

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 8th day of September 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. The Judge noted the Grand Opening for the Boerne Samuel V. Champion High School was held last Sunday.

2. **THE STATE OF TEXAS**

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the Minutes for August 25, 2008 and August 28, 2008.

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

The County Auditor noted that the next Court meeting would be the last meeting to do Budget Adjustments to the Budget for Fiscal Year 2008.

4. **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 Reissig, 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 Financial Reports for April, May, June, and July 2008.

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 Investment Reports for quarter ending June 30, 2008.

Motion was made by Commissioner Lux, 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 approve leaving the Texas County & District Retirement System (TCDRS) plan for 2009 as it currently is and authorize the County Judge to sign.

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

8. PUBLIC COMMENTS:

- Jeff Fincke, Emergency Management Coordinator, reported that the EMS teams deployed for hurricane assistance had done a good job. He thanked the County and the Court for their support in allowing Kendall County EMS to assist outside of Kendall County and for reimbursing expenses for the team.
- Jed Maebius, a property owner on Upper Cibolo Creek Road since 1974, spoke about the status of the road and the various applications and petitions filed since the Jury of View's decision. He said that his application filed August 8, 2008, is signed by other homeowners and seeks to have the road reclassified as a county road, having the least possible road width and still able to have county maintenance.
- Don Allee, County Attorney, reminded the Court that the issue regarding Upper Cibolo Creek Road was awaiting the outcome of the September 12, 2008, hearing in District Court regarding that road.

9. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the emergency response time for August 8, 2008, for Road & Bridge employees.

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

10. No action was taken on lifting the burn ban; however, the Judge added that if necessary he would put the ban back in effect prior to the next meeting.

11. A Public Hearing was held in regard to the Proposed Budget for Fiscal Year 2009. The following person spoke:

- Don Allee, County Attorney, requested an adjustment to the salary line for the County Health Officer.

Court closed Open Session and went into Executive Session at 9:30 a.m. to discuss personnel issues.
Court closed Executive Session and resumed Open Session at 9:48 a.m.

12. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the Budget for the Fiscal Year 2009 with the attached changes.

Motion was made by Commissioner Lux, seconded by Commissioner Miertschin, 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, that property taxes be increased by the adoption of a tax rate of \$.37 per \$100.00 of taxable value. The Debt Service Rate is \$.028037 and the Maintenance and Operations Rate is \$.341963, both rates are per \$100.00 of taxable value.

THIS TAX RATE WILL RAISE MORE TAXES FOR MAINTENANCE AND OPERATIONS THAN LAST YEAR'S TAX RATE. THE TAX RATE WILL RAISE TAXES FOR MAINTENANCE AND OPERATIONS ON A \$100,000 HOME BY APPROXIMATELY -\$2.65.

Motion was made by Commissioner Lux, seconded by Commissioner Miertschin, 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 taxpayer discounts for early payment of property taxes as follows: 3% if paid in October, 2% if paid in November, and 1% if paid in December.

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 approve the handicap-access modifications to the Tax Office as proposed by Ihrig Properties with the appropriate budget adjustments.

Motion was made by Commissioner Lux, seconded by Commissioner Rusch, 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 approve the payment for the Indigent Health medical expenses.

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 approve the 2009 Holiday Schedule as submitted (attached).

Motion was made by Commissioner Lux, 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 approve the 2009 Commissioners' Court Calendar as amended (attached).
Motion was made by Commissioner Reissig, 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 IKON copier machine for the Extension Office with appropriate setup expenditures.
Motion was made by Commissioner Lux, seconded by Commissioner Rusch, and carried by a vote of 4-1 with Commissioner Miertschin voting against.

20. THE STATE OF TEXAS
COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve continuing the current lease agreements for the lots in Comfort, deeded to the County from FEMA after the 2002 flood, with Art and Sandy Galindo, Ray Castro, the Comfort Area Youth Commission (CAYC), and Carlos Castro with the provision that the CAYC and Carlos Castro have until October 1, 2008 to clean up their lots or their leases will be revoked.
Motion was made by Commissioner Rusch, seconded by Commissioner Lux, 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 table the request from the Boerne Soccer League regarding fencing.
Motion was made by Commissioner Lux, 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 request by Waterstone Property Owners' Association to extend and enforce the traffic rules currently in effect on all roads in Kendall County to the private roads in Waterstone.
Motion was made by Commissioner Lux, seconded by Commissioner Miertschin, 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 extension of Clubs Drive and Oakland Hills and the new roads Wynstone, Summit Pass and Nicklaus Way in Cordillera Ranch Subdivision, Unit 205, and release the Developer's Letter of Credit in the amount of \$640,800.00.

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 Amending Plat of Waring, Lots 5-12, Block 12; Lots 1-12, Block 11; portions of Lots 1, 2 and 4, Block 10; portions of Outlots 27-30 and an unnumbered block; and incorporating portions of the following platted but undeveloped adjoining alleys and streets: Avenue A, Manning Street, Fredericksburg Road and an alley within Block 10 creating Outlots 27A, 28A and 30A in accordance with paragraph 208.1200.4 of the Development Rules and Regulations dated August 29, 2005 (amended September 2006). All tracts will be served by individual wells and septic systems.

Motion was made by Commissioner Rusch, seconded by Commissioner Lux, 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 of Lots 1, 5, 13 and 16 creating Lots 1A, 5A, 13A and 16A in the Ranches at Joshua Crossing in accordance with paragraph 208.1200.4 of the Development Rules and Regulations dated August 29, 2005 (amended September 2006). The purpose of the Amending Plat is for postal, drainage, embankment and electric service 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 approve the Amending Plat for Sleepy Hollow, Unit II, creating Lots 5A-1 and 6A from Lots 5A and 6.

Motion was made by Commissioner Miertschin, seconded by Commissioner Reissig, 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 approve the Final Plat for Estancia at Thunder Valley Subdivision, Phase II, and accept the Letter of Credit in the amount of \$900,000.00 for road and drainage improvements in accordance with Sections 203 and 204 of the Development Rules and Regulations dated August 29, 2005 (amended September 2006). The proposed Phase II of Estancia at Thunder Valley is approximately 150 acres being the replat of Lot 1 (22 acres) and the previously vacated Lot 49 Greenbelt (128 acres).

Motion was made by Commissioner Rusch, seconded by Commissioner Lux, and carried by a vote of 4-1 with Commissioner Miertschin voting against.

28. Wayne Hilliard, AirLife, gave a presentation on the air medical transport service, from its beginning to its current capacity for patients and geographical range.

Court closed Open Session, took a Break and went into Executive Session.

Court closed Executive Session and went into Open Session where the following motion was made:

I-3. THE STATE OF TEXAS

COUNTY OF KENDALL

It is ordered by the Commissioners' Court of Kendall County, Texas, to authorize the County Auditor's office and the County Attorney's office to publish a request for bids to remodel the County building at 105A Amber Drive in Comfort.

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 3:25 p.m.

EXAMINED AND APPROVED THIS 22nd DAY OF SEPTEMBER A.D. 2008

ATTESTED: Darlene Hession
COUNTY CLERK
KENDALL COUNTY, TEXAS

Stephen A. Schroech
COUNTY JUDGE
KENDALL COUNTY, TEXAS