

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 Historic Courthouse in Boerne, Texas, on the 12th day of January, 2004.

Present: **EDDIE J. VOGT, COUNTY JUDGE**
 JOHN C. KIGHT, COMMISSIONER, PCT. #1
 GENE MIERTSCHIN, COMMISSIONER, PCT. #2
 DARREL LUX, COMMISSIONER, PCT. #3
 RUSSELL C. BUSBY, COMMISSIONER, PCT. #4
 DONNA B. STEWART, DEPUTY COUNTY
 CLERK

The meeting was called to order with the Pledge of Allegiance to the United States and Texas flags.

THE STATE OF TEXAS **9:02**

COUNTY OF KENDALL **It is ordered by the Commissioners' Court of Kendall County, Texas, to appoint Robert Pankratz to fill the unexpired term of Constable - Precinct 4, effective today, January 12, 2004 through December 31, 2004.**

Motion was made by Commissioner Busby, seconded by Judge Vogt, and carried by a vote of 5-0.

Representatives from Texas Department of Transportation were in to introduce themselves to the court. David Casteel - Head Engineer for 12 counties including Kendall, Greg Malatek the Engineer over Comal and Kendall County, and Chad Lux Kendall County Foreman.

9:10
Court went into Executive Session at this time.

As a result, the following order was made:

THE STATE OF TEXAS **9:10**

COUNTY OF KENDALL **It is ordered by the Commissioners' Court of Kendall County, Texas, to appoint Judge Vogt and Commissioner Busby to talk with the Constables about serving as Bailiffs for**

Commissioners Court.

Motion was made by Judge Vogt, seconded by Commissioner Busby, and carried by a vote of 5-0.

THE STATE OF TEXAS 9:25

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the Minutes for the month of December, 2003, as amended and presented.

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

THE STATE OF TEXAS 9:45

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the appointment of the Kendall County Child Services Board members as attached.

Motion was made by Judge Vogt, seconded by Commissioner Busby, and carried by a vote of 5-0.

THE STATE OF TEXAS 9:30

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, that the Salary Grievance Committee for 2004 be composed of nine public members.

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

9:30

The following names were drawn from the 2003 Grand Jury list to serve on the Salary Grievance Committee: Sylvia Albrecht, Amancio Cantu, Josephine Below, Wayne Mathis, Virgil Feller, Daniel Morales, Elaine Stahl, James Holt, and Charles Urban. The Judge s office will contact all about acceptance.

THE STATE OF TEXAS 9:55

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to extend the burn ban for 30 days from January 22, 2004.

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

THE STATE OF TEXAS 10:00

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to hold in abeyance a decision on an EMS bill reduction until the County Attorney s Office has checked into the matter.

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

THE STATE OF TEXAS 10:00

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, for EMS and Alexander Billing to send all past due accounts, that they are wanting to settle or write-off, to the County Attorney's Office for review before coming to Commissioners' Court.

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

THE STATE OF TEXAS 10:05

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to hire a replacement for an EMT that resigned, effective January 19, 2004.

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

No one requested to speak during the Public Comment time.

Court recessed for a 15 minute break.

THE STATE OF TEXAS 10:15

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to allow Road and Bridge to work on Smokey River Road North in the River Ranch Subdivision to improve storm water drainage problems caused by county work on River Ranch Road.

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

THE STATE OF TEXAS 10:20

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to revise paragraphs 404.2100 and 404.2800 and add Section 513 to the County Development Guidelines, effective today January 12, 2004. Paragraphs 404.2100 and 404.2800 will allow Type PB or Type B aggregate for two (2) course road surface treatment instead of only Type PB. Section 513 would require a Preconstruction Conference with the county prior to subdivision construction beginning.

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

THE STATE OF TEXAS 10:25

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the plat revision for part of Lot 1 in Inspiration Hills Subdivision, Unit 1, into Lots 1A and 1B in accordance with Section 203.40 and 203.50 of the county guidelines dated January, 1997, and grant relief to the minimum road frontage requirements.

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

THE STATE OF TEXAS 10:30

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the plat revision of Lots 161 and 162 in the River Forest Section of The Crossing Subdivision into Lot 161A in accordance with Section 203.40 and 204.30 of the county guidelines dated January, 1997.

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

10:35

The Treasurer gave the court a list of new and terminated employees for the month of December, 2003.

THE STATE OF TEXAS 11:00

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to pay the Claims as submitted by the Treasurer's Office and on file.

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

THE STATE OF TEXAS 11:00

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to rescind the order to pay the Claims as submitted by the Treasurer's Office and on file.

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

THE STATE OF TEXAS 11:00

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas,

to pay the Claims as submitted by the Treasurer's Office and on file except for the Cingular bill listed on page 21 in the amount of \$106.09.

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

THE STATE OF TEXAS 11:00

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to pay the additional Claims as submitted by the Treasurer's Office and attached.

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

THE STATE OF TEXAS 11:15

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to clarify the county policy that employees are not reimbursed for mileage from their homes to their work station.

Motion was made by Judge Vogt, seconded by Commissioner Busby, and carried by a vote of 5-0.

THE STATE OF TEXAS 11:25

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, for Commissioner Lux, the Assistant County Attorney, the Auditor, and the Treasurer to establish a policy on promotional items received from vendors.

Motion was made by Judge Vogt, seconded by Commissioner Busby, and carried by a vote of 5-0.

THE STATE OF TEXAS 11:35

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, for the Auditor to assign two of the existing cell phones to the Sheriff's Office for transporting prisoners.

In August when the contract expires, the assignment will be reviewed.

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

THE STATE OF TEXAS 11:35

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to have the Auditor's Office set up a policy for employees to check out the existing cell phones for business use.

Motion was made by Judge Vogt, seconded by Commissioner Busby, and carried by a vote of 5-0.

1:00

Andrew Burge asked for clarification of duties for the position of Emergency Operations Coordinator (EOC Director).

Court recessed for lunch at this time with Executive Session to follow.

As a result of Executive Session the following orders were made:

THE STATE OF TEXAS 1:15 Item #2

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, that EMS Employee Alexandra Pfeiffer remain a 40 hour per week employee until all sick leave, holiday leave, vacation leave, etc. is exhausted. Estimated time will be March 15, 2004, at which time she will be allowed to take 12 weeks Family Medical Leave, (FMLA) with said leave expiring approximately June 7, 2004. Documents outlining benefits, duties, responsibilities, and exact dates will be prepared by the Assistant County Attorney in conjunction with the County Treasurer and will be signed by Ms. Pfeiffer and the County Judge. Ms. Pfeiffer is to present a Doctor s statement authorizing and certifying her fitness for duty prior to her return to work. In the event that Ms. Pfeiffer is unable to return to full and complete active duty at the end of her FMLA, her employment with the county may be terminated.

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

THE STATE OF TEXAS 1:15 Item # 4

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, for the County Attorney s Office to proceed as discussed in regards to the violation of the County Policy Manual in regards to cell phones.

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

Being no further business, the meeting was adjourned.

EXAMINED AND APPROVED THIS _____ DAY OF FEBRUARY A.D., 2004.

ATTESTED: _____

**COUNTY CLERK
KENDALL COUNTY, TEXAS**

**COUNTY JUDGE
KENDALL COUNTY, TEXAS**