

**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 14<sup>th</sup> day of March 2011.**

**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. **THE STATE OF TEXAS**

**COUNTY OF KENDALL** It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the Minutes for February 28, 2011.

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

3. **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.

4. **PUBLIC COMMENTS:**

- David Pipes commented on agenda item #14-4.

5. **Commissioner Lux reported on the March 7<sup>th</sup> meeting for the Southern Edwards Plateau-Habitat Conservation Plan (SEP-HCP).**

6. **No action was taken on lifting the burn ban. It is still on.**

7. **THE STATE OF TEXAS**

**COUNTY OF KENDALL** It is ordered by the Commissioners' Court of Kendall County, Texas, to proclaim March 14–18, 2011 as Flood Awareness Week in Kendall County (attached).

Motion was made by Commissioner Lux, seconded by Commissioner Rusch, 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 enter into a contract with Justice Benefits Inc. for assistance in recovering the costs of incarcerating undocumented criminal aliens.

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

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9-1. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to untable the agenda item #17 from the February 28, 2011 meeting pertaining to moving the County long distance telephone service to Guadalupe Valley Telephone Cooperative (GVTC).

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

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9-2. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to move long distance telephone service to Guadalupe Valley Telephone Cooperative (GVTC) in all County facilities that have local service by GVTC.

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

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10. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to authorize the solicitation of proposals for auction services to dispose of Kendall County surplus/salvage property.

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

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11. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to create line item 10-456-55530 to purchase furniture for the Justice of the Peace, Precinct 2, office.

Motion was made by Commissioner Miertschin, seconded by Commissioner Lux, 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 appoint Don Allee, County Attorney; Gene Miertschin, Commissioner, Precinct 2; Terry Anderson, County Engineer; Rick Tobolka, County Development Manager; and Jeff Thompson, Assistant City Manager for the City of Boerne, as the selection committee to review the Statements of Qualification from consulting engineers for the Herff Road Project.

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

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**13. THE STATE OF TEXAS**

**COUNTY OF KENDALL** It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the correction of the erroneously named road in previous court orders from Nottingham Road to Nottingham Lane (attached).

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

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**14-5. THE STATE OF TEXAS**

**COUNTY OF KENDALL** It is ordered by the Commissioners' Court of Kendall County, Texas, to authorize the publication of a Public Notice for a Public Hearing on April 11, 2011 regarding landowners' petitions concerning change in status of a portion of Upper Cibolo Creek Road.

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

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**14-(1-4). THE STATE OF TEXAS**

**COUNTY OF KENDALL** It is ordered by the Commissioners' Court of Kendall County, Texas, to table the following agenda items which pertain to:

- 1) Order regarding condominiums and multifamily housing
- 2) Order regarding family divisions
- 3) Order adopting Fire Code
- 4) Amendments to Order regulating manufactured home rental parks

Motion was made by Commissioner Lux, seconded by Commissioner Rusch, 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 authorize the Parks Department to advertise for bids for the construction of improvements at Joshua Springs Park and Preserve in accordance with the Texas Parks and Wildlife Recreation Grant 50-000420.

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

16. Blackmon Mooring gave a presentation on restoration services.

At 10:30 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 are as follow:
  - 1. County authority concerning subdivisions, county roads and bridges and regulation of land use
  - 2. EEOC complaints—Charles Camden
  - 3. Lucas Lancaster vs. Kendall County, et al
  - 4. William E. Hooks, Jr. and Rebecca G. Hooks vs. Kendall County
- III. Pursuant to Section 551.074 to deliberate the duties and responsibilities of personnel in:
  - 1. Development Management and Parks Department
  - 2. County Health/Sanitarian Officer
  - 3. Road & Bridge—Compliance Inspector

At 12:00 p.m. the Court closed Executive Session and went into Open Session where the following motion was made:


II-4. THE STATE OF TEXAS

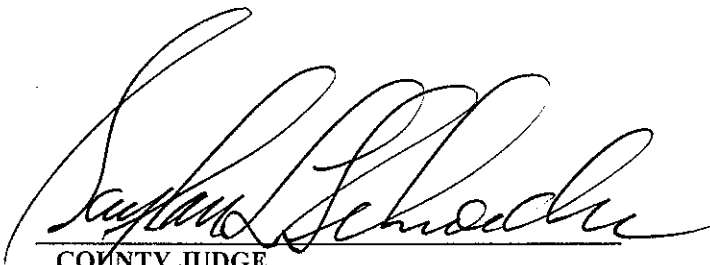
COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to authorize hiring David Moore to represent Kendall County in the case styled William E. Hooks, Jr. and Rebecca G. Hooks vs. Kendall County.

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

Being no further business, the meeting was adjourned at 12:03 p.m.

EXAMINED AND APPROVED THIS 28<sup>th</sup> DAY OF MARCH A.D., 2011.

ATTESTED:   
COUNTY CLERK  
KENDALL COUNTY, TEXAS

  
COUNTY JUDGE  
KENDALL COUNTY, TEXAS