

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 13th day of October 2015.

Present: DARREL L. LUX, COUNTY JUDGE  
MIKE FINCKE, COMMISSIONER, PCT. #1  
RICHARD W. ELKINS, COMMISSIONER, PCT. #2  
TOMMY PFEIFFER, COMMISSIONER, PCT. #3  
SALLY W. PETERS, DEPUTY COUNTY CLERK/ADMINISTRATIVE ASSISTANT

Absent: ROYCE STEUBING, COMMISSIONER, PCT. #4

1. The meeting was called to order at 9:01 a.m.

Moment of silence.

Pledges of Allegiance to the United States and Texas flags.

Judge Lux thanked everyone who came to the Walk a Mile in Her Shoes event to benefit the Kendall County Women's Shelter. He and Sheriff Auxier both participated and he said the event was well attended.

2. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the Minutes for September 28, 2015.

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

3. Jana Osbourn and Stephen Zoeller, County Extension Agents, presented 4-H Star Awards. Bronze Star Award: Morgan Upham and Emma Zoeller. Silver Star Award: Augusten "Gus" Stehling and Caitlyn Upham. Gold Star Award: Garrett Phillips, Lindsey Pressler, and Bennett Young.

- 4-1. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the accounts payable claims for purchases, services and vendors (on file).

Motion was made by Commissioner Elkins, seconded by Commissioner Pfeiffer, and carried by a vote of 4-0 with Commissioner Elkins abstaining from any matters related to GVTC.

(Agenda item #4-2 was addressed after Executive Session and agenda item #III-2)

5. Judge Lux presented Terry Anderson with a plaque of appreciation and a gift as a token of appreciation for his 12 years of service to Kendall County as County Engineer.

6. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to proclaim the month of November to be National American Indian Heritage Month in Kendall County (attached).

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

7. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the 2016 Kendall County Resolution for the Indigent Defense Grant Program (attached).

Motion was made by Commissioner Fincke, seconded by Commissioner Elkins, 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 the Cash Summaries for July and August 2015 (attached).

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

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

## 10. PUBLIC COMMENTS:

- Tana Kehoe spoke about putting county-maintained road mileage certification on a future agenda.
- Judge Lux announced that the Waring Volunteer Fire Department Fish Fry will be October 25 and that TXDOT will hold an Open House on October 22 concerning improvements to SH46 between Esser Road and Ammann Road. Also, he reported that in addition to the October 8 meeting that was held at the Boerne Civic Center to present and discuss the proposed expansion of the Law Enforcement Center there will be another meeting on October 15 at 7:00 p.m. at the Comfort Middle School.

## 11. 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 1 and 2, Block B, Unit 7A, Cordillera Ranch, Kendall County, Texas, in accordance with Section 209 of the Kendall County Development Rules and Regulations. The purpose of the Amending Plat is to relocate a portion of the common lot line creating Lots 1A and 2A (Christopher P. Hill).

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

## 12. 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-Region 8.

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

## 13. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the Interlocal Agreement concerning a Regional Public Defender for Capital Cases.

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

## 14. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve transferring the server in the EMS station (County ID #4406) to the IT Department.

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

## 15. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to adopt the Kendall County Policy Manual with updates effective immediately with the following two exceptions: removing #3 under PROHIBITED USE from policy 4.17 and removing policy 4.23 in its entirety.

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

## 16. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve paying an Operations Department employee for Emergency Call Out time.

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

At 10:05 a.m. the Court closed Open Session, took a break and at 10:15 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
- 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
  2. Capital improvements / real estate
- 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 Veterans Services Officer
  2. Duties and responsibilities of the County Engineer
  3. Duties and responsibilities of the County Attorney's Office

At 11:40 a.m. the Court closed Executive Session and at 11:42 a.m. resumed Open Session where the following motions were made:

## III-3. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve hiring a Health Sanitarian effective October 19, 2015 to work 14 hours per week at \$25 per hour.

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

## III-2. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to appoint Rick Tobolka as interim County Engineer effective October 19, 2015 for an additional pay of \$500 per month.

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

(The following agenda item #4-2 was addressed out of sequence)

## 4-2. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the additional claim for \$180 to an employee (on file).

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

Being no further business, the meeting was adjourned at 1145 a.m.

EXAMINED AND APPROVED THIS 26th DAY OF OCTOBER A.D., 2015

ATTESTED:

  
COUNTY CLERK  
KENDALL COUNTY, TEXAS

  
COUNTY JUDGE  
KENDALL COUNTY, TEXAS