

**NOTICE OF REGULAR MEETING
OF THE KENDALL COUNTY COMMISSIONERS COURT**



NOTICE is hereby given that a regular meeting of the above named Commissioners Court will be held on the 25th day of **January, 2010 at 9:00 a.m.** in the **Kendall County Courthouse, Third Floor Assembly Room**, 201 E. San Antonio, Boerne, Texas, at which time the following will be discussed and appropriate action taken; pursuant to V.T.C.A. Government Code Chapter 551, Open Meetings Act, including all Subchapters and Sections:

All matters listed on the following Agenda may be discussed in executive session at the option of the Kendall County Commissioners Court and following verbal announcement, if an appropriate exception to the open meeting requirement of the Texas Open Meetings Act is applicable.

**ALL TIMES ARE APPROXIMATE
NO CELL PHONES, AUDIBLE PAGERS, AND/OR BEEPERS WHILE COURT IS IN
SESSION**

Pledge of allegiance to the United States Flag
Pledge of allegiance to the Texas Flag

1. Call to Order - 9:00 a.m.
Comments from Judge Gaylan L. Schroeder

2. Presentation of Service Awards by Judge Schroeder to:
Ann Reissig, Commissioner (5 years)
Roger Duncan, Sheriff (5 years)
Phillip Nuncio, EMS (10 years)
All of the following have **5 years** of service with the Sheriff's Department:
Thomas Allison Matt King
James Bernarduci Louis Martinez
Cindy Caasi Shad Prichard
Tara Cantu Dorothy Schindler
Jerry Culver Edward Whitehurst
Laurie Horrell

3. Consideration and action on approval of minutes for January 11, 2010:
Sally Peters, Deputy Clerk

4. Consideration and action on approval of Monthly Reports for December, 2009: Dana Baethge, County Auditor

KENDALL COUNTY COMMISSIONERS COURT

JANUARY 25, 2010/PAGE 2
REGULAR MEETING

5. Consideration and action on approval of claims for purchases, services, and vendors: Cherry Russell, Assistant Auditor
6. Discuss and approve the October 2009 Financial Statement: Medana Crow, County Treasurer
7. Discuss and approve the November 2009 Financial Statement: Medana Crow, County Treasurer
8. Discuss and approve Fiscal Year 2010 1st Quarter Investment Report: Medana Crow, County Treasurer
9. Consideration and action to continue offering Kendall County employees the option of participating in a Flexible Spending account and set the maximum contribution for the 2010 plan year: Michelle Lux, Benefits Coordinator
10. **PUBLIC COMMENTS**—opportunity for the general public to address the Court on any matter. The Court may not discuss any presented issue, nor may any action be taken on any issue at this time. Please limit comments to 3 minutes.
11. Consideration and action on the Amending Plat of Comfort Outlot 74A and Comfort Outlot 74B into Comfort Outlot 74A-1 and Comfort Outlot 74B-1, Kendall County, Texas, in accordance with Section 208.1200.4 of the Kendall County Development Rules and Regulations adopted August 29, 2005, amended September 25, 2006. (Gaddis Memorial Methodist Church, Comfort Independent School District): Kenneth M. Rusch, Commissioner Precinct 4
12. Consideration and action on the burn ban (Authority Section 352.081, Texas Local Government Code): Gaylan L. Schroeder, County Judge
13. Consideration and action to authorize the use of the building at Fawn Valley as a temporary polling location for Precinct 4-3 for the March 2, 2010 Primary Election: Rosaria L. Reyes, Elections Administrator
14. Consideration and action to authorize the purchase of precinct dividing screens from the Special Election Fund: Rosaria L. Reyes, Elections Administrator
15. Consideration and action to authorize the County Judge to sign the Sales Order Agreement from Elections Systems & Software for the purchase of 2 additional iVotronics (Electronic Voting Machines): Rosaria L. Reyes, Elections Administrator

KENDALL COUNTY COMMISSIONERS COURT

JANUARY 25, 2010/PAGE 3
REGULAR MEETING

16. Discuss and take action to pay Facilities Maintenance employee(s) for emergency call out: Gaylan L. Schroeder, County Judge
17. Discuss and take action to pay Road & Bridge employee(s) for emergency call out: Gene Sparks, Road & Bridge
18. Discussion and action to change the date for the rededication of the Historic Courthouse and the budget associated with the event: Gene Miertschin, Commissioner Precinct 2
19. Discussion and action on a plan of action to have the Comal County Emergency Services District, and Library taxes removed from Kendall County GVTC bills: Gene Miertschin, Commissioner Precinct 2
20. Consideration and action to approve the Final Reports from the Compensation and Benefits Study as prepared by Matrix Consulting Group: Dana Baethge, County Auditor
21. Discussion and action on insurance rates for County buildings per preliminary reports on property appraisals: Gaylan L. Schroeder, County Judge
22. Discussion and action on recommended safety procedures to be followed in County owned public buildings: Gaylan L. Schroeder, County Judge
23. Presentation of End of Year Report for Emergency Services in Kendall County. Discussion and action as necessary: Jeff Fincke, Emergency Management Coordinator
24. Discussion and action on declaring the 2002 and 2005 ambulances as surplus: Jeff Fincke, EMS Administrator
25. Discussion and action on giving EMS radio to Sisterdale Volunteer Fire Department: Jeff Fincke, EMS Administrator
26. Consideration and action concerning procedures for conduct of workshops: Gaylan L. Schroeder, County Judge
27. Present summary of activities by Road and Bridge during December, 2009 to Commissioners Court: Terry Anderson, County Engineer

KENDALL COUNTY COMMISSIONERS COURT

**JANUARY 25, 2010/PAGE 4
REGULAR MEETING**

28. Consideration and action on a request for relief by Diamond K Ranch Subdivision to Section 302.2500 of Development Rules and Regulations to allow an 18 foot travel way and 1 foot shoulders for a paved width of 20 feet in lieu of a 22 foot travel way and 2 foot shoulders for a paved width of 26 feet: Darrel L. Lux, Commissioner Precinct 3 / Terry Anderson, County Engineer
29. Consideration and action on a Request for Relief for minimum road frontage in accordance with Section 102.1000.9 of the Kendall County Development Rules and Regulations adopted August 29, 2005, amended September 25, 2006. The proposed division would result in a 12 acre tract and a 164 acre tract. The tracts have a right of ingress and egress by use of a recorded easement. The proposed division is for mortgage purposes(Donald Piper): Darrel L. Lux, Commissioner Precinct 3
30. Present summary of activities by the Development Management Department during December, 2009: Richard Tobolka, Development Manager
31. Consideration and action concerning approval of a contract for professional services with BMW Group L.P. Professional Services, which will fulfill Texas Parks and Wildlife Outdoor recreation grant requirement for plans specification and estimate for proposed improvements at Joshua Springs Park and Preserve: Gaylan L. Schroeder, County Judge / Richard Tobolka, Parks Director
32. Present summary of activities by the Parks Department during December, 2009: Richard Tobolka, Parks Director

BREAK

EXECUTIVE SESSION (Closed to public)

Pursuant to Chapter 551 of the Texas Government Code

- I. The Court will meet in Executive Session pursuant to Section 551.072 to deliberate the purchase, exchange or value of real property**


- II. Commissioners Court will meet in Executive Session pursuant to Section 551.071 Government Code, V.T.C.S. to seek the advice of the County Attorney and or attorney(s) representing the County, concerning 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 follows:**
 - 1. County authority concerning subdivisions and county roads and bridges, nuisances, and economic development**
 - 2. Kenneth W. Anderson v. Kendall County**
 - 3. Montgomery vs. Kendall County**
 - 4. Contractual Obligations**

RESUME OPEN SESSION AND TAKE ANY NECESSARY ACTION RESULTING FROM EXECUTIVE SESSION DELIBERATIONS

ADJOURNMENT


**JANUARY 25, 2010/PAGE 6
REGULAR MEETING**

Dated this the 21st day of January, 2010



Gaylan L. Schroeder
Kendall County Judge

I, the undersigned County Clerk, do hereby certify NOTICE of Regular meeting of the above named Commissioners Court is a true and correct copy of said Notice and that I have caused said Notice to be posted on the door at the Courthouse of Kendall County, Texas located at 201 E. San Antonio Street on the 21st day of January, 2010.



Darlene Herrin
County Clerk

Posted at 2:00 P.M. on the 21st day of January, 2010 - *ceb*

NOTE: The Kendall County Commissioners Court complies with A.D.A. requirements. If you have an impairment and wish to appear at a meeting, please call (830)249-9343, 48 hours in advance to make arrangements.

KENDALL COUNTY COMMISSIONERS COURT