

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 22nd day of March, 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.

9:02
 Employee Service Awards were given to Maxine Mitchell and Waymeth Groff.

THE STATE OF TEXAS **9:05**
COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to pay the Claims as presented by the Treasurer's Office including the corrections made on pages 12 and 13. Motion was made by Commissioner Kight, seconded by Commissioner Lux, and carried by a vote of 5-0 with Commissioner Busby and Judge Vogt abstaining on the payment to Ryan Turner for legal services.

THE STATE OF TEXAS **9:05**
COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the additional Claims as submitted by the Treasurer's Office and on file. Motion was made by Commissioner Lux, seconded by Commissioner Kight, and carried by a vote of 5-0.

THE STATE OF TEXAS **9:15**
COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the Monthly Reports for February as submitted by the Auditor's office and on file. Motion was made by Commissioner Miertschin, seconded by Commissioner Busby, and carried by a vote of 5-0.

THE STATE OF TEXAS 9:35

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to deny the request from an employee for payment of Holiday Leave. Motion was made by Commissioner Busby, seconded by Commissioner Lux, and carried by a vote of 5-0.

9:40

Andra Wisian with the 4-H Horse Club informed the court of their project to cover the arena at the Fairgrounds on Highway 46 and add permanent restrooms.

9:45

Commissioner Miertschin advised that a telephone opinion poll was going to be taken in regards to the County Parks and Open Space Master Plan at a cost of approximately \$10,000 and will be paid entirely by grants and private donations.

THE STATE OF TEXAS 9:50

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to select the Boerne Star as the official newspaper for publication of official notices for the County from April 1, 2004, to March 31, 2005. Motion was made by Judge Vogt, seconded by Commissioner Kight, and carried by a vote of 5-0.

THE STATE OF TEXAS 9:55

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the proclamation declaring the week of April 18-24 as National County Government Week and Wednesday, April 21st as County Government Day. Motion was made by Judge Vogt, seconded by Commissioner Busby, and carried by a vote of 5-0.

Public Comments:

Local Realtor, Phillip Bell asked the County to develop a plan that would encourage economic development in the County.

Commissioner Miertschin advised of a trash pick-up day, Keep Boerne Beautiful set for April 3. Phillip Bell wanted to commend the County employee, Charles Williams, that works at the mulching site on his friendly attitude and helpfulness.

Court took a short break at this time.

Due to Commissioner Lux not feeling well and preparing to leave court for the remainder of the day, the 1:10 agenda item from his precinct was discussed:

THE STATE OF TEXAS 1:10

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to grant relief on minimum road frontage to a three (3) acre tract being divided out of the Sidney Wolfe Ranch, in accordance with Section 105 and 301.1 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.

THE STATE OF TEXAS 9:20

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the outside audit by Neffendorf, Knopp, Horry, & Doss, P.C. for fiscal year 2003 ending September 30, 2003. Motion was made by Commissioner Busby, seconded by Commissioner Kight, and carried by a vote of 4-0.

THE STATE OF TEXAS 10:05

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to table discussion of a resolution for the Texas Hill Country Trails Program until next court. Motion was made by Judge Vogt, seconded by Commissioner Busby, and carried by a vote of 4-0.

10:10

Judge Vogt advised that the documents prepared for the Texas Historic Courthouse Preservation Grant had received preliminary approval.

THE STATE OF TEXAS 10:15

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the resolution supporting restoration of the Historic Courthouse and application of a grant on behalf of Kendall County. Motion was made by Judge Vogt, seconded by Commissioner Busby, and carried by a vote of 4-0.

THE STATE OF TEXAS 10:20

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to authorize the Judge to sign an interlocal agreement authorizing the transfer of PSAP (Public Safety Answering Point) equipment. Motion was made by Commissioner Kight, seconded by Commissioner Busby, and carried by a vote of 4-0.

THE STATE OF TEXAS **10:25**

COUNTY OF KENDALL **It is ordered by the Commissioners' Court of Kendall County, Texas, to authorize the Judge to sign the interlocal agreement with Kendall Appraisal District on the development of a County Road Map. Motion was made by Commissioner Miertschin, seconded by Commissioner Kight, and carried by a vote of 4-0.**

THE STATE OF TEXAS **10:15**

COUNTY OF KENDALL **It is ordered by the Commissioners' Court of Kendall County, Texas, to authorize the architectural firm applying for the grant on the restoration of the Historical Courthouse to enter the phrase for perpetuity in regards to its use by the county. Motion was made by Commissioner Busby, seconded by Judge Vogt, and carried by a vote of 4-0.**

THE STATE OF TEXAS **10:30**

COUNTY OF KENDALL **It is ordered by the Commissioners' Court of Kendall County, Texas, to amend the policy manual to clarify that there is to be no mileage reimbursement for employees in the courthouse area. The county vehicle is to be used. Motion was made by Commissioner Miertschin, seconded by Commissioner Busby, and carried by a vote of 4-0.**

Court went into Executive Session at this time and then recessed for lunch.

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

THE STATE OF TEXAS **10:40**

COUNTY OF KENDALL **It is ordered by the Commissioners' Court of Kendall County, Texas, for the County Attorney to proceed per the discussion in Executive Session on Richard Vidal vs. Kendall County Sheriff s Department. Motion was made by Commissioner Busby, seconded by Commissioner Kight, and carried by a vote of 4-0.**

THE STATE OF TEXAS **10:40**

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

for the County Attorney to proceed per the discussion in Executive Session on the EEOC complaint by Joe Dominguez, Kendall County Jail. Motion was made by Commissioner Kight, seconded by Commissioner Miertschin, and carried by a vote of 4-0.

THE STATE OF TEXAS 1:00

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to grant relief on minimum road frontage to a three acre tract of land that will have a sixty foot easement on Johns Rd. This tract is being divided out of 794.3 acres of Bower property in accordance with Sections 105 and 301.1 of the County guidelines dated January, 1997. Motion was made by Commissioner Kight, seconded by Commissioner Busby, and carried by a vote of 4-0.

THE STATE OF TEXAS 1:00

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to confirm the abandonment by the County of the portion of the old Johns Rd. that was on Bower property. Motion was made by Commissioner Kight, seconded by Commissioner Busby, and carried by a vote of 4-0.

THE STATE OF TEXAS 1:05

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to grant relief on minimum road frontage to a 5 acre tract of land that will have a 60 foot easement on Waring-Welfare Rd. This tract is being divided out of 75 acres of McIlhany property in accordance with Section 105 and 301.1 of the County guidelines dated January, 1997. Motion was made by Commissioner Busby, seconded by Commissioner Kight, and carried by a vote of 4-0.

THE STATE OF TEXAS 1:15

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the vacating and resubdivision of Champee Springs Subdivision, Lot 6H-1 (301 acres) into The Quarry at Champee Springs Subdivision (9 lots) and accept the corresponding letter of credit in

accordance with Sections 203 and 204 of the County guidelines dated January, 1997. Motion was made by Commissioner Busby, seconded by Commissioner Miertschin, and carried by a vote of 4-0.

THE STATE OF TEXAS 1:25

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the plat revision of Comfort Outlot 32 into Lots 32-A and 32-B in accordance with Sections 203.4 and 203.5 of the County guidelines dated January, 1997. Motion was made by Commissioner Busby, seconded by Judge Vogt, and carried by a vote of 4-0.

THE STATE OF TEXAS 1:30

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the plat revision for His Hill Subdivision, Lots 22, 23, and 24 into Lot 23-A in accordance with Sections 203.4 and 203.5 of the County guidelines dated January, 1997. Motion was made by Commissioner Busby, seconded by Commissioner Kight, and carried by a vote of 4-0.

Court took a short break at this time.

THE STATE OF TEXAS 1:50

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to grant relief on the configuration of two cul-de-sacs in the proposed Diamond Ridge Subdivision, on Crown Jewel and Gemstone Streets, in accordance with Sections 105 and 302.140 of the County guidelines dated January, 1997. Motion was made by Commissioner Kight, seconded by Commissioner Busby, and carried by a vote of 4-0.

THE STATE OF TEXAS 1:40

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the preliminary plat of Diamond Ridge Subdivision in accordance with Section 201, 202, 303.1, and Exhibit A of the County guidelines dated January, 1997. Motion was made by Commissioner Kight,

seconded by Commissioner Miertschin, and carried by a vote of 4-0.

THE STATE OF TEXAS 1:55

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to grant relief on the following road construction specifications for Unit 105 of Cordillera Ranch in accordance with Sections 105, 404.10, and 405.17 of the County guidelines dated January, 1997:

a detailed traffic analysis will not be required, road surfaces will consist of a prime coat under the 1 HMAP, and a geotextile mat is allowed in the roadside ditches rather than concrete lining.

Motion was made by Commissioner Miertschin, seconded by Commissioner Kight, and carried by a vote of 4-0.

2:10

Approval of the preliminary plat on Unit 105 or Cordillera Ranch was tabled until a later date.

The following four orders approve requested relief to road design criteria (construction specifications) for the proposed Unit 201 of Cordillera Ranch Subdivision in accordance with Sections 301.107, 302.210, 304.400, 404.100, 405.170, and 620.00 of the County guidelines dated 1990 (Revised December 1994).

THE STATE OF TEXAS 2:20

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the variance that one semi-cul-de-sac be allowed in the proposed Unit 201 of Cordillera Ranch Subdivision. Motion was made by Commissioner Miertschin, seconded by Judge Vogt, and carried by a vote of 4-0.

THE STATE OF TEXAS 2:20

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the variance that a 50 foot right-of-way with 22 feet of street width is allowed on various streets in the proposed Unit 201 of Cordillera Ranch Subdivision.

Motion was made by Commissioner Miertschin, seconded by Judge Vogt, and carried by a vote of 4-1 with Commissioner Kight voting against.

THE STATE OF TEXAS 2:20

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the variance that two non-residential lots have less than minimum road frontage in the proposed Unit 201 of Cordillera Ranch Subdivision. Motion was made by Commissioner Miertschin, seconded by Commissioner Kight, and carried by a vote of 4-0.

THE STATE OF TEXAS 2:20

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the variance that a curb and gutter be allowed in place of the required curb section in the proposed Unit 201 of Cordillera Ranch Subdivision. Motion was made by Commissioner Miertschin, seconded by Commissioner Kight, and carried by a vote of 4-0.

THE STATE OF TEXAS 2:35

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to ask the County Attorney s Office to investigate use of a County owned radio by an individual not employed by the County. Motion was made by Commissioner Busby, seconded by Judge Vogt, and carried by a vote of 4-0.

Being no further business, the meeting was adjourned.

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

ATTESTED: _____
 COUNTY CLERK
 KENDALL COUNTY, TEXAS

 COUNTY JUDGE
 KENDALL COUNTY, TEXAS