

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 26th day of March 2012.

Present: **GAYLAN L. SCHROEDER, COUNTY JUDGE**
 GENE MIERTSCHIN, COMMISSIONER, PCT. #2
 DARREL L. LUX, COMMISSIONER, PCT. #3
 KENNETH M. RUSCH, COMMISSIONER, PCT. #4
 SALLY W. PETERS, DEPUTY COUNTY CLERK

Absent: **ANN REISSIG, COMMISSIONER, PCT. #1**

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:

- 15 years of service: Mary Frances Craig, Victim's Services**
- 10 years of service: Milburn Dearing, Constable, Precinct 2**
- 5 years of service: Robert Kinsey, Facilities Manager**

3. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to
approve the Minutes for March 12, 2012.

Motion was made by Commissioner Lux, seconded by Commissioner Rusch, and carried by a vote of 4-0.

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 February 2012 (on file).

Motion was made by Commissioner Miertschin, seconded by Commissioner Lux, and carried by a vote of 4-0.

5. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to
approve the Claims (on file).

Motion was made by Commissioner Miertschin, seconded by Commissioner Lux, and carried by a vote of 4-0.

6. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the Financial Report for January 2012 (attached).

Motion was made by Commissioner Lux, seconded by Commissioner Rusch, and carried by a vote of 4-0.

7. The County Treasurer reported on the March 2012 sales tax for Kendall County.

8. PUBLIC COMMENTS:

- Commissioner Lux reminded everyone of the fundraising events this week for the American Cancer Society (Relay for Life), the Kendall County Women's Shelter (Heal the Soul), and for the Kronkosky Center (Anniversary Celebration).
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9. No action was taken on reinstating the burn ban. It is still lifted.

10. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to adopt Resolution 03-26-2012A declaring April 7, 2012 as Shriners Hospitals for Children Day (attached).

Motion was made by Judge Schroeder, seconded by Commissioner Lux, and carried by a vote of 4-0.

11. A status report concerning Criminal Justice Division (CJD) mandated requirement was given.

12. A Public Hearing was held regarding the proposed plat revision of River Mountain Ranch, Section One, Lot 28A. The following person spoke:

- Keith Miller, attorney for the River Mountain Ranch Property Owners' Association, spoke in favor of the proposed plan.
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13. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to grant relief to lot size, road frontage, and density from the Kendall County Development Rules and Regulations for the proposed division of Lot 28A, Section One, River Mountain Ranch into two lots: 0.066 acre for the subdivision sign and 7.181 acres for a residential lot.

Motion was made by Commissioner Miertschin, seconded by Commissioner Lux, and carried by a vote of 4-0.

14. A Public Hearing was held regarding the proposed plat revision of River Mountain Ranch, Section One, Lot 30. No one spoke.

15. THE STATE OF TEXAS
COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to grant relief to lot size, road frontage, and density from the Kendall County Development Rules and Regulations for the proposed division of Lot 30, Section One, River Mountain Ranch into two lots: 1.00 acre for the mail box location and 4.199 acres for a residential lot.
Motion was made by Commissioner Miertschin, seconded by Commissioner Rusch, and carried by a vote of 4-0.

16. THE STATE OF TEXAS
COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve abandoning the old High Water Route which borders on the Lindner property and which has not been maintained since 1987 and since there now exists an alternate route which is Skyline Drive (see attached Order).
Motion was made by Commissioner Rusch, seconded by Commissioner Lux, and carried by a vote of 4-0.

17. THE STATE OF TEXAS
COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to authorize the County Attorney to employ outside counsel with the funds to come from line item 10.401.54020 to prepare a brief requesting an Attorney General's opinion concerning the current levy of a Comal County Emergency Services District Tax upon the customers of Guadalupe Valley Telephone Cooperative who are residents of Kendall County.
Motion was made by Commissioner Miertschin, seconded by Commissioner Lux, and carried by a vote of 4-0.

18. THE STATE OF TEXAS
COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to adopt Resolution 03-26-2012B regarding the placement of public art on the Kendall County Courthouse grounds (attached).
Motion was made by Commissioner Miertschin, seconded by Judge Schroeder, and carried by a vote of 4-0.

19. THE STATE OF TEXAS
COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to adopt Resolution 03-26-2012C regarding constitutionally granted exemptions (attached).
Motion was made by Commissioner Lux, seconded by Commissioner Miertschin, and carried by a vote of 4-0.

20. 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 Rusch, and carried by a vote of 4-0.

21. The Road Superintendent presented a summary of activities for Road & Bridge for February 2012 (attached).

22. The County Development Manager presented a summary of activities for February 2012.

23. The Parks Department Director presented a summary of activities for February 2012.

24. The Kendall County Historical Commission presented the activities that are planned to celebrate the 150th Anniversary of Kendall County.

At 10:30 a.m. the Court closed Open Session, took a 10-minute 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


At 11:25 a.m. the Court closed Executive Session and resumed Open Session and being no further business, the meeting was adjourned at 11:30 a.m.

EXAMINED AND APPROVED THIS 9th DAY OF APRIL A.D., 2012.

ATTESTED:



COUNTY CLERK
KENDALL COUNTY, TEXAS



COUNTY JUDGE
KENDALL COUNTY, TEXAS