

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 9th day of February 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. The Judge remarked that he had just returned from Washington, D.C., where he experienced a -1° chill factor.**

2. **THE STATE OF TEXAS**
COUNTY OF KENDALL **It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the Minutes for January 26, 2009.**
Motion was made by Commissioner Reissig, seconded by Commissioner Miertschin, and carried by a vote of 5-0.

3. **THE STATE OF TEXAS**
COUNTY OF KENDALL **It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the Claims as submitted (on file).**
Motion was made by Commissioner Lux, seconded by Commissioner Reissig, 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 4th Quarter Investment Report for Fiscal Year 2008.**
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 Fiscal Year Ending 2008 Investment Report.**
Motion was made by Commissioner Lux, seconded by Commissioner Miertschin, and carried by a vote of 5-0.

6. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the 1st Quarter Investment Report for Fiscal Year 2009.

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

7. PUBLIC COMMENTS:

- Phillip Bell gave information and dates for the following events:
 - 1) February 19, 2009 at 6:00 p.m. at the Holiday Inn, the Kendall County Economic Development Corporation and Bandera Electric Co-op will conduct a seminar for Green Building and Energy Conservation.
 - 2) May 16, 2009 at the Herff Farm, the Cibolo Nature Center and the Boerne Public Library will sponsor an Oral History Day regarding people and places in the community. He encouraged residents to submit to the library any photographs, audio recordings, and written information passed down from earlier generations.

8. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to authorize EMS personnel to conduct CPR training for Kendall County employees with the details to be finalized by the Benefits Coordinator and the EMS Coordinator, and if needed for classes to make available the Assembly Room on the third floor of the Courthouse.

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

9-1. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to authorize the County Engineer to work with the Park Naturalist to create a list of materials that will not be accepted at the County Brush Site, and to construct and post appropriate signage designating those items.

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

9-2. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to direct the County Brush Site to use the smaller screen on the mulch grinder to produce the smaller particle mulch.

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

10. No action was taken to lift the burn ban. It is still on.

The EMS Coordinator said there are currently 175 counties under a burn ban. He said meteorologists have put out an alert for atypical wind events Tuesday and Wednesday of this week that will put most of south and south-central Texas in the upper limits of the Red Flag Warning.

11. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to select nine members of the public for the 2009 Salary Grievance Committee.

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

The names submitted for consideration for the 2009 Salary Grievance Committee: Vickie Nickel, Gaye M. Petty, Tracy Edmondson, Susan Morales, Kenneth Herbst, Robert K. Schwab, James Holt, David Biermann, and Kim McClelland.

The names submitted for alternates: Kristen Lindner, George Wolff, George Plummer, Leslie E. Pressler, and Karen Schneider.

12. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to accept Jungfrau Hill Road for County maintenance.

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

13. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to set a Public Hearing for March 9, 2009 at 9:15 a.m. to hear comments regarding the request for relief to minimum lot density and road frontage for the property division of an Outlot into two Outlots, 3.486 acres and 5.984 acres (Robert George, Terry Butler) on 7th Street in Comfort.

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

Court closed Open Session at 10:03 a.m., took a Break and went into Executive Session at 10:15 a.m.

Court closed Executive Session and went into Open Session at 4:29 p.m. where the following motions were made:

14. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to authorize the County Attorney to draft a Resolution to support the application for the Fiscal Year 2010 Appropriation Request Form from United States Congressman Lamar Smith to construct the Kendall County Youth Agricultural and Equestrian Center at Joshua Springs Park and Preserve.

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

15. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to authorize the approval of the United States Department of Agriculture Natural Resources Conservation Service Project Agreement and other appropriate documents, 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.

I.1. 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 regarding Parks Department personnel.

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

III.2.a. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to authorize Commissioner Miertschin to work with the website provider for the County in order to create a maintenance agreement that will then be brought back to Commissioners' Court for approval.

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

III.1. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to rescind the Exact Change Rule at the Solid Waste site on Spanish Pass Road effective today.

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

II.1. Commissioner Lux discussed the situation on Acker Road where there are a few landowners that have dedicated the right-of-way to the County, but whose fences are still on the road edge and need to be moved back the 15 feet that was dedicated. Not all of it has been surveyed. He asked the County Engineer to send a letter to the landowners saying that the County is in the process of improving Acker Road and will move the fences at the County's expense, and for the landowners to contact Road & Bridge for an appointment for a County representative to come to their property and show the landowner what is going to be done.

Being no further business, the meeting was adjourned at 5:00 p.m.

EXAMINED AND APPROVED THIS 23rd DAY OF FEBRUARY A.D., 2009

ATTESTED: Darlene Hersin
COUNTY CLERK
KENDALL COUNTY, TEXAS

[Signature]
COUNTY JUDGE
KENDALL COUNTY, TEXAS