

THE STATE OF TEXAS

COUNTY OF KENDALL

BE IT REMEMBERED, that the Commissioners' Court of Kendall County, Texas, was

begun and held at a Regular Meeting at the Courthouse in Boerne, Texas, on the 8th day of February 2010.

Present:
GAYLAN L. SCHROEDER, COUNTY JUDGE
ANN REISSIG, COMMISSIONER, PCT. #1
GENE MIERTSCHIN, COMMISSIONER, PCT. #2
DARREL L. LUX, COMMISSIONER, PCT. #3
KENNETH M. RUSCH, COMMISSIONER, PCT. #4
SALLY W. PETERS, DEPUTY COUNTY CLERK

1. The meeting was called to order at 9:00 a.m. with the Pledge of Allegiance to the United States and Texas flags.

The Judge expressed sympathy to John Kelly, BISD Superintendent, for the death of his father.

2. **THE STATE OF TEXAS**

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the Minutes for January 12, 2010 and January 25, 2010.

Motion was made by Commissioner Reissig, seconded by Commissioner Miertschin, and carried by a vote of 5-0.

3. **THE STATE OF TEXAS**

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the Claims as submitted (on file).

Motion was made by Commissioner Lux, seconded by Commissioner Rusch, and carried by a vote of 5-0.

4. **THE STATE OF TEXAS**

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the Financial Statement for Month Ending December 31, 2009 (attached).

Motion was made by Commissioner Lux, seconded by Commissioner Rusch, and carried by a vote of 5-0.

5. **PUBLIC COMMENTS:**

- Ken Anderson said that he had no verbal comment, but gave the Commissioners written comments.
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6. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the Employee Benefits Report as prepared by the Matrix Consulting Group (attached).

Motion was made by Commissioner Lux, seconded by Commissioner Reissig, and carried by a vote of 5-0.

7. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to proceed with the selection of nine members of the public for the Salary Grievance Committee for the year 2010.

Motion was made by Commissioner Lux, seconded by Commissioner Miertschin, and carried by a vote of 5-0.

Twelve names were drawn for consideration from the Grand Jury list: John Plemmons, Pete Martinez, Bradley Beshea, Janie Marie Morales, Roy Lee Kneupper, Joe Cortez, Martha Danell Vollmer, Arley Sueltenfuss, Philip Wheeler, Dorothy Bockholt, Emma Nezat, and Daniel Jimenez.

8. No action was taken on reinstating the burn ban. It is still off.

9. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to appoint Commissioner Lux and Commissioner Rusch to participate in the upcoming review and update of the Hazard Mitigation Plan.

Motion was made by Commissioner Reissig, seconded by Commissioner Miertschin, and carried by a vote of 5-0.

10. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to adopt the Resolution approving the conveyance of the Kendall Appraisal District building to the Greater Boerne Chamber of Commerce and authorizing the Kendall Appraisal District to purchase land in the Boerne North Business Park and to build a new office building.

Motion was made by Judge Schroeder, seconded by Commissioner Miertschin, and carried by a vote of 5-0.

11. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the lease agreement with the Boerne Merchants Association for use of the Courthouse grounds in June and October for Market Days.

Motion was made by Commissioner Lux, seconded by Commissioner Miertschin, and carried by a vote of 5-0.

12. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the payment for Emergency Call Out for Road & Bridge.

Motion was made by Commissioner Lux, seconded by Commissioner Rusch, and carried by a vote of 5-0.

13. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to authorize two nights of lodging for a Kendall County Parks Department employee to attend a conference in Fredericksburg.

Motion was made by Commissioner Lux, seconded by Commissioner Rusch, and carried by a vote of 5-0.

14. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the Amending Plat of Lots 7 and 8A in Gemini Oaks Subdivision, Unit 2, into Lots 7A and 8A-1.

Motion was made by Commissioner Miertschin, seconded by Commissioner Reissig, and carried by a vote of 5-0.

At 9:35 a.m. the Court closed Open Session, took a 10-minute Break, and then went into Executive Session:

- I. Pursuant to Section 551.072 to deliberate the purchase, exchange or value of real property
- II. Pursuant to Section 551.071 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 follow:
 1. County authority concerning subdivisions and county roads and bridges, nuisances, and economic development
 2. Kenneth W. Anderson vs. Kendall County
 3. Montgomery vs. Kendall County
- III. Pursuant to Section 551.074 to deliberate the duties and responsibilities of personnel at Road & Bridge

Court closed Executive Session and went into Open Session at 11:40 a.m. where the following motions were made:

16. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to table action regarding advertising for bids and/or sale or transfer of property in Comfort, Texas.

Motion was made by Commissioner Lux, seconded by Commissioner Reissig, and carried by a vote of 5-0.

15. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to authorize up to 200 hours of donated sick leave to a Road & Bridge employee.

Motion was made by Commissioner Lux, seconded by Commissioner Rusch, and carried by a vote of 5-0.

Being no further business, the meeting was adjourned at 11:44 a.m.

EXAMINED AND APPROVED THIS 22nd DAY OF FEBRUARY A.D., 2010.

ATTESTED:

Dalene Herrin
COUNTY CLERK
KENDALL COUNTY, TEXAS

James L. Schneider
COUNTY JUDGE
KENDALL COUNTY, TEXAS