

**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 13th day of **December, 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 November 22, 2010 and December 6, 2010: Sally Peters, Deputy Clerk
3. Consideration and action on approval of claims for purchases, services and vendors: Cherry Russell, Assistant Auditor
4. **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
5. Discussion and action regarding rewards for participation in the 2011 Weight Loss Challenge for Kendall County Employees: Michelle Lux, Benefits Coordinator
6. Discuss and approve close out procedures and exit audit for County Treasurer's Office. Approve necessary changes in bank signature cards: Dana Baethge, County Auditor

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7. Discuss and approve close out procedures and exit audit for the Justice of the Peace, Precinct 2 Offices. Approve necessary changes in bank signature cards: Dana Baethge, County Auditor
8. Present Fiscal Year 2010 Statement of Financial Position of the Kendall County Adult Probation Department: Dana Baethge, County Auditor
9. Consideration and action on the burn ban (Authority Section 352.081, Texas Local Government Code): Gaylan L. Schroeder, County Judge
10. Consideration and action to adopt an Order regulating certain fireworks in the unincorporated areas of Kendall County: Gaylan L. Schroeder, County Judge
11. Consideration and action concerning consent of Commissioners Court to a Declaration of Disaster issued by the County Judge pursuant to Chapter 418, Texas Government Code. Due to lack of rain, low humidity and windy conditions, the threat of fire exists, requiring the regulation and prohibition of the use of combustible materials and prohibiting all outdoor burning: Gaylan L. Schroeder, County Judge
12. Consideration and action to sign a Memorandum of Understanding (MOU) with Indigent Healthcare Solutions to extend the current contract until February 1, 2013: Gaylan L. Schroeder, County Judge
13. Report on status of completion of building at 221 Fawn Valley and appropriate action as deemed necessary: Darrel L. Lux, Commissioner Precinct 3 / Terry Anderson, County Engineer
14. Discuss and take action to pay Road & Bridge employee(s) for emergency call out: Gene Sparks, Road & Bridge
15. **(Tabled November 22, 2010)** Review and award the contract for Road & Bridge materials: Gene Sparks, Road & Bridge Operations Manager
16. Review and award the contract for Road & Bridge concrete work: Ricky Pfeiffer, Road Superintendent
17. Consideration and action on a plat revision of parts of lots 100,101,102 and 146 (High and Eighth Streets) in the Town of Comfort, Kendall County, Texas into lots 100A and 100B in accordance with Section 208 of the Kendall County Development Rules and Regulations adopted August 29, 2005 and amended September 25, 2006. Relief for minimum road frontage maximum density granted September 25, 2010: Kenneth M. Rusch, Commissioner Precinct 4

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18. Consideration and action on an amending plat of Lots 1 and 2, Block D, Cordillera Ranch, Unit 201, Kendall County, Texas into Lot 1A in accordance with Section 208 of the Kendall County Development Rules and Regulations adopted August 29, 2005 and amended September 25, 2006. (Paddie M. Rarick): Gene Miertschin, Commissioner Precinct 2

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, and location of County Offices**
 2. **EEOC Complaint – Angela San Miguel**
 3. **EEOC Complaint – David Cheney**
 4. **EEOC Complaint – Charles Camden**
 5. **Lucas Lancaster vs. Kendall County, et al**
 6. **Severance vs. Jerry Patterson, Commissioner of the Texas General Land Office, et al. Motion for rehearing and amicus curiae brief**
- 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 Parks**
- IV. **The Court will meet in Executive Session pursuant to Section 551.076 to discuss the deployment, or specific occasions for implementation, of security personnel or devices**

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

19. Consideration and action concerning the process to follow for the donation of right-of-way to Kendall County for a proposed County road at Interstate Highway 10 and US 87. Also, authorization for Development Manager to approve plat revisions as required for proposed Love's Truck Stop and to obtain title insurance as required:
Richard Tobolka, Development Manager

20. Consideration and action concerning the approval of a Memorandum of Understanding (MOU) with the City of Boerne concerning the proposed expansion and extension of Herff Road: Gaylan L. Schroeder, County Judge

LUNCH BREAK

2:00 p.m.

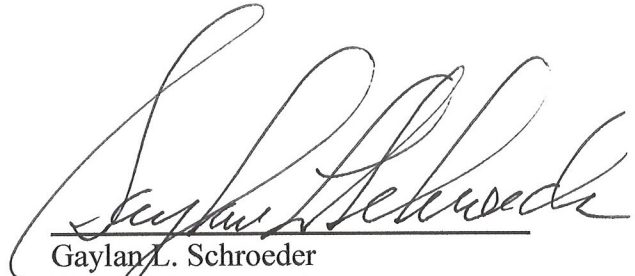
Groundbreaking Ceremonies:

Kreutzberg Canyon Natural Area – 139 Mark Twain Dr.

ADJOURNMENT

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Dated this the 9th day of December, 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 9th day of December, 2010.



Darlene Herrin
County Clerk

Posted at 2:00 P.M. on the 9th day of December, 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