

**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 28th day of **February, 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.

**ALL TIMES ARE APPROXIMATE
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 Gaylan L. Schroeder
2. Presentation of Service Awards by Judge Schroeder to:
Robert Olson Road & Bridge (10 years)
3. Consideration and action on approval of minutes for February 14, 2011:
Sally Peters, Deputy Clerk
4. Consideration and action on approval of Monthly Reports for January, 2011: Dana Baethge, County Auditor
5. Consideration and action on approval of claims for purchases, services, and vendors: Cherry Russell, Assistant Auditor
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. Discussion and action concerning a Resolution opposing the Southern Edwards Plateau-Habitat Conservation Plan (SEP-HCP): Darrel L. Lux, Commissioner Precinct 3

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8. Consideration and action on the burn ban (Authority Section 352.081, Texas Local Government Code): Gaylan L. Schroeder, County Judge
9. Consideration and action to accept Racial Profile Reports for 2010 from Law Enforcement Agencies in Kendall County: Gaylan L. Schroeder, County Judge
10. **Public Hearing (9:15 a.m.)** - The Court will receive comments from the public regarding:
 1. Application filed by 2x2 Comfort Properties, LLC (Allen and Sunny Goodwin and Clark and Karolyn Lang) for the proposed revision of the subdivision plat for part of Comfort Outlot 67 recorded in Volume 1185, page 709 and Hill Crest Addition Lots 4 and 5 recorded in Volume 908, page 5 of the Deed Records of Kendall County, Texas into a Condominium Development
Kenneth M. Rusch, Commissioner Precinct 4
11. Consideration and action on a request for relief to minimum road frontage and maximum density in accordance with Section 300.1100 of the Kendall County Development Rules and Regulations adopted November 8, 2010. The proposed condominium project consists of 7 Units in phase I on 0.988 acres and 8 Units in phase II on 0.826 acres. Phase I Units would front on Faltin Street and West Street. Phase II Units front on a proposed driveway and Fifth Street. (2x2 Comfort Properties, LLC, Allen and Sunny Goodwin and Clark and Karolyn Lang):
Kenneth M. Rusch, Commissioner Precinct 4
12. Consideration and action to name County Building located at 221 Fawn Valley:
Gaylan L. Schroeder, County Judge
13. Discussion and action to approve the permanent location change of Early Voting from 201 E. San Antonio Street, Kendall County Courthouse, to the new location at 221 Fawn Valley Dr. (This change is for all County held elections): Rosaria Reyes, Elections Administrator
14. Discussion and action on the following items:
 1. Approve the consolidation of polling locations for the May 2011 Special Election
 2. Approve the Early Voting locations and the consolidated polling locations for the May 2011 Special ElectionRosaria Reyes, Elections Administrator
15. Discussion and action to approve the voting method to be used for the May Special Election.
Options:
 1. paper ballot and 1 ADA DRE
 2. strictly electronic with paper ballots for by mail or provisional votersRosaria Reyes, Elections Administrator

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16. Consideration and adoption of an Order by the Commissioners Court of Kendall County, Texas, calling a Bond Election to be held in Kendall County, Texas; making provision for the conduct of the election; making provision for the conduct of a joint election with various political subdivisions; resolving other matters incident and related to such election; and providing an effective date. **(Bond election to include funds for the construction, expansion, and improvement of Herff Road within and beyond the corporate limits of the City of Boerne, but all within the boundaries of Kendall County):** Gaylan L. Schroeder, County Judge
17. Discussion and action as necessary on moving the County long distance telephone service to GVTC: Gene Miertschin, Commissioner Precinct 2
18. Discuss and take action to pay Facilities Maintenance employee(s) for emergency call out: Robert Kinsey, Facilities Manager
19. Consideration and action to approve Change Order No. 3 from ABECO Contracting, Inc. for the build out of 221 Fawn Valley Dr.: Darrel L. Lux, Commissioner Precinct 3 / Terry Anderson, County Engineer
20. Consideration and action to go out for proposals from fencing contractors for a fence at the Brush Site: Gene Miertschin, Commissioner Precinct 2 / Terry Anderson, County Engineer
21. Consideration and action to approve a Request for Qualifications (RFQ) for professional engineering services for the Preliminary Phase leading up to a May 14, 2011 Bond Referendum for the Herff Road Widening and Extension Project. (Approval would be for preparation of the RFQ and Notice of publication): Gene Miertschin, Commissioner Precinct 2 / Terry Anderson, County Engineer
22. Present summary of activities and NG911 activities by the GIS Department: Mike Howle, GIS Specialist
23. Consideration and action to review and declare surplus property: Gene Sparks, Road & Bridge
24. Present summary of activities by Road and Bridge during January, 2011 to Commissioners Court: Ricky Pfeiffer, Road Superintendent
25. Consideration and action on Amending Plat of Lots 6 and 7, Block A, Cordillera Ranch Unit 10, Kendall County, Texas into Lot 6A in accordance with Section 209 of the Kendall County Development Rules and Regulations adopted November 8, 2010. (Joseph Cheben, Maureen Ann Sutherland): Gene Miertschin, Commissioner Precinct 2

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26. Discuss and take appropriate action on the Final plat for Cordillera Ranch Unit 205A-1 and acceptance of Letters of Credit for \$340,042.00 for road and drainage and \$157,076.00 for water and waste water in accordance with Sections 204 and 205 of the Kendall County Development Rules and Regulations adopted November 8, 2010. The proposed development consists of 20.64 acres divided into 9 residential lots. The subdivision will be served by centralized water and sewer. (Cordillera Ranch Development Corp., David Hill – President): Gene Miertschin, Commissioner Precinct 2
27. Present summary of activities by the Development Management Department during January, 2011: Richard Tobolka, Development Manager
28. Present summary of activities by the Parks Department during January, 2011: 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. Commissioners 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 and county roads and bridges
 2. EEOC Complaints
 3. Lucas Lancaster vs. Kendall County, et al
- 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 personnel in Parks Department

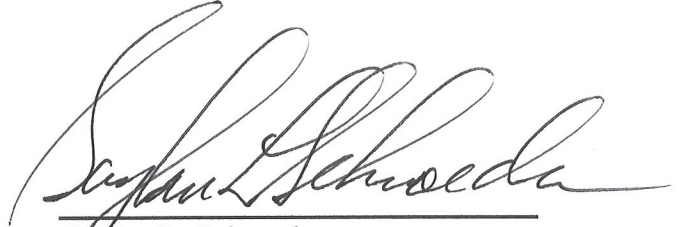
RESUME OPEN SESSION AND TAKE ANY NECESSARY ACTION RESULTING FROM EXECUTIVE SESSION DELIBERATIONS

ADJOURNMENT

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Dated this the 24th day of February, 2011



Gaylan L. Schroeder
Kendall County Judge

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 24th day of February, 2011.



Darlene Herrin
County Clerk

Posted at 2:00 P.M. on the 24th day of February, 2011— *ceb*

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.

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