

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 27th day of September 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. Each of the following received a Service Award:

- 25 years of service: Linda Schacht, County Attorney's Office**
 - 5 years of service: Brenda Bell, County Health Officer**
Sally Peters, County Clerk's Office
Sylvia Zapata, Human Resources Office
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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 September 13, 2010.

Motion was made by Commissioner Reissig, seconded by Commissioner Miertschin, 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 August 2010 (on file).

Motion was made by Commissioner Lux, seconded by Commissioner Reissig, 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 the use of funds in line 10-542-56510 and remaining fund balances in all line items for items other than originally budgeted for the Bergheim Volunteer Fire Department.
Motion was made by Commissioner Miertschin, seconded by Commissioner Lux, 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 Claims as submitted (on file).
Motion was made by Commissioner Lux, seconded by Commissioner Reissig, and carried by a vote of 5-0.

8. THE STATE OF TEXAS
COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve payment of the monthly and quarterly recurring bills for fiscal year 2011 (attached).
Motion was made by Commissioner Lux, seconded by Commissioner Rusch, and carried by a vote of 5-0.

9. PUBLIC COMMENTS: No one spoke.

10. THE STATE OF TEXAS
COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the Investment Policy for Kendall County (attached).
Motion was made by Commissioner Miertschin, seconded by Commissioner Reissig, and carried by a vote of 5-0.

11. THE STATE OF TEXAS
COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to set the Texas County & District Retirement System (TCDRS) employer contribution rate at 7.19% for 2011 with no additional changes.
Motion was made by Commissioner Lux, seconded by Commissioner Rusch, 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 the 2010 Tax Levy Roll total of \$15,183,697.23 as provided by the Kendall Appraisal District.
Motion was made by Commissioner Lux, seconded by Commissioner Miertschin, and carried by a vote of 5-0.
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13. No action was taken on reinstating the burn ban. It is still off.
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14. THE STATE OF TEXAS
COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to adopt a Resolution to apply for 2011-2012 Community Development Block Grant assistance under the Community Development fund and to include the execution of an Interlocal Agreement with Kendall County WCID No. 1 (attached).
Motion was made by Commissioner Rusch, seconded by Commissioner Lux, and carried by a vote of 5-0.
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15. THE STATE OF TEXAS
COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the Interlocal Agreement between Kendall County and the City of Boerne for Health Sanitarian Services.
Motion was made by Commissioner Lux, seconded by Commissioner Miertschin, 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 proclaim the month of October 2010 as Domestic Violence Awareness Month (attached).
Motion was made by Commissioner Lux, seconded by Commissioner Reissig, 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 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.

18. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the Capital Outlay transfers for Road & Bridge as presented (attached).

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

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

20. No action was taken regarding the installation of fencing for the Animal Control Shelter.

21. The County Development Manager presented a summary of activities for August 2010.

22. 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 in accordance with Section 102.1000.10, lots larger than six acres, of the Development Rules and Regulations dated August 29, 2005 (amended September 2006) and conditional on abiding with Kendall County Development Rules and Regulations. The proposed access is Sunflower, a subdivision road maintained by the County. Sunflower right-of-way is 60 feet (Wade Kilpatrick, Comfort Partners, LP).

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

23. 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 and maximum density in accordance with Section 301.1150 of the Development Rules and Regulations dated August 29, 2005 (amended September 2006). The proposed division would result in Lot 100A, 0.327-acre with 96.3-feet of frontage and Lot 100B, 0.57-acre with 35-feet of frontage in two 17.5-foot fee simple strips (Krauter Family Partnership, LTD).

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

24. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the change order for McMurrey Builders for the remodel of the restrooms at the Joshua Springs Park and Preserve Conference Center.

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

25. The Parks Department Director presented a summary of activities for August 2010.

At 10:05 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:
 - 1. County authority concerning subdivisions, county roads and bridges
 - 2. EEOC Complaint—Angela San Miguel
- III. Pursuant to Section 551.074 to deliberate the duties and responsibilities of personnel in the following:
 - 1. Facilities Maintenance
 - 2. Parks Department
 - 3. County Engineer
 - Road Superintendent
 - Compliance Inspector
 - Parks Director / Development Manager
 - Human Resources Director
 - Fire Marshal / EMS Director / Emergency Management Coordinator
 - GIS Department
 - 911 Program
 - Veteran's Services Officer
 - Indigent Health
 - Facilities Maintenance
 - PBX Operator
 - Custodians

At 4:50 p.m. the Court closed Executive Session and went into Open Session where the following motion was made:

26. THE STATE OF TEXAS


COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to table this agenda item which pertains to the reporting structure for all departments directly overseen by the Commissioners' Court.

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

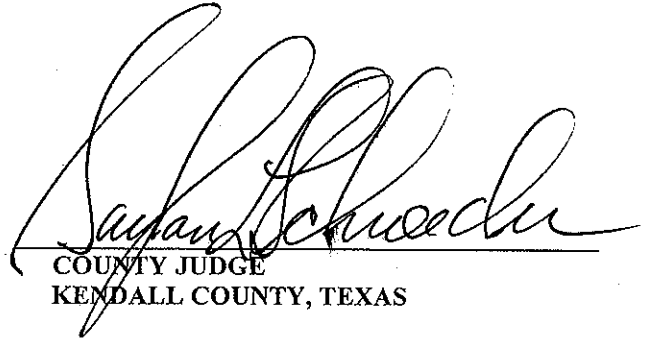
Being no further business, the meeting was adjourned at 4:53 p.m.

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

ATTESTED:



COUNTY CLERK
KENDALL COUNTY, TEXAS



COUNTY JUDGE
KENDALL COUNTY, TEXAS