

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 26th day of July 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:

- 35 years of service: Ricky Pfeiffer, Road & Bridge**
- 5 years of service: Jeffrey Horrell, Sheriff'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 July 12, 2010 and July 20, 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 June 2010 (on file).

Motion was made by Commissioner Lux, seconded by Commissioner Miertschin, 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 Reissig, 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 Miertschin, 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 the Claims as submitted (on file).

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

7. PUBLIC COMMENTS:

- Commissioner Miertschin thanked the Boerne Star for its donation to the dedication ceremony of the Historic Courthouse and also those who took out ads in the Special Edition of the Boerne Star
 - Commissioner Lux said that the Relocation Committee may be ready by the next Commissioners' Regular Meeting to make a recommendation for which office will move into the Historic Courthouse
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8-1. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the renewal rates from United Healthcare, Dental Select, and MetLife for group health, vision, and life insurance.

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

8-2. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the dental plan from United Healthcare for fiscal year 2011 with the addition of Flex Appeal.

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 approve the polling location for Precinct 2-2 to be the Bergheim Volunteer Fire Department for elections in the future.

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

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

11. The County Emergency Management Coordinator/Fire Marshall presented a summary of activities for the first six months of 2010.

12. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the request from the Alamo Springs Fire Department to use \$2,400.00 from line item 10-543-56510 for items other than originally budgeted.

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

13-1. The agenda item pertaining to the Interlocal Agreement with the City of Boerne for Public Safety and Utilities Communications Services remains tabled from the July 12, 2010 meeting.

13-2. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the Interlocal Agreement between the City of Boerne and Kendall County for Fire Protection Services to Kendall County residents who reside within the Boerne Volunteer Fire Department service area.

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 Resolution 07-26-2010A authorizing Commissioner Kenneth Rusch as the Kendall County representative for the unincorporated areas served by Hill Country Telephone within Kendall County and to assist in filing to the Public Utilities Commission (PUC).

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

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

16-1. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to untable the agenda item #11 from 07-12-2010 pertaining to the Plat Revision of the County-owned property in Comfort which is identified as "Square" on the map of Comfort.

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

16-2. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the Plat Revision of the County-owned property in Comfort which is identified as "Square" on the map of Comfort and Kendall County Order No. 07-26-2010.

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

17. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to grant relief to minimum road frontage at 117 Spanish Pass Road (Condra) in accordance with Paragraph 102.1000.10, lots larger than six acres, of the Development Rules and Regulations dated August 29, 2005 (amended September 2006). The proposed division would result in a 6.99-acre tract with 60-foot frontage and a 6.01-acre tract with 352-foot frontage.

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

18. The County Development Manager presented a summary of activities for June 2010.

19. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve Resolution 07-26-2010B dedicating 80.5 acres in Joshua Springs Park and Preserve as Natural Area/Open Space as required by Texas Parks & Wildlife to comply with requirements set forth in the recreational grant agreement.

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

20. The Parks Department Director presented a summary of activities for June 2010.

At 10:30 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 for Road & Bridge personnel
- IV. Pursuant to Section 551.074 to deliberate the duties and responsibilities of Road & Bridge personnel

At 12:00 p.m. the Court closed Executive Session and at 1:30 p.m. went into Open Session where the following motion was made:

II-3. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, that the County Attorney's Office proceed as discussed in Executive Session pursuant to Montgomery vs. Kendall County and for the County Judge to sign the appropriate paperwork.

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


Being no further business, the meeting was adjourned at 1:32 p.m.

EXAMINED AND APPROVED THIS 9th DAY OF AUGUST A.D., 2010.

ATTESTED:



COUNTY CLERK
KENDALL COUNTY, TEXAS



COUNTY JUDGE
KENDALL COUNTY, TEXAS