

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 Courthouse in Boerne, Texas, on the 11th day of August 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. **THE STATE OF TEXAS**

COUNTY OF KENDALL **It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the Minutes for July 28, 2008.**

Motion was made by Commissioner Reissig, seconded by Commissioner Miertschin, 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 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.

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 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 table the Financial/Investment Reports for quarter ending June 30, 2008, subject to review by the Auditor's office.**

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

6. PUBLIC COMMENTS:

- Keely Gray, Assistant to the Treasurer, asked that the Court table Agenda Item #23 until the Treasurer returned from her out-of-town trip and that the Agenda Item #III-1 be moved from Executive Session to Open Session pursuant to Section 551.074 (Government Code).
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10. No action was taken on lifting the burn ban. Permits will be issued subject to approval by the Fire Marshal.

11. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve allowing county employees to participate in Kendall County's Point of Dispensing Program and with the approval of the department head, allow an employee to be compensated for any volunteer time that occurs during normal business hours.

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

7. James Hudson, County Tax Assessor/Collector, presented the CERTIFICATION OF 2008 APPRAISAL ROLL FOR KENDALL COUNTY. Each Commissioner and the Judge were given a copy (attached).

8. James Hudson, County Tax Assessor/Collector, explained the 2008 effective tax rate (\$0.35) and the rollback tax rate (\$0.38).

9-a. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to place a proposal to adopt a tax rate of \$0.37 per \$100.00 value, which amounts to a 5.57% tax increase, on the agenda of a future meeting as an action item. The current tax rate is \$0.37 per \$100.00 value.

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

9-b. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to schedule two public hearings on the proposed tax rate and increase. The first public hearing will be at 9:20 a.m. on August 25, 2008, and the second public hearing will be at 6:30 p.m. on August 28, 2008. Both hearings will be held in the Assembly Room on the third floor of the Courthouse.

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

It was noted that the vote to approve the tax rate would be during the September 8, 2008, Commissioners' Court.

12. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to table action until a later date on the application requesting Upper Cibolo Creek Road, west of Jamison Road and ending at Brown Ranch, be taken over as a county road and classified as a Class III County Road.

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

13. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to table action until a later date on the petition requesting Upper Cibolo Creek Road, from Timmons Crossing to the end of the public road, be classified as a Class III County Road.

Motion was made by Commissioner Rusch, seconded by Commissioner Lux, 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 approve the request to begin the bidding process for Texas Community Development Block Grant (TxCDBG) Contract No. 727249, sewer line improvements in conjunction with the Kendall County Water Control and Improvement District (WCID) No. 1.

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 approve relocating the historic files, which are under consideration for disposal, to an office complex in Comfort.

Motion was made by Commissioner Lux, 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 authorize the transfer of funds of up to \$1,000.00 from line item 10-540-427 to line item 10-540-589 to purchase a drug safe for EMS.

Motion was made by Commissioner Lux, seconded by Commissioner Rusch, 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 table action on the Resolution supporting Bexar County's application for a grant from the U.S. Fish and Wildlife Service to create a Habitat Conservation Plan.

Motion was made by Commissioner Miertschin, seconded by Commissioner Lux, 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 accept the renewal Letter of Credit in the amount of \$600,000.00 for a period of six months for subdivision improvements for Estancia at Thunder Valley Subdivision effective October 3, 2008, in accordance with Section 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.

19. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to table action on the Final Plat for Estancia at Thunder Valley Subdivision, Phase II, and Letter of Credit in the amount of \$900,000.00.

Motion was made by Commissioner Reissig, 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 approve the Amending Plat for Park Ten Subdivision, Lots 3, 4, and 5A into Lots 3A, 4A and 5A-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 Rusch, and carried by a vote of 5-0.

21. Ramona Womack, Purchasing Director for Comal County, presented the duties, processes and services provided by a county purchasing agent.

Court closed Open Session and went into Executive Session.

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

22. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve Order No. 08-11-2008-A waiving the requirement for the County Judge to sign all requisitions for supplies (attached).

Motion was made by Commissioner Miertschin, seconded by Commissioner Reissig, 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 Order No. 08-11-2008-B establishing the procedure for payment of claims against the County, except for paragraph #3 pertaining to Section 113.901, which is to be removed (attached).

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

II-2. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to authorize the County Attorney's office to proceed as discussed regarding Montgomery vs. Kendall County.

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

III-2. THE STATE OF TEXAS

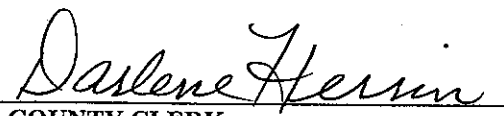
COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to authorize the County Attorney's office to proceed as discussed regarding EMS personnel.

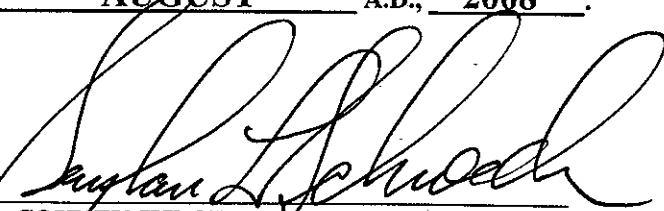
Motion was made by Commissioner Lux, seconded by Commissioner Rusch, and carried by a vote of 5-0.

Being no further business, the meeting was adjourned at 4:25 p.m.

EXAMINED AND APPROVED THIS 25th DAY OF AUGUST A.D., 2008.

ATTESTED:


COUNTY CLERK
KENDALL COUNTY, TEXAS


COUNTY JUDGE
KENDALL COUNTY, TEXAS