

**NOTICE OF REGULAR MEETING  
OF THE KENDALL COUNTY COMMISSIONERS COURT**



**NOTICE** is hereby given that a regular meeting of the above named Commissioners Court will be held on the 12<sup>th</sup> day of **December, 2011** at **9:00 a.m.** in the **Kendall County Courthouse, Third Floor Assembly Room**, 201 E. San Antonio, Boerne, Texas, at which time the following will be discussed and appropriate action taken; pursuant to V.T.C.A. Government Code Chapter 551, Open Meetings Act, including all Subchapters and Sections:

All matters listed on the following Agenda may be discussed in executive session at the option of the Kendall County Commissioners Court and following verbal announcement, if an appropriate exception to the open meeting requirement of the Texas Open Meetings Act is applicable.

**NO CELL PHONES, AUDIBLE PAGERS, AND/OR BEEPERS WHILE COURT IS IN SESSION**

Pledge of allegiance to the United States Flag  
Pledge of allegiance to the Texas Flag

1. Call to Order - 9:00 a.m.  
Comments from Judge Pro-Tem Darrel L. Lux
2. Consideration and action on approval of minutes for November 28, 2011:  
Sally Peters, Deputy Clerk
3. Consideration and action on approval of claims for purchases, services and vendors: Cherry Russell, Assistant Auditor
4. Consideration and action to approve the Financial Report for September 2011:  
Sheryl D'Spain, County Treasurer
5. Consideration and action to approve the Quarterly Investment Report for 3<sup>rd</sup> Quarter 2011: Sheryl D'Spain, County Treasurer
6. **PUBLIC COMMENTS**– opportunity for the general public to address the Court on any matter. The Court may not discuss any presented issue, nor may any action be taken on any issue at this time. Please limit comments to 3 minutes.
7. Present statement of Financial Position and 4<sup>th</sup> Quarter Financial Reports as of August 31, 2011 for Kendall County Community Services and Corrections Department: Dana Baethge, Auditor

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8. Consideration and action on the burn ban (Authority Section 352.081, Texas Local Government Code): Darrel L. Lux, County Judge Pro-Tem
9. Consideration and action to approve the following contract:
  1. Hill Country Dispute Resolution Center 2011-2012  
Darrel L. Lux, County Judge Pro-Tem
10. **Untable this item from previous September 26, 2011 Court:**  
Consideration and action to adopt the Election Day polling locations for use in General elections: Staci Decker, Elections Administrator
11. **Untable this item from previous November 28, 2011 Court:**  
Consideration and action concerning adoption of an order 12-12-2011 authorizing the County Engineer and/ or the County Development Manager and/ or their designated representatives to approve requests for relief for road frontage requirements and possibly other requirements of the Kendall County Texas Development Rules and Regulations for certain situations including a division of property by Court proceeding or otherwise whereby parcels of the divided property are sold, given, or otherwise transferred to heirs of the record owner of the property or to individuals who are related to the record owner within the third degree by consanguinity or affinity: Don Allee, County Attorney / Richard Tobolka, Development Management
12. Consideration and action on a Plat Revision to Lot 35A, Unit 3, Shadow Valley Ranch Subdivision filed in Volume 1, Page 27 of Kendall County, Texas, into Lots 35A-1 and 35A-2 in accordance with Section 209 of the Kendall County Development Rules and Regulations. The purpose of the Plat Revision is to create a family cemetery. Relief for minimum road frontage and lot size was granted by Commissioners Court, November 28, 2011. (R.B. Garza, agent for Faith Mountain Ranch, LLC.): Darrel L. Lux, Commissioner Precinct 3
13. Consideration and action on an Amending Plat to combine Lots 10, 12, and 13, Unit 202, Block B in Cordillera Ranch, Kendall County, Texas, into Lot 10A in accordance with Kendall County Development Rules and Regulations. (R.R. Rothwell Jr., and J. Damon Christofiles.): Gene Miertschin, Commissioner Precinct 2
14. Consideration and action on an Amending Plat to relocate lot lines between Lot 529 and Lot 530 in River Mountain Ranch, Section 2, Kendall County, Texas into Lots 529A and 530A in accordance with Section 209 of the Kendall County Development Rules and Regulations. (Stanley D. and Mana A. Beisert and Jon A. and Crystal Atteberry.): Gene Miertschin, Commissioner Precinct 2

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15. Consideration and action on accepting a Letter of Credit for \$1,380,000.00 for construction of roadway and drainage for Loves Travel Stop at the intersection of IH-10 and US 87 in Comfort, Texas: Kenneth M. Rusch, Commissioner Precinct 4 / Richard Tobolka, Development Management
16. Progress Report for Joshua Springs Park and Preserve construction project:  
Richard Tobolka, Parks Director

**BREAK**

**EXECUTIVE SESSION (Closed to public)**

**Pursuant to Chapter 551 of the Texas Government Code**

- I. **The Court will meet in Executive Session pursuant to Section 551.072 to deliberate the purchase, exchange or value of real property**
- II. **The Court will meet in Executive Session pursuant to Section 551.071 Government Code, V.T.C.S. 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 follows:**
  1. **County authority concerning subdivisions, county roads and bridges, and legal requirements of redistricting**
  2. **EEOC Complaints**
- III. **The Court will meet in Executive Session pursuant to Section 551.074 to discuss personnel issues:**
  1. **Deliberation concerning the duties and responsibilities of employees reporting to Commissioners Court**
  2. **Deliberation concerning the duties and responsibilities of the Treasurer's Office**

**RESUME OPEN SESSION AND TAKE ANY NECESSARY ACTION  
RESULTING FROM EXECUTIVE SESSION DELIBERATIONS**

**ADJOURNMENT**

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REGULAR MEETING

Dated this the 8<sup>th</sup> day of December, 2011



Darrel L. Lux  
Kendall County Judge Pro-Tem

I, the undersigned County Clerk, do hereby certify NOTICE of Regular meeting of the above named Commissioners Court is a true and correct copy of said Notice and that I have caused said Notice to be posted on the door at the Courthouse of Kendall County, Texas located at 201 E. San Antonio Street on the 8<sup>th</sup> day of December, 2011.



Darlene Herrin  
County Clerk

Posted at 2:00 P.M. on the 8<sup>th</sup> day of December, 2011 – *alb*

NOTE: The Kendall County Commissioners Court complies with A.D.A. requirements. If you have an impairment and wish to appear at a meeting, please call (830)249-9343, 48 hours in advance to make arrangements.

KENDALL COUNTY COMMISSIONERS COURT