

**NOTICE OF REGULAR MEETING
OF THE KENDALL COUNTY COMMISSIONERS COURT**



NOTICE is hereby given that a regular meeting of the above named Commissioners Court will be held on the 24th day of **March, 2008** at **9:00 a.m.** in the Kendall County Historic Courthouse, 204 E. San Antonio, Boerne, Texas, at which time the following will be discussed and appropriate action taken; pursuant to V.T.C.A. Government Code Chapter 551, Open Meetings Act, including all Subchapters and Sections:

All matters listed on the following Agenda may be discussed in executive session at the option of the Kendall County Commissioners Court and following verbal announcement, if an appropriate exception to the open meeting requirement of the Texas Open Meetings Act is applicable.

**ALL TIMES ARE APPROXIMATE
NO CELL PHONES, AUDIBLE PAGERS, AND/OR BEEPERS WHILE COURT IS IN
SESSION**

Pledge of allegiance to the United States Flag
Pledge of allegiance to the Texas Flag – new pledge
**(Honor the Texas flag, I pledge allegiance to thee, Texas –
one state under God, one and indivisible.)**

1. Call to Order - 9:00 a.m.
Comments from Judge Gaylan L. Schroeder
2. Presentation of Service Awards to employees: Eric Van Slycke, Road & Bridge, (5 years): Gaylan L. Schroeder, County Judge
3. Consideration and action on approval of minutes for March 10, 2008: Sally Peters, Deputy Clerk
4. Consideration and action on approval of Monthly Reports for February, 2008: Dana Baethge, County Auditor
5. Consideration and action on approval of claims for purchases, services, and vendors: Cherry Russell, Assistant Auditor
6. Discuss and take action on the adoption of the Kendall County Investment Policy for 2008: Medana Crow, County Treasurer

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7. **PUBLIC COMMENTS**– opportunity for the general public to address the Court concerning agenda items and correspondence too late to be posted in the correspondence book
8. Consideration and action on the burn ban: Gaylan L. Schroeder, County Judge
9. Consideration and action to declare two ambulances, and the items on the attached lists as salvage and surplus property. Add to next auction: Gaylan L. Schroeder, County Judge
10. Discussion and action authorizing Jeffrey Fincke to sign updated First Responder Agreement with all County Fire Departments, including Bergheim and add Leon Springs: Jeffrey Fincke, County Fire Marshall
11. Discussion and action on authorizing Jeffrey Fincke to update and sign existing Mutual Aide Agreements and new ones as necessary.

Existing: Bandera Ct. EMS Fredericksburg EMS Spring Branch-Bulverde EMS	New: Blanco Ct. EMS AMR & Southern Cross Kerrville EMS
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Jeffrey Fincke, EMS Administrator
12. Acknowledge the Texas Department of Agriculture's (TDA) Family Land Heritage 2007 recipients from Kendall County: Gaylan L. Schroeder, County Judge
13. Consideration and action to allow 911 address signs to be sold in volume (100 or more) to the public at a reduced cost: Gaylan L. Schroeder, County Judge
14. Consideration and action to declare the week of April 13 to 19, 2008 as Crime Victims' Rights Week: Don Allee, County Attorney / Fran Craig and Carol Robinson , Victims Services
15. Consideration and action concerning the following lease agreement:
 1. Boy Scouts of America
Don Allee, County Attorney / Kenneth Rusch, Commissioner Precinct 4
16. Discussion and action on Road & Bridge needs for data manipulation regarding asset management software and future data acquisition: Gene Sparks, Road & Bridge

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17. Present summary of activities by Road and Bridge during February, 2008 to Commissioners Court: Terry Anderson, County Engineer
18. Consideration and action on the approval of construction of the extension of Southfield and its drainage system in Cordillera Ranch Subdivision Unit 105B and release the Letter of Credit in the amount of \$57,878.00. Maintenance of the road and drainage system will be by an entity other than the County: Terry Anderson, County Engineer / Gene Miertschin, Commissioner Precinct 2
19. Present summary of activities by the Development Management Department during February, 2008: Tom Pahl, Development Manager
20. Discuss and take appropriate action on the Amending Plat for Champee Springs Ranches Subdivision, Tract 4A (Michael and Celeste Wall) and 4G (River Rock Road Ltd – Michael Wall, President) into tracts 4A-1 and 4G-1 in accordance with paragraph 208.1200.4 of the Kendall County Development Rules and Regulations adopted August 29, 2005, amended on September 25, 2006. The purpose of this amending plat is to relocate the common property line between the two lots: Ann Reissig, Commissioner Precinct 1
21. Discuss and take appropriate action on the Amending Plat for the Crossing Subdivision, Hidden Lake Section, Lots 478, 479 and 480 into Lot 480A (Ray Robinson) in accordance with paragraph 208.1200.4 of the Kendall County Rules and Regulations adopted August 29, 2005, amended September 25, 2006. The purpose of this amending plat is to combine three lots into one lot: Darrel L. Lux, Commissioner Precinct 3
22. Discuss and take appropriate action on the Amending Plat for the Town of Comfort, Lot 178A (Augustin Avalos) into Lot 178A-1 in accordance with paragraph 208.1200.4 of the Kendall County Development Rules and Regulations adopted August 29, 2005, amended September 25, 2006. The purpose of this amending plat is to add a fifteen (15) foot wide utility easement: Kenneth M. Rusch, Commissioner Precinct 4
23. Discuss and take appropriate action on the Amending Plat for Cordillera Ranch Subdivision, Unit 106A Block B, Lots 13 and 14 into Lot 13A (Samuel Mosely) in accordance with paragraph 208.1200.4 of the Kendall County Development Rules and Regulations adopted August 29, 2005, amended September 25, 2006. The purpose of this amending plat is to combine two lots: Gene Miertschin, Commissioner Precinct 2

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24. Discuss and take appropriate action on a request for relief to minimum road frontage and platting requirements on State Highway 46 East in accordance with paragraphs 101.1 and 301.1 of the Kendall County Development Rules and Regulations adopted August 29, 2005, amended September 25, 2006. A 6 to 10 acre tract is being divided out of a 286 acre tract with access through a sixty (60) foot easement and a fifty (50) foot easement, through an existing fifty (50) foot access lane to State Highway 46 East. This division is a family division of property (Kenneth and Victoria Nickle): Gene Miertschin, Commissioner Precinct 2

25. Discuss and take appropriate action on a request for relief for minimum road frontage, maximum density, preparation of a water availability study, payment of platting fee (\$3,000.00) and submittal of Preliminary Plat on River Oaks Road in accordance with sections 202, 203 and 301 of the Kendall County Rules and Regulations adopted August 29, 2005, amended on September 25, 2006. The proposed subdivision is a division of 8.17 acres into two lots: Lot 1, (4.0 acres with 100 feet of frontage), Lot 2, (4.17 acres with 40 feet of frontage) – (Debra Gifford). The proposed 4.17 acre tract has an existing well and septic system and has an existing driveway with 40 feet of frontage: Kenneth M. Rusch, Commissioner Precinct 4

26. Discuss and take appropriate action on request for relief to minimum road frontage and platting requirements on State Highway 46 West in accordance with paragraphs 101.1 and 301.1 of the Kendall County Development Rules and Regulations adopted August 29, 2005, amended September 25, 2006. A 3 acre tract is being divided out of a 10 acre tract with access through a sixty (60) foot easement through the remaining 7 acres and through the adjoining commonly owned 76.3 acre tract to State Highway 46 West. This division is for mortgage purpose (Steve and Vicki Schmidt): Ann E. Reissig, Commissioner Precinct 1

27. Discuss and take appropriate action on a request for relief for maximum density and the completion of a second Groundwater Availability Report for Phase II of Estancia at Thunder Valley Subdivision. The proposed Phase II of Estancia at Thunder Valley is approximately 150 acres, comprised of Lot 1 (22 acres) and the original Lot 49 Greenbelt (128 acres). Thirty two (32) lots are proposed for an overall density of 4.7 acres/lot. The original plat of Estancia at Thunder Valley contained 894 acres with 45 residential lots for an overall density of 19.9 acres/lot. The overall average density of the entire subdivision would change to 11.8 acres / lot (894 acres with 76 lots) with the development of Phase II. The Groundwater Availability Report completed for Estancia at Thunder Valley in 2005 included the acreage that is being developed in Phase II. (Tom Cusick, Jr.): Ann E. Reissig, Commissioner Precinct 1

BREAK

EXECUTIVE SESSION (Closed to public)

Pursuant to Chapter 551 of the Texas Government Code

- I. The Court will meet in Executive Session pursuant to Section 551.072 to deliberate the purchase, exchange or value of real property:**
 - 1. Parks
 - 2. Road and Bridge
 - 3. Capital Improvements
 - 4. Real Estate

- II. Commissioners Court will meet in Executive Session pursuant to Section 551.071 Government Code, V.T.C.S. to seek the advice of the County Attorney and or attorney(s) representing the County, concerning the pending and/or threatened litigation and/or matters in which the duties of the attorney(s) under the Texas Rules of Professional Conduct of the State Bar of Texas require confidential communications. Specific topics to be discussed are as follows:**
 - 1. County authority concerning subdivisions and county roads and bridges, and economic development
 - 2. Kendall County vs. BTex Ranch, L.P. et al
 - 3. Legal requirements for support of non-profit entities providing services to citizens of Kendall County

- III. The Court will meet in Executive Session pursuant to Section 551.074 to discuss personnel issues:**
 - 1. Duties and responsibilities of Development Management

RESUME OPEN SESSION

Consideration and action on Motions from Executive session

- I. Items**
 - 1. _____
 - 2. _____
 - 3. _____
 - 4. _____

- II. Items**
 - 1. _____
 - 2. _____
 - 3. _____

- III. Item**
 - 1. _____

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28. Consideration and action to allow Kendall County employee, Becky Meier, to travel to the Urban and Regional Information Systems Association (URIS) / National Emergency Number Association (NENA) Conference, April 07-10, 2008: Jeffrey Fincke, Emergency Management Coordinator
29. Consideration and action concerning reimbursable travel expenses – mileage and lodging as specified in the County Policy Manual: Dana Baethge, County Auditor

1:30 - Resume Open Session – 3rd Floor Assembly Hall – New Courthouse

30. Department Heads and/or their designees will meet in the 3rd floor Assembly Hall for a demonstration of the maintenance procedures associated with the new website. Commissioners Court ordered this to be a mandatory meeting: Gene Miertschin, Commissioner Precinct 3

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Dated this the 20th day of March, 2008

Gaylan L. Schroeder
Kendall County Judge

I, the undersigned County Clerk, do hereby certify NOTICE of Regular meeting of the above named Commissioners Court is a true and correct copy of said Notice and that I have caused said Notice to be posted on the door at the Courthouse of Kendall County, Texas located at 201 E. San Antonio Street, and on the bulletin board of the Historic Courthouse, located at 204 E. San Antonio Street on the 20th day of March, 2008.

Darlene Herrin
County Clerk

Posted at 11:00 A.M. on the 20th day of March, 2008 – ceb

NOTE: The Kendall County Commissioners Court complies with A.D.A. requirements. If you have an impairment and wish to appear at a meeting, please call (830)249-9343, 48 hours in advance to make arrangements.

KENDALL COUNTY COMMISSIONERS COURT

