

**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 9<sup>th</sup> day of **May, 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. Consideration and action on approval of minutes for April 25, 2011:  
Sally Peters, Deputy Clerk
3. Consideration and action on approval of Budget Adjustments: Dana Baethge,  
County Auditor
4. Consideration and action on approval of claims for purchases, services and  
vendors: Cherry Russell, Assistant Auditor
5. Discuss and approve the financial report for March 2011: Sheryl D'Spain,  
County Treasurer
6. Discuss and approve Quarterly Investment Report for 1<sup>st</sup> Quarter 2011: Sheryl  
D'Spain, County Treasurer
7. **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.

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8. Geneva School of Boerne shares information on Class of 2011, their first graduating class, which consists of 19 students: Gaylan L. Schroeder, County Judge / Brad Ryden, Head of School, Geneva School of Boerne
9. Announce winners of the the 3<sup>rd</sup> Annual Weight Loss Challenge and award certificates: Michelle Lux, Benefits Coordinator
10. Review and accept Fiscal Year 2010 Annual Audit. Action as needed: Dana Baethge, County Auditor / Keith Neffendorf of Neffendorf, Knopp, Doss & Company, Inc.
11. Consideration and action concerning appointment of Election Judges for the May 14, 2011 Election: Rosaria L. Reyes, Elections Administrator
12. **Public Hearing (9:15)** - The Court will receive comments from the public regarding:
  1. Application filed by Helen Tamayo for the proposed revision of the subdivision plat (of Lot 1R, Block 82 into Lots 1R-1 and 1R-2),Town of Kendalia filed in Volume 3, Page 222-223 of the Plat Records of Kendall County, Texas.  
Darrel L. Lux, Commissioner Precinct 3
13. Consideration and action on a request for relief to maximum density in accordance with Section 300.1100 of the Kendall County Development Rules and Regulations. The proposed division of Lot 1R, Block 82, Town of Kendalia, 11.05 +/-acre tract, results in two lots of 4.00 acres and 7.06 acres. (Helen Kathleen Tamayo): Darrel L. Lux, Commissioner Precinct 3
14. Consideration and action on a Plat Revision of Lot 1R, Block 82, Town of Kendalia into Lots 1R-1 and 1R-2, Block 82 in accordance with Section 209 of the Kendall County Development Rules and Regulations: (Helen Kathleen Tamayo): Darrel L. Lux, Commissioner Precinct 3
15. Consideration and action to select a Financial Institution to be the depository for Kendall County funds. Authorize the County Judge to sign necessary contracts: Sheryl D'Spain, County Treasurer
16. Present draft Budget Calendar to Commissioners Court for review and discussion: Dana Baethge, County Auditor
17. Consideration and action on the selection of the official newspaper for publication of official notices for Kendall County for the time period of 12 months, beginning April 1, 2011 through March 31, 2012: Gaylan L. Schroeder, County Judge

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18. Consideration and action on the burn ban (Authority Section 352.081, Texas Local Government Code): Gaylan L. Schroeder, County Judge
19. Consideration and action concerning the application of Texas Star Nut and Food Company for a tax abatement. (Dan Rogers, Kendall County Economic Development Co-operation, Jeffrey Taylor, Texas Star Nut and Food Co.): Gaylan L. Schroeder, County Judge
20. Consideration and action concerning granting of a tax abatement for Albany Engineered Composites, Inc. for tax year 2011: Gaylan L. Schroeder, County Judge
21. Consideration and action concerning scheduling a hearing and Commissioners Court consideration of petitions filed by property owners for a change in an existing road- part of Upper Cibolo Creek Road: Kenneth M. Rusch, Commissioner Precinct 4, Don Allee, County Attorney, Rodney Yates, property owner and Jed Maebius, property owner
22. Discuss and take action to pay Road & Bridge employee(s) for emergency call out: Gene Sparks, Road & Bridge
23. **Public Hearing** - The Court will receive comments from the public regarding:
  1. Application filed by Ralph E. Trieber for proposed revision of plat, Lot 1A, Block 5, Town of Waring  
Kenneth M. Rusch, Commissioner Precinct 4
24. Consideration and action on a Plat Revision to Lot 1A, Block 5, Town of Waring, Kendall County, Texas into Lot 1A-1 in accordance with Section 209 of the Kendall County Development Rules and Regulations. (Ralph E. Treiber): Kenneth M. Rusch, Commissioner Precinct 4
25. Consideration and action on a request for relief to minimum road frontage in accordance with Section 102.1003, lots larger than 10 acres, of the Kendall County Development Rules and Regulations. The 60.82 +/- acre tract located at 307 Spanish Pass Rd. has 50 feet of fee simple access. The proposed division would result in a 32.7+/- and 30.12+/-acre tracts with 25 feet fee simple access for each tract. (Thomas K. and Mary Paula Witt): Kenneth M. Rusch, Commissioner Precinct 4

26. Consideration and action on an Amending Plat to relocate a common lot line between Lot 36A and Lot 37 in Cibolo Oaks Subdivision, Kendall County, Texas, creating Lots 36A-1 and 37A to eliminate an encroachment in accordance with Section 209 of the Kendall County Development Rules and Regulations. (Travis O. Sursa, Jr.): Kenneth M. Rusch, Commissioner Precinct 4
27. Consideration and action concerning an agreement for the water well for fire protection in Champee Springs Ranches Subdivision. (Charles and Elizabeth Kuper / Elizabeth Martin, Attorney): Jeff Fincke, County Fire Marshall / Don Allee, County Attorney
28. Consideration and action on authorizing Parks Director to solicit bids and accept low bid for replacing three (3) HVAC units at Joshua Springs Park and Preserve Conference Center: Gaylan L. Schroeder, County Judge / Richard Tolbolka, Parks Director
29. Discussion on "One Way" traffic from the City of Boerne parking lot on Main Street through 114 Rosewood parking lot. Action as needed: Gaylan L. Schroeder, County Judge

**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, county roads and bridges and regulation of land use**
  2. **EEOC Complaints**
  3. **William E. Hooks, Jr. and Rebecca G. Hooks vs. Kendall County**

**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 the Records Management Officer for non-elected officials**
- 2. Deliberation concerning the duties and responsibilities of appointed officers of the County**

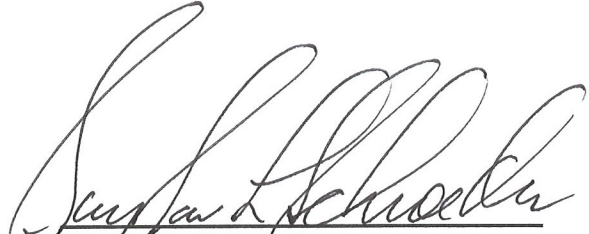
**RESUME OPEN SESSION AND TAKE ANY NECESSARY ACTION  
RESULTING FROM EXECUTIVE SESSION DELIBERATIONS**

30. Consideration and action concerning offering for sale real property owned by Kendall County (previous MHMR Center site on Blanco Road). Options are public auction, sealed bids, and/or contract with a broker. (Local Government Code, Sections 263.001, 263.007, and 263.008): Gaylan L. Schroeder, County Judge

**ADJOURNMENT**

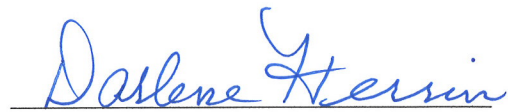
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REGULAR MEETING**

**Dated this the 5<sup>th</sup> day of May, 2011**



Gaylan L. Schroeder  
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 5<sup>th</sup> day of May, 2011.



Darlene Herrin  
Darlene Herrin  
County Clerk

Posted at 2:15 P.M. on the 5<sup>th</sup> day of May, 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.

**KENDALL COUNTY COMMISSIONERS COURT**