

**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 26<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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The Judge said that yesterday was the Official Opening of the James Keihl River Bend Park. He said it was a success with about 150 people in attendance. He thanked Rick Tobolka, Park Administrator, and his department for all of their hard work.

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2.      The following Service Awards were presented:
- 25 years of service: Frieda Pressler, Justice of the Peace, Precinct 4
  - 20 years of service: Earlene Pankratz, PBX Operator
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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 May 11, 2009.

Motion was made by Commissioner Reissig, seconded by Commissioner Miertschin, 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 Monthly Reports for April 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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5.      **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 Miertschin, seconded by Commissioner Reissig, and carried by a vote of 5-0.

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6. 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.
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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 Financial Statement for Month Ending October 2008 (attached).  
Motion was made by Commissioner Lux, seconded by Commissioner Rusch, and carried by a vote of 5-0.
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8. PUBLIC COMMENTS:  
No one spoke.
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10. THE STATE OF TEXAS  
COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to authorize the transfer of \$1,600.00 from line 10-636-55530 (Office Furniture) to line 10-636-55510 (Data Processing Equipment) for the purchase of a computer notebook, software, and printer for the Health Inspector.  
Motion was made by Commissioner Lux, seconded by Commissioner Reissig, 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 authorize the transfer of \$2,200.00 from line 10-560-55900 (Other Capital Outlay) to line 10-560-55530 (Office Furniture) for the purchase of a desk and shelving for the Sheriff's Office.  
Motion was made by Commissioner Miertschin, seconded by Commissioner Lux, 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 remove the burn ban.  
Motion was made by Commissioner Lux, seconded by Commissioner Rusch, and carried by a vote of 5-0.
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13. A Public Hearing was held regarding the proposed Plat Revision of Lot 101A, Town of Comfort. No one spoke.
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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 Plat Revision of Lot 101A, Town of Comfort, to Lots 101A-1 and 101A-2 in accordance with paragraph 208.1000 of the Development Rules and Regulations dated August 29, 2005 (amended September 2006).

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

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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 Texas Association of Counties (TAC) Field Representative to conduct a workshop for Elected/Appointed Officials, Department Heads, and Supervisors.

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

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16. 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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17-1. THE STATE OF TEXAS  
COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to untable agenda #11 from the May 11, 2009 Meeting.

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

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17-2. THE STATE OF TEXAS  
COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the Revised Price List for the Solid Waste Station effective June 15, 2009 (attached).

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

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18. The County Development Manager presented a summary of activities for April 2009.

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19. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to accept the renewal Letter of Credit in the amount of \$725,000.00 for subdivision improvements of the Stone Wall Subdivision, effective June 30, 2009 and expiring on December 31, 2009.

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

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

- James Kiehl River Bend Park Official Opening was held Monday, May 25<sup>th</sup> and had a great turnout.
  - Joshua Springs Park & Preserve will be the location for AdventureFest on June 6, 2009. Texas Parks & Wildlife will tour the park today and review the grant application. The septic system installation has been approved which will allow the use of the house/conference center. Various updates to the house for conference-type activities are under review.
  - The application submittal deadline has passed for the two park positions: Administrative Assistant and Maintenance Personnel. Approximately 75 applications were submitted and are under review.
  - The amended version of the proposed Master Plan for the County Parks was received last Thursday.
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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 sale of alcoholic beverages at AdventureFest on June 6, 2009 at Joshua Springs Park and Preserve.

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

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At 10:20 a.m. the Court closed Open Session, took a 10-minute Break, 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, discussing:
  1. County authority concerning subdivisions and County roads and bridges, subdivisions and economic development
  2. Claim of Patricia Tope
- III. Pursuant to Section 551.074 to deliberate:
  1. Duties and responsibilities of the County Attorney's Office

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

21-1. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to adopt the Kendall County Comprehensive Parks Recreation and Open Space Master Plan for 2009-2019 with appropriate revisions.

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

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21-2. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to adopt the Resolution #05-26-2009A concerning the Commissioners' Court of Kendall County adopting the 2009-2019 Comprehensive Parks Recreation and Open Space Master Plan (attached).

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

9. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the request of the Waring Fire Department to use \$2,049.25 assigned for a truck payment in line item 10-545-56516 for an upcoming building payment in order to reduce the principle.

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 approve Resolution #05-26-2009B to adopt the guidelines and criteria for tax abatement with the appropriate change as discussed (attached).

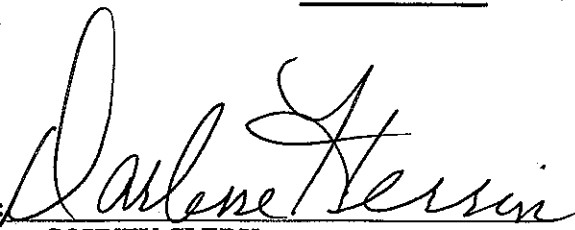
Motion was made by Commissioner Lux, seconded by Commissioner Reissig, and carried by a vote of 5-0.

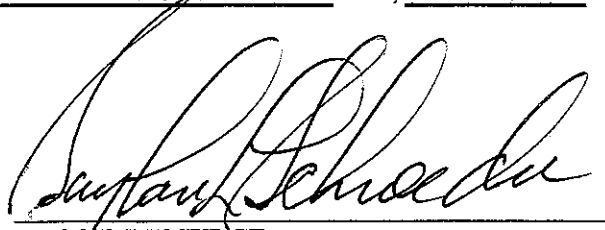
At 12:20 p.m. the Court closed Open Session and again went into Executive Session pursuant to Chapter 551 of the Texas Government Code (TGC) where the following items were considered:

- I. Pursuant to Section 551.072, TGC, to deliberate the purchase, exchange or value of real property.
- II. Pursuant to Section 551.071, TGC, discussing:
  - a. County authority concerning subdivisions and County roads and bridges, subdivisions and economic development
  - b. Claim of Patricia Tope
- III. Pursuant to Section 551.074 to deliberate:
  - 1. Duties and responsibilities of the County Attorney's Office

Court closed Executive Session, went into Open Session, and adjourned at 1:10 p.m.

EXAMINED AND APPROVED THIS 8<sup>th</sup> DAY OF JUNE A.D., 2009.

ATTESTED:   
COUNTY CLERK  
KENDALL COUNTY, TEXAS

  
COUNTY JUDGE  
KENDALL COUNTY, TEXAS