

**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 11<sup>th</sup> day of May 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 April 27, 2009.

Motion was made by Commissioner Lux, seconded by Commissioner Rusch, 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 Budget Adjustments as submitted by the Auditor's office and approve the Waring Fire Department request to use \$3,800.00 for the kitchen instead of for phones (attached).

Motion was made by Commissioner Lux, seconded by Commissioner Rusch, 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 payment of \$8,370.00 for Juvenile Probation expenses.

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

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5-1.     **THE STATE OF TEXAS**

**COUNTY OF KENDALL**        It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the Claims as submitted, except for the Claim from Protection One coded for security at the Historic Courthouse, until further clarification can be provided.

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

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6. **PUBLIC COMMENTS:**

Jeff Fincke, EMS Coordinator, gave updates on the following:

- A Point of Dispensement (POD) drill held on Saturday was executed successfully. They processed about 350 people per hour through the POD. During an actual emergency, they estimated it would take about 10-12 hours to give everyone in the County an antiviral medication.
- The status of grants for cardiac defibrillators, generators for EMS stations, protective equipment for crews, and a communication package for the fire department
- The Forest Service gave the Alamo Springs Fire Department a used truck that needs work.
- The EMS Association purchased 25 cushioned classroom chairs and 25 padded folding chairs. The Association voted to provide another ambulance to the County, which is expected to be delivered in February 2010.
- The Bergheim Fire Department will have their Ribbon Cutting ceremony on Thursday at 1:30 p.m. and their Open House on Saturday from 1:00 to 5:00 p.m.

Dana Baethge, County Auditor, updated the Court on the County's request for federal stimulus funds that would benefit the women's shelter, the equestrian center, and a new radio system for the Sheriff's Office. Also a grant is being pursued through the Alamo Area Council of Governments (AACOG) for the purpose of improving the current criminal justice system.

The County Engineer said that repairs are finished on the tub grinder at the Brush Site, so it is now open for business again.

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7. **THE STATE OF TEXAS**

**COUNTY OF KENDALL** It is ordered by the Commissioners' Court of Kendall County, Texas, to reinstate the burn ban effective immediately with burning allowed by permit only (attached).

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

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8. **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 and maximum density for the Plat Revision of Lot 101A, Town of Comfort, in accordance with Section 301.1000 of the Development Rules and Regulations dated August 29, 2005 (amended September 2006). The proposed division would create Lot 101A-1 (0.053 acres and 2309 square feet) and Lot 101A-2 (0.058 acres and 2526 square feet) (Bobby Dent).

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

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5-2. **THE STATE OF TEXAS**

**COUNTY OF KENDALL** It is ordered by the Commissioners' Court of Kendall County, Texas, to withdraw the earlier motion #5 regarding the Claims.

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

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5-3. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve all of 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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9. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the Amending Plat for Cordillera Ranch Subdivision, Unit 104A, Block A, by combining Lots 52 and 53 into Lot 53A subject to the correction being made regarding acreage inside and outside of the flood plain.

Motion was made by Commissioner Miertschin, seconded by Commissioner Reissig, 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 approve the payment for Emergency Call Out for Road & Bridge.

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

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11. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to table action regarding the increase of fees at the Solid Waste Collection Station.

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

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12. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to authorize the County Auditor's office to go out for bids for container pickup on an annual basis at the Solid Waste Collection Station.

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

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13. Dan Rogers, Director of the Kendall County Economic Development Corporation (KCEDC), gave a quarterly report on the Annual Meeting that was held in March; sales tax performance; existing business outlook; workforce statistics and the need for affordable housing. He reported that growth in retail and office space has slowed down. He said the KCEDC is doing well and that they have about 80 private investors. Their budget is on target for the due date of June 1<sup>st</sup>. Their current plans are to target light industrial, medical research, and retail and they are working with the County Attorney's office to complete the Abatement Policy. He asked the Court if they would like to have a scheduled workshop to discuss ideas for the Court's direction for the KCEDC.

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14. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the Resolution that authorizes the award of the Professional Services Provider Contract for the 2008 Texas Capital Fund Award, Contract 729022, to GrantWorks.

Motion was made by Commissioner Lux, seconded by Commissioner Miertschin, 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 Resolution authorizing designated signators for the 2008 Texas Capital Fund Program, Contract #729022, to be the County Judge, the County Auditor, and the County Treasurer.

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

At 10:30 a.m. the Court took a Break.

At 10:40 a.m. the Court reconvened, closed Open Session and went into Executive Session pursuant to Chapter 551 of the Texas Government Code (TGC) where the following items were considered:

- I. Pursuant to Section 551.072, TGC, to deliberate the purchase, exchange or value of real property.
- II. Pursuant to Section 551.071, TGC, V.T.C.S. to seek the advice of the County Attorney and/or attorney(s) representing the County, concerning the pending and/or threatened litigation and/or matters in which the duties of the attorney(s) under the Texas Rules of Professional Conduct of the State Bar of Texas require confidential communications:
  1. County authority concerning subdivisions and County roads and bridges, subdivisions and economic development.

Court closed Executive Session and went into Open Session at 12:05 p.m. where the following motion was made:

16. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to authorize obtaining an appraisal of the Mental Health/Mental Retardation property located at 114 Blanco in Boerne, Texas, and authorize the County Attorney to proceed with the appraisal.

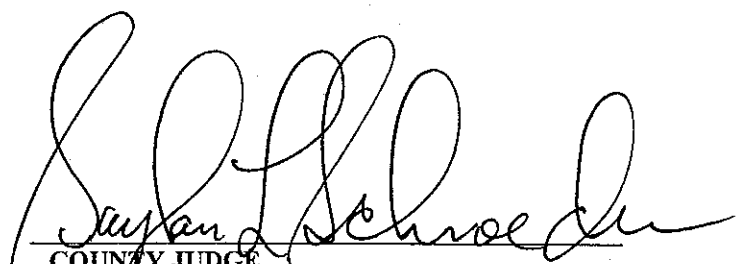
Motion was made by Commissioner Reissig, seconded by Commissioner Miertschin, and carried by a vote of 5-0.

Being no further business, the meeting was adjourned at 12:10 p.m.

EXAMINED AND APPROVED THIS 26<sup>th</sup> DAY OF MAY A.D., 2009.

ATTESTED:

  
COUNTY CLERK  
KENDALL COUNTY, TEXAS

  
COUNTY JUDGE  
KENDALL COUNTY, TEXAS