

**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 14<sup>th</sup> day of October 2008.

**Present:**           **GAYLAN L. SCHROEDER, COUNTY JUDGE**  
                          **GENE MIERTSCHIN, COMMISSIONER, PCT. #2**  
                          **DARREL L. LUX, COMMISSIONER, PCT. #3**  
                          **KENNETH M. RUSCH, COMMISSIONER, PCT. #4**  
                          **SALLY W. PETERS, DEPUTY COUNTY CLERK**

**Absent:**           **ANN REISSIG, COMMISSIONER, PCT. #1**

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1.     **The meeting was called to order with the Pledge of Allegiance to the United States and Texas flags.**  
      **The Court extended sympathy to Commissioner Ann Reissig whose sister passed away.**
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2.     **THE STATE OF TEXAS**  
      **COUNTY OF KENDALL**       **It is ordered by the Commissioners' Court of Kendall County, Texas, to**  
      **approve the Minutes for September 22, 2008.**  
  
      **Motion was made by Commissioner Lux, seconded by Commissioner Rusch, and carried by a vote of 4-0.**
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3.     **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 4-0.**
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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 Financial Reports for August 2008 (attached).**  
  
      **Motion was made by Commissioner Lux, seconded by Commissioner Rusch, and carried by a vote of 4-0.**
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5. **PUBLIC COMMENTS:**

- Phillip Bell talked about the Green Building Seminar co-sponsored by the Kendall County Economic Development Corporation (EDC) to promote water and energy conservation to builders and architects, and he asked the Court to encourage developers to consider "building green." He also thanked the Court for their foresight in creating green areas through the parks system.
  - Dan Rogers thanked the Court for their support of the EDC. He said that the Kendall County EDC won the Community Economic Development Award from the Texas Economic Development Council, one of five given in the City Category. He also complimented Commissioner Reissig for her outstanding effort in the Albany expansion project.
  - Jay Yount thanked the Court on behalf of the Comfort Health and Wellness Club in Comfort for accepting their bid for surplus fitness equipment. He said the non-profit club opened September 15<sup>th</sup> and it currently has 121 members. There will be an Open House on October 26 from 2 p.m. until 4 p.m.
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6. No action was taken to reinstate the burn ban. It is still off.

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7. Barry Wagner, Wagner and Klein Architects, gave a progress report on the restoration of the Historic Courthouse—removal of asbestos-containing materials and the dropped ceilings. He said that the original courtroom had an interesting painted floor and the ceiling was revealed to have a large diamond pattern with medallions made out of two rings and a projected centerpiece. The rest of the courthouse rooms have beaded board ceilings with crown mold. A part of the 1885 Mansard roof was entombed in the attic when the Historic Courthouse was remodeled in 1909, and this is where the mechanical units for the air conditioning will be installed. He said that the demolition work cost less than was budgeted. He also thanked Brian Meier, Facility Maintenance Supervisor, and his team for retrieving the pieces of the ceiling medallion out of the demolition debris.

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8. **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 November 10, 2008, at 9:15 a.m. to create a School Zone on Cascade Caverns Road for the Geneva School.

Motion was made by Commissioner Miertschin, seconded by Commissioner Lux, and carried by a vote of 4-0.

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9. **THE STATE OF TEXAS**

**COUNTY OF KENDALL** It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the Kendall County Community Justice Plan for 2008-2009 with the possible additions of Fredericksburg, Comal, and Blanco Independent School Districts (attached).

Motion was made by Judge Schroeder, seconded by Commissioner Miertschin, and carried by a vote of 4-0.

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10. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the 2008 estimated Tax Levy Roll for Kendall County of \$14,040,278.12 as provided by the Kendall Appraisal District.

Motion was made by Commissioner Lux, seconded by Commissioner Rusch, and carried by a vote of 4-0.

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11. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the agreement with Kendall Appraisal District to include County Road Map information with the tax statements and to authorize paying the printing costs.

Motion was made by Commissioner Lux, seconded by Commissioner Rusch, and carried by a vote of 4-0.

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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 Resolution to allow Kendall County to apply for a grant for indigent defense and authorize the County Judge to sign (attached).

Motion was made by Commissioner Lux, seconded by Commissioner Miertschin, and carried by a vote of 4-0.

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13. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to adopt the Proclamation declaring October 2008 as Domestic Violence Awareness Month (attached).

Motion was made by Commissioner Lux, seconded by Commissioner Rusch, and carried by a vote of 4-0.

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14-1. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the lease agreement with Alamo Regional Transit (ART) to provide services to Kendall County and authorize the County Judge to sign.

Motion was made by Commissioner Lux, seconded by Commissioner Miertschin, and carried by a vote of 4-0.

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**14-2. THE STATE OF TEXAS**

**COUNTY OF KENDALL** It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the renewal contract with HTS Voice And Data System for Information Technology (IT) services for Kendall County.

Motion was made by Commissioner Miertschin, seconded by Commissioner Lux, and carried by a vote of 4-0.

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**14-3. THE STATE OF TEXAS**

**COUNTY OF KENDALL** It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the contract for assessment and collection service with the Kendall Appraisal District and authorize appropriate signatures.

Motion was made by Commissioner Lux, seconded by Commissioner Rusch, and carried by a vote of 4-0.

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**14-4. THE STATE OF TEXAS**

**COUNTY OF KENDALL** It is ordered by the Commissioners' Court of Kendall County, Texas, to table action regarding FEMA lease contracts.

Motion was made by Commissioner Rusch, seconded by Commissioner Lux, and carried by a vote of 4-0.

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**14-5. THE STATE OF TEXAS**

**COUNTY OF KENDALL** It is ordered by the Commissioners' Court of Kendall County, Texas, to approve Kendall County participation in the Texas Victims Notification program (VINE) and authorize appropriate signatures.

Motion was made by Commissioner Miertschin, seconded by Commissioner Lux, and carried by a vote of 4-0.

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**14-6. THE STATE OF TEXAS**

**COUNTY OF KENDALL** It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the independent contract with Salvatore Hernandez for concrete work on Guthrie Road.

Motion was made by Commissioner Miertschin, seconded by Commissioner Rusch, and carried by a vote of 4-0.

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**15. No action was taken regarding membership in the Chambers of Commerce in Kendall County.**

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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 Memorandum of Understanding between Kendall County and the Supreme Court of Texas for support of continuity of court operations in the event of an emergency and authorize the appropriate signatures.

Motion was made by Commissioner Lux, seconded by Commissioner Miertschin, and carried by a vote of 4-0.

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17. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to authorize the County Attorney to draw up a contract with Ihrig Properties for the interior modifications to the 105A Amber property in Comfort.

Motion was made by Commissioner Miertschin, seconded by Commissioner Rusch, and carried by a vote of 4-0.

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18. The four-day workweek of 10 hours a day was deemed a success for Road & Bridge due to fuel savings and productivity. With the shorter days of fall and winter, they will return to the five-day workweek of eight hours a day and in the spring reevaluate returning to the four-day plan.
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19. 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 November 10, 2008, at 9:20 a.m. to abandon a portion of Jeep Street in the Friendly Hills Subdivision.

Motion was made by Commissioner Miertschin, seconded by Commissioner Rusch, and carried by a vote of 4-0.

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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 Contractor Compliance Agreement with Bradley Contracting, Inc. to ensure that the conditions of the Texas Department of Transportation (TxDOT) are met for State Highway 46 revisions to accommodate the Stone Wall Subdivision and to authorize the County Judge to sign.

Motion was made by Commissioner Rusch, seconded by Commissioner Miertschin, and carried by a vote of 4-0.

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21. The request for relief for Diamond K Ranch Subdivision was pulled from the agenda.
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22. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to accept the Master Development Plan for Villagio on the River.

Motion was made by Commissioner Lux, seconded by Commissioner Rusch, and carried by a vote of 4-0.

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Court closed Open Session at 11:03 a.m., took a five-minute Break and went into Executive Session.

Court closed Executive Session at 3:32 p.m. and went into Open Session.

Judge Schroeder was absent.

The following motion was made:

I-1. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to authorize the expenditures of up to \$20,000.00 for professional services for the Parks Department.

Motion was made by Commissioner Lux, seconded by Commissioner Miertschin, and carried by a vote of 3-0.

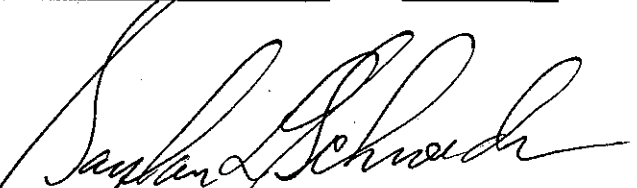
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Being no further business, the meeting was adjourned at 3:33 p.m.

EXAMINED AND APPROVED THIS 27<sup>th</sup> DAY OF OCTOBER A.D., 2008.

ATTESTED:

  
COUNTY CLERK  
KENDALL COUNTY, TEXAS

  
COUNTY JUDGE  
KENDALL COUNTY, TEXAS