

**NOTICE OF REGULAR MEETING
OF THE KENDALL COUNTY COMMISSIONERS COURT**



NOTICE is hereby given that a regular meeting of the above named Commissioners Court will be held on the 12th day of **January, 2009** at **9:00 a.m.** in the **Kendall County Courthouse, Third Floor Assembly Room**, 201 E. San Antonio, Boerne, Texas, at which time the following will be discussed and appropriate action taken; pursuant to V.T.C.A. Government Code Chapter 551, Open Meetings Act, including all Subchapters and Sections:

All matters listed on the following Agenda may be discussed in executive session at the option of the Kendall County Commissioners Court and following verbal announcement, if an appropriate exception to the open meeting requirement of the Texas Open Meetings Act is applicable.

**ALL TIMES ARE APPROXIMATE
NO CELL PHONES, AUDIBLE PAGERS, AND/OR BEEPERS WHILE COURT IS IN
SESSION**

- Pledge of allegiance to the United States Flag
Pledge of allegiance to the Texas Flag
1. Call to Order - 9:00 a.m.
Comments from Judge Gaylan L. Schroeder
 2. Consideration and action on approval of minutes for December 22, 2008:
Sally Peters, Deputy Clerk
 3. Consideration and action on approval of claims for purchases, services, and vendors: Cherry Russell, Assistant Auditor
 4. Consideration and action to approve the purchase of a computer for County Court at Law and the adjustment of the budget as needed: William Palmer, County Court at Law / Darlene Herrin, County Clerk
 5. Consideration and action on the approval of re-elected officials bonds: Darlene Herrin, County Clerk
 6. Consideration and action on bids received for two vehicles for the Sheriff's Office to be purchased with seized asset forfeiture funds: Roger Duncan, Sheriff
 7. **PUBLIC COMMENTS**— opportunity for the general public to address the Court concerning agenda items and correspondence too late to be posted in the correspondence book

KENDALL COUNTY COMMISSIONERS COURT

**JANUARY 12, 2009/PAGE 2
REGULAR MEETING**

8. Consideration and action on the burn ban (Authority Section 352.081, Texas Local Government Code): Gaylan L. Schroeder, County Judge
9. David Kruse, Alamo Area Council of Government (AACOG) will clarify details of splitting/ merging of census boundaries and ask for a committee to be appointed to assist in the collection of data. Action as needed: Gaylan L. Schroeder, County Judge
10. Consideration and action to approve a Resolution for General Victim Assistance for 2009-2010 grant year: Don Allee, County Attorney
11. Consideration and action on a request from the Boerne Soccer League for fencing on County owned practice field: Mark Sawyer, President, Boerne Soccer League
12. **Public Hearing** –The Court will receive comments from the public regarding:
 1. A Resolution designating certain officials as being responsible for, acting for and on behalf of Kendall County in dealing with the Texas Parks & Wildlife Department.
Gaylan L. Schroeder, County Judge
13. Consideration and action to approve:
 1. A Resolution to authorize an application for the Local Park Grant Program
 2. An Order concerning the prohibition of mining, drilling or other activities related to the exploration for or production of oil, gas, coal or other minerals on county owned property, including all County Parks
Gaylan L. Schroeder, County Judge
14. **Public Hearing – 9:15** The Court will receive comments from the public regarding:
 1. The application filed by James Southers for the proposed revision of Lot 18 in Ten West Ranches Subdivision filed in Volume 2, pages 60-62 of the Plat Records of Kendall County, Texas.
Richard Tobolka, Development Management / Kenneth M. Rusch, Commissioner Precinct 4
15. Discuss and take appropriate action on the Plat Revision of Lot 18 in Ten West Ranches Subdivision, Kendall County, Texas into Lot 18A and 18B in accordance with paragraph 208.1000 in the Kendall County Development Rules and Regulations adopted August 29, 2005, amended September 25, 2006. (James Southers): Kenneth M. Rusch, Commissioner Precinct 4

**JANUARY 12, 2009/PAGE 3
REGULAR MEETING**

16. **Public Hearing – 9:15** The Court will receive comments from the public regarding:
 1. The application filed by Willis Moore for the proposed revision of part of Comfort Outlot 56 filed in Volume 480, page 311 of the Plat Records of Kendall County, Texas.
Richard Tobolka, Development Management / Kenneth M. Rusch, Commissioner Precinct 4
17. Discuss and take action on the Plat Revision for part of Comfort Outlot 56 in Kendall County, Texas into Comfort Outlots 56B and 56C in accordance with paragraph 208.1000 in the Kendall County Development Rules and Regulations adopted August 29, 2005, amended September 25, 2006. (Willis Moore): Kenneth M. Rusch, Commissioner Precinct 4
18. Discuss and take action on the Amending Plat of Lots 50 and 68 in River Mountain Ranch Subdivision, Section One-A, in Kendall County, Texas into Lots 50A and 60A in accordance with paragraph 208.1200.4 in the Kendall County Development Rules and Regulations adopted August 29, 2005, amended September 25, 2006. (Joel and Monica F. Ford): Gene Miertschin, Commissioner Precinct 2
19. Discuss and take action on the Amending Plat of part of Comfort Outlots 56, 57, 58 and all of Outlot 56B into Outlot 57A in Kendall County, Texas in accordance with paragraph 208.1200.4 in the Kendall County Development Rules and Regulations adopted August 29, 2005, amended September 25, 2006. (Willis Moore): Kenneth M. Rusch, Commissioner Precinct 4
20. Consideration and action to name the members of the 2009-2010 Historical Commission: Gaylan L. Schroeder, County Judge
21. Review and take action regarding ESRI GIS Software (Arc View) maintenance contract: Gene Sparks, Road & Bridge
22. Consideration and action concerning the disposal of worthless property located on Joshua Spring Park and Preserve, old Road & Bridge site in Comfort and also the old Road & Bridge site in Boerne: Gaylan L. Schroeder, County Judge
23. Discussion and action to allow Kendall County employees the option of participating in a Flexible Spending Account. Presentation by Mack Lambert, Lambert and Assoc.: Michele Lux, Benefits Coordinator
24. Receive a presentation from Official Payments regarding the services available to Kendall County for the online payments of fines, fees, taxes and permits: Gene Miertschin, Commissioner Precinct 2

KE NDALL COUNTY COMMISSIONERS COURT

**JANUARY 12, 2009/PAGE 4
REGULAR MEETING**

25. Presentation of End of the Year (EOY) 2008 Report for EMS, Fire and Emergency Services: Jeff Fincke, Emergency Management Coordinator

EXECUTIVE SESSION (Closed to public)

Pursuant to Chapter 551 of the Texas Government Code

- I. The Court will meet in Executive Session pursuant to Section 551.072 to deliberate the purchase, exchange or value of real property:**

1. Parks
2. Road and Bridge
3. Capital Improvements
4. Real Estate

- II. Commissioners Court will meet in Executive Session pursuant to Section 551.071 Government Code, V.T.C.S. to seek the advice of the County Attorney and or attorney(s) representing the County, concerning the pending and/or threatened litigation and/or matters in which the duties of the attorney(s) under the Texas Rules of Professional Conduct of the State Bar of Texas require confidential communications. Specific topics to be discussed are as follows:**

1. County authority concerning subdivisions and county roads and bridges, subdivisions and economic development, regulation of Federal Agencies and requirements of the Public Information Act.

- III. The Court will meet in Executive Session pursuant to Section 551.074 to discuss personnel issues:**

1. Deliberate the duties and reassignment of the Rural Addressing Clerk
 - a. Transfer of duties to Development Manager's Department
 - b. Transfer of current clerk to another department

RESUME OPEN SESSION

Consideration and action on Motions from Executive session

- I. Items**
1. _____
 2. _____
 3. _____
 4. _____

- II. Item**
1. _____

- III. Items**
1. a. _____
b. _____

26. Discussion and action to pay Texas County and District Retirement System TCDRS) funds: Juanita Espino, Human Resource Department

KENDALL COUNTY COMMISSIONERS COURT

**JANUARY 12, 2009/PAGE 5
REGULAR MEETING**

Dated this the 8th day of January, 2009

Gaylan L. Schroeder
Kendall County Judge

I, the undersigned County Clerk, do hereby certify NOTICE of Regular meeting of the above named Commissioners Court is a true and correct copy of said Notice and that I have caused said Notice to be posted on the door at the Courthouse of Kendall County, Texas located at 201 E. San Antonio Street on the 8th day of January, 2009.

Darlene Herrin
County Clerk

Posted at 1:30 P.M. on the 8th day of January, 2009 – *ceb*

NOTE: The Kendall County Commissioners Court complies with A.D.A. requirements. If you have an impairment and wish to appear at a meeting, please call (830)249-9343, 48 hours in advance to make arrangements.

KENDALL COUNTY COMMISSIONERS COURT