

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 July 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 County Judge spoke about the dedicated service that EMS provides to Kendall County, and he recognized Elizabeth Ferry, Phillip Nuncio, Kevin Felty, Gerald Neill, Jason Hildebrand, and David Harmon for successful cardiac resuscitation in two separate incidents.

2. **THE STATE OF TEXAS**

COUNTY OF KENDALL **It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the Monthly Reports for June 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.

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 all of the 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.

5. **The Human Resources Director gave a report for the 2nd quarter on employee status and job openings.**

6. **PUBLIC COMMENTS:**

- **Ed Clouse presented a petition requesting the county remove the gateposts, determine and record the true road width, and perform repairs to post and/or posthole damage on Upper Cibolo Creek Road.**
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7. No action was taken on reinstating the burn ban.

8. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to allow commercial pickup of mulch at the County Brush Site in order to help relieve the abundance of brush and mulch that is accumulating. The cost for pickup will remain the same. This temporary situation will be revisited at successive Court meetings.

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

9. No action was taken regarding the pavilion at Joshua Springs Park & Preserve.

The following people spoke regarding the park:

- John Benedict, President, Kendall County Partnership for Parks, asked the Court to consider the placement and timing of the pavilion construction as part of an overall Master Plan; he submitted a Master Plan that he said might help the Court and park managers in the development of the park; and he suggested a limited park opening for the public to view and use the property.
 - Brent Evans and Charles Wetherbee thanked the Court for the good job they have done so far.
 - Tommie Rhoad expressed support for having a Master Plan, getting public input, and finding funding resources prior to beginning development of the park.
 - Don Allee, County Attorney, said that the Texas Historical Commission might require an archeological survey prior to construction of the park in order to get state and federal funding.
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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 City of Boerne's nomination of J.E. "Pete" Peters as the replacement to fill the remaining term of the position vacated by Dan Heckler on the Kendall Appraisal District's Board of Directors.

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

11. The County Engineer presented the summary of activities for Road & Bridge during June 2007.

12. The County Development Manager presented the summary of activities during June 2007.

13. 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 FM 473 in accordance with paragraphs 101.1000 and 301.1000 of the Development Rules and Regulations dated August 29, 2005 (amended September 2006) for a 3.0-acre tract that is being divided out of a 135.1-acre tract with access through a 60-foot easement to FM 473. This is for mortgage purposes (T.J. and Margaret Thompson).

Motion was made by Commissioner Lux, seconded by Commissioner Miertschin, 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 grant relief to minimum lot size, minimum road frontage, and platting requirements on Ranger Creek Road in accordance with paragraphs 101.1000 and 301.1000 of the Development Rules and Regulations dated August 29, 2005 (amended September 2006) for a 1.84-acre tract that is being divided out of a 160.65-acre tract and that is to be combined with the adjoining 47.66-acre tract (Joseph Bergmann). The affidavit of land location and the deed are to carry the following note: This tract of land cannot be conveyed separately from the adjoining and commonly owned tract without approval by Commissioners Court of Kendall County, Texas.

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

15. 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, minimum road frontage, and platting requirements on Lost Valley Road in accordance with paragraphs 101.1000 and 301.1000 of the Development Rules and Regulations dated August 29, 2005 (amended September 2006) for a 0.433-acre tract that is being divided out of a 52.929-acre tract and that is to be combined with the adjoining 50.036-acre tract (Joseph and Karen Sarli) and for a 0.527-acre tract that is being divided out of the 50.036-acre tract and that is to be combined with the 52.929-acre tract (Dathan and Mary Faulkner). The purpose of this property exchange is to correct existing encroachments.

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

16. 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, preparation of a water availability study, the \$3,000.00 portion of the platting fee, and submittal of a preliminary plat on Johns Road in accordance with paragraphs 202, 203, and 301 of the Development Rules and Regulations dated August 29, 2005 (amended September 2006). This is to divide 15.89 acres into two lots. Lot 1 being 5.925 acres with 320 feet of road frontage (Shawn Sahn) and Lot 2 being 9.962 acres with 60 feet of road frontage (Kenneth Toepperwein).

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

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

Court recessed Executive Session at 1:30 p.m. and reconvened Open Session. The meeting was called to order for the Budget Hearing.

Court recessed the Open Session and Budget Hearing at 1:35 p.m. and went back into Executive Session.

Court recessed Executive Session at 4:10 p.m. and went into Open Session where the following motions were made:

I-4. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to proceed as discussed in Executive Session concerning the purchase of real property.

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

I-1. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to authorize Kendall County Partnership for Parks (KCPP) to proceed with the archeological survey for Joshua Springs Park & Preserve. The survey will be funded by KCPP.

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

Being no further business, the meeting was adjourned.

EXAMINED AND APPROVED THIS 13th DAY OF AUGUST A.D., 2007.

ATTESTED: _____
COUNTY CLERK
KENDALL COUNTY, TEXAS

COUNTY JUDGE
KENDALL COUNTY, TEXAS