

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 Historic Courthouse in Boerne, Texas, on the 12 th day of February, 2007.

Present: GAYLAN L. SCHROEDER, COUNTY JUDGE

ANN REISSIG, COMMISSIONER, PCT. #1

GENE MIERTSCHIN, COMMISSIONER, PCT. #2

DARREL L. LUX, COMMISSIONER, PCT. #3

KENNETH M. RUSCH, COMMISSIONER, PCT. #4

SALLY W. PETERS, DEPUTY COUNTY CLERK

1. The meeting was called to order with the Pledge of Allegiance to the United States and Texas flags.

2. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas , to approve the Minutes for the month of January 2007.

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

3. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas , to

approve the Claims and Additional Claims of U.S. Bank as presented by the Auditor's Office (on file).

Motion was made by Commissioner Lux, seconded by Commissioner Rusch, 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 Financial/Investment Reports for the quarter ending December 31, 2006 (attached).

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

5. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to allow employees to donate sick leave to the employee currently in need of additional leave. The Human Resources Director is to complete the necessary paperwork.

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

6. The Human Resources Manager presented the list of new and terminated employees (attached).

7. PUBLIC COMMENTS: No one spoke.

8. No action was taken on reinstating the burn ban.

9. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the Kendall County Child Services Board that was presented at the last meeting of the Court.

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

10. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, that the Salary Grievance Committee members shall be drawn from the Grand Jury list. The names chosen at random are: Martha L. Hawkins, Edward G. Albrecht, John W. Carter, Betty Jones, Gary Swearingen, Roy Lee Kneupper, Betty J. Seidensticker, Lydia Storey, and Karen D. Schneider.

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

11. The appointments to the Kendall County Historical Commission for 2007-2008 are postponed until the next meeting.

12. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to authorize SAMCO, the County's investment counsel, to proceed with the issuance of the remainder of the Proposition I bond funds that were approved on November 2, 2004.

Motion was made by Commissioner Miertschin, seconded by Commissioner Reissig, 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 overtime for Road & Bridge employees due to inclement weather during the month of January (attached).

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

14. Road & Bridge Public Water Well System bid approval tabled by the Road & Bridge Manager awaiting a reply from the Texas Commission on Environmental Quality for the application submitted in August. Written deadline extensions for the two bids already received will be requested.

15. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to authorize the expenditure of \$713.53 for a new water pump for the #3 Road & Bridge water truck to replace the stolen one (attached).

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

16. A Public Hearing was held for application filed by Tom Cusick, Jr. for the proposed lot revisions of Estancia At Thunder Valley for Lots 2, 6, 7A, 8A and Greenbelt Lots 46, 47, 48 and 49. No one from the public spoke.

17. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the plat revision of Estancia At Thunder Valley Subdivision, Lots 2, 6, 7A, 8A into Lots 2A, 6A, 7A-1 and 8A-1 and Greenbelt Lots 46, 47 and 48 into Greenbelt Lots A, B, C and D and Greenbelt Lot 49 into Phase II, future development, in accordance with paragraphs

208.1200.2 and 208.1200.3 of the Development Rules and Regulations dated August 29, 2005 (amended September 2006).

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

18. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to proceed with 30-day advertisements for bids in The Boerne Star and the San Antonio Express News to complete the third floor of the Courthouse.

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

19. The Road & Bridge Manager presented a slide show on the construction status of the new Road & Bridge facility.

20. The presentation by the Kendall County Bar Association was tabled.

21. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to accept the Racial Profile Reports for Law Enforcement Agencies in Kendall County.

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

22. Commissioner Rusch made a motion to remove the stop sign on Blaschke Road at its intersection with Waring

Road. Motion failed for lack of a second.

THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to skip the scheduled Break for the sake of time.

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

23. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the roads and drainage facilities in La Cancion Subdivision and release the Letter of Credit in the amount of \$532,251.00 according to the Development Rules and Regulations dated August 29, 2005 (amended September 2006). The roads will be privately maintained.

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

24. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the improvements in Cordillera Ranch Subdivision, Unit 204A, and return the Letters of Credit in the amounts of \$440,796.00 for road and drainage work and \$128,626.00 for water and wastewater facilities. The roads will be privately maintained.

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

25. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the Final Plat for Cloud Business Park and grant relief to minimum building setbacks in three places in accordance with paragraphs 200, 203, 301, and 305 of the Development Rules and Regulations dated August 29, 2005 (amended September 2006).

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

26. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the Amending Plat for Cordillera Ranch Subdivision, Unit 104A, Block A, Lots 48, 49 and 50 into Lots 48A and 50A in accordance with paragraph 208.1200.4 of the Development Rules and Regulations dated August 29, 2005 (amended September 2006).

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

27. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the Preliminary Plat for Cordillera Ranch Subdivision, Unit 206A, in accordance with sections 201, 202, and 203 of the Development Guidelines and Regulations Rule Book dated January 1, 1997 which allows for the proposed density of 1.32 acre. The unit will be served by public water and public sewer systems.

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

28. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the Amending Plat for Meadow Springs Subdivision, Unit 1, Lots 104, 105, 112A and 113A (R. Yates Properties II, Ltd. Rodney Yates) into Lots 104A, 105A, 112A-1 and 113A-1 in accordance with paragraph 208.1200.4 of the Development Rules and Regulations dated August 29, 2005 (amended September 2006).

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

29. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the Amending Plat for Comfort Outlots 53A-1 and 53B into Outlot 53A-1A (The

Comfort Village, Ltd., Paula Bohnert) in accordance with paragraph 208.1200.4 of the Development Rules and Regulations dated August 29, 2005 (amended September 2006).

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

30. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to grant relief from the required 50-foot minimum building setback to a 25-foot outside perimeter setback for the proposed Comfort Village (The Comfort Village, Ltd., Paula Bohnert) in accordance with paragraph 305.1100 of the Development Rules and Regulations dated August 29, 2005 (amended September 2006).

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

31. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the Master Development Plan for The Comfort Village, a manufactured home rental community, in accordance with paragraph 305 of the Development Rules and Regulations dated August 29, 2005 (amended September 2006). This commercial development consists of 41.22 acres (Comfort Outlot 53A-1A) with 95 rental spaces and a Village Center . The roads will be privately maintained and Kendall County WCID No. 1 will provide water and sewer services (The Comfort Village, Ltd., Paula Bohnert).

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

32. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to grant relief to minimum access and platting requirements on FM 1621 in accordance with paragraphs 102.1000.3 and 301.1000 of the Development Rules and Regulations dated August 29, 2005 (amended September 2006) for an 11-acre tract being divided out of a 107.94-acre tract (Allen Goodwin). The 11-acre tract has 100 feet of frontage on FM 1621 narrowing to a 28-foot access lane.

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

33. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to authorize the expense of a cultural/archeological survey of the James Kiehl River Bend Park in the amount of approximately \$3,600.00 which is to paid from the Kronkosky Charitable Foundation grant money.

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

34. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, that the decisions on rules concerning the Courthouse buildings, including office spaces, mail boxes, key assignment, will be made by the Court and no one else, the Court will direct those affected, and the County Judge will appoint a committee to carry out those decisions. Those appointed as committee members to receive feedback from the rest of the Court and the department heads and then to make recommendations are: Commissioner Miertschin, Commissioner Reissig, and the County Attorney . The buildings to be included are any County-owned property and not just the Courthouse.

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

THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to modify today's Order #34 designating committee members to be: Commissioner Lux, Commissioner Reissig, and the County Attorney .

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

35. No action was taken to appoint a jury of view to hear the challenges to the County Road Map .

February 12, 2007 at 11:33 a.m. Court went into Executive Session pursuant to Chapter 551 of the Texas Government Code.

February 12, 2007 at 4:45 p.m. Court recessed.

February 13, 2007 at 9:00 a.m. Court was called to order and resumed Executive Session pursuant to Section 551.072.

February 13, 2007 at 4:00 p.m. Court closed Executive Session and reopened Open Session where the following motions were made:

I. 1. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to authorize the County Attorney's office to proceed with the purchase of the park property known as Mission Valley Ranch.

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

II. 2. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to authorize the County Attorney 's office to proceed with the BTEX Ranch Suit as discussed in Executive Session.

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

III. 1. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to authorize the Facility Manager to report directly to the County Judge .

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

I. 3. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to authorize the County Attorney to contract with the County Surveyor for a new survey for the property known as the Sheriff's Department and the old Road & Bridge area showing the placement of buildings on the property.

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

Being no further business, the meeting was adjourned on February 13, 2007 at 4:15 p.m.

**EXAMINED AND APPROVED THIS _ 12 th ___ DAY OF ___ _ MARCH _ A.D., _ 2007
___ .**

ATTESTED: _____

COUNTY CLERK COUNTY JUDGE

KENDALL COUNTY , TEXAS KENDALL COUNTY , TEXAS