

**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 **26<sup>th</sup>** day of **May, 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. Presentation of Service Awards to employees: Earlene Pankratz, PBX Operator, Judge's Office (20 years), Frieda Pressler, Justice of the Peace, Precinct 4, (25 years): Gaylan L. Schroeder, County Judge
3. Consideration and action on approval of minutes for May 11, 2009: Sally Peters, Deputy Clerk
4. Consideration and action on approval of Monthly Reports for April, 2009: Dana Baethge, County Auditor
5. Consideration and action on approval of Budget Adjustments: Dana Baethge, County Auditor
6. Consideration and action on approval of claims for purchases, services, and vendors: Cherry Russell, Assistant Auditor
7. Discuss and approve October 2008 Financial Statement: Medana Crow, County Treasurer

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8. **PUBLIC COMMENTS**– opportunity for the general public to address the Court on any matter. The Court may not discuss any presented issue, nor may any action be taken on any issue at this time. Please limit comments to 3 minutes.
9. Discussion and action on using \$2,049.25 assigned for a truck payment in line 10-545-56516 to an upcoming building payment to reduce the principle: Jeff Fincke, Fire Marshall (for Waring Volunteer Fire Department)
10. Consideration and action on moving \$1600.00 from line 10-636-55530 (office furniture) to line 10-636-55510 (data processing equipment) for purchase of a computer notebook, software and printer: Brenda Bell, Health Inspector
11. Consideration and action on a request to move \$2,200.00 from line item 10-560-5590 (Other Capital Outlay) to line item 10-560-55530 (Office Furniture) for the purchase of a desk and shelving: Roger Duncan, County Sheriff
12. Consideration and action on the burn ban (Authority Section 352.081, Texas Local Government Code): Gaylan L. Schroeder, County Judge
13. **Public Hearing (9:15)**–The Court will receive comments from the public regarding:
  1. The Application filed by Bobby Jack Dent, Vice President, DS Squared Properties, LLC for the proposed Plat Revision of Town of Comfort, Lot 101A , recorded in Volume 6, page 97 in the Kendall County plat records.  
Kenneth M. Rusch, Commissioner Precinct 4
14. Consideration and action on a Plat Revision of the Town of Comfort Lot 101A to create Lots 101A-1 and 101A-2 in accordance with paragraph 208.1000 in the Kendall County Development Rules and Regulations adopted, August 29, 2005, amended September 25, 2006. (Bobby Jack Dent, Vice President, DS Squared Properties, LLC): Kenneth M. Rusch, Commissioner Precinct 4
15. Consideration and action to approve Texas Association of Counties (TAC) Field Representatives conduct a workshop for Elected/Appointed Officials, Department Heads and Supervisors: Juanita Espino, Human Resources Director
16. Discuss and take action to pay Road & Bridge employees for emergency call out: Gene Sparks, Road & Bridge
17. Consideration and action to untable Item 11 from the May 11<sup>th</sup>, 2009 Court regarding the increase of fees at the Solid Waste Station. Take action as needed to adopt the revised price list: Terry Anderson, County Engineer

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18. Present summary of activities by the Development Management Department during April, 2009: Richard Tobolka, Development Manager
19. Consideration and action on the acceptance of a renewal Letter of Credit in the amount of \$725,000.00 for a period of six (6) months for subdivision improvements for the Stone Wall Subdivision, effective June 30, 2009 in accordance with Section 204 of the Kendall County Development Rules and Regulations adopted August 29, 2005, amended September 25, 2006. The first renewal Letter of Credit for \$725,000.00 was issued June 30, 2008 and will expire on June 30, 2009. The improvements will not be completed and accepted by that expiration date. This first renewal Letter of Credit will expire on December 31, 2009: Gene Miertschin, Commissioner Precinct 2
20. Present summary of activities by the Parks Department during April, 2009: Richard Tobolka, Parks Director
21. Consideration and action on adopting Kendall County Comprehensive Parks Recreation and Open Space Master Plan 2009-2019, and also adopt a Resolution in support of said Master Plan: Richard Tobolka, Parks Director
22. Consideration and action concerning activities to be allowed at Adventure Fest: Gaylan L. Schroeder, County Judge / Richard Tobolka, Parks Director

**BREAK**

**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**
- 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**
  - 2. Claim of Patricia Tope**

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

1. Deliberate the duties and responsibilities of the County Attorney's Office

**RESUME OPEN SESSION AND TAKE ANY NECESSARY ACTION RESULTING FROM EXECUTIVE SESSION DELIBERATIONS**

23. Consideration and action concerning a Resolution to adopt the guidelines and criteria or tax abatement: Don Allee, County Attorney

**ADJOURNMENT**

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**Dated this the 21<sup>st</sup> day of May, 2009**

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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 21<sup>st</sup> day of May, 2009.

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Darlene Herrin  
County Clerk

**Posted at 1:30 P.M. on the 21<sup>st</sup> day of May, 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.

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