

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 13th day of October 2009.

Present: **GAYLAN L. SCHROEDER, COUNTY JUDGE**
 ANN REISSIG, COMMISSIONER, PCT. #1
 GENE MIERTSCHIN, COMMISSIONER, PCT. #2
 DARREL L. LUX, COMMISSIONER, PCT. #3
 SALLY W. PETERS, DEPUTY COUNTY CLERK

Absent: **KENNETH M. RUSCH, COMMISSIONER, PCT. #4**

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

 The Judge announced that Boerne High School has a breakfast on each morning of a Boerne Greyhound game which is served free to the community at St. Helena's Episcopal Church.
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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 September 28, 2009.

 Motion was made by Commissioner Reissig, seconded by Commissioner Miertschin, and carried by a vote of 4-0.
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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 Claims as submitted (on file).

 Motion was made by Commissioner Lux, seconded by Commissioner Reissig, and carried by a vote of 4-0.
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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 amended schedule for monthly and quarterly recurring bills for the Fiscal Year 2010 (attached).

 Motion was made by Commissioner Lux, seconded by Commissioner Miertschin, and carried by a vote of 4-0.
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5. **PUBLIC COMMENTS:**

- Bruce Womer said that he is an animal advocate interested in the direction of the new County animal shelter. He gave suggestions as to its location, the importance of intercommunication of interested agencies, the structure of the shelter for the benefit of the animals, hours of operation to better serve the public, and he requested that it be a no-kill shelter.
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6. No action was taken on reinstating the burn ban. It is still off.

7. **THE STATE OF TEXAS**

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve Resolution 10-13-2009A for Kendall County Volunteer Fire Departments for revenue recovery.

Motion was made by Commissioner Lux, seconded by Commissioner Reissig, and carried by a vote of 4-0.

8. **THE STATE OF TEXAS**

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve Resolution 10-13-2009B in order to cast Kendall County's 1,481 votes for Don Edmondson for the County's representative on the 2010-2011 Kendall Appraisal District Board of Directors.

Motion was made by Commissioner Miertschin, seconded by Commissioner Reissig, and carried by a vote of 4-0.

9. **THE STATE OF TEXAS**

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve Resolution 10-13-2009C between Kendall County and the Rainbow Senior Center pertaining to the home delivery meal grant program, pending submission of their audit.

Motion was made by Commissioner Lux, seconded by Commissioner Reissig, and carried by a vote of 4-0.

10. **THE STATE OF TEXAS**

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve Resolution 10-13-2009D designating Kenney Bank and Trust as a depository for funds collected by Istream (EMS account).

Motion was made by Commissioner Lux, seconded by Commissioner Miertschin, and carried by a vote of 4-0.

11. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the submission of a Notification of Intent to the Texas Comptroller of Public Accounts pertaining to the Energy Efficiency and Conservation Block Grant (EECBG) program allocation of \$75,000.00 for Kendall County.

Motion was made by Commissioner Lux, seconded by Commissioner Miertschin, and carried by a vote of 4-0.

12. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve Resolution 10-13-2009E between Kendall County and the Texas Comptroller of Public Accounts pertaining to the Energy Efficiency and Conservation Block Grant (EECBG) grant.

Motion was made by Commissioner Lux, seconded by Commissioner Reissig, and carried by a vote of 4-0.

13. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve Resolution 10-13-2009F pertaining to the Indigent Defense grant program.

Motion was made by Commissioner Lux, seconded by Commissioner Miertschin, and carried by a vote of 4-0.

14-1. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to table action in regard to contracting with HTS Voice & Data Systems for a computer onsite service and support agreement.

Motion was made by Commissioner Miertschin, seconded by Commissioner Lux, and carried by a vote of 4-0.

14-2. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to table action in regard to contracting with Garrison Enterprises, Inc. for a Digital Health Department System.

Motion was made by Commissioner Lux, seconded by Commissioner Reissig, and carried by a vote of 4-0.

15. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the Interlocal Mutual Aid Agreement with the City of Boerne and all Kendall County Fire Departments. Motion was made by Commissioner Lux, seconded by Commissioner Miertschin, and carried by a vote of 4-0.

16. The Court discussed the offer by the Texas Association of Counties Risk Management Pool Property Appraisal Program to appraise all County buildings and property.

17. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to authorize advertising for bids to finish out the building located at 221 Fawn Valley. Motion was made by Commissioner Lux, seconded by Commissioner Reissig, and carried by a vote of 4-0.

18. Ricky Pfeiffer, Road & Bridge Superintendent, said that the department would end the 10-hour, 4-day workweek and start the 8-hour, 5-day workweek beginning October 26, 2009.

19. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to table action in regard to granting relief to minimum road frontage and platting requirements for the proposed family division that would result in one 14-acre tract divided out of approximately 738 acres with the 14-acre tract having access through a 60-foot easement that fronts on Old No. 9 (Seidensticker). Motion was made by Commissioner Lux, seconded by Commissioner Reissig, and carried by a vote of 4-0.

20. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to table action in regard to granting relief to minimum road frontage and platting requirements for the proposed family division that would result in three 10-acre tracts and one 340-acre tract divided out of 370.9 acres with the 10-acre tracts having access through a proposed 60-foot easement that fronts on State Highway 46 East (Smith). Motion was made by Commissioner Miertschin, seconded by Commissioner Lux, and carried by a vote of 4-0.

At 10:55 a.m. the Court took a Break and reconvened at 11:00 a.m.

21. Bluescope Construction and Wunderlich Builders gave a presentation on the proposed design, specifications and cost estimate for a pre-engineered metal Butler building and kennels for the County Animal Control Facility.
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At 11:45 a.m. the Court closed Open Session, took a Lunch Break, and at 1:30 p.m. went into Executive Session:

- I. Pursuant to Section 551.072, to deliberate the purchase, exchange or value of real property.
- II. Pursuant to Section 551.071, 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. Specific topics to be discussed are as follow:
 1. County authority concerning subdivisions and county roads and bridges, subdivisions and economic Development
 2. Kendall County vs. BTex Ranch, L.P. et al
 3. Joe Klar Road right-of-way
- III. Pursuant to Section 551.074, to discuss personnel issues:
 1. Concerning the duties and responsibilities of the Auditor's Office
 2. Concerning the duties, appointment and/or employment of a Geographical Information System (GIS) Manager

Court closed Executive Session and went into Open Session at 4:45 p.m. where the following motions were made:

22. No action was taken regarding the creation of a Global Information System (GIS) Manager and Department.
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23. No action was taken regarding the employment of a Global Information System (GIS) Manager.
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14-2. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to untable the agenda item in regard to contracting with Garrison Enterprises, Inc. for a Digital Health Department System.

Motion was made by Commissioner Lux, seconded by Commissioner Reissig, and carried by a vote of 4-0.

14-2. THE STATE OF TEXAS

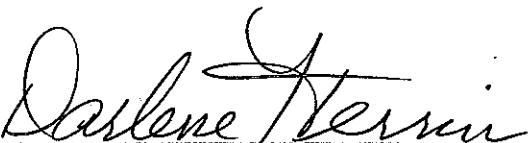
COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the contract between Garrison Enterprises, Inc. and Kendall County pertaining to the Digital Health Department System.

Motion was made by Commissioner Lux, seconded by Commissioner Reissig, and carried by a vote of 4-0.

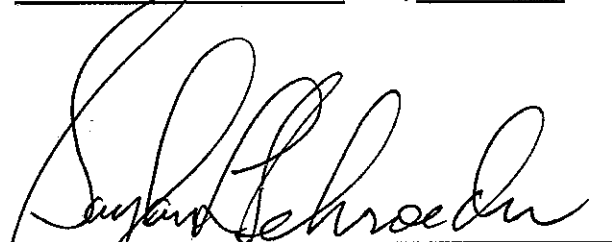
Court adjourned at 4:50 p.m.

EXAMINED AND APPROVED THIS 26th DAY OF OCTOBER A.D., 2009

ATTESTED:


COUNTY CLERK

KENDALL COUNTY, TEXAS


COUNTY JUDGE

KENDALL COUNTY, TEXAS