

**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 9<sup>th</sup> day of August 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.      **THE STATE OF TEXAS**

**COUNTY OF KENDALL**      It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the Minutes for July 26, 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 (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 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.

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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 Claims as 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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5. 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 June 30, 2010 (attached).

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 Investment Report for Quarter Ending June 30, 2010 (attached).

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

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7. PUBLIC COMMENTS:

- Mike De Leeuw said that construction has begun on the County Building on Fawn Valley.
  - Representatives from the Greater Boerne Chamber of Commerce, Susan Allen, Chairman, and Mike Schultz, Vice-Chairman, introduced Terri Politi as the new President of the Chamber.
  - John Carter said that he opposed the proposal to lower the speed limit on Upper Balcones Road and that the site distance for the property in question could be improved by trimming trees and clearing brush.
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8. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the Election Judges as submitted for the years 2010 – 2012 beginning September 1, 2010.

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

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9. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the 2010 Certified Appraisal Roll Total of \$3,604,543,503.00.

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

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10. James Hudson, County Tax Assessor/Collector, presented the 2010 Effective Tax Rate and Rollback Tax Rate.

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11. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to schedule a public hearing for August 23, 2010 at 9:15 a.m. in the Assembly Room of the Courthouse for the 2011 Budget.

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

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12. A Public Hearing was held regarding the reduction of the speed limit on Upper Balcones Road from 45 miles per hour to 35 miles per hour 300 feet each direction from the driveway at 323 Upper Balcones Road. John Carter spoke in opposition during Public Comments, but no one else spoke at this time.

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13. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to deny the request to reduce the speed limit along Upper Balcones Road near the intersection of Dodge Road and to approve posting an Advisory Speed Limit sign on the Hidden Driveway sign already posted.

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

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

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15. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to authorize the Kendalia Volunteer Fire Department to purchase lawn equipment for their use.

Motion was made by Commissioner Lux, seconded by Commissioner Rusch, 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 relocate Justice of the Peace, Precinct 1, to the 2<sup>nd</sup> floor of the Historic Courthouse and Constable, Precinct 1, to the 1<sup>st</sup> office on the left on the 1<sup>st</sup> floor of the Historic Courthouse.

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 approve the invoice in the amount of \$1,972.96 from Denton, Navarro, Rocha and Bernal for representation in the lawsuit filed against Kendall County.

Motion was made by Commissioner Lux, seconded by Commissioner Rusch, 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 Kendall County Order No. 08-09-2010A directing the Department of State Health Services to provide information to the District Clerk and the County Clerk in accordance with HB 3352 (attached).

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

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19. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve Salvador Hernandez Company for construction for the concrete work at the County Animal Shelter and on Wengenroth Road.

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

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20. 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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21. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve Kendall County Order No. 08-09-2010B vacating R and R Express, a one-lot subdivision on Walnut Grove Road (attached).

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

At 10:10 a.m. the Court closed Open Session, took a Break, and then at 10:45 a.m. 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:
  1. County authority concerning subdivisions and county roads and bridges, nuisance conditions and economic development
  2. Kenneth W. Anderson vs. Kendall County
  3. EEOC Complaint—Angela San Miguel
- III. Pursuant to Section 551.074 to deliberate the duties and responsibilities of Parks Department personnel

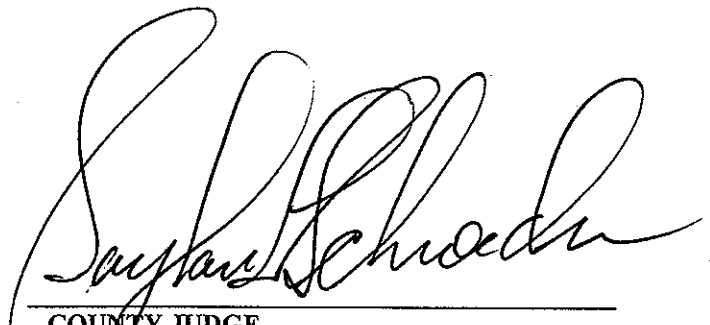
At 12:05 p.m. the Court closed Executive Session and went into Open Session.

Being no further business, the meeting was adjourned at 12:06 p.m.

EXAMINED AND APPROVED THIS 23<sup>rd</sup> DAY OF AUGUST A.D., 2010.

ATTESTED:

  
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COUNTY CLERK  
KENDALL COUNTY, TEXAS

  
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COUNTY JUDGE  
KENDALL COUNTY, TEXAS