

**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 **28<sup>th</sup>** day of **September, 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 Award to:  
    Juanita Espino, (10 years) Human Resources Department  
    Gaylan L. Schroeder, County Judge
  3. Consideration and action on approval of minutes for September 14, 2009 and September 17, 2009: Sally Peters, Deputy Clerk
  4. Consideration and action on approval of Monthly Reports for August, 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. Consideration and action to approve payment of monthly and quarterly recurring bills for the Fiscal Year 2010: Cherry Russell, Assistant Auditor

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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. Consideration and action on the burn ban (Authority Section 352.081, Texas Local Government Code): Gaylan L. Schroeder, County Judge
10. Consideration and action to approve the 2009 Tax Levy Roll Total, \$14,883,896.20, provided by the Kendall Appraisal District: James Hudson, Tax Assessor Collector
11. Consideration and action on the approval of a Resolution for stimulus grant funds through Criminal Justice Division (CJD) /Alamo Area Council of Governments (AACOG) for a vehicle for the sheriff’s Office: Dana Baethge, County Auditor
12. Consideration and action on the approval of a Resolution authorizing the filing of a grant application with AACOG for a Regional Solid Waste Grants Program Grant and authorizing Commissioner Ann Reissig to act on behalf of Kendall County in all matters related to the application: Ann E. Reissig, Commissioner Precinct 1
13. Consideration and action on proclaiming October 2009 as Domestic Violence Awareness Month: Don Allee, County Attorney / Fran Craig, Victim’s Assistance Coordinator
14. Discussion on naming an appointee for the Kendall Appraisal District Board of Directors. Action as needed: Gaylan L. Schroeder, County Judge
15. Consideration and action to approve the lease agreement between Kendall County and Alamo Area Council of Governments-Alamo Regional Transit (AACOG-ART): Ann E. Reissig, Commissioner Precinct 1
16. Consideration and action to approve the following contracts:
  1. Boerne Soccer League
  2. Hill Country Alternative Dispute Resolution (HCADR)
  3. Sanitarian Services Contract with The City of BoerneDon Allee, County Attorney / Gaylan L. Schroeder, County Judge
17. Discuss and take action to pay Road & Bridge employees for emergency call out: Gene Sparks, Road & Bridge
18. Present summary of activities by Road and Bridge during August, 2009 to Commissioners Court: Terry Anderson, County Engineer

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19. Consideration and action on approving the Office of Rural Community Affairs (ORCA) Contract Budget Change Form and authorize the County Judge to sign same. Competitive bids for 5 Natural Resources Conservation Services (NCRS) projects were higher than the amount in the original agreement. ORCA will pay the County's 25% share: Terry Anderson, County Engineer
20. Consideration and action on the reviewing and awarding of bids for materials for Road & Bridge Fiscal Year 2010: Ricky Pfeiffer, Road & Bridge
21. Consideration and action on a Request for Relief for minimum road frontage in accordance with Section 301.1000 in the Kendall County Rules and Regulations adopted August 29, 2005, amended September 25, 2006. The 16.18 acre tract fronts on Waring Welfare Road and has 270 feet of total frontage. The proposed division would result in a 6.17 acre tract and 10.01 acre tract with 210 feet and 60 feet of road frontage respectively. (Chris D. and Janel Y. Woerner): Kenneth M. Rusch, Commissioner Precinct 4
22. Consideration and action on a request to accept a name for an ingress/egress easement located on FM 473, 4.847 miles east of the intersection of FM 474 and FM 473 (physical address 2332 FM 473) in accordance to Kendall County Order 08-10-2009B. The proposed name of the ingress/egress easement is "Bar M Ranch Road." (Maxie C. Jonas, Krissie J. Thomson, Karen L. Hill, Kolin M. Jonas, Kim J. Cartwright, Kevin W. Jonas, Donna L. Jonas, Mary M. Kneupper): Darrel L. Lux, Commissioner Precinct 3
23. Consideration and action on the Amending plat of Lots 207 and 208 into Lot 207A in River Mountain Ranch, Section 3 in Kendall County, Texas, in accordance to Section 208.1200.4 in the Kendall County Rules and Regulations adopted August 29, 2005 amended September 25, 2006. (Steven and Debra Beach): Gene Miertschin, Commissioner Precinct 2
24. Consideration and action on the Final Plat for Cordillera Ranch, Di Lusso, Site 1, a Condominium Development in accordance with Section 203 of the Kendall County Regulations, Rules and Specification for Roads and Subdivisions, 1990 (Revised – December 1994). The proposed site fronts on Clubs Drive of Unit 204A. The Subdivision consists of one lot of 12.55 acres with no roadway. (Cordillera Villa GP, Inc., Christopher Hill – Vice President): Gene Miertschin, Commissioner Precinct 2
25. Present summary of activities by the Development Management Department during August, 2009: Richard Tobolka, Development Manager

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26. Present summary of activities by the Parks Department during August, 2009:  
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. The Court will meet in Executive Session pursuant to Section 551.071 Government Code 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. Kendall County vs. BTex Ranch, L.P. et al**

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

**ADJOURNMENT**

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**Dated this the 24<sup>th</sup> day of September, 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 24<sup>th</sup> day of September, 2009.

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Darlene Herrin  
County Clerk

**Posted at 2:00 P.M. on the 24<sup>th</sup> day of September, 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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