#### 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 28th day of March 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 March 14, 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 Monthly Reports for February 2011 (on file).

Motion was made by Commissioner Miertschin, seconded by Commissioner Reissig, 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 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 January 2011 (attached).

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

6.	THE	STA	TE OF	TEX.	AS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to authorize publication of a Public Notice for applications for the County depository.

Motion was made by Commissioner Lux, seconded by Commissioner Miertschin, 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 authorize the payout of sick leave hours for Debra Cooley who is retiring from the County.

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

#### 8. PUBLIC COMMENTS:

- Commissioner Lux gave an update on the status of the Recycling Center.
- 9. No action was taken on lifting the burn ban. It is still on.

#### 10. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve Resolution 03-28-2011A to authorize tax relief for the Dienger Building (attached).

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

# 11. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve Resolution 03-28-2011B concerning HJR56 (attached).

Motion was made by Commissioner Lux, seconded by Commissioner Miertschin, 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 Boerne Merchants Association to use the Courthouse grounds in June and October for Market Days.

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

13.	THE STATE OF TEXAS
	COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to selec
	the contractor with the lowest bid for the septic system at the Recycling Facility.
	Motion was made by Commissioner Lux, seconded by Commissioner Miertschin, 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 Amending Plat for Tapatio Springs Subdivision, Unit 1, Block 6, Lots 3, 4, 5, 10, 11 and 12 into Lots
	3A, 4A and 5A in accordance with Section 209 of the Kendall County Development Rules and Regulations.
	Motion was made by Commissioner Reissig, seconded by Commissioner Miertschin, and carried by a vote of 5-0.
16.	THE STATE OF TEXAS
	COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to
	approve the Amending Plat for The Crossing Subdivision, Mountain Creek Section, Lots 44 and 45 into Lot 44A.
	Motion was made by Commissioner Lux, seconded by Commissioner Rusch, and carried by a vote of 5-0.
17.	The County Development Manager presented a summary of activities for February 2011.
18.	The Parks Department Director presented a summary of activities for February 2011.
19.	Rob Ziegler, President of the Hill Country Council for the Arts, gave a presentation on the Public Arts Master Plan for Boerne and Kendall County.
14.	The Road Superintendent presented a summary of activities for Road & Bridge during February 2011 (attached).
20.	THE STATE OF TEXAS

approve safety training for Kendall County to be conducted by Texas Association of Counties (TAC).

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

COUNTY OF KENDALL

It is ordered by the Commissioners' Court of Kendall County, Texas, to

At 10:10 a.m. the Court closed Open Session, took a 10-minute break and then 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 and liability concerning subdivisions, county roads and bridges, and county parks
  - 2. EEOC Complaints
  - 3. Lucas Lancaster vs. Kendall County, et al
  - 4. William E. Hooks, Jr. and Rebecca G. Hooks vs. Kendall County
  - 5. County's redistricting obligations
  - 6. Severance vs. Jerry Patterson, et al
- III. Section 551.074 to deliberate the duties and responsibilities of personnel in Development Management and Parks Department

At 1:30 p.m. the Court closed Executive Session and went back into Open Session to hear the following presentation and where the following motions were made:

22. Bickerstaff Heath Delgado Acosta LLP made a presentation on redistricting for Kendall County based on the 2010 Census data (attached).

#### 22-1. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve Order No. 03-28-2011A KENDALL COUNTY ORDER ADOPTING CRITERIA FOR USE IN REDISTRICTING 2011 PROCESS with the following corrections: on page one, third paragraph—change "will" to "with" and on page two, second paragraph—change "District" to "County" (attached).

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

### 22-2. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve Order No. 03-28-2011B GUIDELINES FOR PERSONS SUBMITTING SPECIFIC REDISTRICTING PROPOSALS AND PROVIDING COMMENTS with the addition of the following: "#8 Plans that do not conform to the criteria adopted by the Commissioners' Court will not be considered." (attached).

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

At 3:10 p.m. the Court closed Open Session and at 3:20 p.m. went back into Executive Session.

At 4:10 p.m. the Court closed Executive Session and at 4:15 p.m. went back into Open Session where the following motions were made:

## 21. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to authorize the County Development Manager to hire an Administrative Specialist I within the quoted salary range and budgeted amount.

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

#### II-1. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to authorize the County Attorney's office to proceed as discussed in Executive Session regarding the fence along Joe Klar Road.

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

Being no further business, Court was adjourned at 4:20 p.m.

EXAMINED AND APPROVED THIS 11<sup>th</sup> DAY OF APRIL A.D., 2011

ATTESTED: Z

COUNTY CLERK

KENDALL COUNTY, TEXAS

NTV HIDGE

KENDALL COUNTY, TEXAS