

**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 24th day of **May, 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

1. Call to Order - 9:00 a.m.

Pledge of allegiance to the United States Flag
Pledge of allegiance to the Texas Flag
2. Presentation of Service Awards by Judge Schroeder to:
Donna Sharp – County Attorney’s Office (5 years)
3. Consideration and action on approval of minutes for May 10, 2010:
Sally Peters, Deputy Clerk
4. Consideration and action on approval of Monthly Reports for April, 2010: Dana Baethge, County Auditor
5. Consideration and action on approval of Budget Adjustments: Dana Baethge, County Auditor
6. Consideration and action on approval of claims for purchases, services, and vendors: Cherry Russell, Assistant Auditor
7. **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.

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8. Consideration and action on the burn ban (Authority Section 352.081, Texas Local Government Code): Gaylan L. Schroeder, County Judge
9. Consideration and action to adopt an Order regulating the sale of certain fireworks in the unincorporated areas of Kendall County (Authority Section 352.051, Local Government Code): Gaylan L. Schroeder, County Judge
10. Consideration and action to untable item #10 tabled at the April 26, 2010 Commissioners Court: Jeff Fincke, Kendall County
11. Consideration and action regarding the letters being sent out for address changes to update and correct the 911 database: Jeff Fincke, Kendall County
12. Consideration and action to approve out of state travel and payment to attend the ESRI International User Conference in San Diego: Gaylan L. Schroeder, County Judge / Mike Howle, GIS Department
13. **Public Hearing (9:15)** -The Court will receive comments from the public regarding:
 1. An application filed by David and Laurie Mesch for the proposed revision of the subdivision plat for Alamo Springs Ranch, Block 9, Lot 26 filed in Volume 2, Pages 132-151 of the Plat Record of Kendall County, Texas
Kenneth M. Rusch, Commissioner Precinct 4
14. Consideration and action on a request for relief to minimum road frontage in accordance with Section 301 of the Kendall County Development Rules and Regulations adopted August 29, 2005, amended September 25, 2006. The minimum frontage allowed, per Section 301, is 250 feet. The proposed frontage is 130 feet. (David and Laurie Mesh): Kenneth M. Rusch, Commissioner Precinct 4
15. Consideration and action to close the following streets in Comfort for the 4th of July Parade on Saturday, July 3rd from 9:30 a.m. to 12:30 p.m.:

1. Idlewilde Blvd.	4. Hwy 87	7. High St.
2. Daniel Dr.	5. Hwy 27	8. Fifth St.
3. Edgewood Dr	6. Lindner Ave.	

Kenneth M. Rusch, Commissioner Precinct 4
16. Consideration and action to untable item #17 tabled at the May 10, 2010 Commissioners Court: Don Allee, County Attorney / Dan Rogers, Kendall County Economic Development Corporation

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17. Consideration and action concerning a tax abatement for Albany Engineered Composites, Inc.: Don Allee, County Attorney / Dan Rogers, Kendall County Economic Development Corporation
18. Consideration and action concerning the proposal of Bronson Lerma to operate a brush site for Kendall County. (Presentation made by Mr. Lerma at the April 26th meeting of Commissioners Court: Don Allee, County Attorney / Terry Anderson, County Engineer
19. Consideration and action on a request for approval to open a Tax Office Substation in Comfort, to be located at 105 Amber Dr. and also to request the Texas Department of Motor Vehicles to supply the necessary equipment: James Hudson, Tax assessor-Collector
20. Consideration and action to award a construction contract to RTM Construction in the amount of \$159,326.00 for sewer line replacement at the Kendall County WCID NO. 1 Wastewater Plant, in conjunction with Contract TxCDBG No. 729379: Kevin Spraggins, Vodenbaum Engineering, Inc. (VEI) / Gaylan L. Schroeder, County Judge
21. Consideration and action to award a construction contract to Kneese Construction in the amount of \$18,450.00 for the installation of a concrete slab at the Kendall County WCID NO. 1 Wastewater Plant, in conjunction with Contract TxCDBG No. 729379: Kevin Spraggins, VEI / Gaylan L. Schroeder, County Judge
22. Consideration and action to approve the following:
In conjunction with Contract TxCDBG No. 729379 and pending TDRA approval of a Request to use Non-Competitive Procurement, award a contract to Environmental Machines & Services in the amount of \$25,000.00 for the purchase of a conveyor belt press at the Kendall County WCID NO. 1 Wastewater Plant: Keith Marquart, WCID No. 1 / Gaylan L. Schroeder, County Judge
23. Consideration and action to issue a Notice to proceed to Bandera Electric CoOp for electrical improvements to benefit Albany Engineered Composites. (In conjunction with Contract TxCDBG No. 729022, Texas Capital Fund Project): Gaylan L. Schroeder, County Judge / Lee Pressler, Bandera Electric CoOp
24. Discuss and take action to pay Road & Bridge employee(s) for emergency call out: Gene Sparks, Road & Bridge

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25. Review bids for one and two course seal coat work for Fiscal Year 2010. Take action as needed to award winning contract: Gene Sparks, Operations Manager, Road & Bridge
26. Present summary of activities by Road and Bridge during April, 2010 to Commissioners Court: Terry Anderson, County Engineer
27. Consideration and action to untable item #17 tabled at the April 26, 2010 Commissioners Court: Terry Anderson, County Engineer
28. Consideration and action on adding a canopy over the entrance to the Animal Control Shelter: Terry Anderson, County Engineer
29. Consideration and action on an Amending Plat of Lots 1036 and 1037, Block Z, Cordillera Ranch, Unit 204 for the purpose of naming a driveway, Mayacama Pt. in accordance with Section 208.1200.4 of the Kendall County Rules and regulations adopted August 29, 2005 and amended September 25, 2006. (Christopher P. Hill, Vice President, CRHN LLC): Gene Miertschin, Commissioner Precinct 2
30. Consideration and action to untable Item #20 from the April 12, 2010 Commissioners Court: Kenneth M. Rusch, Commissioner Precinct 4
31. Consideration and action on a request for relief to maximum density (119 North Creek Loop) in accordance with Section 301 in the Kendall County Rules and Regulations adopted August 29, 2005, amended September 25, 2006. The proposed division of property results in 2 tracts, 3.153 acres and 4.423 acres. (North Creek Loop and IH10) (Willis Moore): Kenneth M. Rusch, Commissioner Precinct 4
32. Present summary of activities by the Development Management Department during April, 2010: Richard Tobolka, Development Manager
33. Present summary of activities by the Parks Department during April, 2010: Richard Tobolka, Parks Director
34. Consideration and action authorizing the Parks Department and the County Attorney to enter into contract negotiations with McMurrey Builders for the restroom remodel project at Joshua Springs Park and Preserve Conference Center: Richard Tobolka, Development Manager / Don Allee, County Attorney

BREAK

KENDALL COUNTY COMMISSIONERS COURT

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, county roads and bridges, nuisances, economic development, dangerous animals and the Professional Services Procurement Act**
 - 2. Kenneth W. Anderson v. Kendall County**
 - 3. Montgomery vs. Kendall County**
 - 4. EEOC Complaint – Angela San Miguel**

- III. The Court will meet in Executive Session pursuant to Section 551.074 to discuss personnel issues:**
 - 1. Deliberation concerning the duties and responsibilities of personnel in the County Clerk's Office**

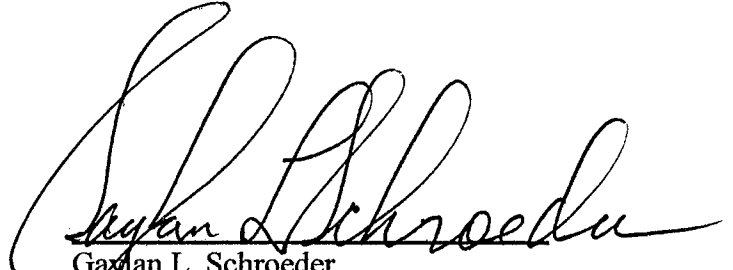
RESUME OPEN SESSION AND TAKE ANY NECESSARY ACTION RESULTING FROM EXECUTIVE SESSION DELIBERATIONS

- 35. Consideration and action regarding the proposal submittals from the two top rated firms for consulting services concerning the County radio system: Gene Miertschin, Commissioner Precinct 2**

ADJOURNMENT


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Dated this the 20th day of May, 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 20th day of May, 2010.



**Darlene Herrin
County Clerk**

Posted at 2:00 P.M. on the 20th day of May 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.