

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 January 2014.

Present: **DARREL L. LUX, COUNTY JUDGE**
 MIKE FINCKE, COMMISSIONER, PCT. #1
 GENE MIERTSCHIN, COMMISSIONER, PCT. #2
 RICHARD J. CHAPMAN, COMMISSIONER, PCT. #3
 KENNETH M. RUSCH, 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 following Service Award was presented:
 • 15 years of service: Susan McCord, Auditor's Office

3. **THE STATE OF TEXAS**

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the Minutes for December 23, 2013.

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

4. **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 as submitted (on file).

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

5. Clayton Ripps, Advance Transportation Planning Director for the San Antonio District with the Texas Department of Transportation, gave a presentation on the 2015-2018 Project List for the Rural Transportation Improvement Program (TIP).

6. **PUBLIC COMMENTS:**

- Judge Lux informed the Court that Kerr County Judge Pat Tinley had passed away.
- Toni Anne Dashiell thanked the Court for the new link to Agenda Backup Documents on the County website.
- Bob Reinartz thanked the Court for the new link to Agenda Backup Documents on the County website.
- Sheriff Auxier informed the Court of the County Animal Shelter's new hours of 12 noon to 4 p.m. on Saturdays and the name change to Kendall County Animal Shelter and Adoption Center. He also said that they are looking for volunteers to help at the Shelter. He then gave an update on radios for his department.
- Judge Lux thanked everyone for their involvement and attendance at the Junior Livestock event.

During agenda item #14, the following people spoke:

- Toni Anne Dashiell, past Republican Party County Chair
- Staci Decker, Elections Administrator
- Bob Reinarz

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

8. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve reappointing Jeffery Fincke as County Fire Marshal for two years.

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

9. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to award the ambulance remount to Frazer, Inc. using the 2014 Dodge and not trading in the Chevrolet 3500, adding the generator, and also replacing the floor pending approval of location of funds.

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

10. Theda Sueltenfuss, Kendall County Historical Commission (KCHC) Chair, informed the Court that the KCHC won two awards: the Preservation Texas Award for Heritage Education and the Preserve America Award. County businesses that won the Texas Treasure Business Award for having been in business for 50 or more years were the Ebensberger-Fisher Funeral Home, the Bergmann Lumber Company, and the Bergheim General Store. She also announced the start of planning for the 2014 Heritage Passport events, one of which will be in June celebrating the Battle of Walker's Creek. Jay Pennington, who created the new KCHC website, explained the different features and how to access information.

11. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve offering mulch from the County Brush Site to private residents of Kendall County at no charge starting Thursday, January 16th until the Court orders it stopped at a later date.

Motion was made by Commissioner Miertschin, seconded by Commissioner Chapman, 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 allow the reimbursement of hotel expenses for the Park Manager to stay overnight in an adjacent county.

Motion was made by Commissioner Miertschin, seconded by Commissioner Rusch, 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 Amending Plat of Cordillera Ranch, Unit 106B, Block A, Lots 67 and 68 into Lot 67A.

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

14. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to appoint an advisory panel to take up the issue of electioneering at County polling places and appoint Commissioner Mike Fincke as Chairman of the panel with representatives from the local political parties, the County Attorney's office, the Elections office, and the City of Boerne to be effective immediately and have a recommendation back to this Court for the January 27th meeting.


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


At 10:48 a.m. the Court closed Open Session and at 10:55 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 Constable, Precinct 3
 2. Duties and responsibilities of the Auditor's Office
 3. Duties and responsibilities of the County Judge's Office

At 12:00 p.m. the Court closed Executive Session and at 12:05 p.m. went into Open Session where there being no further business, the meeting was adjourned.

EXAMINED AND APPROVED THIS 27th DAY OF January A.D., 2014.

ATTESTED: 
COUNTY CLERK
KENDALL COUNTY, TEXAS


COUNTY JUDGE
KENDALL COUNTY, TEXAS