

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 28th day of December 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:**
 - **15 years of service: Neil Quick, Sheriff's Office**
 - **10 years of service: Melvin Heiligmann, Road & Bridge**
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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 December 14, 2009.**

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

Ken Anderson said that he objected to the Court approving the Minutes for December 14, 2009 because he said that the Minutes do not accurately reflect his public comments during Court on that day.

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 November 2009 (on file).**

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 Miertschin, and carried by a vote of 5-0.

6. **PUBLIC COMMENTS:**

- Ken Anderson said that he questioned the legality of some of the County's Development Rules & Regulations and asked the Court to submit the proposed Rules & Regulations to the Attorney General's Office for legal review since it is free and could prevent lawsuits against the County.
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7. No action was taken on reinstating the burn ban. It is still off.

8. **THE STATE OF TEXAS**

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve appointing Ann Reissig as the member of the Kendall County Commissioners Court to the Alamo Regional Rural Planning Organization Committee.

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

9. A Public Hearing was held regarding the proposed installation of 4-way stop signs at the intersection of Joe Klar Road and Coveney Trail. The following people spoke:

- Robert Comstock, Coveney resident, spoke in favor of the signage and presented a supporting petition to the Judge.
 - Mike Sheridan, Cordillera Ranch Development Vice President, asked if the County had done any traffic studies at that intersection and if so, what the results were; he said that safety is the first priority.
 - Commissioner Miertschin said that the study conducted by the Sheriff's Office supported the signage.
 - Tom Laurin, Coveney resident, spoke in favor of the signage.
 - Burl Hickman, Coveney resident, spoke in favor of the signage.
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10. **THE STATE OF TEXAS**

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to place two additional stop signs on Joe Klar Road where Coveney Trail crosses.

Motion was made by Commissioner Miertschin, seconded by Commissioner Reissig, 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 renew the agreement with County Information Resources Agency (CIRA) for email services as defined in Part 1, Package 2, by extending the existing agreement with CIRA for Parts 2 and 3, after review by the County Attorney's Office.

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

12. Commissioner Miertschin reported on year-end funding status of the Historic Courthouse restoration project.

13. 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 for December 2009.

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

14. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to authorize the County Engineer to process the paperwork as required for payments for the Disaster Relief Grant ORCA—Texas Community Development Block Grant (TxCDBG) 728297.

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

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

16. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the construction of the following roads in the Estancia at Thunder Valley Subdivision, Phase II: Thunder Canyon, Thunder Hill, and Thunder Verde, and to release the Developer's Letter of Credit in the amount of \$900,000.00 (road history forms attached).

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

17. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the Preliminary Plat for Diamond K Subdivision in accordance with Section 202 of the Development Rules and Regulations dated August 29, 2005 (amended September 2006). The proposed subdivision consists of 12.5 acres with frontage on Sisterdale-Lindendale Road.

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

18. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to grant the request for relief for minimum road frontage for a 9.429-acre tract with fee simple access of 50.6 feet on Scenic Loop Road in accordance with Section 301.1000 of the Development Rules and Regulations dated August 29, 2005 (amended September 2006).

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

19. The County Development Manager presented a summary of activities for November 2009.

20. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to authorize the County Development Manager and the County Attorney to negotiate a contract for a landscape architect for the development of construction plans at Joshua Springs Park and Preserve.

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

21. The Parks Department Director presented a summary of activities for November 2009.

22. No action was taken regarding a plan to remove the Emergency Services District and Library District taxes from GVTC bills in Kendall County.

At 10:30 a.m. the Court closed Open Session, took a 10-minute Break, and then 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 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
2. Holiday Road right-of-way
III. Pursuant to Section 551.074, to discuss personnel issues concerning:
1. duties and responsibilities of personnel in EMS

At 12:45 p.m. the Court closed Executive Session and went into Open Session. Being no further business Court adjourned at 12:48 p.m.

EXAMINED AND APPROVED THIS 11th DAY OF JANUARY A.D., 2010.

ATTESTED: Darlene Herrin COUNTY CLERK KENDALL COUNTY, TEXAS
Stephen L. Schroeder COUNTY JUDGE KENDALL COUNTY, TEXAS