

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 9th day of February 2015.

Present: DARREL L. LUX, COUNTY JUDGE
 MIKE FINCKE, COMMISSIONER, PCT. #1
 RICHARD W. ELKINS, COMMISSIONER, PCT. #2
 TOMMY PFEIFFER, COMMISSIONER, PCT. #3
 ROYCE STEUBING, 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.

2. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the Minutes for January 26, 2015.

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

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 (on file).

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

(Agenda item #3-2 was addressed after Executive Session)

4. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the member list for the 2015-2016 Historical Commission (attached).

Motion was made by Judge Lux, seconded by Commissioner Steubing, and carried by a vote of 4-0-1 with Commissioner Pfeiffer abstaining.

5. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to authorize asbestos testing on the Historic Jail and Commissary buildings at the same time as the testing is being done at the EMS facility.

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

6. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to authorize the County Judge, Commissioner Richard Elkins, the County Attorney, and the County Auditor to review the Request for Proposals for the Construction Management at Risk and make recommendations to the County Court. Motion was made by Judge Lux, seconded by Commissioner Steubing, and carried by a vote of 5-0.

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

8. PUBLIC COMMENTS:

- John Kight spoke about the Southern Edwards Plateau-Habitat Conservation Plan.
 - Mary Himlin, Mike Luckey, and Earl Smith spoke during agenda item #9 pertaining to the Southern Edwards Plateau-Habitat Conservation Plan.
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(The following people spoke during agenda item #9: Mary Himlin, Mike Luckey, and Earl Smith)

9. Discussion was held on the Public Meetings conducted by the U.S. Fish and Wildlife Service in cooperation with the City of San Antonio and Bexar County concerning the Southern Edwards Plateau-Habitat Conservation Plan.

10. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to grant relief from Subdivision Cancellation Fees in accordance with Section 200, specifically Section 210, of the Kendall County Development Rules and Regulations by reducing the cancellation fee from \$2,400.00 to \$500.00 for 22 lots in His Hill Subdivision.

Motion was made by Commissioner Steubing, seconded by Commissioner Pfeiffer, 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 grant relief from platting requirements and road frontage in accordance with Sections 101 and 102 of the Kendall County Development Rules and Regulations to create a ±3.5-acre tract out of a ±65.5-acre parent tract with access over a 30-foot ingress-egress easement to Johns Road with the following conditions: 1) No further division unless in compliance with Kendall County Development Rules and Regulations, 2) Easement through the 3.5 acres for access to remainder needs to be defined and recorded, and 3) Any transfer or conveyance of the property must include conveyance and transfer of easement(s) (10232 Johns Road - Case and Kerri Gatlin).

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

12. 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 "His Hill Loop," a private road in Kendall County, Precinct 4, for the purpose of 911 addressing and EMS identification (attached).

Motion was made by Commissioner Steubing, seconded by Commissioner Pfeiffer, 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 Road History Form for "Lazy B Rd," a private road in Kendall County, Precinct 3, for the purpose of 911 addressing and EMS identification (attached).

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

14. Sheriff Al Auxier presented the 2014 Annual Report for the Kendall County Sheriff's Office (attached).

15. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to authorize the Kendall County Sheriff's Office to apply for a grant to the Office of the Governor, Criminal Justice Division, through the Alamo Area Council of Governments (AACOG) for Incar Video Systems.

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

16. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to authorize the Crime Victim Assistance/Advocacy Program to apply for the General Victim Assistance Grant for fiscal year 2015-2016 through the Office of the Governor, Criminal Justice Division.

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

17. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to authorize the application for a grant for technology items for the new EMS facility.

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

18. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the 2015 Alamo Area Council of Governments (AACOG) Regional Mutual Aid Agreement.

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

19-1. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to authorize moving the office of the Health Inspector from the third floor of the County Courthouse to the first floor of the Historic Courthouse, second office on the left, and also to allow the County Attorney's office to use the office vacated by the Health Inspector.

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

19-2. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to authorize the purchase of furniture for the Health Inspector's Office in the Historic Courthouse.

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

An update on the Herff Road construction at State Highway 46 was given by the Court.

At 10:20 a.m. the Court closed Open Session, took a break and at 10:35 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 Information Technology Specialist
 2. Duties and responsibilities of the Parks Department
 3. Duties and responsibilities of the Sheriff's Office
 4. Duties and responsibilities of the Human Resources Director

At 12:07 p.m. the Court closed Executive Session and at 12:08 p.m. resumed Open Session where the following motions were made:

(The following agenda item #3-2 was addressed out of sequence)

3-2. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to authorize that funds be expended in the amount of \$97,745.78 to J3 Company to excavate the trench and relocate the gas pipe line in the right-of-way of the Herff Road Project which was necessary to protect the safety of the residents of the County, and an exemption is granted pursuant to Section 262.024 of the Local Government Code.

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

20. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, for Human Resources to extend an offer to fill the Information Technology Specialist position per the wage determined by Commissioners Court.

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

Being no further business, the meeting was adjourned at 12:10 p.m.

EXAMINED AND APPROVED THIS 23rd DAY OF FEBRUARY A.D., 2015.

ATTESTED:



COUNTY CLERK
KENDALL COUNTY, TEXAS



COUNTY JUDGE
KENDALL COUNTY, TEXAS