

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 10th day of September 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.**

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 August 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 Rusch, 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 with the exception of removing Career Tracks, Inc. on page 4 and AT&T Mobility on page 2 of the supplement (on file).**

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 following consolidations of Voting Precincts for the November 6, 2007 Constitutional Amendment Election: Precincts 1-1, 9-1, and 11-1 at the Kendall County Courthouse; Precincts 2-2 and 8-2 at the Kendall County Fairgrounds; Precincts 5-4 and 7-4 at the Comfort Volunteer Fire Department; with no consolidation for Precincts 3-3, 4-3, and 6-3.**

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

6-1. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to rescind the second No. 5 Order on Page 2 of the August 30, 2007 Commissioners' Court Minutes.

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

6-2. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to accept the life insurance renewal with United Healthcare for fiscal year 2008 with Alamo Insurance Group as the agent of record.

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

7. PUBLIC COMMENTS: Jeff Fincke said FEMA had completed assessments of flood damage.

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 table adopting the Sheriff's and Constables' fees for 2008 until further study can be done.

Motion was made by Commissioner Lux, seconded by Commissioner Rusch, 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, that property taxes be increased by the adoption of a tax rate of \$.37 per \$100.00 of taxable value. The Debt Service Rate is \$.030682 and the Maintenance and Operations Rate is \$.339318, both rates are per \$100.00 of taxable value.

THIS TAX RATE WILL RAISE MORE TAXES FOR MAINTENANCE AND OPERATIONS THAN LAST YEAR'S TAX RATE. THE TAX RATE WILL RAISE TAXES FOR MAINTENANCE AND OPERATIONS ON A \$100,000 HOME BY APPROXIMATELY -\$5.11.

Motion was made by Commissioner Lux, seconded by Commissioner Reissig, and carried by a vote of 5-0 with Judge Schroeder, Commissioner Reissig, Commissioner Miertschin, Commissioner Lux, and Commissioner Rusch, all voting in favor.

11. **THE STATE OF TEXAS**
COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve taxpayer discounts for early payment of property taxes as follows: 3% if paid in October, 2% if paid in November, and 1% if paid in December.
Motion was made by Commissioner Lux, seconded by Commissioner Miertschin, 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 renew the contract with the Kendall Appraisal District for assessment and collection services with the exception of the paragraph on page 3 entitled "Delinquent Tax Attorney," replacing that paragraph with the statement "Kendall County retains the right to contract with the delinquent tax attorney of its choice."
Motion was made by Commissioner Miertschin, seconded by Commissioner Reissig, and carried by a vote of 5-0.
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13. No action was taken to amend the 2007 Commissioners' Court calendar for the month of December.
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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 the Holiday Schedule for 2008 as submitted but with the following changes: replace Martin Luther King Day, January 21, 2008, with a flexible holiday to be taken by each employee with the approval of the department head and add December 24 and 26, 2008.
Motion was made by Commissioner Miertschin, seconded by Commissioner Lux, 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 approve the Commissioners' Court calendar for 2008.
Motion was made by Commissioner Lux, seconded by Commissioner Rusch, and carried by a vote of 5-0.
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- 16-1. **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 and the City of Boerne for sanitation services.
Motion was made by Commissioner Lux, seconded by Commissioner Miertschin, and carried by a vote of 5-0.
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- 16-2. **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 and the City of Boerne for fire protection services.
Motion was made by Commissioner Lux, seconded by Commissioner Rusch, and carried by a vote of 5-0.
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16-3. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the contract between Kendall County and the Hill Country Alternative Dispute Resolution Center. Motion was made by Commissioner Lux, seconded by Commissioner Reissig, and carried by a vote of 5-0.

17. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to authorize the use of the Historic Courtroom for community programs. 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 modify the existing interlocal agreement between Kendall County and the City of Boerne for regulation of subdivision plats in the extraterritorial jurisdiction (ETJ) as follows: Article 3 be amended as to the dates being effective October 1, 2007, and adding Article 4, paragraph 4.04 which allows the county to control the adoption and enforcement of orders, rules, and regulations of fees pertaining to plat revisions and plat amendments in the existing platted subdivisions and modifying paragraph 2.02 by striking the words "and on both sides of" so that the requirement of paragraph 2.02 will read, "CITY further agrees that, when real property adjacent to a County road is annexed into the City, the roadway will also be annexed into the City and become a City street." Motion was made by Commissioner Miertschin, seconded by Commissioner Lux, 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 Grantworks to administer the grant with Water Control and Improvement District (WCID) #1 to negotiate a contract with first choice, Vordenbaum Engineering; and if unable then second, River City Engineering; and if unable then third, Klein Engineering to provide engineering and administrative services for the 2007-2008 Texas Community Development Block Grant Community Development /CDS Fund award. Motion was made by Commissioner Rusch, seconded by Commissioner Lux, and carried by a vote of 5-0.

20. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to adopt the Resolution designating the authorized signers for the 2007-2008 Texas Community Development Block Grant program through Grantworks to be the County Judge, County Treasurer, or the County Auditor. Motion was made by Commissioner Rusch, seconded by Commissioner Lux, and carried by a vote of 5-0.

21. THE STATE OF TEXAS
COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the request by the Road & Bridge department for compensation for emergency response time on September 7, 2007 due to inclement weather.

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 release the Letter of Credit for Cordillera Ranch Subdivision, Unit 106B in the amount of \$159,471.00 and Unit 205 in the amount of \$288,460.00.

Motion was made by Commissioner Miertschin, seconded by Commissioner Lux, 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 approve the Final Plat for Double Acorn Subdivision in accordance with paragraphs 200, 203, and 301 of the Development Rules and Regulations dated August 29, 2005 (amended September 2006) with the added plat notation, "no well shall be allowed on Lot 2 unless approved by Cow Creek Groundwater Conservation District."

Motion was made by Commissioner Rusch, 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 approve the request for relief to minimum lot size, minimum road frontage and platting requirements on Johns 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 2.64-acre tract (David Masters) that is to be divided out of a 51.512-acre tract (Ellene Masters). The affidavit of land location is to carry the following statement: "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 Reissig, seconded by Commissioner Miertschin, and carried by a vote of 5-0.

Court went into Executive Session at 11:00 a.m.

Court closed Executive Session and reconvened Open Session at 12:17 p.m. where the following motions were made:

I-1. 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 County Development Manager 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-2. 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 the Warranty Deed pertaining to the conveyance of right-of-way on Ernst Road.

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

I-4. 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 the termination of purchase of real property as discussed in Executive Session.

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

II-1. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to authorize the County Clerk to hire an assistant to the County Clerk for elections effective October 1, 2007.

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 at 12:25 p.m.

EXAMINED AND APPROVED THIS 24th DAY OF SEPTEMBER A.D., 2007.

ATTESTED: _____
COUNTY CLERK
KENDALL COUNTY, TEXAS

COUNTY JUDGE
KENDALL COUNTY, TEXAS