

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 14th day of May, 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 congratulated Angela Fiedler, County Extension Agent, and her husband on the birth of their child.

The Court congratulated Keely Gray, Assistant to the County Treasurer, who graduated summa cum laude from UTSA with a Bachelor of Arts degree.

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 April 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 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 as presented 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.

5. 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 quarter ending March 31, 2007 (attached).

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

6. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve a 36-month lease of a new Pitney Bowes postage machine Model M06C for \$356.00 per month with the funds to be taken from the Commissioners' Contingency Fund and authorize the County Judge to sign the lease (attached).

Motion was made by Commissioner Lux, seconded by Commissioner Miertschin, 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 approve the agreement with the Texas Department of Transportation for the design and construction of a new bridge over Violet Creek to replace the existing bridge on Marquardt Road and authorize the County Judge to sign the agreement.

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 approve the agreement with the Texas Department of Transportation for the design and construction of a new bridge over the Guadalupe River to replace the existing bridge on Zoeller Lane and authorize the County Judge to sign the agreement.

Motion was made by Commissioner Rusch, 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 the County Engineer, with the agreement of the Commissioner for the Precinct concerned, to approve construction specifications for roads, streets, drainage, culverts, bridges, and structures that exceed minimum County specifications in lieu of bringing the variance request to Commissioners' Court for approval (attached).

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

7. PUBLIC COMMENTS:

- John LaRoche asked the Court to use the plat and variance request process to try to prevent owners from clear-cutting their property.
- Jeff Fincke gave a report on EMS activities.

Regarding Agenda Item #27:

- Larry Schwope with the Kendall County Junior Livestock Association spoke in favor of the equestrian center.
 - Scott Bradley said a stock show cannot be run in a horse show arena and the Court should investigate the multifunctional facility in Gonzales County.
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8. No action was taken on reinstating the burn ban.

12. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve taking the George Foreman grill from the stored gifts of Kendall County as a gift to the South Texas Judges and Commissioners Conference in June 2007.

Motion was made by Commissioner Miertschin, seconded by Commissioner Lux, 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 reconfirm the Commissioners' Court commitment to provide land for the Kendall County Women's Center.

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

14. A Public Hearing was held for the application filed by Billy and Alta Drawe and Jack and Judith Rackley for the proposed plat revision for Wasp Creek Acres Subdivision, part of Lot 24A and Lot 25A and an unplatted 1.388-acre tract. No one spoke.

15. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the plat revision for Wasp Creek Acres Subdivision, part of Lot 24A and Lot 25A (Billy and Alta Drawe) and an unplatted 1.388-acre tract (Jack and Judith Rackley) into Lots 24A-1 and 24A-2 and grant the request for relief to minimum road frontage in accordance with paragraphs 208.1200.3 and 301.1000 of the Development Rules and Regulations dated August 29, 2005 (amended September 2006).

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

16. A Public Hearing was held for the replacement of the Yield sign with a Stop sign on Faltin Street at its intersection with 5th Street in Comfort. No one spoke.

17. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve replacing the Yield sign with a Stop sign on Faltin Street at its intersection with 5th Street in Comfort.

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

18.-1. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the contracts for library services with the Kendalia and Comfort Public Libraries and authorize the County Judge to sign the contracts (attached).

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

18.-2. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to table action on the City-County Interlocal Agreement for library services.

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

18.-3. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the Security System Agreement with Chubb Security System for Road & Bridge (attached).

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

18.-4. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to allow Boerne Market Days the use of the Courthouse grounds June 8-10, 2007 and October 12-14, 2007. Each event will be charged a \$500.00 fee (attached).

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

18.-5. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the Interlocal Participation Agreement with The Local Government Purchasing Cooperative for \$150.00.

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

18.-5. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the Interlocal Participation Agreement with The Local Government Purchasing Cooperative if the fee is \$200.00 or less per year.

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

18.-6. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the High Speed Broadband Internet Agreement with Guadalupe Valley Telephone Cooperative for Justice of the Peace, Precinct 3, and authorize the County Judge to sign the agreement.

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

18.-7. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to table action on the contract with the Alamo Area Council of Governments (AACOG) concerning the 911 system.

Motion was made by Commissioner Lux, seconded by Commissioner Reissig, 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 approve overtime pay to Road & Bridge employees for emergency response to flooding and downed trees during the first week of May (attached).

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

20. After 10:00 a.m. the County Treasurer opened the applications for the financial institutions that submitted bank depository proposals for Kendall County. It was verified that each proposal included an \$82,488.00 good-faith agreement check. Wells Fargo Bank, Security State Bank, and Frost Bank submitted proposals.

21. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to authorize the trade-in of 44 inventoried Sig-Sauer .45 caliber duty weapons for the Sig-Sauer .357 SIG caliber semi-automatic weapons for certified law enforcement personnel. The \$8,684.00 cost will be paid out of the Asset Forfeiture Fund. It was noted that the cost will not come from the taxpayers or the General Fund.

Motion was made by Commissioner Lux, seconded by Commissioner Rusch, 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 authorize publishing a Public Notice to advertise the sale of surplus, salvage and worthless property and to authorize the sale or disposition of such property.
Motion was made by Commissioner Lux, seconded by Commissioner Reissig, and carried by a vote of 5-0.
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23. **THE STATE OF TEXAS**
COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to accept the bid of \$427,217.00 from STI General Contractors for completion of the third floor of the Courthouse.
Motion was made by Commissioner Miertschin, seconded by Commissioner Reissig, and carried by a vote of 5-0.
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24. Judge Schroeder appointed Commissioner Rusch to the Cow Creek Groundwater Conservation District Committee.
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25. **THE STATE OF TEXAS**
COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to grant relief to the 50-foot minimum building setback on a 0.594-acre tract on U.S. Highway 87 and South Street in Comfort in accordance with paragraph 305.1100 of the Development Rules and Regulations dated August 29, 2005 (amended September 2006) to allow 10-foot setbacks on two sides and a 20-foot setback on one side. The proposed development is for commercial use (Ron Morgan).
Motion was made by Commissioner Rusch, seconded by Commissioner Lux, and carried by a vote of 5-0.
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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 Fox Chase Farms Subdivision, Lots 48 and 49 into Lots 48A (John and Dawn Bernhard) and 49A (John and Eleanor Williams) in accordance with paragraph 208.1200.4 of the Development Rules and Regulations dated August 29, 2005 (amended September 2006). The purpose of the amending plat is to adjust the property line between the two existing lots.
Motion was made by Commissioner Reissig, seconded by Commissioner Miertschin, and carried by a vote of 5-0.
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- 18.-5. **THE STATE OF TEXAS**
COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to rescind the two previous motions regarding the Interlocal Participation Agreement with The Local Government Purchasing Cooperative.
Motion was made by Commissioner Lux, seconded by Commissioner Miertschin, and carried by a vote of 5-0.
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- 18.-5. **THE STATE OF TEXAS**
COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the Interlocal Participation Agreement with The Local Government Purchasing Cooperative (attached).
Motion was made by Commissioner Lux, seconded by Commissioner Rusch, and carried by a vote of 5-0.
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27. Andra Wisian gave a presentation on the Agricultural Outdoor Learning & Equestrian Center, a 4-H Horse Club project.

20. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to table the selection of the bank depository for Kendall County.

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

Court recessed Open Session and went into Executive Session.

Court reconvened Open Session where the following motion was made:

II-2. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to authorize the District Clerk to hire a part-time, 30 hour or less per week employee until the end of the fiscal year.

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

Being no further business, the meeting was adjourned.

EXAMINED AND APPROVED THIS 25th DAY OF JUNE A.D., 2007.

ATTESTED: _____
COUNTY CLERK
KENDALL COUNTY, TEXAS

COUNTY JUDGE
KENDALL COUNTY, TEXAS