

**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 **28<sup>th</sup> day of January, 2013 at 9:00 a.m.** in the **Kendall County Courthouse, Third Floor Assembly Room**, 201 E. San Antonio, 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**

Pledge of allegiance to the United States Flag  
Pledge of allegiance to the Texas Flag

1. Call to Order - 9:00 a.m.  
Comments from Darrel L. Lux, County Judge Pro Tem
2. Presentation of Service Awards to:  

<b><u>5 years:</u></b>	<b>Phillip Lopez</b>	<b>Sheriff's Office</b>
<b><u>10 years:</u></b>	<b>Gene Miertschin Gerald Neill Michelle Lux</b>	<b>Commissioner Pct. 2 EMS Human Resources</b>
<b><u>20 years:</u></b>	<b>Carolyn Best</b>	<b>Judge's Office</b>
<b><u>35 years:</u></b>	<b>Jeff Fincke</b>	<b>EMS</b>
3. Consideration and action on approval of minutes for January 14, 2013:  
Sally Peters, Deputy Clerk
4. Consideration and action on approval of Monthly Reports for December, 2012:  
Corinna Speer, County Auditor
5. Consideration and action on approval of claims for purchases, services, and vendors: Cindy Silva, Assistant County Auditor

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6. Consideration and Action to approve Cash Balances for October 2012: Sheryl D'Spain, Treasurer
7. Presentation of Sales Tax report for December 2012 and January 2013: Sheryl D'Spain, Treasurer.
8. **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. Please limit comments to 3 minutes.
9. Consideration and action to approve the lease of a new copier through a state contract: Sheryl D'Spain, Treasurer.
10. Consideration and action on the burn ban (Authority Section 352.081, Texas Local Government Code): Jeffery Fincke, Fire Marshal
11. Discussion and action on presentation of End of Year Report for Emergency Services in Kendall County 2012: Jeffery Fincke, Fire Marshal
12. Consideration and action to appoint two additional people to Historical Commission: Darrel L. Lux, County Judge Pro Tem
13. Consideration and action to authorize signing of Tocker Foundation 2013 Grant Application for the Comfort Public Library: Kenneth M. Rusch, Commissioner Precinct 4 / Patti Miles, Comfort Public Library.
14. Consideration and action for reimbursement for hotel expenses in an adjacent county for Park Manager to attend University Landscape Managers Association Annual Conference in February 2013: Darrel L. Lux, County Judge Pro Tem/Steve Lowe, Parks Department
15. Consideration and action on a request for relief for road frontage per Section 102.1000.2 Family Division of the County Development Rules & Regulations. The existing 20.0 acre tract is accessed with a variable width (less than 60ft) fee simple strip. The proposed family division would result in two tracts of 10.0 acres with tract 1 accessed by a variable width easement for roadway purposes: Darrel L. Lux, Commissioner Precinct 3
16. Consideration and action to pay Casco \$5650.00 for the purchase of a chipper bed by Road & Bridge: Gene Sparks, Operations Manager, Road & Bridge

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17. Present summary of activities by Road and Bridge during December, 2012 to Commissioners Court: Ricky Pfeiffer, Road Superintendent, Road & Bridge
18. Consideration and action regarding Lerin Hills Municipal Utility District (MUD) for support of proposed legislation to grant road powers to the MUD. Mike Fincke, Commissioner Precinct 1/ Don Allee, County Attorney, Abel Godines, John Mark Matkin, and Ken Kolacny, Lerin Hills
19. Consideration and action concerning authorization for County Judge and/or Commissioner for Precinct 2 to sign documents concerning acquisition of right-of-way and easements for the Herff Road Project: Gene Miertschin, Commissioner Precinct 2
20. Untable item #18 from Commissioners Court on January 14, 2013: Mike Howle/ GIS Coordinator
21. Presentation of County level population projection scenarios from the Texas State Data Center. Action is requested to use one of the forecast scenarios. Mike Howle/ GIS Coordinator, David Kruse, Alamo Area Council Of Governments (AACOG)

**BREAK**

**EXECUTIVE SESSION (Closed to public)**

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

- I. **Commissioners 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 responsibilities concerning subdivisions, county roads, bridges, county property, and federal requirements for drug testing.
  2. EEOC Complaints
- 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 Elections Office
  2. Duties and responsibilities of Human Resources Director



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**III. The Court will meet in Executive Session pursuant to Section 551.0785 to deliberate matters involving:**

- 1. Medical records of an individual applicant for benefits**

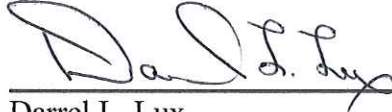
**RESUME OPEN SESSION AND TAKE ANY NECESSARY ACTION  
RESULTING FROM EXECUTIVE SESSION DELIBERATIONS**

22. Consideration and action concerning Alamo Area Council of Governments (AACOG) appointments. (County Judge makes appointments but commissioners can make recommendations): Don Allee, County Attorney
23. Consideration and action regarding agreement with S&P Communications: Gene Miertschin, Commissioner Precinct 2 / Kenneth M. Rusch, Commissioner Precinct 4

**ADJOURNMENT**

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Dated this the 24<sup>th</sup> day of January, 2013.

  
\_\_\_\_\_  
Darrel L. Lux  
Kendall County Judge Pro-Tem

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 Street on the 24<sup>th</sup> day of January, 2013.

  
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Darlene Herrin  
County Clerk

Posted at 3:00 P.M. on the 24<sup>th</sup> day of January, 2013— *ceb*

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.

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