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 23rd day of May, 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

- Call to Order 9:00 a.m.
 Comments from Judge Gaylan L. Schroeder
- Presentation of Service Awards by Judge Schroeder to:
 Marybeth Booth AgriLife Extension (25 years)
- 3. Consideration and action on approval of minutes for April 25, 2011: Sally Peters, Deputy Clerk
- 4. Consideration and action on approval of Monthly Reports for April, 2011: Dana Baethge, County Auditor
- 5. Consideration and action on approval of Budget Adjustments: Dana Baethge, County Auditor
- 6. Consideration and action on approval of claims for purchases, services, and vendors: Cherry Russell, Assistant Auditor
- 7. Consideration and action on a request for permission to move records in storage back to the Historic Courthouse vault: Darlene Herrin, County Clerk
- 8. Consideration and action to adopt the 2012 Fiscal Year Budget Calendar: Dana Baethge, County Auditor

KENDALL COUNTY COMMISSIONERS COURT

- 9. **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.
- 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 Proclamation proclaiming May 2011 as Community Action Month: Gaylan L. Schroeder, County Judge / Belinda Lacey County Coordinator for the Community Council of South Central Texas
- 12. **Public Hearing (9:15)** The Court will receive comments from the public regarding:
 - Petitions by property owners on Upper Cibolo Creek Road to change the status of part of
 the road from a privately maintained public road to a County road. (Each speaker will be
 allowed three (3) minutes to speak persons favoring the petitions will have a total of
 15 minutes / persons opposing the petitions will have a total of 15 minutes to speak.
 Kenneth M. Rusch, Commissioner Precinct 4
- Consideration and action concerning petitions of landowners on Upper Cibolo Creek Road to change the status of "that part of Upper Cibolo Creek Road that traverses the real property and / or easement access of the following landowners: Tanita Faye White Kehoe, R. Yates Properties II LTD, Edward A. and Helen R. Clouse, David W. and Kimberly B. Pipes, Charles E. and Terry L. Butcher, Stephen Noble Butcher, Claire C. B. Enloe, Jed B. Jr. and Nancy K. Maebuis, Lepere Thunder Mountain Ranch LTD., Upper Cibolo Creek LLC, and SST Brown Family Partnership LTD; also being that part of Upper Cibolo Creek Road extending from the point where Kendall County maintenance ends at the property line of Tanita Faye White Kehoe and continuing to the termination of the roadway at the gate on the property of SST Brown Family Partnership LTD" from a privately maintained public road to a County Road: Kenneth M. Rusch, Commissioner Precinct 4
- 14. Update on Southern Edwards Plateau- Habitat Conservation Plan (SEP-HCP): Darrel L. Lux, Commissioner Precinct 3
- 15. Consideration and action concerning renewal of Resolution 05-23-2011A adopting guidelines and criteria for tax abatements: Gaylan L. Schroeder, County Judge
- 16. Present summary of activities by Road and Bridge during April, 2011 to Commissioners Court: Ricky Pfeiffer, Road Superintendent

KENDALL COUNTY COMMISSIONERS COURT

MAY 23, 2011/PAGE 3 REGULAR MEETING

- 17. Consideration and action on an amending plat to relocate lot lines between Lot 1A, Unit 3D, Ranger Creek Subdivision and Kendall County Utility Company, Inc., public water supply well site No. 4, being a 0.500 acre tract in Ranger Creek Subdivision Unit 3D, Kendall County, Texas, creating Lot 1A-1 in accordance with Section 209 of Kendall County Development Rules and Regulations. Public water supply tract was not numbered when Unit 3D was platted. (Mission Pharmacal Company, Kendall County Utility Company, Inc.): Ann E. Reissig, Commissioner Precinct 1
- 18. Present summary of activities by the Development Management Department during April, 2011: Richard Tobolka, Development Manager
- 19. Present summary of activities by the Parks Department during April, 2011: Richard Tobolka, Parks Director
- 20. Consideration and approval of a Resolution canvassing the returns and declaring the results of a Bond Election; and other matters in connection therewith: Gaylan L. Schroeder, County Judge / Rosaria Reyes, Election Administrator
- 21. Presentation by Duane Westerman, SAMCO Capital Markets, Inc., concerning procedures to be followed for issuance of bonds and related matters: Gaylan L. Schroeder, County Judge

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
- 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 and county roads and bridges
 - 2. EEOC Complaints:

Brenda Bell

David Cheney

Angela San Miguel

- 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 County Treasurer

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

ADJOURNMENT

MAY 23, 2011/PAGE 5 REGULAR MEETING

Dated this the 19th day of May, 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 19th day of May, 2011.

Darlene Herrin County Clerk

Posted at 2:00 P.M. on the 19th day of May, 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.