

**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 8<sup>th</sup> day of November, 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 October 25, 2010:  
Sally Peters, Deputy Clerk
3. Consideration and action on change Order No. 1 concerning the Animal Control Shelter from Bluescope Construction in the amount of a \$71.00 deduction making the final pay request \$869, 459.00: Terry Anderson, County Engineer / Kenneth M. Rusch, Commissioner Precinct 4
4. Consideration and action on approval of claims for purchases, services and vendors: Cherry Russell, Assistant Auditor
5. **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
6. Consideration and action on the burn ban (Authority Section 352.081, Texas Local Government Code): Gaylan L. Schroeder, County Judge

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7. Consideration and action to adopt a Resolution (11-08-2010A) declaring November 2010 as "Official Home Care and Hospice Month": Gaylan L. Schroeder, County Judge
8. Consideration and action to adopt a Resolution (11-08-2010B) declaring November 2010 as National American Indian Heritage Month: Gaylan L. Schroeder, County Judge / Vicky Zapf, George W. Kendall Chapter of the Daughters of the American Revolution
9. Consideration and action to close the following streets in Comfort from noon, Friday, November 26<sup>th</sup>, through midnight on Saturday, November 27<sup>th</sup>, for the Christmas Parade on November 27<sup>th</sup>:
  1. Seventh Street between Highway 27 and Main Street
  2. High Street between Sixth and Eighth Streets
  3. From the intersection of High and Eighth Streets to just past 806 High StreetKenneth M. Rusch, Commissioner Precinct 4
10. **Public Hearing (9:15)** - The Court will receive comments from the public regarding:
  1. Application filed by Robert W. Pierce for the proposed revision of the subdivision plat for Grandview Acres Lot 1 (filed in volume 2, Pages 129-131 of the Plat Record of Kendall County, Texas) into Lots 1A and 1BKenneth M. Rusch, Commissioner Precinct 4
11. Consideration and action on a plat revision to Lot 1 in Grandview Acres Sub-division into Lots 1A and 1B in accordance with Section 208 of the Kendall County Development Rules and Regulations adopted August 29, 2005, amended September 25, 2006. (Robert W. Pierce): Kenneth M. Rusch, Commissioner Precinct 4
12. Consideration and action on the following:
  1. Renewal of the Hill Country Dispute Resolution Center ContractGaylan L. Schroeder, County Judge
13. Consideration and action on Change Order No. 1 from ABECO Contracting, Inc. concerning the 221 Fawn Valley Offices, in the amount of an additional \$3,492.00 for dividing Room 113 into two offices and revising the window in Room 112 at the County's request: Terry Anderson, County Engineer / Darrel L. Lux, Commissioner Precinct 3

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14. Consideration and action on Change Order No. 2 from ABECO Contracting, Inc. concerning the 221 Fawn Valley Offices, in the amount of an additional \$542.00 for revising wind bracing in the west wall of the building to accommodate the MHMR entrance: Terry Anderson, County Engineer / Darrel L. Lux, Commissioner Precinct 3
15. Review and award the contract for Road & Bridge materials: Gene Sparks, Road & Bridge Operations Manager
16. Consideration and action on an amending plat of Tracts 3A-3A-a and 3A-3B-a of Champee Springs Ranches into Tracts 3A-3A-b and 3A-3B-b in accordance with Section 208.1200.4 of the Kendall County Development Rules and Regulations adopted August 29, 2005, amended September 25, 2006. (Lenore C. Burkhart, Manager, High Outpost Ranch, LLC): Ann E. Reissig, Commissioner Precinct 1
17. **(Tabled on October 25, 2010)** Consideration and action on an application to cancel part of (Lots 101, 102, 103) the subdivision known as "Stone Springs Estates" in accordance with Section 209 of the Kendall County Development Rules and Regulations adopted August 29, 2005, amended September 25, 2006. (William E. Hooks and Rebecca Gaines Hooks): Kenneth M. Rusch, Commissioner Precinct 4
18. Consideration and action on a request for relief from minimum setback requirements in accordance with Section 301.1600 of the Kendall County Rules and Regulations adopted August 29, 2005, amended September 25, 2006. Proposed setback on Lot 71A, Sparkling Springs Ranchettes, is 10 feet from the right-of-way on West High Bluff Circle. (Deborah Sanders): Kenneth M. Rusch, Commissioner Precinct 4
19. Consideration and action on adopting amended Kendall County Development Rules and Regulations: Gaylan L. Schroeder, County Judge / Richard Tobolka, Development Management
20. Consideration and action to authorize Parks Department to purchase 2 (two) ½ ton trucks instead of 1 (one) ¾ ton truck (\$25,000.00) Total cost for 2 (two) ½ ton trucks is \$28,556.00. Additional funds required for the purchase of the two vehicles would be transferred from 10-660-5333 (operating): 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 and county roads and bridges, and nuisance conditions**
  - 2. EEOC Complaint – Angela San Miguel**
  - 3. Lucas Lancaster vs. Kendall County, et al**
  
- 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 Road & Bridge**
  - 2. Deliberation concerning the duties and responsibilities of personnel in Parks Department**

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

21. Consideration and action concerning claim submitted by Andy Rust regarding damage sustained when the truck he was driving was struck by a rock thrown from a mowing deck (Unit 39) on Holiday Road, October 5, 2010: Gene Sparks, Road & Bridge Operations Manager

**ADJOURNMENT**

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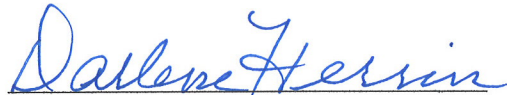
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REGULAR MEETING

Dated this the 4<sup>th</sup> day of November, 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 4<sup>th</sup> day of November, 2010.



Darlene Herrin  
County Clerk

Posted at 2:00 P.M. on the 4<sup>th</sup> day of November, 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