

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 12th day of September 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 August 22, 2011 and August 30, 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 Budget Adjustments as submitted (attached).

Motion was made by Commissioner Lux, seconded by Commissioner Rusch, 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 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.

5. **THE STATE OF TEXAS**

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the Financial Report for July 2011 (attached).

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

6. PUBLIC COMMENTS:

- Judge Schroeder recognized Dan Rogers, President of the Kendall County Economic Development Corporation, who was in attendance and who, the Judge said, will continue to be at each meeting as previously agreed upon.
 - Robert Kinsey, Facilities Manager, expressed appreciation for a job-well-done by the Road & Bridge department for construction on the County building located on the corner of Rosewood and Saunders.
 - Commissioner Lux gave an update on the County Recycling Center.
-

7. Grace San Miguel, Kendall County Community Supervision and Corrections Department Director, presented the Court with the Budget Adjustment Request for Fiscal Year 2011 Funding and the Budget for Fiscal Years 2012 and 2013 as approved by District Judge Keith Williams and County Court at Law Judge Bill Palmer (attached).

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

9. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to table this agenda item which pertains to the Greater Boerne Area Chamber of Commerce placing a banner for the Wild Game Dinner on the fence at Joshua Springs Park and Preserve.

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

10-1. Kendall County resident, Kathleen Gately, asked the Court to officially prohibit motor vehicles from parking on grassy areas and grassy road shoulders, prohibit motor vehicles from dragging chains, and prohibit other activities which pose the threat of creating a fire. The Court determined to bring this up again after Executive Session.

11. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to adopt the Sheriffs and Constables Fees for 2012 with no changes from the previous year.

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

12. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to authorize the County Attorney to request an opinion from the State of Texas Attorney General regarding the sales tax collected from Kendall County residents from Guadalupe Valley Telephone Company for Comal County emergency services and library districts.

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

13-1. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the Community Collaboration Agreement with the Hill Country Council on Alcohol and Drug Abuse. Motion was made by Commissioner Lux, seconded by Commissioner Reissig, and carried by a vote of 5-0.

13-2. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the Interlocal Agreement for Public Safety and Utilities Communication Services with the City of Boerne and the City of Fair Oaks Ranch. Motion was made by Commissioner Lux, seconded by Commissioner Rusch, and carried by a vote of 5-0.

13-3. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the Interlocal Agreement between the City of Boerne and Kendall County for Health Sanitarian Services. Motion was made by Commissioner Lux, seconded by Commissioner Miertschin, and carried by a vote of 5-0.

13-4. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the Agreement with Cow Creek Groundwater Conservation District for lease of office space. Motion was made by Commissioner Lux, 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 approve the payment for Emergency Call Out for the Facilities Management Department. Motion was made by Commissioner Lux, seconded by Commissioner Rusch, and carried by a vote of 5-0.

15. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the payment for Emergency Call Out for Road & Bridge. Motion was made by Commissioner Lux, seconded by Commissioner Miertschin, and carried by a vote of 5-0.

16-1. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to declare a batting cage and generated waste oil as salvage and a 1997 Ford truck as surplus.

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

16-2. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to authorize Road & Bridge to go out for bids on the generated waste oil.

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 approve the Amending Plat of the Town of Comfort Outlot 47A creating an ingress/egress easement and relocating the boundary of an existing 1.0-acre cemetery tract into Outlot 47A-1 in accordance with Section 209 of the Kendall County Development Rules and Regulations.

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

18. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to accept the name of "Kirschke Ranch Rd" for an ingress/egress easement located on Ammann Road (Road History Form attached).

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

At 10:38 a.m. the Court closed Open Session, took a Break, and at 10:50 a.m. 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:
 1. County authority concerning subdivisions, county roads and bridges, and legal requirements of redistricting
 2. EEOC complaints – David Cheney
 3. William E. Hooks, Jr. and Rebecca G. Hooks vs. Kendall County
- III. Pursuant to Section 551.074 to deliberate the duties and responsibilities of:
 1. Parks Department

At 3:30 p.m. the Court closed Executive Session and at 3:35 p.m. resumed Open Session where the following item was reconsidered:

- 10-2. No action was taken on the request by a Kendall County resident for the Court to officially prohibit motor vehicles from parking on grassy areas and grassy road shoulders, prohibit motor vehicles from dragging chains, and prohibit other activities which pose the threat of creating a fire.

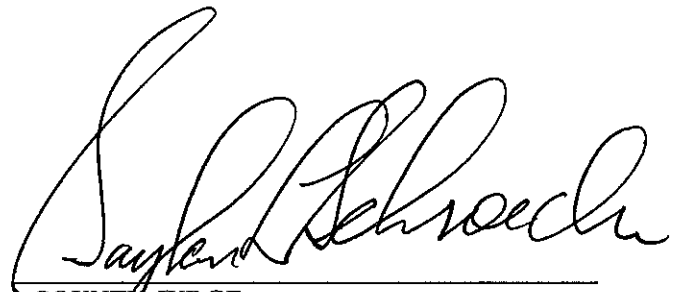
Being no further business, the Regular Meeting was adjourned at 3:40 p.m.

EXAMINED AND APPROVED THIS 26th DAY OF SEPTEMBER A.D., 2011.

ATTESTED:



COUNTY CLERK
KENDALL COUNTY, TEXAS



COUNTY JUDGE
KENDALL COUNTY, TEXAS