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 25th day of July, 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. Presentation of Service Awards by Judge Schroeder to:

Michael Colwell Sheriff's Office (5 years) Keely Gray Road Bridge (5 years) Brian Webb EMS (15 years)

- 3. Consideration and action on approval of minutes for July 11 and 12, 2011: Sally Peters, Deputy Clerk
- 4. Consideration and action on approval of Monthly Reports for June, 2011: Dana Baethge, County Auditor
- 5. Consideration and action on approval of Budget Adjustments and Emergency Declarations: Dana Baethge, County Auditor
- 6. Consideration and action on approval of claims for purchases, services, and vendors: Cherry Russell, Assistant Auditor
- 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. Consideration and action to approve the bond for the Elections Administrator: Darlene Herrin, County Clerk
- 9. Consideration and action on group insurance renewal for October 1, 2011 to September 30, 2012, (health, dental, vision and life) with Alamo Insurance Group as our Agent of Record: Michelle Lux, Benefits Coordinator
- 10. Consideration and action on the burn ban (Authority Section 352.081, Texas Local Government Code): Gaylan L. Schroeder, County Judge
- 11. Consideration and action to adopt a Resolution (07-25-2011 A) in support of Kendall County Crime Stoppers in Action Project: Gaylan L. Schroeder, County Judge / John McGarr, Kendall County Crime Stoppers
- 12. Consideration and action to adopt a Resolution (07-25-2011B) designating July as Parks Month in Kendall County: Gaylan L. Schroeder, County Judge / Kendall County Partnership for Parks (KCPP)
- 13. **Public Hearing (9:15)** The Court will receive comments from the public regarding:
 - 1. An application filed by Lee and Laura Milan for the proposed revision of the subdivision plat (Lot 19, Block 8 into Lot 19A and 19B) for Alamo Springs Ranch filed in Volume 2, Pages 132-151 of the Plat Records of Kendall County, Texas.

Kenneth M. Rusch, Commissioner Precinct 4

- 14. Consideration and action on a Plat Revision to Lot 19, Block 8, Alamo Springs Ranch Subdivision filed in Volume 2, Pages 132-151 of the Plat Records of Kendall County, Texas into Lots 19A and 19B in accordance with Section 209 of the Kendall County Development Rules and Regulations. (Lee and Laura Milam): Kenneth M. Rusch., Commissioner Precinct 4
- 15. Consideration and action to approve a Resolution (07-25-2011C) relating to the removal from the Permit Plan Area for the Southern Edwards Plateau Habitat Conservation Plan (SEP-HCP): Darrel L. Lux, Commissioner Precinct 3
- 16. Consideration and action to approve the Notice of Invalid Application for Incidental Take Permit covering the Southern Edwards Plateau Habitat Conservation Plan (SEP-HCP): Darrel L. Lux, Commissioner Precinct 3

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- 17. Consideration and action on a request for relief from the 2010 edition of the Kendall County Development Rules and Regulations, Section 400, Table 400 for the County Road incorporated in the construction of Love's Travel Stop in Comfort. (Developer wants to use smaller horizontal curve radii than the 382 feet required): Kenneth M. Rusch, Commissioner Precinct 4 / Terry Anderson, County Engineer
- 18. Discuss and take action to pay Road & Bridge employee(s) for emergency call out: Gene Sparks, Road & Bridge Operations Manager
- 19. Present summary of activities by Road and Bridge during June, 2011 to Commissioners Court: Ricky Pfeiffer, Road Superintendent
- 20. Present summary of activities by the Development Management Department during June, 2011: Richard Tobolka, Development Manager
- 21. Present summary of activities by the Parks Department during June, 2011: Richard Tobolka, Parks Director
- 22. Discussion and possible action to designate a draft commissioner and justice precinct redistricting plan as an Illustrative Plan to be proposed for public consideration and comment: Gaylan L. Schroeder, County Judge / Syd Falk, Bickerstaff, Heath, Delgado, Acosta LLP
- 23. Discussion and possible action to schedule a public hearing to receive comments on the designated commissioner and justice precinct redistricting Illustrative Plan from members of the public: Gaylan L. Schroeder, County Judge / Syd Falk, Bickerstaff, Heath, Delgado, Acosta LLP

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

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- 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 legal requirements of redistricting
 - 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 District Clerk
 - 2. Deliberation concerning the duties and responsibilities of the County Engineer / Recycling
 - 3. Deliberation concerning the duties and responsibilities of the Human Resources

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

- Discussion and action pertaining to Kendall County Solid Waste and Recycling: Darrel L. Lux, Commissioner Precinct 3
- Consideration and action to authorize the payment for Right-of-Way (ROW) property for Zoeller Lane bridge: Gaylan L. Schroeder, County Judge / Kenneth M. Rusch, Commissioner Precinct 4
- 26. Discussion and action on Kendall County policy for nursing mothers: Juanita Espino, Human Resources

ADJOURNMENT/ RECESS

**Due to the length of the agenda, this meeting may be resumed on Tuesday, July 26, 2011 beginning at 9:00 a.m. in the same location.

Dated this the 21st day of July, 2011

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 21st day of July, 2011.

Darlene Herrin

County Clerk
By: Denise Pendley, deputy

Posted at 2:30 P.M. on the 21st day of July, 2011-

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.