

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 23<sup>rd</sup> 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.

2. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the Minutes for February 9, 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 Monthly Reports for January 2009 as submitted by the Auditor's office (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 Claims as submitted (on file).

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

5. PUBLIC COMMENTS:

The following people spoke against the possible relocation of the County Brush Site to the County-owned property on Spanish Pass Road. They gave the following reasons:

- John McAuliffe—road safety on a narrow road that does not have a center stripe, the compounded increase of non-residential traffic that will go to the Solid Waste Site and the Brush Site, the compounded increase in road trash and debris that the homeowners currently take responsibility for collecting, and the decrease in the quality of life for all of the residents.
- Tricia Velez—noise from the mulch grinder, increase in dust that creates respiratory problems for humans and domestic animals, and decrease in property values.
- Derek Rich—impact on local wildlife, increase in dust that is already generated from the Solid Waste Site that causes respiratory problems, increase in noise. As a Biologist, he offered his services to the County to help find a site with minimum impact on living things.
- Marvil Lee Agold—he said his property was not for trade or sale.
- Dick Park—questioned the wisdom of moving the site to another residential area, asked what were the factors for choosing the site, had a traffic study been done, and whether regulatory authorities for the environment were being consulted.

The Court responded to the concerns by saying that they were looking at all County-owned properties to try to determine the best place to relocate the County Brush Site, but that none had been chosen so far.

The following person spoke regarding Parks:

- Mark Sawyer, President of the Boerne Soccer Club, compared the contribution amount the City of Boerne asked of the County to help defray the upkeep of City park areas, but that the County denied, as equal to the amount of money in increased fees that the Boerne Soccer Club has had to pay. He said that he was disappointed that none of the new parks will have athletic facilities.

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Meg Grier, President of the Kendall County Child Services Board, gave a definition of the Board's function and highlights of their activities for the past year.

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6-2. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to adopt the Resolution declaring February 23, 2009 as Child Protective Services Worker Appreciation Day in Kendall County, Texas (attached).

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

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6-1. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the members as submitted for the 2009 Kendall County Child Services Board (attached).

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

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7. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the Commissioners' Court Resolution exempting the Dienger Building from ad valorem taxes under provision of the Texas Tax Code Section 11.24 (attached).

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

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8. A Public Hearing was held regarding Bergenplatz Ranches Subdivision to rename Laurens Lane to Welch-Christopher Court. No one spoke.

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9. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to table the item regarding Bergenplatz Ranches Subdivision and renaming Laurens Lane to Welch-Christopher Court.

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

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10. No action was taken to lift the Burn Ban. It is still on.

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11. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to accept the Racial Profile Reports for 2008 from law enforcement agencies in Kendall County.

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

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13. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the payment for Emergency Call Out for Road & Bridge.

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

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14. The County Engineer presented a summary of activities for Road & Bridge during January 2009.

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15. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to table action to condemn approximately 0.21 acres from Garza Masonry Stone, Inc. along Spanish Pass Road for the purpose of constructing a drainage ditch to the Interstate 10 frontage road.

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

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16. The County Development Manager presented a summary of activities for January 2009.

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17. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to grant relief to minimum road frontage on Fuller Drive for a 45-acre tract (Lori Hagee). The affidavit of land location must contain the following notes: "The tract cannot be further divided except in compliance with Kendall County Development Rules and Regulations" and "The tract cannot be conveyed unless it is combined with an adjoining tract of land that has road frontage in accordance to Kendall County Development Rules and Regulations."

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

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18. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to grant relief to minimum road frontage on Spencer Road to provide an easement for ingress egress for a 7-acre tract (Danny Gunnels). The affidavit of land location must contain the following note: "The tract cannot be conveyed unless it is combined with an adjoining tract of land that has road frontage in accordance to Kendall County Development Rules and Regulations."

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

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19. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the correction to the Amending Plat for Cordillera Ranch, Unit 10, Block A, to correct the road name Wood Drift to Driftwood.

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

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20. The Parks Department Director gave an update on parks:

- Joshua Springs Park and Preserve: the grant application had a favorable review from the Alamo Area Council of Governments (AACOG) and it was turned in on time to the Texas Parks & Wildlife. The picnic table sites are almost finished. The proposed Grand Opening is June 2009, which will coincide with Adventure Fest.
  - James Kiehl River Bend Park: the roadway and parking improvements are almost finished. The picnic tables and benches should be installed next week. The proposed Grand Opening is March 2009.
  - The new park on Mark Twain: water leak has been repaired.
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21. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to adopt the Park Rules for James Kiehl River Bend Park as presented by the Parks Department Director with the changes discussed in Court and a final review by the Commissioners.

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

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22. Tim Bargainer with the BWM Group gave a presentation on the group's expertise in park planning through a Park Master Development Plan.

Margaret Hardin with Langford Community Management Services talked about the grant writing process and how her business works in tandem with the BWM Group.

The Court asked for a joint proposal for a new Park Master Plan and grant writing services in order to meet a May 2009 deadline. Tim Bargainer said he would have the proposal to the Judge by the end of next week.

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Court closed Open Session at 10:55 a.m., took a break and went into Executive Session at 11:05 a.m.

Court closed Executive Session and went into Open Session at 4:55 p.m. where the following motions were made:

12. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to table action regarding the lease agreement with the Comfort Little Theater.

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

23. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to deny the request by A & G Land Management, LLC for a refund of a platting fee.

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

24. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to table action regarding the contract to employ a consultant to assist in grant applications.

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

25. THE STATE OF TEXAS

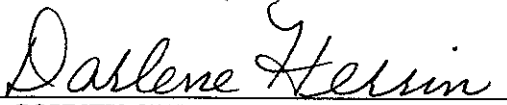
COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to enter into an agreement with the Matrix Consulting Group for a Salary Study to be completed by June 30, 2009, and to approve the contract with the changes discussed in Court and authorize the County Judge to sign.


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

Being no further business, the meeting was adjourned at 5:10 p.m.

EXAMINED AND APPROVED THIS 9<sup>th</sup> DAY OF MARCH A.D., 2009.

ATTESTED:

  
COUNTY CLERK  
KENDALL COUNTY, TEXAS

  
COUNTY JUDGE  
KENDALL COUNTY, TEXAS