

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 24th 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.**

Sympathy was extended to the families of Fair Oaks Ranch Mayor, E.L. "Boots" Gaubatz, and former Kendall County Judge, Garland Perry.

- 2.** **Tom Pahl, Kendall County Development Manager, was presented with a five-year Service Award.**
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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 Minutes for September 10, 2007.**

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 Monthly Reports for August 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.

- 5-1.** **THE STATE OF TEXAS**

COUNTY OF KENDALL **It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the Budget Adjustments as submitted by the Auditor (attached).**

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

- 5-2.** **THE STATE OF TEXAS**

COUNTY OF KENDALL **It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the Budget Adjustments which require emergency declarations (attached).**

Motion was made by Commissioner Lux, seconded by Commissioner Rusch, 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 all of the Claims 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.
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7. **THE STATE OF TEXAS**
COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve payment of monthly and quarterly recurring bills for fiscal year 2008.
Motion was made by Commissioner Lux, seconded by Commissioner Reissig, and carried by a vote of 5-0.
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8. **PUBLIC COMMENTS: No one spoke.**
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- 9-1. **THE STATE OF TEXAS**
COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to enter into a Bank Depository Agreement with Frost Bank for the Kendall County Community Supervision and Corrections Department 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.
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- 9-2. **THE STATE OF TEXAS**
COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the Security Agreement with Frost Bank for the Kendall County Community Supervision and Corrections Department (Adult Probation) 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.
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- 9-3. **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 Pledge Agreement Form to the Federal Reserve Bank of Boston.
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 maintain the Texas County & District Retirement System (TCDRS) plan provisions for plan year 2008 and authorize the County Judge to sign.
Motion was made by Commissioner Lux, seconded by Commissioner Rusch, and carried by a vote of 5-0.
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11. Judge Schroeder read a letter from Jeff Fincke, Emergency Management Coordinator, giving an update on the Declaration of Disaster for flood relief and reimbursement from FEMA. Judge Schroeder said he has already authorized county equipment to be used to start loading debris. September 29th and October 6th have been designated as cleanup days.
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12. No action was taken on reinstating the burn ban. However, it was noted that grasses are high and beginning to go dormant and dry and so a ban is likely in the near future.
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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 purchase of a Dell Flat Panel Monitor which will require a budget adjustment of \$250.00 from line item 10-475-581 to line item 10-475-574.
Motion was made by Commissioner Lux, seconded by Commissioner Rusch, 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 nominate Don Edmondson to represent the Kendall County Commissioners' Court on the Kendall Appraisal District Board of Directors for 2008-2009.
Motion was made by Commissioner Miertschin, seconded by Commissioner Reissig, 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 add Monday, December 31st as a holiday for the year 2007.
Motion was made by Commissioner Lux, seconded by Commissioner Rusch, and carried by a vote of 5-0.
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16. **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 which is staying with the same format as in the past.
Motion was made by Commissioner Lux, seconded by Commissioner Rusch, and carried by a vote of 4-1 with Commissioner Miertschin voting against.
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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 Sheriff's and Constables' Fees for 2008 as submitted.
Motion was made by Commissioner Lux, seconded by Commissioner Reissig, and carried by a vote of 5-0.
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- 18-1. **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 rental agreement with Heather Allen Thompson to conduct classes in the Historic Courthouse.
Motion was made by Commissioner Lux, seconded by Commissioner Reissig, and carried by a vote of 5-0.
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- 18-2. **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 Fair Oaks Ranch 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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18-3. No action was taken regarding the interlocal agreement between Kendall County and the City of Boerne for regulation of plats in the extraterritorial jurisdiction (ETJ) of the City of Boerne.

18-4. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to authorize Kendall County to enter into an interlocal agreement with the City of San Antonio for regulation of subdivision plats in the extraterritorial jurisdiction (ETJ) of the City of San Antonio and authorize the judge to sign.

Motion was made by Commissioner Lux, seconded by Commissioner Miertschin, 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 the amended County Order 02-27-2006 to create the new County Order 09-24-2007-A which will give the County Engineer approval authority for blanket exemptions.

Motion was made by Commissioner Lux, seconded by Commissioner Rusch, 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 approve Order 09-24-2007-B authorizing the Development Manager and/or the County Engineer to grant relief and approve plats in certain instances.

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

21. The County Engineer presented the summary of activities for Road & Bridge during August 2007.

22. The County Development Manager presented the summary of activities during August 2007.

23. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the renewal Letter of Credit for Unit 106B, Cordillera Ranch Subdivision in the amount of \$652,077.00.

Motion was made by Commissioner Miertschin, seconded by Commissioner Reissig, 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 renewal Letter of Credit for Unit 205, Cordillera Ranch Subdivision in the amount of \$640,000.00.

Motion was made by Commissioner Miertschin, seconded by Commissioner Reissig, 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 approve the amending plat for The Reserve at Falling Water Subdivision, Lots 54 and 56 into Lots 54A (David Parr) and 56A (Rocio Jasso) for the purpose of adding drainage easements.

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 grant relief to minimum lot size, minimum road frontage, and platting requirements on FM 473 for a 1.0-acre tract (Marion Rathburn) that is to be adjoined with a 3.02-acre tract (Hilario Ruiz).

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 grant relief to minimum road frontage and platting requirements on Allen 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 25.22-acre tract that is being divided out of a 389.6-acre tract and is to be combined with the adjoining 89.18-acre tract (Ruben Perez).

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

28. 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 Walnut Grove 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 9.76-acre tract that is being divided out of a 19.76-acre tract with both the 9.76-acre tract and the remaining 10-acre tract having access through a 60-foot strip to Lost Valley Road and through Lost Valley Road to Walnut Grove Road. The division is for mortgage purposes (Bruce Bond).

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

Court recessed at 10:25 a.m. for a break and upon return went into Executive Session.

Court closed Executive Session where no motions were made

Being no further business, the meeting was adjourned.

EXAMINED AND APPROVED THIS 8th DAY OF OCTOBER A.D., 2007.

ATTESTED: _____
COUNTY CLERK
KENDALL COUNTY, TEXAS

COUNTY JUDGE
KENDALL COUNTY, TEXAS