

THE STATE OF TEXAS

COUNTY OF KENDALL

BE IT REMEMBERED, that the Commissioners' Court of Kendall County, Texas, was

begun and held at a Regular Meeting at the Courthouse in Boerne, Texas, on the 26th day of January 2009.

Present:
GAYLAN L. SCHROEDER, COUNTY JUDGE
ANN REISSIG, COMMISSIONER, PCT. #1
GENE MIERTSCHIN, COMMISSIONER, PCT. #2
DARREL L. LUX, COMMISSIONER, PCT. #3
KENNETH M. RUSCH, COMMISSIONER, PCT. #4
SALLY W. PETERS, DEPUTY COUNTY CLERK

1. **The meeting was called to order at 9:00 a.m. with the Pledge of Allegiance to the United States and Texas flags.**

2. **The following Service Awards were presented:**

- **20 years of service: Bonnye Vidal, County Attorney's Office**
 - **10 years of service: Susan George, Auditor's Office**
Mary (Cissy) Lee, Office of the Justice of the Peace, Precinct 4
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3. **THE STATE OF TEXAS**

COUNTY OF KENDALL

It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the Minutes for January 12, 2009.

Motion was made by Commissioner Reissig, seconded by Commissioner Miertschin, and carried by a vote of 5-0.

4. **THE STATE OF TEXAS**

COUNTY OF KENDALL

It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the Monthly Reports for December 2008 as submitted by the Auditor's office (on file).

Motion was made by Commissioner Lux, seconded by Commissioner Rusch, and carried by a vote of 5-0.

5. **THE STATE OF TEXAS**

COUNTY OF KENDALL

It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the Claims for purchases, services, and vendors as submitted (on file).

Motion was made by Commissioner Lux, seconded by Commissioner Reissig, and carried by a vote of 5-0.

6. **PUBLIC COMMENTS:**

- **Ken Anderson commented on the legal definitions of zoning, the proposal to give the County Commissioners authority to enact County Zoning, and the lack of communication between the Commissioners and the public regarding the proposed legislation.**
 - **Don Allee, County Attorney, said the County currently has land regulation, not zoning.**
 - **Joe Davis spoke on behalf of Kendall County Access to Justice, explaining that they were formed to help people who otherwise could not afford justice. He asked that the Court consider assigning them a permanent space on a weekly basis to accommodate a lawyer from Legal Aid and a client. He said that by having a consistent location on the same day each week, word would get to the people in need of the service. He asked for space enough to store a lockable file cabinet.**
 - **Judge Schroeder said that he would pass the request to the Space Allocation Committee.**
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7. **No action was taken to lift the Burn Ban. It is still on.**

8. **THE STATE OF TEXAS**

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the list as submitted for the 2009-2010 Historical Commission, subject to contacting Dave Anderson.

Motion was made by Judge Schroeder, seconded by Commissioner Reissig, and carried by a vote of 5-0.

9. **THE STATE OF TEXAS**

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to allow the individual department managers to enter into an agreement with Official Payments, pending the approval of the County Attorney's Office, to process online payments via the Kendall County website.

Motion was made by Commissioner Miertschin, seconded by Commissioner Reissig, and carried by a vote of 5-0.

11. **The County Engineer presented a summary of activities for Road & Bridge during December 2008.**

12. **THE STATE OF TEXAS**

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the request to allow the County Engineer, the Road Superintendent, and the Emergency Management Coordinator to attend the New Dam Safety Rules Seminar.

Motion was made by Judge Schroeder, seconded by Commissioner Lux, and carried by a vote of 5-0.

13. The Parks Department Director gave an update on parks:
- James Kiehl Riverbend Park: parking areas, picnic tables and benches, and informational kiosks are being completed.
 - Joshua Springs Park and Preserve: the septic system design will be finalized this week and the Texas Parks & Wildlife Grant will be submitted this week.

Judge Schroeder said the cost of Joshua Springs Park and Preserve was \$5.8 million, not \$6.8 million as had been reported, and was funded using the 2004 Proposition I Bond funds and the County General Fund. He also said that the newest park that is on Mark Twain Road off of Kreutzberg Road comprises 117 acres and has river frontage and wildlife.

14. The County Development Manager presented a summary of activities for December 2008.
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15. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the Amending Plat for Grandview Acres Subdivision, Lot 5 into Lot 5A in accordance with paragraph 208.1200.4 of the Development Rules and Regulations dated August 29, 2005 (amended September 2006).

Motion was made by Commissioner Rusch, seconded by Commissioner Lux, and carried by a vote of 5-0.

16. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to grant relief for road frontage to create a private cemetery at 7327 FM Highway 1888 and allow a 25-foot ingress egress easement (Ryan).

Motion was made by Commissioner Lux, seconded by Commissioner Rusch, and carried by a vote of 5-0.

19. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the contract and the Resolution with stated changes concerning the purchase of equipment from Capital City Leasing and authorize the County Judge to sign.

Motion was made by Commissioner Lux, seconded by Commissioner Rusch, and carried by a vote of 5-0.

Court closed Open Session at 10:23 a.m., took a break and went into Executive Session at 10:30 a.m.

Court closed Executive Session and went into Open Session at 4:40 p.m. where the following motions were made:

10. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to proceed as discussed in Executive Session concerning Indigent Health medical expenses.

Motion was made by Commissioner Lux, seconded by Commissioner Reissig, and carried by a vote of 5-0.

17. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to submit the payment to the United States Treasury in the amount owed.

Motion was made by Commissioner Lux, seconded by Commissioner Rusch, and carried by a vote of 5-0.

18-1. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to assign the space on the third floor currently designated as "Janitorial" to the District Clerk for additional storage.

Motion was made by Commissioner Miertschin, seconded by Commissioner Reissig, and carried by a vote of 5-0.

18-2. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, that all closed civil files under the jurisdiction of the District Clerk be removed from the District Judge's secretarial office by 5:00 p.m. on January 30, 2009, so the space can be used by the District Judge and the Associate Judge.

Motion was made by Commissioner Miertschin, seconded by Commissioner Lux, and carried by a vote of 5-0.

Being no further business, the meeting was adjourned at 4:50 p.m.

EXAMINED AND APPROVED THIS 9th DAY OF FEBRUARY A.D., 2009.

ATTESTED: Darlene Herrin
COUNTY CLERK
KENDALL COUNTY, TEXAS

Stephen Schrock
COUNTY JUDGE
KENDALL COUNTY, TEXAS