

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 28th day of June, 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 approve the Monthly Reports for May as submitted by the Auditor's office and on file. Motion was made by Commissioner Lux, seconded by Commissioner Busby, and carried by a vote of 4-0 with Commissioner Miertschin abstaining.

THE STATE OF TEXAS 9:05

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the Budget Adjustments on pages 1 and 2 as submitted by the Auditor's Office and attached. Motion was made by Commissioner Lux, seconded by Commissioner Busby, and carried by a vote of 5-0.

THE STATE OF TEXAS 9:10

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to pay the Claims on both listings as submitted by the Treasurer's Office and on file. Motion was made by Commissioner Busby, seconded by Commissioner Lux, 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 authorize the County Judge to issue a memo requiring all employees to attend the Texas Association of Counties training on Thursday, July 1st.**
Motion was made by Commissioner Miertschin, seconded by Commissioner Lux, 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 allow money received from aluminum can collection at the Solid Waste Station to be used towards the upcoming County Employee Picnic.**
Motion was made by Commissioner Kight, seconded by Commissioner Miertschin, and carried by a vote of 4-1 with Commissioner Lux voting against.

THE STATE OF TEXAS **9:35**

COUNTY OF KENDALL **It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the donation of sick leave time from one county employee to another due to a serious car accident. This is not a change in County policy but a consideration approved on a case by case basis.**
Motion was made by Commissioner Kight, seconded by Commissioner Lux, and carried by vote of 5-0.

9:30

Brady Wells with IKON gave a first quarter report on usage of the new machines by County offices.

THE STATE OF TEXAS **9:40**

COUNTY OF KENDALL **It is ordered by the Commissioners' Court of Kendall County, Texas, to designate by signage areas of the Courthouse that is off limits to the general public.**
Motion was made by Judge Vogt, seconded by Commissioner Busby, 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 and authorize the Judge to send the Resolution to officially protest the proposed rate increase requested by Aqua Texas Water Company Source and urge Texas Commission on Environmental Quality to conduct a public hearing requiring Aqua Texas to justify its proposed rate structure.**
Motion was made by Commissioner Busby, seconded by Commissioner Kight, and carried by a vote of

5-0.

THE STATE OF TEXAS 9:50

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve and authorize the Judge to sign the inter-local agreement with the City of Boerne for Animal Control.

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

THE STATE OF TEXAS 9:50

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve and authorize the Judge to sign the inter-local agreement with the City of Boerne for Public Safety and Utilities Communication Services.

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

10:00

A Public Hearing was held on the consideration of No Parking/Tow Away Zones on various County Roads along the Guadalupe River. Several residents spoke in favor of this not only because of trespassing but in the interest of public safety. EMS and/or Fire Truck response would not be possible in some areas where vehicles park on both sides of the road. The President of Comfort Chamber of Commerce asked that access to the river not be made too difficult for the public.

THE STATE OF TEXAS 10:00

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to establish No Parking/Tow Away Zones along the Guadalupe River on the following roads:

River Bend Road, South River Bend Road, Waring Welfare Road, and Zoeller Lane. Specific legal descriptions are attached.

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

Public Comments:

Karen Wetzel asked to get a list of potential candidates that might serve on a committee to study the feasibility of a Federal Detention Facility. She was advised that there are no potential candidates.

Kira West spoke against a Detention Facility being considered near a school.

THE STATE OF TEXAS 10:15

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to remove from tabled status the discussion of establishing a citizens committee to study options for Jail expansion.

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

THE STATE OF TEXAS 10:15

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, that a citizens committee not be established at this time to discuss either expansion of the Jail or a Federal Detention Facility.

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

10:20

Discussion of property acquisition was moved to Executive Session.

THE STATE OF TEXAS 10:30

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to authorize the Sheriff to purchase a washing machine and replace/upgrade the control panel at the Jail. Motion was made by Commissioner Busby, seconded by Commissioner Lux, and carried by a vote of 5-0.

10:35

Commissioner Miertschin verified that the County mileage rates are in line with those of the State.

THE STATE OF TEXAS 10:40

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the plat revision of Lots 15 and 16 in Wasp Creek Acres Subdivision into Lots 15-A and 16-A in accordance with Sections 203.4 and 203.5 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 10:45

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the plat revision of Lots 137 and 157 in The Crossing Subdivision, River Forest Section, into Lot 157-A in accordance with Sections 203.4 and 203.5 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 10:50

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the plat revision of Lots 293 and 294 in The Crossing Subdivision, River Forest Section, into Lot 293-A in accordance with Sections 203.4 and 203.5 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 10:55

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the amending plat for Twin Canyon, Unit 2, Lot 20, in accordance with Section 103.120 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.

11:00

Discussion of Donald Wallace property was tabled until the plat revision is presented to the court.

THE STATE OF TEXAS 11:05

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the preliminary plat of Cordillera Ranch Subdivision, Unit 105, in accordance with Sections 201, 202, and 203, of the County Guidelines dated January, 1997. Motion was made by Commissioner Miertschin, seconded by Commissioner Lux and carried by a vote of 5-0.

THE STATE OF TEXAS 11:20

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to grant relief from paragraph 302.25 of the 1990 County Guidelines, for Unit 201 of Cordillera Ranch Subdivision. It will be allowed that utilities are placed in the road right-of-way. Motion was made by Commissioner Kight seconded by Commissioner Miertschin, 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, to grant relief from paragraph 405.1700 of the County Guidelines for Woodridge Subdivision provided that either a maintenance bond is received or a written one year guaranty from the developer is provided. The developer proposes to use rock lined ditches with rock retards placed at intervals across the full width of

the ditch in lieu of concrete lined ditches where grades exceed 5%.

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

Court recessed for lunch at this time.

1:00

Court resumed and time was allotted for residents to discuss the County Wildlife Ordinance and the Rescue Facility near Kendalia. Numerous people spoke both for and against the facility and some of the animals housed there. No motion was made.

Court went into Executive Session at this time.

As a result, the following order was made:

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 proceed in regards to property acquisition as discussed in Executive Session.

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

Being no further business, the meeting was adjourned.

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

ATTESTED: _____
 COUNTY CLERK
 KENDALL COUNTY, TEXAS

COUNTY JUDGE
KENDALL COUNTY, TEXAS
