

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 9th day of April, 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.
The Court extended sympathy to the family of former Kendall County Sheriff Lee D'Spain, Jr.

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 March 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 Budget Adjustments as presented by the Auditor (attached).**
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 Emergency Declaration budget adjustment (attached).**
Motion was made by Commissioner Lux, seconded by Commissioner Reissig, 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 as presented by the Auditor's Office with the exception of the claim for \$150.00 for Bickerstaff, Heath, Smiley, Pollan, Kever & McDaniel, LLP on page 2 (on file).**
Motion was made by Commissioner Lux, seconded by Commissioner Miertschin, and carried by a vote of 5-0.

5. The Human Resources Director presented the list of new and terminated employees for the 1st quarter of 2007.

6. THE STATE OF TEXAS
COUNTY OF KENDALL **It is ordered by the Commissioners' Court of Kendall County, Texas, to adopt the Amendment to the Rules of Procedure, Conduct and Decorum at Meetings of the County Commissioners' Court requiring any person seeking relief from an Order, Rule or Regulation of the County; opposing such relief; or complaining about any officer or employee of the County, to testify under Oath (attached).**
Motion was made by Commissioner Lux, seconded by Commissioner Reissig, and carried by a vote of 5-0.

7. **PUBLIC COMMENTS:**

Jo-Ann Ryan, Kendall County Environmental Committee, spoke against the Curry Creek Crushing operation. John Kight asked the Court to protest the San Antonio Water System's plan to provide sewer service in a southern portion of Kendall County.

Jeff Fincke announced the upcoming Area Fire Chiefs meeting on April 16, 2007.

REGARDING AGENDA ITEM #19, after being put under oath the following people spoke:

John Kight said he is against granting the request for relief.

Patrick Lindner, representing Tapatio Springs Service Company, said they are against the request for relief.

Abel Godines spoke in favor of the request for relief.

Rod Fowler said the original application stated no groundwater would be used.

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 select The Boerne Star as the official newspaper for publication of official notices for Kendall County for the 12-month time period of April 1, 2007 through March 31, 2008.

Motion was made by Commissioner Lux, seconded by Commissioner Reissig, 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, to authorize the County Judge to sign an interlocal agreement between the Alamo Area Council of Governments (AACOG), the City of Boerne, and Kendall County for emergency notification services through the community alerting system.

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

11. **THE STATE OF TEXAS**

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to authorize a tax exemption for the Kendall Masonic Lodge for the five-year period of 2007, 2008, 2009, 2010, and 2011 and authorize the County Judge to sign (attached).

Motion was made by Commissioner Lux, seconded by Commissioner Reissig, 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 adopt the Proclamation designating Saturday, May 5, 2007, Hill Country Mission for Health Day in Kendall County (attached).

Motion was made by Judge Schroeder, seconded by Commissioner Miertschin, 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 adopt the Proclamation designating the week of April 22-28, 2007, National Crime Victims' Rights Week (attached).

Motion was made by Judge Schroeder, seconded by Commissioner Lux, 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 approve closing Fredericksburg Road in Waring, Texas, between Avenue E and Welfare-Waring Road on April 21, 2007 from 12:00 p.m. until 10:00 p.m. for the Waring General Store Crawfish Boil.
Motion was made by Commissioner Rusch, seconded by Commissioner Lux, and carried by a vote of 5-0.
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15. THE STATE OF TEXAS
COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve Road & Bridge overtime pay in the amount of \$1,203.29 for emergency response to flooding March 26-March 31, 2007.
Motion was made by Commissioner Lux, seconded by Commissioner Rusch, and carried by a vote of 5-0.
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16. THE STATE OF TEXAS
COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to award the Road & Bridge contract for seal coat to Big Tex for Fiscal Year 2007.
Motion was made by Commissioner Lux, seconded by Commissioner Rusch, and carried by a vote of 5-0.
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17. THE STATE OF TEXAS
COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the construction of Camino Del Reserve North in The Reserve at Falling Water Subdivision. The road will be privately maintained (Road History Form attached).
Motion was made by Commissioner Rusch, seconded by Commissioner Lux, and carried by a vote of 5-0.
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17. THE STATE OF TEXAS
COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to release the Letter of Credit in the amount of \$300,000.00 for the construction of Camino Del Reserve North in The Reserve at Falling Water Subdivision.
Motion was made by Commissioner Rusch, seconded by Commissioner Lux, and carried by a vote of 5-0.
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18. THE STATE OF TEXAS
COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to grant the request for relief from the Development Guidelines and Regulations Rule Book dated January 1, 1997 for Lerin Hills Subdivision, Unit 1, to use a prime coat beneath the 1 1/2" hot mix asphaltic concrete pavement in lieu of a one-course surface treatment.
Motion was made by Commissioner Reissig, seconded by Commissioner Miertschin, and carried by a vote of 5-0.
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19. THE STATE OF TEXAS
COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to deny the request for relief to Exhibit A Requirements in the Development Guidelines and Regulations Rule Book dated January 1, 1997, amended November 24, 2003, for Lerin Hills Subdivision.
Motion was made by Commissioner Reissig, seconded by Commissioner Miertschin, and carried by a vote of 5-0.
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20. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the Amending Plat for Cloud Business Park, Lot 3 into Lot 3A and the request for relief from the required 50-foot minimum setback to a 25-foot setback for the rear property line according to paragraphs 208.1200.4 and 305 of the Development Rules and Regulations dated August 29, 2005 (amended September 2006). The relief to minimum building setback for the south property line was previously approved January 8, 2007.

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

21. Mark Figart with Digett Interactive Media presented a proposal for a new County website.

The Court recessed for a Break.

The Court went into Executive Session pursuant to Chapter 551 of the Texas Government Code.

The Court reconvened in Open Session at 1:30 p.m.

22. David Lebsack, Regional Liaison Officer, Division Emergency Management Region 6B, gave an update on the roles and responsibilities of Elected Officials, Managers, and other Key Officials concerned with Emergency Management.

23. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to authorize the publication of a Public Notice in accordance with Chapter 258 of the Transportation Code for the first Public Meeting on May 21, 2007 at 9:00 a.m. to adopt a County Road Map.

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

The following motions were made from Executive Session:

I-2. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to authorize the expenditure of up to \$50,000.00 to purchase three lifts and other shop equipment for the new Road & Bridge facility. It is to be taken out of the Commissioners' Contingency Fund.

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

III. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to authorize the Sheriff to be in charge of Courthouse Security for the new courthouse and the historic courthouse and to hire an additional deputy.

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.

EXAMINED AND APPROVED THIS 14th DAY OF MAY A.D., 2007.

ATTESTED: COUNTY CLERK KENDALL COUNTY, TEXAS

COUNTY JUDGE KENDALL COUNTY, TEXAS