

**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 10th day of **December , 2012** 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.

NO CELL PHONES, AUDIBLE PAGERS, AND/OR BEEPERS SHALL BE USED 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. Consideration and action on approval of minutes for November 26, 2012:
Sally Peters, Deputy Clerk
3. Consideration and action on approval of claims for purchases, services, and vendors: Cindy Silva, Assistant Auditor
4. **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.
5. Consideration and action to adopt Resolution 12-10-2012A to designate administration and engineering service providers for the 2012 Texas Community Development Block Grant (TCDBG) Fund Contract 712151: Gaylan L. Schroeder, County Judge / Corinna Speer, County Auditor
6. Consideration and action to adopt Resolution 12-10-2012B authorizing signators for the 2012 TCDBG Fund Contract 712151: Gaylan L. Schroeder, County Judge / Corinna Speer, County Auditor / Regan Lenehan, GrantWorks

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7. Consideration and action to adopt Resolution 12-10-2012C regarding Section 3 Local Opportunity Plan which requires all TCDBG grant recipients to adopt a plan to encourage employment opportunities and contracting with Section 3 residents and businesses: Gaylan L. Schroeder, County Judge / Corinna Speer, County Auditor / Regan Lenehan, GrantWorks
8. **Public Hearing (9:15)** - The Court will receive comments from the public regarding:
 1. Application filed by Mary Ann Van Ness, Senior Vice President for Great Central Mortgage Acceptance Company LTD for the proposed revision of the subdivision plat for Cordillera Ranch Unit 205 filed in Volume 6, Pages 39-40 of the Plat Records of Kendall County, Texas
Gene Miertschin, Commissioner Precinct 2
9. Consideration and action on a request for lot size, road frontage and density in accordance with Section 300.1100 of the Kendall County Development Rules and Regulations. The division (Cordillera Unit 205, Block A, Lot 9A) would result in two lots of 1.86 acres and 1.57 acres as originally platted in Cordillera Ranch Unit 205. (Mary Ann Van Ness, Senior Vice President for Great Central Mortgage Acceptance Company LTD): Gene Miertschin, Commissioner Precinct 2
10. **Public Hearing (9:20)** - The Court will receive comments from the public regarding installation of Stop Signs at the following locations:
 - High Street Rd. and Holiday Rd.
 - Walnut Grove North at Cravey Rd.
 - North Front St. and Waring Rd.
 - Waring Rd. at Blaschke Rd.
 - Moonlight Ridge and Highland WoodsTerry Anderson, County Engineer / Darrel L. Lux, Commissioner Precinct 3 /
Kenneth M. Rusch, Commissioner Precinct 4
11. Consideration and action on a request to install Stop Signs at the following locations:
 - High Street Rd. and Holiday Rd.
 - Walnut Grove North at Cravey Rd.
 - North Front St. and Waring Rd.
 - Waring Rd. at Blaschke Rd.
 - Moonlight Ridge and Highland WoodsTerry Anderson, County Engineer / Darrel L. Lux, Commissioner Precinct 3 /
Kenneth M. Rusch, Commissioner Precinct 4

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12. **Public Hearing (9:25)** - The Court will receive comments from the public regarding the installation of "No Parking/Tow Away" signs at the following location:
On both sides of Upper Cibolo Creek Rd. 1500 feet east on both sides of the centerline of Boerne Lake Rd. This will extend the "No Parking/Tow Away" zone 300 feet more to the east.
Terry Anderson, County Engineer / Darrel L. Lux, Commissioner Precinct 3 / Kenneth M. Rusch, Commissioner Precinct 4
13. Consideration and action on a request to install "No Parking/Tow Away" signs on both sides of Upper Cibolo Creek Rd. 1500 feet east on both sides of the centerline of Boerne Lake Rd. This will extend the "No Parking/Tow Away" zone 300 feet more to the east: Terry Anderson, County Engineer / Darrel L. Lux, Commissioner Precinct 3 / Kenneth M. Rusch, Commissioner Precinct 4
14. Consideration and action on the burn ban (Authority Section 352.081, Texas Local Government Code): Gaylan L. Schroeder, County Judge / Jeffery Fincke, Fire Marshall
15. Consideration and action to adopt an Order regulating the sale of certain fireworks in the unincorporated areas of Kendall County (Authority Section 352.051, Local Government Code): Gaylan L. Schroeder, County Judge
16. Consideration and action concerning renewal of contract for online auction pending approval of County Attorney: Bob Eason, Asst. County Attorney
17. Consideration and action to declare salvage/surplus property for auction: Corinna Speer, County Auditor
18. Consideration and action to set the Texas County & District Retirement System (TCDRS) employer contribution rate for 2013: Gaylan L. Schroeder, County Judge / Juanita Espino, Human Resources
19. Consideration and action to assign office space to Precinct 1 Commissioner: Darrel L. Lux, Commissioner Precinct 3
20. Consideration and action on a plan of action to reduce the overabundance of mulch accumulating at the County Brush Site: Gene Miertschin, Commissioner Precinct 2
21. Consideration and action on an Amending Plat of Lots 5, 6, and 7, Block A, Cordillera Ranch, Unit 6, Kendall County, into Lots 5A and 7A in accordance with Section 209 of the Kendall County Development Rules and Regulations. (Leslie and Teena Reichardt, and Alan and June Patty): Gene Miertschin, Commissioner Precinct 2

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22. Consideration and action on an amending Plat of Lots 101 and 102 of Tapatio Springs, Unit 18, Garden Homes Subdivision, Phase I, Kendall County, into Lot 101A in accordance with Section 209 of the Kendall County Development Rules and Regulations. (Armstrong Custom Homes, LC): Ann E. Reissig, Commissioner Precinct 1
23. Consideration and action to pay Road & Bridge employee(s) for emergency call out time: Gene Sparks, Road & Bridge Operations Manager
24. Recognition of 4-H Gold Star Recipients. (The Gold Star is the highest award a 4-H member can receive at the County level.): Stephen Zoeller / Jana Osburn AgriLife Extension Agents
25. **Untable Item** #13 from November 13, 2012:
Consideration and action concerning Resolution 12-10-2012D to establish priorities for TxDOT road projects in Kendall County: Don Allee, County Attorney
26. Consideration and action to authorize the County Judge and County Attorney to submit a letter to the Comptroller of Public Accounts detailing the legal authority of the Kendall County Commissioners Court to exercise the Power of Eminent Domain: Don Allee, County Attorney
27. Consideration and action concerning adoption of the amended Rules of Procedures, Conduct and Decorum at Meetings of the Kendall County Commissioners Court: Don Allee, County Attorney
28. Consideration and action authorizing the County Judge to sign an agreement or agreements with land owners concerning the donation or purchase of right-of-way and/or easements for the Herff Road Project: Don Allee, County Attorney

BREAK – LUNCH

RESUME OPEN SESSION - 1:00 P.M.

29. Presentation by representatives of the Kendall County Bar Association concerning a proposal to convert the County Court At Law to a District Court and the position of County Attorney to District Attorney. Action as necessary: Jonathan Cluck / Joe Davis, Kendall County Bar Association

EXECUTIVE SESSION (Closed to public)

Pursuant to Chapter 551 of the Texas Government Code

I. 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, bridges and county property**
- 2. EEOC Complaints**

II. The Court will meet in Executive Session pursuant to Section 551.074 to discuss personnel issues:

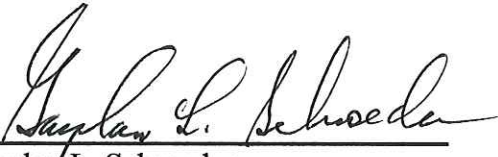
- 1. Deliberation concerning the duties and responsibilities of the Fire Marshall**
- 2. Deliberation concerning the duties and responsibilities of Parks**

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

ADJOURNMENT

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Dated this the 6th day of December, 2012.


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 6th day of December, 2012.


Darlene Herrin
County Clerk

Posted at 2:00 P.M. on the 6th day of December, 2012- *ceb*

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.

KENDALL COUNTY COMMISSIONERS COURT