

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 14th day of April 2008.

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. Maxine Mitchell, Chief Deputy Tax Assessor/Collector, was wished well on her retirement and was presented with a Service Award for 19 years of service.

3. THE STATE OF TEXAS
COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the Minutes for March 24, 2008.
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 Budget Adjustments as submitted by the Auditor's Office (attached).
Motion was made by Commissioner Lux, seconded by Commissioner Rusch, 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 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.

6. THE STATE OF TEXAS
COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the Order creating the position of Elections Administrator for Kendall County effective June 1, 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.

7. **PUBLIC COMMENTS:**
- Jeff Fincke gave an update on tracking devices installed in the county's ambulances.
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8. Action on the burn ban was tabled until after Executive Session.
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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 declaring April 19, 2008, as Shriners Hospitals for Children Day in Kendall County, Texas (attached).
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 adopt the Proclamation declaring May 3, 2008, Hill Country Mission for Health "Boot Kickin' for Health Walk" Day and April 27-May 3, 2008, National "Cover the Uninsured" Week and authorize the County Judge to sign (attached).
Motion was made by Commissioner Lux, seconded by Commissioner Reissig, and carried by a vote of 5-0.
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11. A Public Hearing was held regarding the proposed revision of Champee Springs Subdivision, Tract 3A-1 and Tract 2C. No one spoke
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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 the Plat Revision for Champee Springs Subdivision, Tract 3A-1 and Tract 2C (Bridleman Land Company—Dwaine Rivers, Manager) into Tracts 3A-1A, 3A-1B, 3A-1C, 3A-1D, 3A-1E, 3A-1F, 3A-1G, 3A-1H, 2C-1, 2C-2, and 2C-3 in accordance with paragraph 208.1200.3 of the Development Rules and Regulations dated August 29, 2005 (amended September 2006).
Motion was made by Commissioner Reissig, 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 Boerne Star as the newspaper for official notifications for the time period April 1, 2008 through March 31, 2009.
Motion was made by Commissioner Lux, seconded by Commissioner Reissig, 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 authorize the Kendall Appraisal District to contract with one law firm for collection of delinquent taxes contingent on the approval of the Kendall Appraisal District Board of Directors.

Motion was made by Commissioner Lux, seconded by Commissioner Reissig, 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 authorize the request from the Sheriff's Department for the transfer of \$1,200.00 from 10.512.581 to 10.512.574.

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

16. Judge Schroeder pulled the agenda item.

17-1. THE STATE OF TEXAS
COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the Agreement with H.E.B. to provide a discount pharmacy program for Indigent Health participants pending final approval by the County Attorney's office.

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

17-2. 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 Agreement with Qwest Long Distance to be the county's long distance carrier for a period of one year effective as soon as possible.

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

17-3. THE STATE OF TEXAS
COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to authorize Wagner & Klein to proceed with Southwest Texas Environmental Contractors for the removal and disposal of asbestos building materials from the Historic Courthouse for the amount of \$2,250.00.

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

17-4. THE STATE OF TEXAS
COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the agreement with "Source" in the amount of \$9,950.00 for paint analysis and color history on all architectural surfaces in the Historic Courthouse.

Motion was made by Commissioner Miertschin, 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 move future meetings of the Kendall County Commissioners' Court to the Assembly Hall on the third floor of the new Courthouse and authorize the removal of furniture and fixtures from the courtroom in the Historic Courthouse. Motion was made by Commissioner Miertschin, seconded by Commissioner Reissig, 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 award the Road & Bridge contract for seal coat for Fiscal Year 2008 to Big Tex Paving out of Johnson City, Texas, it being the lowest bid. 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 authorize the publication of a Public Notice for a Public Hearing on April 22, 2008 at 5:05 p.m. The meeting is to be held in the Assembly Hall on the third floor of the new Courthouse regarding the submission of a Disaster Relief Grant Application to the Office of Rural Community Affairs (ORCA), which is seeking relief for the damage from Tropical Storm Erin. Motion was made by Commissioner Lux, seconded by Commissioner Rusch, 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 Amending Plat for Tapatio Springs Subdivision, Unit 18, Phase 1, Lots 128R and 129 into Lot 128R-1 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 Reissig, seconded by Commissioner Miertschin, 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 approve the Final Plat for Cordillera Ranch Subdivision, Unit 206A-1, and the acceptance of two Letters of Credit in the amount of \$281,380.00 for road and drainage improvements and \$172,404.00 for water and sewer system improvements. 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 Comfort Falls Aviation Estates Subdivision and the acceptance of two Letters of Credit in the amount of \$761,027.00 for roads and drainage improvements and \$164,705.00 for public water system improvements in accordance with Sections 203 and 204 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.

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 for minimum road frontage and platting requirements on Jennifer Drive in accordance with paragraphs 101.1000 and 301.1000 of the Development Rules and Regulations dated August 29, 2005 (amended September 2006) for a 14.2-acre tract (Lanier) that is being divided into a 6.1-acre tract with 150 feet of road frontage and a 8.1-acre tract with 100 feet of road frontage.

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

25. Jeff Haberstroh, Boerne Independent School District, presented the Rainwater Catchment System that has been implemented at Boerne-Samuel V. Champion High School.

26. The Park Managers gave an update on planned improvements and activities for Kendall County parks.

Court closed Open Session, took a Lunch Break and then went back into Open Session where the following motion was made:

8. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve Kendall County Order 04-14-2008-A to lift the burn ban effective immediately and to allow the County Judge to reinstate the ban if deemed necessary.

Motion was made by Commissioner Lux, seconded by Commissioner Rusch, and carried by a vote of 3-2 with Commissioner Reissig and Commissioner Miertschin voting against.

Court closed Open Session and went into Executive Session.

Court closed Executive Session and went into Open Session where the following motions were made:

27. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve Kendall County Order 04-14-2008-C Concerning the Provision of Services to the Elderly 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.

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 to proceed as discussed in Executive Session concerning the purchase of real property.

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

Being no further business, the meeting was adjourned.

EXAMINED AND APPROVED THIS 28th DAY OF APRIL, A.D., 2008.

ATTESTED: *Darlene Herin*
COUNTY CLERK
KENDALL COUNTY, TEXAS

Stephen Schroeder
COUNTY JUDGE
KENDALL COUNTY, TEXAS

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