

**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 March 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**

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

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2. **THE STATE OF TEXAS**

**COUNTY OF KENDALL**

It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the Minutes for March 9, 2009 as corrected.

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

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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 Monthly Reports for February 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.

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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.

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5. **THE STATE OF TEXAS**

**COUNTY OF KENDALL**

It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the 2009 Investment Policy as presented by the County Treasurer (attached).

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

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6. **PUBLIC COMMENTS:**

- Joan Gindorf gave statistics regarding funding and budgets for libraries and asked that the Court no longer contribute funds to the Boerne Public Library and instead concentrate on funding libraries in other locations such as Comfort, Kendalia, Sisterdale and Bergheim.

The following people spoke regarding the County's selection of a representative on the Economic Development Corporation (EDC) Board:

- David Pipes spoke in favor of choosing a representative who would be in support of House Bill 2167.
- Tom Robertson expressed his support for Dan Banks as the County's representative on the EDC Board saying that he is experienced and hardworking and would provide a diverse background on the Board.
- Dan Banks tendered his name as a candidate for the County's representative on the EDC Board. He gave the Court his resume and said that his focus is smart growth that would protect property owners' rights and property values and keep the County a unique area.
- Jim McCormick asked the Court to consider conflict of interest when choosing the representative for the EDC Board and to pick a representative with the broader best interest of the County.

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

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8. **THE STATE OF TEXAS**

**COUNTY OF KENDALL** It is ordered by the Commissioners' Court of Kendall County, Texas, to proclaim March 22—March 28, 2009, Hill Country Mission for Health Week, "Week of the Uninsured," with the "Boot Kickin' for Health Walk" Day on May 2, 2009 (attached).

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

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9. **THE STATE OF TEXAS**

**COUNTY OF KENDALL** It is ordered by the Commissioners' Court of Kendall County, Texas, to adopt the Resolution on behalf of Kendall County Crime Stoppers regarding their application for a grant.

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

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10. **THE STATE OF TEXAS**

**COUNTY OF KENDALL** It is ordered by the Commissioners' Court of Kendall County, Texas, to adopt the Resolution declaring April 11, 2009 as Shriners Hospitals for Children Day in Kendall County (attached).

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

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11. A Public Hearing was held regarding Kendall County's policy on tax abatement.

- Dan Rogers, Director of the Kendall County Economic Development Corporation, thanked the Court for considering the tax abatement policy that will enable the County to be more competitive in attracting jobs to our area. He particularly thanked Commissioner Lux, Commissioner Miertschin, and County Attorney Don Allee for the time and effort spent working on this item.
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12. THE STATE OF TEXAS

COUNTY OF KENDALL

It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the following policy for a tax abatement schedule for a minimum new investment amount of \$5 million: for years 1-3, 50%; years 4-5, 40%; and years 6-7, 25%.

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

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13-1. THE STATE OF TEXAS

COUNTY OF KENDALL

It is ordered by the Commissioners' Court of Kendall County, Texas, to authorize the publication of notices for a general contractor for restoration of the Historic Courthouse in Kendall County.

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

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13-2. THE STATE OF TEXAS

COUNTY OF KENDALL

It is ordered by the Commissioners' Court of Kendall County, Texas, that all bids for general contractor for restoration of the Historic Courthouse are to be final and are to be opened on Wednesday, April 22, 2009 at 3:00 p.m.

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

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14. Michelle Lux, Kendall County Benefits Coordinator, gave an update on the Walk Across Texas activity. There will be a kick off meeting on April 1<sup>st</sup> where free pedometers will be distributed. The competition will be from April 2<sup>nd</sup> until May 28<sup>th</sup> with winners to be announced on June 8<sup>th</sup>, which will coincide with the Weight Loss Challenge results. She said that participants in Walk Across Texas would be able to use the paved circle at Joshua Springs Park and Preserve on Mondays and Thursdays until dusk. She thanked the Court for supporting activities such as these that enable County employees to improve their health.
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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 2009 Salary Grievance Committee as submitted (attached).

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

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16. The County Engineer presented a summary of activities for Road & Bridge during February 2009.

Regarding the Kendall County Brush Site, Commissioner Lux thanked Bob Webster for announcing that the Brush Site had an abundance of mulch that could be picked up for free. It helped to decrease the large pile of mulch that had accumulated.

It was also noted that the Brush Site is temporarily closed due to repair of the tub grinder.

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17. 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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18. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the contract extension with Big Tex Paving for seal coat through the end of fiscal year 2009 with noted changes.

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

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19. The County Development Manager presented a summary of activities for February 2009.

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20. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the renewal Letter of Credit for \$761,027.00 and \$164,705.00 for a period of one year for subdivision improvements for Comfort Falls Aviation.

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

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

- Park hours are being defined so that they can be posted at each park.
  - James Kiehl River Bend Park: all work is completed, so it should be open March 28, 2009.
  - Joshua Springs Park and Preserve: bids are being taken on the septic system.
  - The new park on Mark Twain: the previous owner has vacated and the cleanup of debris will be scheduled.
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23. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to untable agenda item #16 from the March 9, 2009 Regular Meeting of the Commissioners' Court.

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

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24-1. Commissioner Miertschin made a motion to nominate Dan Banks as the County representative for the coming term to the Board of the Kendall County Economic Development Corporation. The motion died for lack of a second.

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24-2. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to reappoint Paul Urban to the Economic Development Corporation Board.

Motion was made by Commissioner Rusch, seconded by Judge Schroeder, and carried by a vote of 4-1 with Commissioner Miertschin voting against.

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Court closed Open Session at 11:01 a.m., took a break and went into Executive Session at 11:15 a.m.

Court closed Executive Session and went into Open Session at 11:55 a.m. where the following motions were made:

I-4. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to authorize the County Attorney and the County Judge to proceed as discussed concerning real property.

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

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22. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to authorize the reimbursement to the family for the autopsy of John Michael Dilday.


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

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Being no further business, the meeting was adjourned at 11:58 a.m.

EXAMINED AND APPROVED THIS 13<sup>th</sup> DAY OF APRIL A.D., 2009.

ATTESTED:

  
COUNTY CLERK  
KENDALL COUNTY, TEXAS

  
COUNTY JUDGE  
KENDALL COUNTY, TEXAS