

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 23rd 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 Nancy Davis Stein.

2. The following Service Awards were presented: Becky Meier, 911 Coordinator/Mapping, 15-year-award; James Justice, Road & Bridge, 10-year-award; and Sanford Jennings, Development Management, 10-year-award.

3. THE STATE OF TEXAS

COUNTY OF KENDALL **It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the Monthly Reports for March 2007 as submitted by the Auditor's Office (on file).**

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 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.

5. 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 as submitted by the Auditor's Office (on file).**

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

6. The County Treasurer deferred presenting the Financial Investment Reports until the next Court meeting.

7. THE STATE OF TEXAS

COUNTY OF KENDALL **It is ordered by the Commissioners' Court of Kendall County, Texas, to accept the annual audit for fiscal year 2006 as presented by Keith Neffendorf of Neffendorf, Knopp, Horry & Doss, P.C.**

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

8. PUBLIC COMMENTS:

Fran Craig, Kendall County Crime Victim Services Coordinator, announced that the County Attorney's office is sponsoring the Sleep Safe Project benefiting the Kendall County Women's Shelter. Donations of new sleepwear for women and children who arrive at the shelter in emergency situations can be made through the Crime Victim Services office.

Commissioner Rusch read a letter from Frank Wetzel commenting on agenda item #7.

9. **THE STATE OF TEXAS**
COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to appoint the Presiding and Alternate Presiding Election Judges for the May 12, 2007 Special Constitutional Amendment Election as on the attached list.
Motion was made by Commissioner Lux, seconded by Commissioner Miertschin, and carried by a vote of 5-0.
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10. No action was taken on reinstating the burn ban.
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11. **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 a Memorandum of Agreement, for mutual aid when EMS is in a pending or actual disaster, between the Department of State Health Services (DSHS) and a DSHS-licensed EMS provider (attached).
Motion was made by Commissioner Lux, seconded by Commissioner Rusch, and carried by a vote of 5-0.
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12. **THE STATE OF TEXAS**
COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to adopt the Resolution proclaiming the week of May 20-26, 2007 as EMS Week and authorize the County Judge to sign (attached).
Motion was made by Judge Schroeder, seconded by Commissioner Lux, and carried by a vote of 5-0.
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13. **THE STATE OF TEXAS**
COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to adopt the Resolution Regarding the Mental Health Crisis in Texas and Its Impact on Texas Jails and Communities (attached).
Motion was made by Commissioner Lux, seconded by Commissioner Miertschin, and carried by a vote of 5-0.
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14. **THE STATE OF TEXAS**
COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to authorize Zoeller Water Well Drilling and Service to construct the well for the Road & Bridge Public Water Well System.
Motion was made by Commissioner Lux, seconded by Commissioner Rusch, 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 for emergency response on April 14, 2007 to repair a downed stop sign.
Motion was made by Commissioner Lux, seconded by Commissioner Rusch, and carried by a vote of 5-0.
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16. The County Engineer presented the summary of activities for Road & Bridge during March 2007.
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17. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to send a letter to the Texas Department of Transportation to request a waiver for the local match participation for the Marquardt Road bridge over Violet Creek in favor of equivalent match projects and approve the Resolution adopting the waiver request (attached).

Motion was made by Commissioner Lux, seconded by Commissioner Reissig, 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 send a letter to the Texas Department of Transportation to request a waiver for the local match participation for the Zoeller Lane bridge over the Guadalupe River in favor of equivalent match projects and approve the Resolution adopting the waiver request (attached).

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

19. 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 for a Public Hearing on May 14, 2007 at 9:30 a.m. regarding the replacement of the Yield sign with a Stop sign at the intersection of Faltin Street and Fifth Street in Comfort.

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

20. The County Development Manager presented a summary of activities during March 2007.

21. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to accept the renewal Letter of Credit in the amount of \$600,000.00 for a period of six months for subdivision improvements for Estancia at Thunder Valley Subdivision effective April 11, 2007 in accordance with Section 204 of the Development Rules and Regulations dated August 29, 2005 (amended September 2006).

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

22. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the Amending Plat for The Crossing Subdivision, River Forest Section, Lots 279 and 280 into Lots 279A and 280A (Drake and Karen McLean) in accordance with paragraph 208.1000.4 of the Development Rules and Regulations dated August 29, 2005 (amended September 2006) for the purpose of adding sanitary control easements around the water wells.

Motion was made by Commissioner Lux, seconded by Commissioner Rusch, 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 grant relief to minimum road frontage and platting requirements on State Highway 46 East in accordance with paragraphs 102.1000.2 and 301.1000 of the Development Rules and Regulations dated August 29, 2005 (amended September 2006) for the two proposed 10-acre tracts that are being divided out of a 370.9-acre tract with access through a 60-foot easement and an existing 30-foot easement to State Highway 46 (Larry Schmidt). For this family property division the deed and the affidavit of land location must be noted as follows: "Property cannot be sold to persons not related to Grantor within the third degree by consanguinity or affinity without complying with Kendall County platting requirements in effect at such time."

Motion was made by Commissioner Miertschin, seconded by Commissioner Lux, 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 grant relief to minimum road frontage and platting requirements on Flat Rock Creek Road in accordance with paragraphs 102.1000.2 and 301.1000 of the Development Rules and Regulations dated August 29, 2005 (amended September 2006) for six tracts varying from 232 to 277 acres each being divided out of a 1,546-acre tract with access through a 60-foot easement and an undefined easement to Flat Rock Creek Road (Ronald Morgan). For this family property division the deed and the affidavit of land location must be noted as follows: "Property cannot be sold to persons not related to Grantor within the third degree by consanguinity or affinity without complying with Kendall County platting requirements in effect at such time."

Motion was made by Commissioner Rusch, 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 grant relief to minimum road frontage, maximum density, water availability study, \$3,000 platting fee, and submittal of a Preliminary Plat on River Oaks Road (Hannah Feller) in accordance with sections of 202, 203, and 301 of the Development Rules and Regulations dated August 29, 2005 (amended September 2006) for the proposed subdivision of 9.98 acres into Lot 1 (3.97 acres with 294 feet of frontage with an existing well and septic system) and Lot 2 (6.01 acres with 60 feet of frontage).

Motion was made by Commissioner Rusch, seconded by Commissioner Lux, 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 authorize the County Attorney and the Facilities Manager to get bids from roofers to fix a leak in the Courthouse roof and to repair the roof of the main house on the newly purchased park property.

Motion was made by Commissioner Lux, seconded by Commissioner Rusch, 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 interlocal agreement with the Kendall Appraisal District for storage of files at 114 Rosewood and authorize the County Judge to sign.

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

28. Brian Bond with Bond Computers presented a proposal for the redesign and maintenance of the County website.

Court recessed Open Session, called a Break, and then went into Executive Session.

Court reconvened Open Session where the following motion was made:

III. 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 for a Public Hearing to address a grant requisition from GrantWorks.

Motion was made by Commissioner Reissig, seconded by Commissioner Miertschin, 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