

**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 November 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.

---

2. The following received Service Awards:

- 10 years of service: Van Forslund, County Attorney's Office
  - 5 years of service: Emily Weber, Tax Assessor's Office
  - 5 years of service: Suzanne Lux, Tax Assessor's Office
  - 5 years of service: Melody Juarez, EMS
  - 5 years of service: Daryl Van Slycke, Road & Bridge
- 

3. **THE STATE OF TEXAS**

**COUNTY OF KENDALL** It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the Minutes for November 9 and 16, 2009.

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

---

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 October 2009 (on file).

Motion was made by Commissioner Lux, seconded by Commissioner Rusch, 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 Reissig, seconded by Commissioner Lux, 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 pay Castle Lake Volunteer Fire Department the amount agreed to in the Interlocal Agreement, which is \$1,377.00 out of line item 10-545-56518.

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

---

8. 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 September 2009 (attached).

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

---

7. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the Fiscal Year 2009 Interest Report (attached).

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

---

9. PUBLIC COMMENTS: No one spoke.

---

10. No action was taken on reinstating the burn ban. It is still off.

---

11. No action was taken to regulate certain fireworks in the unincorporated areas of the County.

---

12. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to accept the Statement of Financial Position and Fourth Quarter Report for the 2009 Kendall County Community Supervision & Corrections Department (attached).

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

---

13. The County Engineer presented a summary of activities for Road & Bridge during October 2009 (attached).

---

14. The County Development Manager presented a summary of activities for October 2009.

---

15. The Parks Department Director gave an update on recent activity:

- a new truck for Parks Department has been ordered

Joshua Springs Park & Preserve:

- qualifications, scope and fee for professional landscape services associated with the Texas Parks & Wildlife grant are under review
  - restroom facility schematics for the Ring Mountain house are under review
  - roadwork regulatory and compliance issues are being addressed
  - boundary work for defining the approximately 80-acre open space/natural area has been completed
- 

16. Cathy Morris, Associate Judge of the Child Protection Court of South Texas, gave an overview of the origins, functions, and evolution of the Child Protection Court in Texas.

- associate judges cover multiple counties
  - child protection suits are filed by the Department of Family and Protective Services or by Child Protective Services (CPS)
  - associate judges travel to the cases in other counties so the attorneys and families do not have to travel
  - the goal is for children to achieve permanency more quickly and receive a higher quality decision because the judges specialize in only these type cases
  - currently in Texas, there are 17 Child Protection Courts in 130 counties with 12 associate judges, 6 assigned judges, 13 court coordinators, and 4 court reporters
  - in fiscal year 2008, over 22,000 hearings for these type cases were heard
  - the Office of Court Administration, a state agency, pays the salaries for the associate judges, their staff and any necessary equipment
  - Kendall County was chosen as the host county for Judge Morris by District Judge Stephen Ables. The host county must provide office space, telephone and fax lines
- 

17. THE STATE OF TEXAS

COUNTY OF KENDALL        It is ordered by the Commissioners' Court of Kendall County, Texas, to authorize the County Attorney to review and the County Judge to sign the contract with Bluescope Construction for building the Kendall County Animal Control Facility and also authorize the County Engineer to proceed with the construction of the facility which will be on State Highway 289.

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

---

At 10:05 a.m. the Court closed Open Session, took a 10-minute Break, and then went into Executive Session:

- I. Pursuant to Section 551.076, to deliberate specific security devices
- II. Pursuant to Section 551.072, to deliberate the purchase, exchange or value of real property
- III. Pursuant to Section 551.071, to seek the advice of the County Attorney and/or attorneys 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, economic development and bidding requirements
  2. Montgomery vs. Kendall County
  3. River Bend Road right-of-way
  4. Kendall County vs. BTex Ranch, L.P. et al

- IV. Pursuant to Section 551.074, to discuss personnel issues concerning:
1. duties and responsibilities of County Auditor's Office
  2. duties, responsibilities and compensation level of the Geographical Information System (GIS) Specialist position

At 2:25 p.m. the Court closed Executive Session and went into Open Session where the following motions were made:

18-1. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to adopt the State of Texas Geographic Information System (GIS) Specialist I & II job descriptions as modified by this Court and establish salary grades 10 and 14 respectively for the positions.

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

18-2. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to authorize Commissioner Miertschin to fill the Geographic Information System (GIS) Specialist II position.

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

19. THE STATE OF TEXAS


COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve Order No. 11-23-2009 authorizing the County Development Manager or the County Engineer to approve requests for relief for road frontage for certain divisions of property using a 60-foot easement for roadway purposes with specific conditions as specified in the Order (attached).

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

Being no further business Court adjourned at 2:35 p.m.

EXAMINED AND APPROVED THIS 14<sup>th</sup> DAY OF DECEMBER A.D., 2009

ATTESTED:

  
COUNTY CLERK  
KENDALL COUNTY, TEXAS

  
COUNTY JUDGE  
KENDALL COUNTY, TEXAS