

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 27th day of April 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.
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Sympathy was extended to the family of Martha Lee Peden.

The Judge commended the Boerne Fire Department, Road & Bridge crews and EMS for their concerted response in containing the 520-acre fire on Turkey Knob Road. He read a letter from the Boerne Fire Chief commending everyone's efforts and particularly EMS employee, Lissy San Miguel, for going above and beyond the call of duty.

2. The following Service Awards were presented:
- 5 years of service: Elizabeth (Lissy) San Miguel, EMS office
 - 10 years of service: Medana Crow, County Treasurer
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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 April 13, 2009.

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

- 4-a. **THE STATE OF TEXAS**

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the Monthly Reports for March 2009 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.

- 4-b. **THE STATE OF TEXAS**

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the Budget Adjustments as submitted by the Auditor's office (attached).

Motion was made by Commissioner Lux, seconded by Commissioner Reissig, 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 as submitted (on file).

Motion was made by Commissioner Lux, seconded by Commissioner Rusch, 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 Investment Report for Quarter Ending March 31, 2009.

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

7. **PUBLIC COMMENTS:**

- Ken Anderson expressed concern about the County's support of the original House Bill 3265 and its revision that is currently before the Texas Legislature, which he says allows districts by zone and the creation of Planning and Zoning Commissions and requires a county to have a comprehensive plan. He said that even if the current Court had no desire to zone, a future Court would be enabled to do so if the Bill is approved.
 - The County Attorney said that as the Bill is drafted now, the Court would have a hard time supporting it. He said that what the Court adopted last year was the "bare bones" Bill, which did not allow for districts, a development plan or a Planning and Zoning Commission. The people working on the Bill in Austin added those things later. Kendall County and the Hill Country Alliance want the ability to establish buffer zones for incompatible land uses, to charge the developer a fee concerning road improvements, and to regulate density.
 - Dan Rogers announced that the Kendall County Economic Development Corporation, Texas Tech University, the Alamo Colleges, and the Boerne Independent School District (BISD) are creating an alliance in Kendall County to allow adults and students to receive college credit from Texas Tech and the Alamo Colleges. There is also a pilot program in the high school for students to earn up to 30 hours of college credit at Texas Tech.
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8-a. No action was taken on lifting the burn ban; however, permits may be requested from the fire marshal.

9. A Public Hearing was held regarding the regulation of vehicular traffic on County roads and County-owned property. The following people spoke:

- The County Attorney explained that vehicles are speeding in the parking areas and parking access roads and using the same for cut-through traffic. He explained the recommendations to solve the issues.
 - Shawn Bonner thanked the Court for taking The Hungry Horse Restaurant into consideration when making decisions that would reduce parking spaces for their business.
 - M.J. Slater asked the Court to keep the Chamber of Commerce in mind when making parking decisions.
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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 an Order regulating traffic through the parking areas and parking access roads at the Courthouse and to authorize the appropriate signage. The speed limit will be posted at 10 mph. The curb at the front of the Courthouse will be designated as No Parking with the exception of an Emergency Vehicle Only Zone and a Loading Zone. The parking access road on the west side of the Courthouse will be designated No Parking or Stopping. This parking access road will have lanes for two-way traffic from East San Antonio Street to the Kendall Appraisal District (KAD) parking lot, but from the south side Courthouse parking lot going north to East San Antonio Street there will be a single lane for one-way traffic only. On Saunders Street adjacent to the Courthouse parking lot entrance, an additional No Parking area will be added.

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

11. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to establish a No Parking Zone at the Waring Volunteer Fire Department (Front Street and Waring Road).

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

12-a. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to reject the bids from Kegley and The Sabinal Group for restoration of the Historic Courthouse on the grounds that their experience is not sufficient.

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

12-b. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the bid from MJ Boyle General Contractors out of San Antonio, Texas, to act as General Contractor for the restoration of the Historic Courthouse.

Motion was made by Commissioner Miertschin, seconded by Commissioner Reissig, 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 proclaim April 26 – May 3, 2009 as Soil Stewardship Week.

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

Court took a Break at 10:10 a.m. and resumed session at 10:21 a.m.

14. 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.

15. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the contract with Meyers Concrete for curb work to be done on Doeskin Drive subject to the removal of item #5 regarding payment prior to completion of the project and authorize Road & Bridge to sign.

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

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

17. The County Development Manager presented a summary of activities for March 2009.

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

- Twenty percent of the Master Plan has been submitted and it is currently under review.
 - Joshua Springs Park and Preserve: sewage facility work started today and should be completed by the end of the week. Texas AdventureFest, which is tentatively planned for June 6, 2009.
 - James Kiehl River Bend Parks & Wildlife (TP&W) want to review the grant submission and to tour the park. Plans are underway for Park: landscaping and signage is almost complete. The tentative dedication date is Memorial Day.
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19. No action was taken in regard to naming the new park located on Mark Twain.

20. Grace San Miguel, Kendall County Community Supervision and Corrections Department Director, gave an update for the Adult Probation department saying that they have outgrown their current space. She asked for an increase in space with provision for privacy during conferences and an additional bathroom.

21. Linda Werlein, Executive Director of Hill Country Community Mental Health Mental Retardation, gave an overview of services and needs.

Court closed Open Session at 11:25 a.m., took a break and went into Executive Session.

Court closed Executive Session and went into Open Session at 2:35 p.m. where the following motions were made:

I. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to authorize the purchase of the property and building at 221 Fawn Valley Drive and to issue a check in the amount of \$718,805.95.

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

22. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to authorize Jeff Fincke, EMS Coordinator, to work with Intermedix to turn over delinquent accounts for collection.

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

8-b. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to lift the burn ban in Kendall County at 2:38 p.m. and to allow the County Judge to reinstate the ban if deemed necessary.

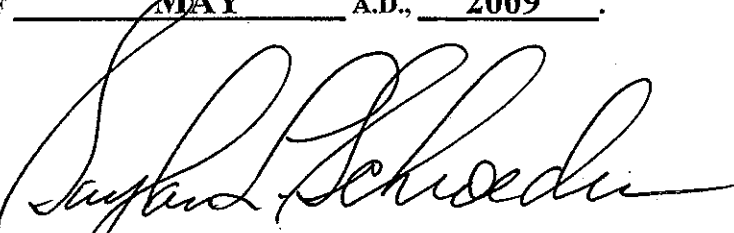
Motion was made by Commissioner Rusch, seconded by Commissioner Reissig, and carried by a vote of 5-0.

Being no further business, the meeting was adjourned at 2:40 p.m.

EXAMINED AND APPROVED THIS 11th DAY OF MAY A.D., 2009.

ATTESTED:


COUNTY CLERK
KENDALL COUNTY, TEXAS


COUNTY JUDGE
KENDALL COUNTY, TEXAS