

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 28th day of June 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 a Service Award:**
 • **10 years of service: Laurie Meadows, County Attorney's Office**

3. **THE STATE OF TEXAS**

COUNTY OF KENDALL **It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the Minutes for June 14, 2010.**

Motion was made by Commissioner Lux, seconded by Commissioner Reissig, 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 May 2010 (on file).**

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

5-1. **THE STATE OF TEXAS**

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

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

5-2. **THE STATE OF TEXAS**

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

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

6. **THE STATE OF TEXAS**

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

Motion was made by Commissioner Lux, seconded by Commissioner Rusch, 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 approve the Financial Report for Month Ending May 31, 2010 (attached).

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

8. **PUBLIC COMMENTS:**

- Mike DeLeeuw gave an update on ABECO Contracting using local subcontractors for the buildout of the former Dollar General Store
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9. This item regarding the work schedule in the Elections Department was pulled from the agenda by the Elections Administrator.

10. Angela Fiedler, Texas AgriLife Extension agent, introduced three members of the Kendall County 4-H Youth Board:

- Rachel Holland, Chairman of Health Rocks, described the program that helps youth develop life skills such as decision making, critical thinking and stress management
 - Karen Simpson spoke about games played to demonstrate to the youth what stress is in their lives and healthy ways to handle it instead of complicating it with drugs, alcohol and tobacco
 - Garret Holland, spoke about the role modeling aspect for younger kids and the value of spending time with them
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11. **THE STATE OF TEXAS**

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to appoint Alamo Insurance as Kendall County's Agent of Record for group health, dental, vision and life insurance for fiscal year 2011.

Motion was made by Commissioner Lux, seconded by Commissioner Reissig, 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 authorize the Texas Association of Counties (TAC) to conduct harassment training to elected officials and all other County employees on September 20th, 21st, 22nd and 23rd in the Assembly Room on the 3rd floor of the Courthouse.

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

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

14. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the payment of attorneys' fees in the amount of \$9,310.13 to the law firm of Denton, Navarro, Rocha and Bernal for representation in the suit filed against Kendall County by Kenneth W. Anderson.

Motion was made by Commissioner Lux, seconded by Commissioner Miertschin, 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 approve publishing a notice of Final Hearing to close out the Texas Community Development Program Contract No. 728297 funded by the Texas Department of Rural Affairs with the Hearing to be held on July 7, 2010 at 5:15 p.m. in the Assembly Room on the 3rd floor of the Courthouse.

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

16. The County Engineer presented a summary of activities for Road & Bridge during May 2010 (attached).

17. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the Amending Plat of Champee Springs Ranches, Tracts 3A-1D, 3A-1E, 3A-1F and 3A-1H into Tracts 3A-1D-a, 3A-1E-a, 3A-1F-a and 3A-1H-a in accordance with Section 208.1200.4 of the Development Rules and Regulations dated August 29, 2005 (amended September 2006).

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

18. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to accept the name "Wagner Ranch Rd" for an ingress/egress easement located on FM473 and with the address 2441 FM473 (Ronald Wagner, Shirley Bippert).

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

19. The County Development Manager presented a summary of activities for May 2010.

20. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the agreement with McMurrey Builders LLC, with the noted changes made in Court to the fixed contract, for the remodel of the restrooms at Joshua Springs Park and Preserve Conference Center subject to final approval by the County Attorney's office.

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

21. The Parks Department Director presented a summary of activities for May 2010.

At 10:20 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, county roads and bridges
 - 2. Kenneth W. Anderson vs. Kendall County
 - 3. Montgomery vs. Kendall County
 - 4. EEOC Complaint—Angela San Miguel
- III. Pursuant to Section 551.0785 to deliberate matters involving the medical records of an individual applicant for benefits

At 11:55 a.m. the Court closed Executive Session.

At 1:30 p.m. the Court went into Open Session where the following motions were made:

23. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to authorize the County Surveyor to survey for plat revision the County-owned property in Comfort which is the property identified as "Square" on the map of Comfort and a 26' x 225' strip that is to be sold to Kurt Solis. Motion was made by Commissioner Rusch, seconded by Commissioner Miertschin, and carried by a vote of 5-0.

I. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to authorize the County Attorney to proceed as discussed in Executive Session pertaining to real property. Motion was made by Commissioner Lux, seconded by Commissioner Rusch, and carried by a vote of 5-0.

At 1:45 p.m. the Court closed Open Session and went into Executive Session.

At 1:51 p.m. the Court closed Executive Session and went into Open Session where the following motion was made:

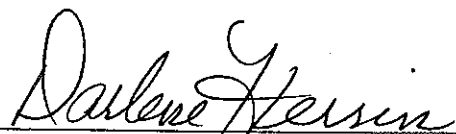
22. THE STATE OF TEXAS

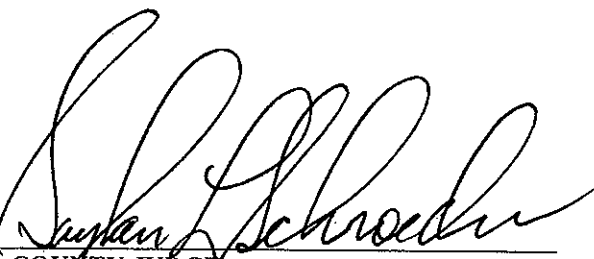
COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to authorize employees to donate sick leave to another County employee up to 200 hours effective June 20, 2010. Motion was made by Commissioner Lux, seconded by Commissioner Reissig, and carried by a vote of 5-0.

Being no further business, the meeting was adjourned at 1:53 p.m.

EXAMINED AND APPROVED THIS 12th DAY OF JULY A.D., 2010.

ATTESTED:


COUNTY CLERK
KENDALL COUNTY, TEXAS


COUNTY JUDGE
KENDALL COUNTY, TEXAS