

**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 **February, 2014** 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

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 the bench
2. Consideration and action on approval of Minutes for February 10, 2014:
Sally Peters, Deputy Clerk/Administrative Assistant
3. Consideration and action on approval of Monthly Reports for January 2014:
Corinna Speer, County Auditor
4. Consideration and action on approval of accounts payable claims for purchases, services, and vendors: Corinna Speer, County Auditor
5. Consideration and action to approve December 2013 (Fiscal Year 2014) Cash Summary:
Sheryl D'Spain, County Treasurer
6. Consideration and action to approve the 1st Quarter Investment Report for Fiscal Year 2014 (October, November, December): Sheryl D'Spain, County Treasurer
7. Consideration and action on the burn ban (Authority Section 352.081, Texas Local Government Code): Darrel L. Lux, County Judge / Jeffery Fincke, Fire Marshal
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. *Comments are limited to 3 minutes.*

9. Consideration and action to approve the modifications to the Kendall County Policy Manual: Juanita Espino, Human Resources Director / Mike Fincke, Commissioner Precinct 1
10. Consideration and action on an Amending Plat of part of Lot 13 and 14, Block 8, Alamo Springs Ranch, Kendall County, Texas, into Lot 14A in accordance with Section 209 of the Kendall County Development Rules and Regulations (Clinton & Melissa Delafield): Kenneth M. Rusch, Commissioner Precinct 4
11. Consideration and action on an Amending Plat of Lots 104B and 104C of Comfort, Kendall County, Texas, into Lots 104B-1 and 104C-1 in accordance with Section 209 of the Kendall County Development Rules and Regulations. The purpose of the Amending Plat is to move common lot lines to eliminate a building encroachment (Comfort Public Library, Timothy and Lisa Dewitt): Kenneth M. Rusch, Commissioner Precinct 4
12. Consideration and action on the approval of a lease agreement and accompanying resolution for the purpose of financing a motor grader with Capital City Leasing: Corinna Speer, County Auditor
13. Notify Commissioners Court of intent to change to a four-day work week for the Road & Bridge Department: Ricky Pfeiffer, Road Superintendent
14. Present summary of activities by Road & Bridge Department during January 2014: Ricky Pfeiffer, Road Superintendent
15. Recognition of Kendall County Sheriff's Office Employees for performance in year 2013: Al Auxier, County Sheriff
16. Consideration and action concerning the approval of the transfer of motor vehicles between the Kendall County Sheriff and Kendall County Constable Precinct 3: Al Auxier, County Sheriff
17. Consideration and action on the request from the Living Church of God to use the County-owned property on Adler Road on October 14, 2014 from 1:00 p.m. until 4:30 p.m. The property is currently leased to the Boerne Soccer League who has given permission for the church to use the field on that date: Darrel L. Lux, County Judge
18. Consideration and action on designating who is to be responsible for the coordination of information into and out of the i-INFO system for Kendall County: Darrel L. Lux, County Judge
19. Consideration and action to accept the Racial Profiling Reports for 2013 from Law Enforcement Agencies in Kendall County: Darrel L. Lux, County Judge

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 roads and bridges**
 - 2. Guy James Gray vs. Kendall County**
- II. The Court will meet in Executive Session pursuant to Section 551.072 to deliberate the purchase, exchange, lease or value of real property. (Note: Deliberation 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 Herff Road Project**
- III. 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 County Attorney's Office**

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

- 20. Consideration and action concerning Kendall County Resolution No. 02-24-2014, declaring a public necessity for the acquisition of fee simple title to the following: a 3.360-acre tract of land, more or less and a 0.117-acre tract of land, permanent drainage easement, more or less, out of the John Small Survey No. 183, Abstract No. 441, Kendall County, Texas, also being out of the remaining portion of a 32.609-acre tract described in warranty deed dated March 16, 1999 to James E. Roerig and wife Deborah A. Roerig recorded in Volume 607, Page 405, Official Records of Kendall County, Texas, being more particularly described in Exhibit "A" attached hereto and made a part hereof, save and except any oil, gas or other minerals in, on or under or produced from said real property, which may be removed from beneath said real property without any right whatsoever remaining to the owner(s) of said oil, gas or minerals of ingress and egress to or from the surface of said real property for the purpose of exploring, developing, drilling, or production of same, for the public purpose of a public highway, street, and road right-of-way purposes for the Herff Road Expansion Project and authorizing the use of eminent domain to condemn property – institution of condemnation (eminent domain) proceedings to acquire such interest in land: Don Allee, County Attorney / Gene Miertschin, Commissioner Precinct 2**

ADJOURNMENT

Dated this the 19th day of February, 2014.



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 February, 2014.



Darlene Herrin
County Clerk

Posted at 3:00 p.m. on the 20th day of February, 2014—*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.