

**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 9th day of November, 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 plaque to Tommie Streeter Rhoad in recognition of her time and commitment to Kendall County: Gaylan L. Schroeder, County Judge
3. Consideration and action on approval of minutes for October 26, 2009:
Sally Peters, Deputy Clerk
4. Consideration and action on approval of claims for purchases, services and vendors: Cherry Russell, Assistant Auditor
5. Discuss and approve 4th Quarter Fiscal Year 2009 Investments: Medana Crow, County Treasurer
6. Consideration and action to accept the Annual Audit Report from Keith Neffendorf of Neffendorf, Knopp, Horry & Doss, P.C.: Dana Baethge, County Auditor
7. Discuss new and terminated employees and job openings: Juanita Espino, Human Resources

KENDALL COUNTY COMMISSIONERS COURT

**NOVEMBER 9, 2009/PAGE 2
REGULAR MEETING**

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. Texas AgriLife Extension – interpretation of programs: 4H and Farm Safety Day: Stephen Zoeller / Angela Fiedler, Kendall County Extension Agents
10. Consideration and action on a request for funds for a translator: Debby S. Hudson, Justice of the Peace Precinct 3
11. Consideration and action to approve the payment of Election Officials for the Constitutional Amendment Election held on November 3, 2009. Checks to be mailed on November 16th: Rosaria Reyes, Elections Administrator
12. **Public Hearing (9:15)**—The Court will receive comments from the public regarding:
 1. An application to cancel all of the subdivision known as “ Comfort Falls Aviation Estates” in Kendall County, Texas, Volume 6, pages 65-68 and to reestablish the property to acreage tracts as it existed before the subdivision. (Sandy Smith)
Kenneth M. Rusch, Commissioner Precinct 4
13. Consideration and action on an application to cancel all of the subdivision known as “Comfort Falls Aviation Estates” in Kendall County, Texas, Volume 6, Pages 65-68 in accordance with Section 209 of the Kendall County Development Rules and Regulations adopted August 29, 2005, amended September 25, 2006. (Sandy Smith): Kenneth M. Rusch, Commissioner Precinct 4
14. Consideration and action to release financial Guarantee for the subdivision known as “Comfort Falls Aviation Estates” in accordance with Section 204 of the Kendall County Development Rules and Regulations adopted August 29, 2005, amended September 25, 2006. The financial guarantee consists of two letters of credit set to expire April 10, 2010 with values of \$761,027.00 and \$164,705.00. (Sandy Smith): Kenneth M. Rusch, Commissioner Precinct 4
15. Consideration and action on the burn ban (Authority Section 352.081, Texas Local Government Code): Gaylan L. Schroeder, County Judge
16. Consideration and action to approve the Kendall County Community Plan for 2009-2010: Roger Duncan, Sheriff
17. Consideration and action on bids received on vehicles for the Sheriff’s Office, consisting of four patrol vehicles: Roger Duncan, Sheriff

KENDALL COUNTY COMMISSIONERS COURT

NOVEMBER 9, 2009/PAGE 3

REGULAR MEETING

18. Consideration and action to adopt a Proclamation proclaiming November 2009 as Home Care and Hospice Month: Gaylan L. Schroeder, County Judge
19. Consideration and action to approve Resolution 11-09-2009 in support of the Joint Land Use Study commissioned by the City of San Antonio Office of Military Affairs concerning compatibility issues between military operations at Camp Bullis and neighboring communities: Gene Miertschin, Commissioner Precinct 2
20. Consideration and action to approve a contract with Tyler Technologies for court management software for the County and District Clerks' offices: Gene Miertschin, Commissioner Precinct 2
21. Consideration and action to approve the Community Collaboration Agreement with Hill Country Council on Alcohol and Drug Abuse, Inc.: Gaylan L. Schroeder, County Judge
22. Presentation of a petition to the Court by residents of Pfeiffer Road to have it classified as a Class III County Road: Ann E. Reissig, Commissioner Precinct 1
23. Consideration and action on hiring a consulting engineer to determine the most cost effective means of providing dust suppression at the County Brush Site to comply with the Texas Commission on Environmental Quality's (TCEQ) notification of a dust problem at the site: Terry Anderson, County Engineer
24. Discuss and take action as necessary regarding the bid received from Waste Management of Texas for removing the containers at the Solid Waste Collection Station on Spanish Pass Road: Terry Anderson, County Engineer
25. Consideration and action on the proposal to design and construct a new Animal Control Shelter for Kendall County from Bluescope Construction, Inc. and possible adoption of an Order/ Resolution concerning same: Terry Anderson, County Engineer
26. Consideration and action concerning the creation of the position of a Geographical Information System (GIS) Specialist and/or a GIS Department: Gene Miertschin, Commissioner Precinct 2
27. Consideration and action to approve the duties and responsibilities of the proposed GIS position for Kendall County: Gene Miertschin, Commissioner Precinct 2
28. Discussion on Urban Area Security Initiative (UASI) grant money, to be used for a regional project: Jeff Fincke, Emergency Management Coordinator

KENDALL COUNTY COMMISSIONERS COURT

29. Discussion about the proposed use of the State Homeland Security Program (SHSP) grant: Jeff Fincke, Emergency Management Coordinator

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 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, nuisance conditions and county buildings**
 - 2. Montgomery vs. Kendall County**
 - 3. River Bend Road Right-of-way**
 - 4. Kendall County vs. BTex Ranch, L.P. et al**

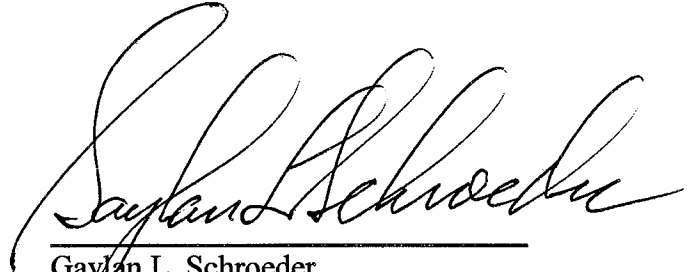
**RESUME OPEN SESSION AND TAKE ANY NECESSARY ACTION
RESULTING FROM EXECUTIVE SESSION DELIBERATIONS**

30. Consideration and action concerning the transfer of title and/or sale or exchange of property in Comfort: Don Allee, County Attorney / Bob Eason, Asst. County Attorney
31. Consideration and action concerning the abandonment of the old, unused State Highway 473 Right of way: Don Allee, County Attorney / Bob Eason, Asst. County Attorney

ADJOURNMENT


**NOVEMBER 9, 2009/PAGE 5
REGULAR MEETING**

Dated this the 5th day of November, 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 5th day of November, 2009.



Darlene Herrin
County Clerk

Posted at 2:30 P.M. on the 5th day of November, 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