

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 22nd day of August 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 following Service Awards were presented:

- 5 years of service: Terence Bowen, Animal Control Office**
 - 20 years of service: Dennis C. Rust, Road & Bridge**
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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 August 8, 2011.

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 July 2011 (on file).

Motion was made by Commissioner Lux, seconded by Commissioner Rusch, 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 Miertschin, 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 all of the Claims as submitted (on file).

Motion was made by Commissioner Lux, seconded by Commissioner Rusch, 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 Quarterly Financial Report for Quarter Ending June 30, 2011 for fiscal year 2011 (attached).

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

8. PUBLIC COMMENTS: No one spoke.

9-1. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the purchase of a ladder and three desk file cabinets in lieu of a card file for the Elections Department.

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

9-2. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve window coverings for the voting room in the Elections Department.

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

10. No action was taken on the transfer of funds for the depleted fuel accounts. This was approved as a budget adjustment requiring emergency declaration.

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

12. A Public Hearing was held regarding the 2012 proposed budget. The following people spoke:
- Dan Rogers, President of the Kendall County Economic Development Corporation (EDC), spoke about the importance of the EDC and thanked the Court for their support through funding.
 - Melissa Milton, EDC Administrator, spoke in support of continued funding for the EDC.
 - Mike Coyle, President of Coyle Engineering and EDC board member, asked the Court to reconsider reducing the fund amount budgeted for the EDC.
 - Steve Mack, President of Texas Heritage Bank and EDC board member, asked the Court to reconsider reducing the fund amount budgeted for the EDC.
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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 Fiscal Year 2012 Budget with the change as submitted.

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

14. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to adopt the property tax rate of \$.37 per \$100.00 taxable value, including the Debt Service Rate of \$.026636 and the Maintenance and Operations Rate of \$.343364 (both rates are per \$100.00 of taxable value).

THIS TAX RATE WILL RAISE MORE TAXES FOR MAINTENANCE AND OPERATIONS THAN LAST YEAR'S TAX RATE.

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

KENDALL COUNTY, TEXAS, ADOPTED A TAX RATE THAT WILL RAISE MORE TAXES FOR MAINTENANCE AND OPERATIONS THAN LAST YEAR'S TAX RATE.

15. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve taxpayer discounts for early payment of property taxes as follows: 3% if paid in October, 2% if paid in November, and 1% if paid in December.

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

25. Eric Cooper, President of the San Antonio Food Bank, gave a presentation on the need for the food bank and the services that they provide.

16. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve Order No. 08-22-2011A pertaining to the redistricting of Commissioner and Justice Precincts and authorizing legal counsel to submit the adopted plans for preclearance under Section 5 of the Federal Voting Rights Act (attached).

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

17. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to authorize the County Sheriff to move forward with his plan for the historic Kendall County Jail to be a museum.

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

Judge Schroeder read the PROCLAMATION DECLARING LOCAL STATE OF DISASTER AND GIVING APPROVAL AND CONSENT TO PROVIDING MUTUAL AID ASSISTANCE TO THE COW CREEK GROUNDWATER CONSERVATION DISTRICT (attached).

18. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve Kendall County Order No. 08-22-2011B ORDER CONSENTING TO PROCLAMATION DECLARING LOCAL STATE OF DISASTER AND GIVING APPROVAL AND CONSENT TO PROVIDING MUTUAL AID ASSISTANCE TO THE COW CREEK GROUNDWATER CONSERVATION DISTRICT (attached).

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

19. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to authorize the use of the two County parking lots off of Rosewood for the 4-H fundraiser on October 8, 2011.

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

20. The Road Superintendent presented a summary of activities for Road & Bridge during July 2011 (attached).

21. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to award the contract for concrete work on Adler Street to Myers Concrete Construction.

Motion was made by Commissioner Lux, seconded by Commissioner Rusch, 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 grant relief to Section 102.1000.2, Family Division, of the Kendall County Development Rules and Regulations, which specifies a tract may be divided into four or fewer parts. This division will result in six tracts which vary between 54 to 60 acres, more or less.

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

22. The County Development Manager presented a summary of activities for July 2011.

23. The Parks Department Director presented a summary of activities for July 2011.

At 11:30 a.m. the Court closed Open Session, took a Break and went into Executive Session pursuant to:

- I. Section 551.072 to deliberate the purchase, exchange or value of real property
- II. 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, and legal requirements of redistricting
 2. EEOC complaints
 3. William E. Hooks, Jr. and Rebecca G. Hooks vs. Kendall County
- III. Section 551.074 to deliberate the duties and responsibilities of personnel:
 1. County Engineer/Brush Site
 2. Parks Department

At 3:40 p.m. the Court closed Executive Session and at 3:45 p.m. went into Open Session where the following motion was made:

26. THE STATE OF TEXAS

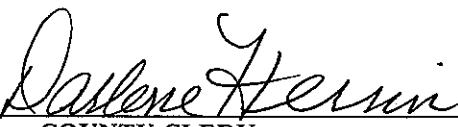
COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve reducing fees for incoming brush at the County Brush Site by 50%, specifically, \$5.00 for a small load and \$10.00 for a large load.

Motion was made by Commissioner Miertschin, seconded by Commissioner Reissig, and carried by a vote of 4-1 with Commissioner Rusch voting against.

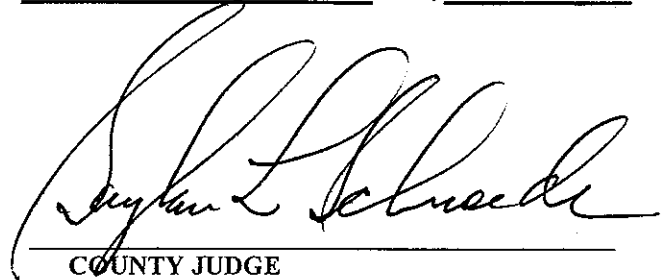
Being no further business, the meeting was adjourned at 3:50 p.m.

EXAMINED AND APPROVED THIS 12th DAY OF SEPTEMBER A.D., 2011.

ATTESTED:



COUNTY CLERK
KENDALL COUNTY, TEXAS



COUNTY JUDGE
KENDALL COUNTY, TEXAS