

**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 10<sup>th</sup> day of May 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.  

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2.      Phillip Bell, Chairman of the Boerne Historic Landmark Commission, presented a plaque on behalf of the Commission in recognition of the restoration of the Historic Courthouse and the dedication of the Court and in particular, Commissioner Miertschin in overseeing the project.  

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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 April 26, 2010.  
  
Motion was made by Commissioner Reissig, seconded by Commissioner Lux, 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 invoice from Denton, Navarro, Rocha and Bernal pertaining to the lawsuit filed by Kenneth W. Anderson against Kendall County.  
  
Motion was made by Commissioner Lux, seconded by Commissioner Miertschin, 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 the Claims submitted (on file).  
  
Motion was made by Commissioner Lux, seconded by Commissioner Reissig, 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 and sign the 2011 Kendall County Property Insurance Renewal application with the Texas Association of Counties.

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

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7. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to accept the Fiscal Year 2009 Annual Audit as presented by Keith Neffendorf of Neffendorf, Knopp, Doss and Company.

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

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8-1. The Benefits Coordinator announced the winners of the 16-week 2010 Weight Loss Challenge: Most Pounds Lost (Male) – Toby Bagley, Most Pounds Lost (Female) – Susan George; Highest Percentage Body Weight Loss (Male) – Bryan Meier, Highest Percentage Body Weight Loss (Female) – Thresie Groenke.

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8-2. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to renew the Weight Loss Challenge program as a maintenance program for an additional 12 weeks with details to be determined at a later date.

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

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9. PUBLIC COMMENTS: No one spoke.

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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 the installation of a sonic firewall by HTS at all Kendall County fire departments using the County server. The budget adjustment will follow.

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

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12-1. Meg Grier, Chairwoman of the Kendall County Child Services Board, reported on activities for the past year.

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12-2. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to ratify the membership list for the Kendall County Child Services Board (attached).

Motion was made by Judge Schroeder, seconded by Commissioner Lux, 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 proclaim the week of May 23-29, 2010 as Hurricane Preparedness Week in Texas (attached).

Motion was made by Commissioner Lux, seconded by Commissioner Rusch, 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 declare the attached list as salvage and surplus property at the following locations: the County Storage building at 114 Rosewood, the Sheriff's Office, and the Parks Department.

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

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15. No action was taken regarding the request for use of the Historic Courthouse Courtroom.

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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 advertising for bids for the buildout of the former Dollar General Store with the first notice to be published on May 18 and the second on May 25, the pre-bid conference on May 28, opening the bids at 2:00 p.m. on June 8, and the selection on June 14.

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 tax abatement for Albany Engineered Composites, Inc.

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

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18. Lewis Kaiser was not present so there was not a presentation on an alternative method to trimming trees on the County's rights-of-way.

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At 10:25 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, nuisance conditions and economic development
  - 2. Kenneth W. Anderson vs. Kendall County
  - 3. Montgomery vs. Kendall County
  - 4. EEOC complaint—Angela San Miguel
- III. Pursuant to Section 551.074 to deliberate the duties and responsibilities of Road & Bridge personnel

At 2:33 p.m. the Court closed Executive Session and went into Open Session.

Commissioner Miertschin was absent.

The following motions were made:

II-3-1. THE STATE OF TEXAS

COUNTY OF KENDALL        It is ordered by the Commissioners' Court of Kendall County, Texas, to authorize the payment of an \$800.00 mediation fee payable to Judge Steve Ables for the Montgomery case.

Motion was made by Commissioner Rusch, seconded by Commissioner Lux, and carried by a vote of 4-0.

II-3-2. THE STATE OF TEXAS

COUNTY OF KENDALL        It is ordered by the Commissioners' Court of Kendall County, Texas, to employ attorney David Moore for the Montgomery case.

Motion was made by Commissioner Rusch, seconded by Commissioner Lux, and carried by a vote of 4-0.

Being no further business, the meeting was adjourned at 2:40 p.m.

EXAMINED AND APPROVED THIS 24<sup>th</sup> DAY OF MAY A.D., 2010.

ATTESTED: Darlene Herrin  
COUNTY CLERK  
KENDALL COUNTY, TEXAS

Angela L. Schroeder  
COUNTY JUDGE  
KENDALL COUNTY, TEXAS