

**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 **23rd** day of **February, 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 February 9, 2009:
Sally Peters, Deputy Clerk
3. Consideration and action on approval of Monthly Reports for January, 2009: Dana Baethge, County Auditor
4. Consideration and action on approval of claims for purchases, services, and vendors: Cherry Russell, Assistant Auditor
5. **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
6. Presentation of the interim report for Kendall County Child Services Board. Also, consideration and action on the following items:
 1. Approval of proposed members for the Kendall County Child Services Board – 2009
 2. Adopt a Resolution declaring February 23, 2009 as Child Protective Services Worker Appreciation Day in Kendall County, TexasGaylan L. Schroeder, County Judge

KENDALL COUNTY COMMISSIONERS COURT

**FEBRUARY 23, 2009/PAGE 2
REGULAR MEETING**

7. Consideration and action to provide a resolution by Kendall County Commissioners Court to exempt the Dienger Building from ad valorem taxes under provision of Texas Tax Code Section 11.24: Gaylan L. Schroeder, County Judge
8. **Public Hearing** –The Court will receive comments from the public regarding:
 1. Renaming Laurens Lane in the Bergenplatz Ranches Subdivision to Welch-Christopher Court
Kenneth M. Rusch, Commissioner Precinct 4 / Terry Anderson, County Engineer
9. Consideration and action to rename Laurens Lane in the Bergenplatz Ranches Subdivision to Welch-Christopher Court: Kenneth M. Rusch, Commissioner Precinct 4 / Terry Anderson, County Engineer
10. Consideration and action on the burn ban (Authority Section 352.081, Texas Local Government Code): Gaylan L. Schroeder, County Judge
11. Consideration and action to accept Racial Profile Reports for 2008 from Law Enforcement Agencies in Kendall County: Gaylan L. Schroeder, County Judge
12. Consideration and action on the following lease agreement:
 1. Comfort Little Theater
Gaylan L. Schroeder, County Judge
13. Discuss and take action to approve payment for emergency call out: Gene Sparks, Road & Bridge
14. Present summary of activities by Road and Bridge during January, 2009 to Commissioners Court: Terry Anderson, County Engineer
15. Consideration and action to condemn approximately 0.21 acres of property from Garza Masonry Stone, Inc. along Spanish Pass Road for the construction of a drainage ditch to the Interstate 10 frontage road: Ann E. Reissig, Commissioner Precinct 1 / Terry Anderson, County Engineer
16. Present summary of activities by the Development Management Department during January, 2009: Richard Tobolka, Development Manager
17. Consideration and action on a request for relief to minimum road frontage in accordance to Section 102.1000.3 in the Kendall County Rules and Regulations adopted August 29, 2005, amended September 25, 2006. The proposed relief would allow access through an existing variable width easement with a minimum width of 25 feet. (Lori Hagee): Darrel L. Lux, Commissioner Precinct 3

KENDALL COUNTY COMMISSIONERS COURT

**FEBRUARY 23, 2009/PAGE 3
REGULAR MEETING**

18. Consideration and action on a request to minimum road frontage in accordance to Section 102.1000.9 in the Kendall County Rules and Regulations adopted August 29, 2005, amended September 25, 2006. The proposed relief would provide access through a proposed ingress/egress easement. (Danny Gunnels): Ann E. Reissig, Commissioner Precinct 1
19. Consideration and action on the Amending Plat for the correction of road name from Wood Drift to Driftwood in Cordillera Ranch Unit 10, Block A, Kendall County, Texas in accordance with paragraph 208.1200.4 in the Kendall County Rules and Regulations adopted August 29, 2005, amended September 25, 2006: Gene Miertschin, Commissioner Precinct 2
20. Present summary of activities by the Parks Department during January, 2009: Richard Tobolka, Parks Director
21. Consideration and action on adopting Park Rules for James Keihl River Bend Park: Richard Tobolka, Parks Director
22. Presentation by BWM Group pertaining to professional services associated with Park planning, Master Plan Development, grant writing and general landscape architectural services. (Tim Bargainer): Richard Tobolka, Parks Director

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.

KENDALL COUNTY COMMISSIONERS COURT

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

- 1. Deliberate the appointment and/or employment of the following:**
 - a. Grant Writer**
 - b. Salary Study Consultants**

IV. The Court will meet in Executive Session pursuant to Section 551.076 as follows:

- 1. Deliberate the deployment, or specific occasions for implementation, of security personnel or devices**

RESUME OPEN SESSION

Consideration and action on Motions from Executive session

- I. Items**
 1. _____
 2. _____
 3. _____
 4. _____
- II. Item**
 1. _____
- III. Item**
 1. _____
- IV. Item**
 1. _____

23. Consideration and action pertaining to a request by A & G Land Management, LLC for a partial refund of platting fee: Richard Tobolka, Development Management / Darrel L. Lux, Commissioner Precinct 3
24. Consideration and action concerning the contract to employ a consultant to assist in grant applications: Don Allee, County Attorney
25. Discuss and award the contract for the Salary Study /Survey: Dana Baethge, County Auditor

**FEBRUARY 23, 2009/PAGE 5
REGULAR MEETING**

Dated this the 19th day of February, 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 19th day of February, 2009.

Darlene Herrin
County Clerk

Posted at 1:30 P.M. on the 19th day of February, 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