

**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 14<sup>th</sup> day of **December, 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 November 23, 2009:  
Sally Peters, Deputy Clerk
3. Consideration and action on approval of claims for purchases, services and vendors: Cherry Russell, Assistant Auditor
4. Discuss and approve Fiscal Year 2009 Financial Statement: Medana Crow, County Treasurer
5. Consideration and action on Know Your Numbers Wellness event and the Kendall County weight loss challenge: Michelle Lux, Benefits Coordinator
6. **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.
7. Consideration and action on the burn ban (Authority Section 352.081, Texas Local Government Code): Gaylan L. Schroeder, County Judge

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8. Discussion and action on recommended safety procedures to be followed in County owned public buildings: Gaylan L. Schroeder, County Judge
9. Discussion and action on establishing a Historic Courthouse Rededication Committee: Gene Miertschin, Commissioner Precinct 2
10. **Public Hearing (9:30)** – The Court will receive comments from the public regarding:
  1. The proposed amendments to the Kendall County, Texas, Development Rules and Regulations adopted August 29, 2005 and amended effective September 25, 2006.  
Richard Tobolka, Development Management / Don Allee, County Attorney
11. Discussion and action to accept the Annual Financial Certification Report for Fiscal Year 2009 to the Department of Justice, for Federal Asset Forfeiture Funds: Dana Baethge, County Auditor
12. Discussion and action on authorizing the publishing of notice for a Public Hearing to be held on December 28, 2009 at 9:15 a.m. on the subject of creating a four-way stop sign at the intersection of Coveney Trail and Joe Klar Road: Gene Miertschin, Commissioner Precinct 2
13. Discuss and take action to pay Road & Bridge employees for emergency call out: Gene Sparks, Road & Bridge
14. Consideration and action to approve a Maintenance Bond in the form of a Letter of Credit for Stone Wall Drive in the Stone Wall Subdivision in the amount of \$29,500.00 for a period of one year from this date and release the Developer's Letter of Credit in the amount of \$725,000.00: Gene Miertschin, Commissioner Precinct 2
15. Consideration and action to approve Pay Request No. 2 to Esser & Company for administration of the Texas Department of Rural Affairs(TDRA) Grant (formerly ORCA) in the amount of \$5,950.00 and authorize the County Judge and County Auditor to sign said request: Terry Anderson, County Engineer
16. Annual report and update on the Economic Development Corporation activities for Year 2009: Phillip Bell / Paul Urban, EDC Kendall County Representatives, Dan Rogers, EDC Director
17. Discussion and action on obtaining redistricting services for Kendall County: Gaylan L. Schroder, County Judge / Darrel L. Lux, Commissioner Precinct 3

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18. Consideration and action concerning entering into a contract with an architect for the build out of the County building located at 221 Fawn Valley: Don Allee, County Attorney / Terry Anderson, county Engineer

**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 551.074 to discuss personnel issues:**
  1. Deliberation concerning the duties and responsibilities of personnel under the County Judge's Office and departments under the Commissioners Court
- II. The Court will meet in Executive Session pursuant to Section 551.072 to deliberate the purchase, exchange or value of real property**
- III. 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, and economic development
  2. Montgomery vs. Kendall County
  3. River Bend Road Right-of-way
- IV. The Court will meet in Executive Session pursuant to Section 551.087 – Deliberations regarding Economic Development Negotiations**
  1. Deliberation regarding commercial or financial information received from a business prospect
  2. Deliberation on the offer of a financial or other incentive to a business prospect described by Subdivision (1)

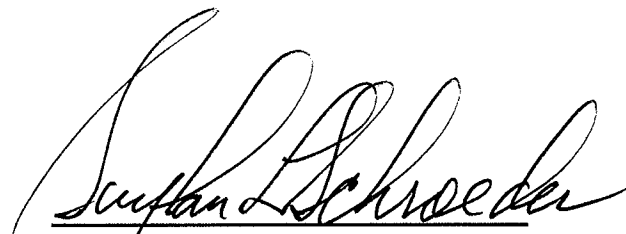
**RESUME OPEN SESSION AND TAKE ANY NECESSARY ACTION  
RESULTING FROM EXECUTIVE SESSION DELIBERATIONS**

**ADJOURNMENT**

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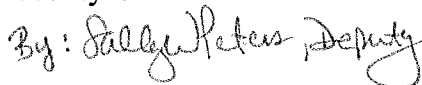
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REGULAR MEETING

Dated this the 10<sup>th</sup> day of December, 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 10<sup>th</sup> day of December, 2009.

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Darlene Herrin  
County Clerk

By:  Deputy

Posted at 2:00 P.M. on the 10<sup>th</sup> day of December, 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