

**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 12<sup>th</sup> day of April 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**

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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 read a press release from Congressman Lamar Smith regarding a grant for \$82,512 that was awarded to the Kendall County Emergency Medical Service (EMS) through the Federal Assistance to Firefighters Grant Program. The funds will be used to purchase generators and protective clothing for EMS crews.

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2.      **THE STATE OF TEXAS**

**COUNTY OF KENDALL**      It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the Minutes for March 22, 2010 and April 5, 2010.

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

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- 3-1.   **THE STATE OF TEXAS**

**COUNTY OF KENDALL**      It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the Budget Adjustments as presented (attached).

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

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- 3-2.   **THE STATE OF TEXAS**

**COUNTY OF KENDALL**      It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the Emergency Declaration Budget Adjustments (attached).

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

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4.      **THE STATE OF TEXAS**

**COUNTY OF KENDALL**      It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the amended schedule for monthly and quarterly recurring bills for the Fiscal Year 2010 (attached).

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

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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 submitted (on file).

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

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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 Financial Statement for Month Ending February 28, 2010 (attached).

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

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7. PUBLIC COMMENTS:

- Phillip Bell said that water testing for private wells is available for a limited time and that interested residents should contact Mary Booth at the Texas AgriLife Extension Service Office
  - Commissioner Lux gave a report on the presentation that he and the County Parks Director gave to Alamo Area Council of Governments (AACOG) concerning a recycling grant and AACOG indicated it would recommend full funding
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8. Darlene Herrin, County Clerk, notified the Court that due to a temporary shortage in staff, the County Clerk's office will be closing for lunch from 12:00 p.m. until 1:00 p.m. until further notice.

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9. Michelle Lux, Benefits Coordinator, gave the following information:

- Walk Across Texas kickoff meeting is April 19<sup>th</sup> and participants will be treated to a light lunch
  - Weight Loss Challenge participants are in the 13<sup>th</sup> week of the 16-week event
  - 75 employees participated in the Know Your Numbers Event in January
  - Participation is still available for the online Health Assessment through UnitedHealthcare
  - Relay for Life is scheduled for May 14
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10. No action was taken on reinstating the burn ban. It is still off.

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11. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve Proclamation 04-12-2010A proclaiming April 11<sup>th</sup> through April 17<sup>th</sup> as National Library Week.

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

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12. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve Proclamation 04-12-2010B proclaiming April 27, 2010 as Conservation Day in honor of the 75<sup>th</sup> Anniversary of the Natural Resources Conservation Service in the State of Texas.

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

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13. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve Proclamation 04-12-2010C proclaiming April 18-24, 2010 as Victims' Rights Week in Kendall County.

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 select The Boerne Star as the official newspaper for publication of official notices for Kendall County.

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

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15-1. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to rank RCC Consultants Inc. from Houston, Texas, and Trott Communications Group from Irving, Texas, equally based on qualifications submitted and give third ranking to CDX Wireless Technology Consultants from Chicago, Illinois, and fourth ranking to AECOM Technology Services from Lynchburg, Virginia, in regard to the Emergency Radio Communication System for Kendall County.

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

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15-2. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to ask RCC Consultants Inc. from Houston, Texas, and Trott Communications Group from Irving, Texas, to each present a cost proposal for consulting services for the Emergency Radio Communication System in Kendall County based on the Request for Qualifications each submitted.

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 approve Order No. 04-12-2010 pertaining to Department Heads and Supervisors signing contracts on behalf of Kendall County when the County Judge is not available (attached).

Motion was made by Commissioner Lux, seconded by Commissioner Miertschin, 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 table action concerning the Kerr County request for Kendall County to participate in matching grant funds to install a video/teleconferencing system within the 198<sup>th</sup> and 216<sup>th</sup> Judicial Districts.

Motion was made by Commissioner Lux, seconded by Commissioner Miertschin, 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 continuance of the Road & Bridge temporary contract employee for the duration of the 90 days.

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

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19. Gene Sparks, Road & Bridge Operations Manager, gave the following information:

- HAZCOM training for Supervisors will be in May and the All-Hands training in June; all personnel at any department site with chemicals are encouraged to participate in the training
  - First Responder training is scheduled for May 21 and 22
  - Veterans Services Office hours are 8:00 a.m. to 12:00 p.m. on Fridays
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20. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to table action on the request for relief to maximum density for the proposed division of property at 119 North Creek Loop which would result in two tracts: 3.153 acres and 4.423 acres (Willis Moore).

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

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21. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to grant relief from platting requirements and platting fees in Section 301.1000 and also minimum road frontage for the proposed division of property which will result in two tracts: 165+ acres and 3.0 acres (Charles Taylor).

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

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22. The Parks Department Director gave the following update:

The 117-acre park:

- Archeologist's draft report shows no significant finds, except one in the proposed roadway and THC (Texas Historical Commission) is requesting a staff archeologist be on site when that roadwork begins; also some karst features were discovered and THC wants those to be inaccessible to the public
- Schwarz Surveying submitted topographic and tree survey
- Ready to start coordinating work on roads and parking

Joshua Springs Park & Preserve:

- Reviewed initial plan of park that will be funded by grant from Texas Parks & Wildlife

At 11:15 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
  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 Road & Bridge personnel

At 12:10 p.m. the Court closed Executive Session, went into Open Session, and being no further business, the meeting was adjourned.

EXAMINED AND APPROVED THIS 26<sup>th</sup> DAY OF APRIL A.D., 2010.

ATTESTED:

Darlene Herrin  
COUNTY CLERK  
KENDALL COUNTY, TEXAS

Stephen L. Schroeder  
COUNTY JUDGE  
KENDALL COUNTY, TEXAS