

**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 23rd day of August, 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. Consideration and action on approval of minutes for August 9, 2010:
Sally Peters, Deputy Clerk
3. Consideration and action on approval of Monthly Reports for July, 2010: Dana Baethge, County Auditor
4. Consideration and action on approval of Budget Adjustments and Emergency Declarations: Dana Baethge, County Auditor
5. Consideration and action on approval of claims for purchases, services, and vendors: Cherry Russell, Assistant Auditor
6. **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.**
7. Consideration and action on the burn ban (Authority Section 352.081, Texas Local Government Code): Gaylan L. Schroeder, County Judge

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8. Consideration and action to transfer funds to cover the depleted fuel and oil account, line item 10-560-53300 with funds from the following line items:

10-560-55200	\$10,073.00
10-560-55410	\$ 4,160.00
10-560-56071	\$ 7,000.00

All budgeted and expected purchases from these lines have been accomplished:
Roger Duncan, Sheriff
9. Consideration and action to authorize using \$3371.01 from the Commissioners Technology Contingency Fund to pay for a current technology data backup system to replace the failed system at the Sheriff's Office. Transfer funds from 10-401-56060 to 10-560-55900: Gene Miertschin, Commissioner Precinct 2
10. **Public Hearing (9:15)** - The Court will receive comments from the public regarding:
 1. 2011 Proposed Budget
Dana Baethge, County Auditor
11. Consideration and action to adopt the Fiscal Year 2011 Budget: Dana Baethge, County Auditor
12. Consideration and action to adopt a 2010 County Property Tax Rate of \$.37 per \$100.00 taxable value, being .343382 cents for M & O (Maintenance & Operation) and .026618cents for Debt Service: James Hudson, Tax Assessor / Collector
13. Consideration and action to adopt discounts for the early payment of County Property Taxes in 2010: James Hudson, Tax Assessor / Collector
14. Consideration and action to approve Resolution 08-23-2010A as requested by Hill Country Community Mental Health and Mental Retardation to help mitigate proposed state budget cuts: Gaylan L. Schroeder, County Judge
15. Review and take appropriate action on the proposed landscaping plan for the Historic Courthouse: Gene Miertschin, Commissioner Precinct 2
16. Consideration and action to approve and adopt amended Rules of Procedure, Conduct and Decorum at meetings of the Kendall County Commissioners Court: Gaylan L. Schroeder, County Judge / Don Allee, County Attorney
17. Present summary of activities by Road and Bridge during July, 2010 to Commissioners Court: Terry Anderson, County Engineer

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18. **Public Hearing** - The Court will receive comments from the public regarding:
 1. The application filed by Willis Moore for the proposed revision of Comfort Outlot 57A filed in Volume 6, Page 189 of the plat records of Kendall County, Texas.
Kenneth M. Rusch, Commissioners Precinct 4
19. Consideration and action on a plat revision to Comfort Outlot 57A into Comfort Outlots 57A-1 and 57A-2 in accordance with paragraph 208.1000 in the Kendall County Development Rules and Regulations adopted August 29, 2005, amended on September 25, 2006. (Willis Moore): Kenneth M. Rusch, Commissioner Precinct 4
20. Consideration and action on funding training for homeowners in Kendall County with aerobic on-site sewage facilities. The training is a joint effort with GBRA and the City of Boerne. Kendall County's portion of the cost is \$800.00. The training is free for homeowners with class size being limited to the first 50 applicants: Gaylan L. Schroeder, County Judge / Richard Tobolka, Development Manager
21. Consideration and action on a request for relief to minimum road frontage in accordance with Section 102.1000.3 (lots larger than 10 acres) in the Kendall County Development Rules and Regulations adopted August 29, 2005, amended on September 25, 2006. Proposed access to property is through an existing 30 foot wide ingress/egress easement. Access to the property is located at 41 Rust Rd. (Leonard Rust): Kenneth M. Rusch, Commissioner Precinct 4
22. Present summary of activities by the Development Management Department during June, 2010: Richard Tobolka, Development Manager
23. Consideration and action to authorize the Parks Department and County Attorney to negotiate and to enter into a supplemental contract with BWM Group for the design and development of construction documents for restrooms at Joshua Springs Park and Preserve. (The restrooms are a component of TPWD grant plan submission): Gaylan L. Schroeder, County Judge / Richard Tobolka, Development Manager
24. Present summary of activities by the Parks Department during July, 2010: Richard Tobolka, Parks Director

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.**
 - 2. EEOC Complaint – Angela San Miguel**

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


25. Consideration and action concerning the approval of purchase of Lot 147A, Schertz Addition, City of Boerne (Chamber of Commerce property). Authorize payment of closing costs, authorize the County to enter into a short-term financing agreement and authorizing the County Judge to sign all closing documents including the note and Deed of Trust: Don Allee, County Attorney

26. Consideration and action concerning a request by the County Attorney to attend a Labor and Employment Law Seminar on September 17-18, 2010 and to stay at the Marriot San Antonio Hill Country Hotel on Friday, September 17th: Don Allee, County Attorney

ADJOURNMENT


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Dated this the 19th day of August, 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 19th day of August, 2010.



Darlene Herrin
County Clerk

Posted at 2:00 P.M. on the 19th day of August, 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