

**NOTICE OF REGULAR MEETING  
OF THE KENDALL COUNTY COMMISSIONERS COURT**



**NOTICE** is hereby given that a regular meeting of the above named Commissioners Court will be held on the **24th** day of **October 2016** at **9:00 a.m.** in the **Kendall County Courthouse, Third Floor Assembly Room**, 201 E. San Antonio Avenue, Boerne, Texas, at which time the following will be discussed and appropriate action taken; pursuant to V.T.C.A. Government Code Chapter 551, Open Meetings Act, including all Subchapters and Sections:

All matters listed on the following Agenda may be discussed in Executive Session at the option of the Kendall County Commissioners Court and following verbal announcement, if an appropriate exception to the open meeting requirement of the Texas Open Meetings Act is applicable.

**NO CELL PHONES, AUDIBLE PAGERS, AND/OR BEEPERS SHALL BE USED WHILE COURT IS IN SESSION**

1. Call to Order - 9:00 a.m.  
Pledge of allegiance to the United States Flag  
Pledge of allegiance to the Texas Flag  
Comments from the bench
2. Consideration and action on the Minutes for October 11, 2016: Sally Peters, Deputy Clerk / Administrative Assistant
3. Presentation of Service Awards:
  - 10 years: Billy Shussler, Road & Bridge
  - 10 years: Tami Wolff, Court Reporter/County Court at Law
  - 15 years: Maria "Elsa" Thompson, Development Management
4. Introductions / Recognitions
5. Consideration and action on proclaiming the month of November 2016 as National American Indian Heritage Month in Kendall County: Darrel L. Lux, County Judge / Amy Vandiver, Native American Committee Chair, Daughters of the American Revolution
6. Consideration and action on adopting a Resolution pertaining to the Rainbow Senior Center's application for grant funds from the Texas Department of Agriculture: Darrel L. Lux, County Judge / Matt Stackhouse, Development Coordinator, Kronkosky Place
7. Consideration and action on the accounts payable claims for purchases, services, and vendors: Corinna Speer, County Auditor
8. Consideration and action on the change of park hours and work hours for the Parks Maintenance Worker employees: Daniel Vetter, Parks Manager
9. Consideration and action on creating a Facebook account for the parks and event center: Daniel Vetter, Parks Manager

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10. Consideration and action on the burn ban (Authority Section 352.081, Texas Local Government Code): Darrel L. Lux, County Judge / Jeffery Fincke, Fire Marshal
11. PUBLIC COMMENTS– opportunity for the general public to address the Court on any matter. The Court may not discuss any presented issue, nor may any action be taken on any issue at this time. *Comments are limited to 3 minutes.*
12. Consideration and action on the approval of the 2016 County Tax Levy Roll Total, \$21,063,645.92: James Hudson, Tax Assessor-Collector
13. Presentation of Sales Tax Report: Sheryl D'Spain, County Treasurer
14. Consideration and action on the Cash Summary for July and August 2016: Sheryl D'Spain, County Treasurer
15. Consideration and action on the Monthly Reports for September 2016: Corinna Speer, County Auditor
16. Consideration and action to request the County Auditor to conduct an audit of the Sheriff's Department Chapter 59 asset forfeiture funds as required by Article 59.06 of the Code of Criminal Procedures: Corinna Speer, County Auditor
17. EMS Building Project Status Report: Mike Fincke, Commissioner Precinct 1
18. Consideration and action on the removal of the portable buildings that currently house Adult Probation: Darrel L. Lux, County Judge
19. Consideration and action on the bandwidth upgrade to the Courthouse: John Buckelew, IT Specialist
20. Consideration and action on the service agreement with Thyssendrupp Elevator Corporation: Robert Kinsey, Facilities Manager
21. Consideration and action on the service agreement with Boerne Air Conditioning & Heating: Robert Kinsey, Facilities Manager
22. Consideration and action to solicit for Requests for Qualifications of Engineering Services and Requests for Proposals for Administrative Services for the 2017/2018 Texas Community Development Block Grant Cycle for water system improvements at the Comfort WCID #1: Keith Marquart, General Manager WCID #1
23. Consideration and action on amending the Development Engineer's job description and advertising to fill the vacant position: Rick Tobolka, Interim County Development Manager
24. Consideration and action concerning Parks Department job description: Daniel Vetter, Parks Manager
25. Summary of road activities for September 2016: Ricky Pfeiffer, Road Supervisor
26. Summary of operations activities for September 2016: Jean Maxwell, Operations Supervisor



**BREAK**

**EXECUTIVE SESSION (Closed to public)**

**Pursuant to Chapter 551 of the Texas Government Code**

- I. The Court will meet in Executive Session 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 as follows:**
  - 1. County authority and obligations concerning subdivisions, county property, roads and bridges**
  - 2. Five Oaks Holding LLC D/B/A Bella Springs Special Events Venue, Plaintiffs vs. B. Scott Kehoe and Tanita F. White Kehoe, Defendants**
  - 3. Richard Wagner, Beverly Wagner, Steven Clouse, Gerardine Clouse, Jeff Jureczki, Tiffany Jureczki, Robert C. Chambers, Rena M. Chambers, Sandra Glomski, Jeff Dunklin and Karen Brickey, Plaintiffs vs. Thomas David White, Jennifer White, Tanita Faye Kehoe and Scott Kehoe, Defendants**
  - 4. Civil enforcement action against Volkswagen Aktiengesellschaft, Audi Aktiengesellschaft, Volkswagen Group of America Inc., Audi of America LLC, and other entities for alleged violations of applicable laws and regulations.**
- II. The Court will meet in Executive Session 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 Sheriff**
  - 2. Duties and responsibilities of the Commissioners Court**
  - 3. Duties and responsibilities of the Parks Manager**
  - 4. Duties and responsibilities of the County Engineer**
- III. The Court will meet in Executive Session pursuant to Section 551.076 to deliberate:**
  - (1) the deployment, or specific occasions for implementation, of security personnel or devices; or (2) a security audit.**

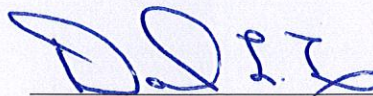
**RESUME OPEN SESSION AND TAKE ANY NECESSARY ACTION RESULTING FROM EXECUTIVE SESSION DELIBERATIONS**

- 27. Consideration and action concerning the filing of litigation against Volkswagen Aktiengesellschaft, Audi Aktiengesellschaft, Volkswagen Group of America Inc., Audi of America LLC, and other entities for violation of applicable laws and regulations regulating automobile emissions: Don Allee, County Attorney**
- 28. Consideration and action concerning employment of attorney Anthony F. Constant to serve as counsel in litigation against Volkswagen Aktiengesellschaft and its subsidiaries Volkswagen Group of America, Inc. and Audi of America, LLC (hereinafter "Volkswagen"): Don Allee, County Attorney**

**ADJOURNMENT**



Dated this the 20th day of October 2016.



Darrel L. Lux  
Kendall County Judge

I, the undersigned County Clerk, do hereby certify NOTICE of regular meeting of the above named Commissioners Court is a true and correct copy of said Notice and that I have caused said Notice to be posted on the door at the Courthouse of Kendall County, Texas, located at 201 E. San Antonio Avenue on the 20th day of October 2016.



Darlene Herrin  
County Clerk

Posted at 3:30 p.m. on the 20th day of October 2016— sup

NOTE: The Kendall County Commissioners Court complies with A.D.A. requirements. If you have an impairment and wish to appear at a meeting, please call (830)249-9343, 48 hours in advance to make arrangements.