

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 25th day of October, 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.

Luther Vanlandingham was recognized for five years service with the County but was unable to be present to receive the award.

THE STATE OF TEXAS **9:05**

COUNTY OF KENDALL **It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the Monthly Reports for September as submitted and on file.**

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

THE STATE OF TEXAS **9:07**

COUNTY OF KENDALL **It is ordered by the Commissioners' Court of Kendall County, Texas, to declare an emergency for budgetary purposes and move funds from last year s budget: line item 11-390-675, to this year s budget: line item 11-620-579, in the amount of \$60,000.00, due to a road equipment purchase not being received timely. (copy attached)**

Motion was made by Commissioner Lux, seconded by Commissioner Busby, 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 and pay Claim Register #1 as submitted by the Treasurer s Office and attached.**

Motion was made by Commissioner Busby, seconded by Commissioner Miertschin, 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 and pay Claim Register #2 as submitted by the Treasurer'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 9:15

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

9:25

The Treasurer provided the court with a list of new and terminated employees for the third quarter of 2004.

THE STATE OF TEXAS 9:30

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the Financial Report for the 4th quarter of fiscal year 2004 as submitted by the Treasurer and attached.

Motion was made by Commissioner Lux, seconded by Commissioner Kight, 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, to approve the County Investment Report for the 4th quarter of fiscal year 2004 as submitted by the Treasurer and attached.

Motion was made by Commissioner Lux, seconded by Commissioner Busby, and carried by 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 not make any changes in the amount employees contribute to the retirement fund.

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

9:45

A Public Hearing was held to establish speed limits along Dodge, Whitworth, and Skyview Roads in Skyview Acres Subdivision. No one requested to speak.

THE STATE OF TEXAS 9:50

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to establish the speed limits in Skyview Acres Subdivision as listed: Dodge Road 40 m.p.h., Whitworth and Skyview Roads 35 m.p.h., and all remaining interior roads 30 m.p.h.
Motion was made by Commissioner Kight, seconded by Commissioner Miertschin, and carried by a vote of 5-0.

9:55

There was discussion of the Bond Issues appearing on the General Election Ballot. Concerns had been expressed by citizens on how the money would be handled and general lack of information prior to the Election.

10:00

The County Engineer gave a Road and Bridge report for the month of September.

THE STATE OF TEXAS 10:05

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to award the bid for the asphalt distributor to Cooper in the amount of \$49,500.00. (copy attached)
Motion was made by Commissioner Lux, seconded by Commissioner Busby, and carried by a vote of 5-0.

10:10

Comfort Fire Department has asked for consideration in receiving the used Precinct 4, Constable s vehicle. Item was tabled for the County Attorney s Office to research the possibility.

Public Comments None

Court recessed for a Break at this time.

THE STATE OF TEXAS 10:25

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve relief to minimum road frontage requirements in accordance with paragraph 301.1200 of the County Guidelines dated January, 1997, for Lots 14, 15, and 16, Las Colinas Subdivision, Unit II.
Motion was made by Commissioner Busby, seconded by Judge Vogt, and carried by a vote of 3-2 with Commissioners Kight and Lux voting against.

THE STATE OF TEXAS 10:35

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the preliminary plat for Las Colinas Subdivision, Unit II, in accordance with Sections 201, 202, and 203, of

the County Guidelines dated January, 1997.

Motion was made by Commissioner Busby, seconded by Judge Vogt, and carried by a vote of 3-1-1 with Commissioner Kight voting against, and Commissioner Lux abstaining.

THE STATE OF TEXAS 10:45

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the amending plat for Champee Springs Ranches Subdivision, Tracts 7C-4 and 7E-3 into Tract 7C-4R and 7E-3R in accordance with paragraph 103.1200 of the County Guidelines dated January, 1997. The amending plat is for the purpose of relocating the monitor well with easement designation from Tract 7C-4 to 7E-3.

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

Court went into Executive Session at this time with inspection of the Jail; and, lunch to follow.

THE STATE OF TEXAS 9:15

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 attached.

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

As a result of Executive Session, the following order was made:

THE STATE OF TEXAS 11:00

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to authorize the County Attorney s Office to obtain outside counsel on the following EEOC Complaints: Joe Dominguez, Charles Motz IV, and Randy Smith.

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

Deputy Tamez will advise the Judge s office when the Jail is back in compliance and again when it has been inspected again.

Being no further business, the meeting was adjourned.

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

ATTESTED: _____
COUNTY CLERK
KENDALL COUNTY, TEXAS

COUNTY JUDGE
KENDALL COUNTY, TEXAS