

**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 27th day of **September, 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:

Sally Peters	County Clerk's Office	(5 years)
Sylvia Zapata	Human Resources	(5 years)
Brenda Bell	Sanitarian Services	(5 years)
Linda Schacht	County Attorney's Office	(25 years)

3. Consideration and action on approval of minutes for September 13, 2010:
Sally Peters, Deputy Clerk

4. Consideration and action on approval of Monthly Reports for August, 2010: Dana Baethge, County Auditor

5. Consideration and action on approval of Budget Adjustments and Emergency Declarations: Dana Baethge, County Auditor

6. Consideration and action to approve a request to use funds in line 10-542-56510 (Allocations Capital Outlay) and remaining fund balances in all line items for items other than originally budgeted. Total requested is \$15,351.70 for reimbursement: Bergheim Volunteer Fire Department, J.W. Pieper, Treasurer

7. Consideration and action on approval of claims for purchases, services, and vendors: Cherry Russell, Assistant Auditor

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8. Consideration and action to approve payment of monthly and quarterly recurring bills for the Fiscal Year 2011: Cherry Russell, Assistant Auditor
9. **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.**
10. Review and adopt the Investment Policy for Kendall County: Medana Crow, County Treasurer
11. Consideration and action to set the Texas County & District Retirement System (TCDRS) employer contribution rate for 2011: Gaylan L. Schroeder, County Judge / Juanita Espino, Human Resources
12. Consideration and action on the approval of the 2010 Tax Levy Roll Total, \$15,183,697.23 provided by the Kendall Appraisal District: James Hudson, Tax Assessor Collector
13. Consideration and action on the burn ban (Authority Section 352.081, Texas Local Government Code): Gaylan L. Schroeder, County Judge
14. Consideration and action to adopt a Resolution to apply for 2011-12 Community Development Block Grant assistance under the community Development fund and to include the execution of an Interlocal Agreement with Kendall County WCID No. 1: Gaylan L. Schroeder, County Judge / Betty Collier, GrantWorks
15. Consideration and action on the following:
 1. Interlocal Agreement with The City of Boerne for Health Sanitarian Services
Gaylan L. Schroeder, County Judge
16. Consideration and action to proclaim the Month of October 2010 as Domestic Violence Awareness Month: Don Allee, County Attorney
17. Consideration and take action to pay Road & Bridge employee(s) for emergency call out: Gene Sparks, Road & Bridge
18. Consideration and action to authorize the transfer of funds in Capital Outlay line items (11-620-55300 - \$7.00 to 11-620-55530, 11-620-55300- \$4034.00 to 11-620-54720, 11-620-55510-\$5000.00 to 11-620-54720, 11-620-55200- \$4217.00 to 11-620-54720, 11-620-55510- \$4591.00 to 11-620-53615) to cover the cost of office furniture and 2010 Seal Coat Project: Ricky Pfeiffer, Road Superintendent

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19. Present summary of activities by Road and Bridge during August, 2010 to Commissioners Court: Terry Anderson, County Engineer
20. Consideration and action regarding the date and method of installation for fencing at the Animal Control Shelter: Terry Anderson, County Engineer
21. Present summary of activities by the Development Management Department during August, 2010: Richard Tobolka, Development Manager
22. Consideration and action on a request for relief to minimum road frontage in accordance with Section 102.1000.10, lots larger than 6 acres of the Kendall County Rules and Regulations adopted August 29, 2005, amended September 25, 2006. Proposed access is Sunflower, a subdivision road maintained by the County. Sunflower right-of-way is 60 feet. (Wade Kilpatrick, General Partner, Comfort Partners, LP): Kenneth M. Rusch, Commissioner Precinct 4
23. Consideration and action on a request for relief to minimum road frontage and maximum density in accordance with Section 301.1150 of the Kendall County Rules and Regulations adopted August 29, 2005, amended September 25, 2006. The proposed division would result in two lots. Lot 100A, 0.327 acre – 96.3 feet frontage and Lot 100B, 0.57 acre- 35 feet frontage in two 17.5 feet fee simple strips. (Peter C. Krauter, agent, Krauter Family Partnership, LTD): Kenneth M. Rusch, Commissioner Precinct 4
24. Consideration and action to approve a change order to contract with McMurrey Builders for the restroom remodel at Joshua Spring Park and Preserve Conference Center for \$5,787.00: Gaylan L. Schroeder, County Judge / Richard Tobolka, Parks Director
25. Present summary of activities by the Parks Department during August, 2010: 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, county roads and bridges.
2. 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 Facilities Maintenance
2. Deliberation concerning the duties and responsibilities of personnel in Parks Department
3. Deliberation concerning the duties and responsibilities of personnel in the following:
County Engineer
Road Superintendent
Compliance Inspector
Parks Director / Development Manager
Human Resources Director
Fire Marshal / EMS Director / Emergency Management Coordinator
GIS Department / personnel
911 Program personnel
Veteran's Services Officer
Indigent Health personnel
Facilities Maintenance personnel
PBX Operator
Custodians

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

26. Consideration and action regarding the County organization and reporting structure for all departments directly overseen by Commissioners Court: Gene Miertschin, Commissioner Precinct 2

ADJOURNMENT

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Dated this the 23rd day of September, 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 23rd day of September, 2010.



Darlene Herrin
County Clerk

Posted at 2:00 P.M. on the 23rd day of September, 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