

**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 25<sup>th</sup> day of June, 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**

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

**Milburn Dearing, Constable Precinct 1, was presented with a Service Award for 5 years of service and Don White, Dana Baethge, and Darrel Lux were presented with Service Awards for 10 years of service.**

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**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 May 2007.**

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

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**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 May 2007 as submitted 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.**

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**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.**

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**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 Reissig, seconded by Commissioner Miertschin, and carried by a vote of 5-0.**

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**6.      PUBLIC COMMENTS: No one spoke.**

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**7.      No action was taken on reinstating the burn ban.**

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8. **Jonathan Cluck, President of the Kendall County Bar Association, presented a framed copy of the United States Bill of Rights to be hung in the Courthouse as a gift to the citizens of Kendall County on behalf of the Kendall County Bar Association.**

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9. **THE STATE OF TEXAS**

**COUNTY OF KENDALL** It is ordered by the Commissioners' Court of Kendall County, Texas, to adopt the Resolution of Support declaring June 2007 Traffic Safety Awareness Month in Kendall County (attached).  
Motion was made by Judge Schroeder, seconded by Commissioner Miertschin, and carried by a vote of 5-0.

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10. **THE STATE OF TEXAS**

**COUNTY OF KENDALL** It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the interlocal agreement between Kendall County, the City of Boerne, and the City of Fair Oaks Ranch for Public Safety and Utility Communication Services.

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

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10. **No action was taken regarding the interlocal agreement for Animal Control.**

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10. **THE STATE OF TEXAS**

**COUNTY OF KENDALL** It is ordered by the Commissioners' Court of Kendall County, Texas, to approve extending the current interlocal agreement between Kendall County and the City of Boerne for subdivision platting in the extraterritorial jurisdiction until July 31, 2007.

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

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10. **THE STATE OF TEXAS**

**COUNTY OF KENDALL** It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the independent contractor agreement for a County Traffic Counter.

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

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11. **THE STATE OF TEXAS**

**COUNTY OF KENDALL** It is ordered by the Commissioners' Court of Kendall County, Texas, to approve participating in the South Texas Regional Advisory Council (STRAC) program.

Motion was made by Judge Schroeder, seconded by Commissioner Lux, 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 approve overtime pay to Road & Bridge employees for emergency response during the time period of May 16-May 17, 2007.

Motion was made by Commissioner Lux, seconded by Commissioner Miertschin, 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 authorize the presiding officer of Commissioners' Court to hold in contempt of Court any person who violates the Rules of Procedure, Conduct, and Decorum at Meetings of the Kendall County Commissioners' Court.

Motion was made by Judge Schroeder, seconded by Commissioner Reissig, and carried by a vote of 4-0 with Commissioner Miertschin abstaining.

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14. The County Engineer presented the summary of activities for Road & Bridge during May 2007.

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15. The County Engineer presented the current situation and needs of the County Brush Site located on State Highway 46. He recommended moving the brush site and the Court agreed. Before taking any action, however, it was decided to discuss the situation with the City of Boerne since they are the site's biggest customer.

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16. The County Development Manager presented the summary of activities during May 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 approve the amending plat for The Crossing Subdivision, Hidden Lakes Section, Lots 521 and 522 into Lot 521A (David and Eugenia Bassi) 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 Rusch, 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 relief to minimum road frontage on Spencer Road in accordance with paragraph 301.1000 of the Development Rules and Regulations dated August 29, 2005 (amended September 2006) for a six-acre tract that is being divided out of a 133-acre tract with access through a proposed 60-foot easement to the location where Spencer Road dead ends into the 133-acre tract. The right-of-way of Spencer Road at that location is approximately 48-50 feet. This is a family division of property.

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 grant relief to minimum lot size and platting requirements on Giles Ranch Road in accordance with paragraph 301.1000 of the Development Rules and Regulations dated August 29, 2005 (amended September 2006) for a 2.6-acre tract that is being divided out of a 32.26-acre tract (Larry Jay) to be combined with the adjoining 470.96-acre tract (Mary Moore). The division will provide road frontage for the 470.96-acre tract. The deed is to have the following statement: "This tract of land cannot be conveyed separately from the adjoining and commonly owned tract without approval by the Commissioners' Court, Kendall County, Texas."

Motion was made by Commissioner Rusch, seconded by Commissioner Lux, 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 Cibolo Oaks Landing Subdivision, Lots 27, 28, and 29 into Lot 27A (Donald White) and Lot 29A (Adrian White) and grant relief to minimum road frontage and minimum lot size in accordance with paragraphs 208.1200.4 and 301.1000 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.

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21. 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 on FM 473 in accordance with paragraph 301.1000 of the Development Rules and Regulations dated August 29, 2005 (amended September 2006) for a 19.8-acre tract that is being divided out of a 178.4-acre tract with access through a 60-foot easement to FM 473. The division is for mortgage purposes (Ronald Wagner).

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

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22. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to grant relief to density, minimum lot size, preparation of a water availability study, \$3,000.00 portion of the platting fee, and submittal of a preliminary plat on the IH 10 frontage road in accordance with paragraphs 202, 203, 301 and 303 of the Development Rules and Regulations dated August 29, 2005 (amended September 2006).

Motion was made by Commissioner Reissig, seconded by Judge Schroeder, and carried by a vote of 4-1 with Commissioner Miertschin against.

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23. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the corrections in the wording on a previous agenda item on May 29, 2007 which requested relief to minimum road frontage on FM 3351 and referred to Gourley and Thomas Roads as privately maintained public roads. The correction is that each of the roads is a "private road."

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

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Court recessed Open Session at 10:30 a.m. and upon return went into Executive Session.

Court reconvened Open Session at 3:15 p.m. where the following motions were made:

24. No action was taken regarding the County Treasurer's request to review time sheets when signing paychecks.

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**I-4. THE STATE OF TEXAS**

**COUNTY OF KENDALL** It is ordered by the Commissioners' Court of Kendall County, Texas, to authorize the County Attorney, the County Development Manager, and the County Auditor to proceed with the purchase of real property as discussed during Executive Session.

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

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**II-1. THE STATE OF TEXAS**

**COUNTY OF KENDALL** It is ordered by the Commissioners' Court of Kendall County, Texas, to authorize the County Attorney to proceed as discussed during Executive Session.

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

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Court recessed Open Session.

A Budget Workshop followed.

Court reconvened Open Session on June 26, 2007 where the following motion was made:

**5. THE STATE OF TEXAS**

**COUNTY OF KENDALL** It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the payment of two invoices dated June 20, 2007, one submitted by STI and one submitted by Norad, subject to the approval of Terry Anderson, County Engineer.

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

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Being no further business, the meeting was adjourned.

The Budget Workshop continued through June 27, 2007.

EXAMINED AND APPROVED THIS 9<sup>th</sup> DAY OF JULY A.D., 2007.

ATTESTED: \_\_\_\_\_  
COUNTY CLERK  
KENDALL COUNTY, TEXAS

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COUNTY JUDGE  
KENDALL COUNTY, TEXAS