

**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 13th day of **October, 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 September 28, 2009:
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 payment of an amended schedule for monthly and quarterly recurring bills for the Fiscal Year 2010: Cherry Russell, Assistant Auditor
5. **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.
6. Consideration and action on the burn ban (Authority Section 352.081, Texas Local Government Code): Gaylan L. Schroeder, County Judge
- 7.. Consideration and action to adopt a Resolution (10-13-2009A) allowing Kendall County Fire Departments to bill for certain services, i.e. hazardous waste spills, false alarms, etc.: Jeffrey Fincke, Fire Marshall

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8. Consideration and action to adopt a Resolution (10-13-2009B) casting Kendall County's votes for a candidate to the 2010-2011 Kendall Appraisal Board of Directors: Gaylan L. Schroeder, County Judge
9. Consideration and action to adopt a Resolution (10-13-2009C) certifying that Kendall County has approved funds to be given to the Rainbow Senior Center to be used between September 1, 2009 and August 31, 2010 for home delivered meals and authorizing the filing of an application with Texas Department of Agriculture (TDA) for a Texans Feeding Texans Grant: Gaylan L. Schroeder, County Judge / Ellen Damstra Executive Director, Rainbow Senior Center
10. Consideration and action concerning the adoption of an Account Resolution (10-13-2009D) designating Kenney Bank and Trust as a depository for funds collected by Istream (EMS account): Don Allee, County Attorney
11. Consideration and action on approval to submit a Notification of Intent to the Texas Comptroller of Public Accounts to accept an Energy Efficiency and Conservation Block Grant (EECBG) program allocation of \$75,000.00 for Kendall County and authorize the County Judge to sign same: Terry Anderson, County Engineer
12. Consideration and action on approving a Resolution (10-13-2009 E) to submit to the Texas Comptroller of Public Accounts to pursue EECBG funding made available through the American Recovery and Reinvestment Act (ARRA) to improve energy in County buildings and authorize the County Judge to sign same: Texas Comptroller of Public Accounts
13. Consideration and action on the adoption of a Resolution (10-113-2009F) to allow Kendall County to apply and receive a grant for Indigent Defense: Gaylan L. Schroeder, County Judge
14. Consideration and action to approve the following contract:
 1. HTS – Computer onsite service and support agreement:
Gaylan L. Schroeder, County Judge / Gene Miertschin, Commissioner Precinct 2
 2. Garrison Enterprises, Inc. – Digital Health Department System: Brenda Bell, Health Officer / Don Allee, County Attorney
15. Consideration and action to authorize the County Judge to sign the Inter-local Mutual Aid Agreement with the City of Boerne and all Kendall County Fire Departments: Jeffrey Fincke, Fire Marshall

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16. Brief Commissioners Court on the offer by Texas Association of Counties Risk Management Pool Property Appraisal Program to appraise all County buildings and property: Gaylan L. Schroeder, County Judge / Susan George, Assistant Auditor
17. Consideration and action to advertise for bids to finish out the building located at 221 Fawn Valley: Don Allee, County Attorney/Terry Anderson, County Engineer
18. Brief Commissioners Court on Road & Bridge going back to an 8 hour/5 day work week beginning October 26, 2009: Ricky Pfeiffer, Road & Bridge
19. Consideration and action on a Request for Relief for minimum road frontage and platting requirement in accordance with Section 301.1000 in Kendall County Rules and Regulations adopted August 29, 2005, amended September 25, 2006. The proposed family division would result in one (1) 14 acre tract being divided out of approximately 738 acres with access for the 14 acre tract through a 60 feet easement fronting on Old #9. (Harry Seidensticker, Burt Seidensticker): Kenneth M. Rusch, Commissioner Precinct 4
20. Consideration and action on a Request for Relief for minimum road frontage and platting requirement in accordance with Section 301.1000 in Kendall County Rules and Regulations adopted August 29, 2005, amended September 25, 2006. The 370.9 acre tract fronts on State Highway 46 East and has 1244 feet of total frontage. The proposed family division would result in three (3) 10 acre tracts and one (1) 340 acre tract. Access for the ten acre tracts is through a proposed 60 feet easement fronting on State Highway 46 East. (George and Betty Smith): Gene Miertschin, Commissioner Precinct 2
21. Present a proposal from Bluescope Construction and Wunderlich Builders on the design, specifications and cost estimate for a pre-engineered metal Butler building and kennels for the Animal Control Facility. Action as needed: Roger Duncan, Sheriff

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**

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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. Kendall County vs. BTex Ranch, L.P. et al
3. Joe Klar Rd. right-of-way

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

1. Deliberation concerning the duties and responsibilities of the Auditor's Office
2. Deliberation concerning the duties, appointment and/or employment of a Geographical Information System (GIS) Manager

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

22. Consideration and possible action concerning the creation of the position of a GIS Manager and/or a GIS Department: Gene Miertschin, Commissioner Precinct 2
23. Possible action concerning the employment of a GIS Manager: Gene Miertschin, Commissioner Precinct 2

ADJOURNMENT

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Dated this the 8th day of October, 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 October, 2009.

Darlene Herrin
County Clerk

Posted at 2:00 P.M. on the 8th day of October, 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