

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 25<sup>th</sup> 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 at 9:00 a.m. with the Pledge of Allegiance to the United States and Texas flags.  
The Judge reminded everyone to be aware of school zones and the new prohibition against using cell phones in a school zone.
2. Tammy MacDiarmid, Sheriff's Office, was presented with a Service Award for 5 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 August 11, 2008.  
Motion was made by Commissioner Reissig, seconded by Commissioner Miertschin, 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 Budget Adjustments as submitted by the Auditor's office (attached).  
Motion was made by Commissioner Lux, seconded by Commissioner Reissig, 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 Claims for purchases, services, and vendors (on file).  
Motion was made by Commissioner Reissig, seconded by Commissioner Miertschin, and carried by a vote of 5-0.
7. THE STATE OF TEXAS  
COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to authorize the transfer of funds from Capital Outlay to various line items for the Comfort Fire Department.  
Motion was made by Commissioner Lux, seconded by Commissioner Rusch, and carried by a vote of 5-0.

8. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to lift the burn ban and the Declaration of Disaster (attached).

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

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9. PUBLIC COMMENTS:

- Phillip Bell said that effective September 1, 2008, a state-mandated inspection will be required for construction in the county, outside of a municipality, when the foundation is poured, during framing, and at job completion for all builders and remodelers. A licensed inspector will do the inspections. He also expressed concern about articles recently published in the newspaper regarding citizens that serve the city and county that could be considered negative.
  - Jeff Fincke asked the Court to look at the adoption of fire codes in commercial establishments. He also advised the Court of a Senior Official Workshop for Emergency Management operations to be held December 18, 2008.
  - Commissioner Miertschin congratulated Patrick Boyle, Parks and Recreation Manager, for receiving his Master's Degree in Recreation and Leisure and Recreation Management.
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11. A Public Hearing was held in regard to the proposal to increase the total tax revenues from properties on the tax roll from the preceding tax year by 5.57%. No one spoke.

James Hudson, Kendall County Tax Assessor/Collector, said the meeting to adopt the proposed tax rate will be September 8, 2008 in the Assembly Room on the 3<sup>rd</sup> floor of the Courthouse at 201 E. San Antonio Street, Boerne, Texas, at 9:00 a.m. or thereafter.

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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 July 2008 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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10. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to keep the fees the same for the Texas Department of Transportation (TxDOT), calendar year 2009, which pertain to the Road & Bridge fee and the Child Safety Fund fee.

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

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12-1. 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 Sanitarian Services as submitted.

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

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12-2. 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 for Sanitarian Services.

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

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12-3. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the Lease Agreement between Kendall County and the Boerne Soccer League.

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

Mark Sawyer, President of the Boerne Soccer League, asked permission to install a rolled wire and T-post fence in order to use the property that is close to the road and also to put in portable toilets during the soccer season. The Court advised him to find out if the City of Boerne had any restrictions or requirements first and then return to Court with his request.

13. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to table action regarding temporary usage fees for Joshua Springs Park and Preserve and Conference Center.

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 table action regarding the use of Joshua Springs Park and Preserve on Saturday, October 25, 2008 by the San Antonio Road Runners to conduct a 25-kilometer run in preparation for the Rock and Roll Marathon.

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

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15. The County Engineer presented a summary of activities by Road & Bridge during July 2008.

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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 construction of Joshua Ranch Drive, Joshua Creek Circle, and Blaschke Circle in The Ranches at Joshua Crossing Subdivision and release the Developer's Performance Bond in the amount of \$955,873.00. This will be a gated subdivision, which will have the roads maintained by an entity other than Kendall County and will not require a maintenance bond (Road History Forms attached).

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

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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 request for relief to the total contiguous area of at least 12 acres in accordance with Section 102.1000.9 of the Development Rules and Regulations dated August 29, 2005 (amended September 2006) for a proposed 3-acre tract that is being divided out of an 11.296-acre tract (Gerald Contreras) for mortgage purposes. The following note is to be added to the Affidavit of Land Location: Current Cow Creek Groundwater Conservation District rules do not allow water wells on tracts of land less than 6.0 acres. An existing well on the 11.296-acre tract will prohibit a second water well on the 3-acre tract.

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

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18. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the Amending Plat of Cordillera Ranch, Unit 205, Block A, Lots 19 and 20 into Lot 19A.

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

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19. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to adopt the Resolution to apply for 2009-2010 Texas Community Development Block Grant (TXCDBG) assistance under the Community Development Fund on behalf of Kendall County Water Control and Improvement District (WCID) No. 1 in Comfort and authorize the County Judge to sign (attached).

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

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20. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the Interlocal Agreement with Kendall County Water Control and Improvement District (WCID) No. 1 regarding the possible award of 2009-2010 Texas Community Development Block Grant (TXCDBG) assistance.

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

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21. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the application to install a meter loop in the southwest corner of the Road & Bridge facility.

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

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Court took a Break and went into Executive Session.

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

14. THE STATE OF TEXAS

COUNTY OF KENDALL

It is ordered by the Commissioners' Court of Kendall County, Texas, to untable this agenda item.

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 approve the use of Joshua Springs Park and Preserve on Saturday, October 25, 2008 by the San Antonio Road Runners to conduct a 25-kilometer run. Conditions and fees will be as set by the Kendall County Parks Department.

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

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Being no further business, the meeting was adjourned at 3:13 p.m.

EXAMINED AND APPROVED THIS 8<sup>th</sup> DAY OF SEPTEMBER A.D., 2008.

ATTESTED:

Darlene Herrin  
COUNTY CLERK  
KENDALL COUNTY, TEXAS

Raymond L. Schuch  
COUNTY JUDGE  
KENDALL COUNTY, TEXAS