschin, 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 approve the Monthly Reports for August 2014 (on file).

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

9-1. 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 (attached).

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

9-2. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the fiscal year 2014 Emergency Declarations (attached).

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

10. 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 Fincke, seconded by Commissioner Chapman, and carried by a vote of 5-0.

11. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to proclaim October 2014 as Family History Month (attached).

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

12. PUBLIC COMMENTS:

- Donna Taylor spoke about water issues.
 - Rich Nichols spoke about development rules.
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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 keeping the burn ban lifted that was previously lifted (Order lifting ban on September 14, 2014 attached).

Motion was made by Judge Lux, seconded by Commissioner Fincke, 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 appoint the following members to the Kendall County Animal Control Advisory Committee: Tamara Oesterling, DVM (veterinarian), Richard Chapman (Commissioners Court), Jackie Palmer, Hill Country Animal League Executive Director (animal welfare organization), and Mary Himlin (County citizen).

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

15. The County Treasurer presented the Sales Tax Report (June 2014 payment).

16. THE STATE OF TEXAS
COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the Investment Policy for 2014 (Resolution and Order 09-22-2014-A attached).
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 approve the contract with Horizon Telephone Voice and Data Systems (HTS) for network monitoring and security services.
Motion was made by Commissioner Miertschin, seconded by Commissioner Chapman, 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 authorize publication of notice for request for qualifications of architects to be considered by the County concerning the EMS facility.
Motion was made by Judge Lux, seconded by Commissioner Chapman, 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 approve the Intergovernmental Agreement with Atascosa County regarding housing of Kendall County prisoners in the Atascosa County facility and to authorize the County Sheriff to sign the agreement.
Motion was made by Judge Lux, seconded by Commissioner Rusch, 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 contract with the Texas Police Chiefs Association Foundation Recognition Program.
Motion was made by Commissioner Rusch, seconded by Commissioner Chapman, 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 106B, Block A, Lots 12 and 13 into Lot 12A.
Motion was made by Commissioner Miertschin, seconded by Commissioner Fincke, and carried by a vote of 5-0.
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22. This agenda item regarding a request for relief for Canyon View at Tapatio Springs was pulled.
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23. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to allow the County's "American Cancer Society—Relay For Life" team to sell breakfast tacos and/or lunch, by donation, for fundraising.

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

24. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the Kendall County Retirement Plan for 2015 under the Texas County and District Retirement System.

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

25. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the Lease Agreement between Kendall County and Cow Creek Groundwater Conservation District for office space.

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

26. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve Kendall County Resolution and Order No. 09-22-2014-B for tax abatement guidelines and criteria (attached).

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

27. No action was taken concerning the proposed amendments to the Kendall County Development Rules and Regulations.

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

At 10:32 a.m. the Court closed Open Session, took a break and at 10:43 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 following departments:

- County Judge
- County Commissioners
- County Engineer
- County Clerk
- Elections
- Veterans Services
- County Surveyor
- District Clerk
- Justice of the Peace, Precinct 1
- Justice of the Peace, Precinct 2
- Justice of the Peace, Precinct 3
- Justice of the Peace, Precinct 4
- Juvenile Probation
- County Attorney
- County Auditor
- Human Resources
- County Treasurer
- Tax Assessor-Collector
- Facilities Maintenance
- Parks
- EMS
- Constable, Precinct 1
- Constable, Precinct 2
- Constable, Precinct 3
- Constable, Precinct 4
- Animal Control
- Law Enforcement Center
- Sheriff
- Development Management
- Road & Bridge
- Indigent Health
- Health Inspector
- Agri-life Extension Services
- Information Technology
- GIS
- Solid Waste
- Brush Site
- Recycling
- Rural Fire
- Victims Assistance

At 12:03 p.m. the Court recessed Executive Session for lunch and at 1:30 p.m. resumed Executive Session.

At 4:25 p.m. the Court closed Executive Session and at 4:31 p.m. resumed Open Session where the following motions were made:

III-1-a. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve adjustments to salaries based on assigned duties and responsibilities as discussed in Executive Session.

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

III-1-b. THE STATE OF TEXAS

COUNTY OF KENDALL

It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the EMS employee request for a 90-day leave without pay and benefits for educational purposes.

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

Being no further business, the meeting was adjourned at 4:34 p.m.

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

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

D. D. L.
COUNTY JUDGE
KENDALL COUNTY, TEXAS