

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 22nd 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.

2. The following received Service Awards:

- 35 years of service: Darlene Herrin, County Clerk
 - 35 years of service: Frank "Bobby" Brussel, Road & Bridge
 - 30 years of service: Linda Denise Pendley, County Clerk's Office
 - 5 years of service: Dane Dobberstine, Sheriff's Office
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3. **THE STATE OF TEXAS**

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the Minutes for February 8, 2010.

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 Monthly Reports for January 2010 (on file).

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

6. **PUBLIC COMMENTS:**

- Craig Davis, President of the Agricultural Heritage Museum, thanked the Court for their past support and announced that the Chuck Wagon Event would be held on March 6th from 10:00 a.m. to 5:00 p.m.
 - Ken Anderson gave written comments to the Court.
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7. No action was taken on reinstating the burn ban. It is still off.

8. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the Memorandum of Understanding with WestTex Capital (Pico Petroleum) for installing a generator at 37101 IH10 West for a regional fueling site.

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

9. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to conduct a workshop on Wednesday, March 10, 2010, at 9:00 a.m. to discuss the Department of Homeland Security Grant and a potential radio solution.

Motion was made by Commissioner Lux, seconded by Commissioner Rusch, 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 approve the construction plans for sewer line work and rehabilitation of the wastewater treatment plant and to authorize the engineer to bid out the project.

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

11-1. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to authorize Kendall County pursuing a grant for a Source Reduction and Recycling Program from the Regional Solid Waste Grants Program.

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

11-2. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to offer in-kind service up to \$30,000.00 for the grant application for a Source Reduction and Recycling Program.

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

12. The County Attorney and the Assistant County Attorney gave an update on the effort to remove the Library and Emergency Services District taxes for Comal County from the Guadalupe Valley Telephone Cooperative (GVTC) bills that go to Kendall County residents.

13. **THE STATE OF TEXAS**
COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to accept the Racial Profile Reports for 2009 from the Law Enforcement Agencies in Kendall County as presented by Matt King (attached).
Motion was made by Commissioner Lux, seconded by Commissioner Miertschin, and carried by a vote of 5-0.
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14. **THE STATE OF TEXAS**
COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to table action regarding renewal of the contract currently in place with Red Hawk Security Company.
Motion was made by Commissioner Lux, seconded by Commissioner Rusch, and carried by a vote of 5-0.
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15. **THE STATE OF TEXAS**
COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to table action regarding the 2010 Salary Grievance Committee.
Motion was made by Commissioner Miertschin, seconded by Commissioner Reissig, and carried by a vote of 5-0.
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16. **THE STATE OF TEXAS**
COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to accept Order No. 02-22-2010 concerning safety inspection and compliance requirements (attached).
Motion was made by Commissioner Lux, seconded by Commissioner Rusch, and carried by a vote of 5-0.
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17. **THE STATE OF TEXAS**
COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve Kendall County employing Bickerstaff Heath Delgado Acosta LLP as the law firm to assist the County in redistricting.
Motion was made by Commissioner Lux, seconded by Commissioner Reissig, and carried by a vote of 5-0.
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18. **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.
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19. The County Engineer presented a summary of activities for Road & Bridge during January 2010 (attached).

20. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to provide underground electrical service to the new County Animal Control Shelter.

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

21. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the Amending Plat of Tapatio Springs, Unit 14, Block 3, Lots 1 and 2 into Lot 1A.

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

22. The County Development Manager presented a summary of activities for January 2010.

23. The Parks Department Director presented a summary of activities for January 2010.

24. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to authorize publication of a Public Notice requesting bids for the remodel of restrooms at the Joshua Springs Park and Preserve conference center.

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

25. The BWM Group presented a concept layout for Joshua Springs Park & Preserve.

At 11:40 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 attorneys 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

At 11:50 a.m. the Court closed Executive Session, went into Open Session where the following motion was made:

5. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve all of the Claims as submitted with the following exception: the claim for James Publishing Inc. is corrected to Juris Publishing Inc. (on file).

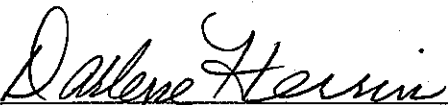
Motion was made by Commissioner Lux, seconded by Commissioner Rusch, and carried by a vote of 5-0.

At 11:51 a.m. the Court closed Open Session and went back into Executive Session.

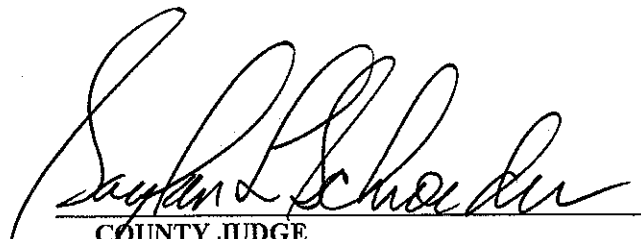
At 12:50 p.m. the Court closed Executive Session, went into Open Session, and being no further business, Court was adjourned.

EXAMINED AND APPROVED THIS 8th DAY OF MARCH A.D., 2010.

ATTESTED:



COUNTY CLERK
KENDALL COUNTY, TEXAS



COUNTY JUDGE
KENDALL COUNTY, TEXAS