

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 10th day of November 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 Pledges of Allegiance to the United States and Texas flags.
 Judge Lux was absent until 9:14 a.m.

2. THE STATE OF TEXAS
 COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the Minutes for October 27, 2014.
 Motion was made by Commissioner Fincke, seconded by Commissioner Chapman, and carried by a vote of 4-0.

3-1. 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 Chapman, seconded by Commissioner Rusch, and carried by a vote of 4-0.

(Agenda item #3 was addressed again after agenda item #14)

(Agenda item #4 was addressed out of sequence after agenda item #6)

5. The County Treasurer presented the October 2014 Sales Tax Report.

6. THE STATE OF TEXAS
 COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to enter into a lease agreement with Apple Inc. to lease iPads for the Kendall County Sheriff's Office.
 Motion was made by Commissioner Fincke, seconded by Commissioner Chapman, and carried by a vote of 5-0.

(The following agenda item #4 was addressed out of sequence)

4. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the Proclamation pertaining to the Burdick Community Center (attached).

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

7. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve closing the following streets in Comfort on November 29, 2014 from 5:00 p.m. until 10:00 p.m. for the Christmas in Comfort fireworks show: Seventh Street between Broadway and Main Street, Sixth Street between Broadway and Main Street, Main Street between Sixth Street and Seventh Street, and Broadway between Sixth Street and Seventh Street.

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

8. PUBLIC COMMENTS:

- Judge Lux thanked everyone who attended the Sisterdale Volunteer Fire Department and the Kendalia Volunteer Fire Department annual fundraisers.
 - Judge Lux gave an update about the work being done at the intersection of State Highway 46 with Esser Road and Herff Road. He said that since a state highway is involved, TxDOT is responsible for the traffic flow and traffic light decisions.
 - Judge Lux gave an update on Phase I and Phase II of the Herff Road Project.
 - Jan Kraus, Tana Kehoe, Charles Butcher, Scott Kehoe spoke during agenda item #14
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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 Road History Form for River Crossing Point in Cordillera Ranch, Unit 106B (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 Road History Forms for Fraulein Lane and Buddy Lane, private driveways off of Rust Road (attached).

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

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

12. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to interview LMD Architects and McCall & Associates in response to the request for qualifications for the EMS facility.

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

13. 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 7B, Block D, Lots 2 and 3 into Lot 2A in accordance with Section 209 of the Kendall County Rules and Regulations.

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

(The following people spoke during agenda item #14: Jan Kraus, Tana Kehoe, Charles Butcher, Scott Kehoe)

14. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to grant relief from platting and road frontage requirements in accordance with Sections 101 and 102 of the Kendall County Development Rules and Regulations where the proposed division of a ±66.8-acre tract would create two tracts of no less than 25 acres with access over a 60-foot wide roadway easement to Upper Cibolo Creek Road and where the Affidavit of Land Location and the deed or conveyance instrument of these two tracts and the other two tracts will be noted that the tracts cannot be further divided (Rodney Yates) (attached).

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

3-2. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the additional claim to Bergheim Volunteer Fire Department for First Responders (on file).

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

At 10:28 a.m. the Court closed Open Session, took a break and at 10:45 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
 - 2. Duties and responsibilities of the County Development Manager
 - 3. Duties and responsibilities of the County Veterans Services Officer
- IV. Pursuant to Section 551.087 to discuss or 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 12:06 p.m. the Court closed Executive Session and at 12:08 p.m. resumed Open Session where the following motion was made:

III-1&2. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to assign Rick Tobolka additional duties as Project Manager of Phase II of the Herff Road Project.

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 12:09 p.m.

EXAMINED AND APPROVED THIS 24th DAY OF NOVEMBER A.D., 2014

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

DeL S. Lux
COUNTY JUDGE
KENDALL COUNTY, TEXAS