

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 September, 2005.

Present: EDDIE J. VOGT, COUNTY JUDGE ANN REISSIG, 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 9:01

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

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

THE STATE OF TEXAS 9:02

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the Budget Adjustments as submitted by the Auditor and attached.

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

THE STATE OF TEXAS 9:05

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

9:10

A public hearing was held on the fiscal year 2006 budget. No one requested to speak.

THE STATE OF TEXAS 9:35

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to designate September as Destination Dignity Month.

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

THE STATE OF TEXAS 9:40

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the resolution recognizing September 17th as Citizenship Day and September 17-23 as Constitution Week. Motion was made by Judge Vogt, seconded by Commissioner Reissig, and carried by a vote of 5-0.

9:20

A Public Hearing was held on the Proposed Property Tax Increase with the proposed rate of \$.37 per \$100.00 taxable value. No one requested to speak.

The following dates were announced: 2nd Public Hearing on the Proposed Property Tax Rate September 15th at 6:00 p.m. Court to vote on setting the Tax Rate - September 26th at 9:20 a.m.

THE STATE OF TEXAS 9:30

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to adopt the Budget for fiscal year 2006. Motion was made by Commissioner Busby, seconded by Commissioner Reissig, 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, for the fees of office for Constables and Sheriffs to remain the same for fiscal year 2005-2006. Motion was made by Commissioner Lux, seconded by Commissioner Busby, 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 the collection contract with Kendall Appraisal District and authorize the Judge to sign any necessary documents. Motion was made by Commissioner Lux, seconded by Commissioner Miertschin, and carried by vote of 5-0.

Judge Vogt announced that there will be an opening on the Board of Directors of Kendall Appraisal District and that if any citizen is interested in serving to let him or any member of the court know.

Public Comments:

Mark Mason spoke as a member of the group Boerne Together and requested that the Court have at least one meeting a month in the evening so that more would be able to attend

Don Holmes, a resident on Hein Road in Precinct 4, asked that no paving be done on Hein Road until an issue over road classification is completed.

Kira West, attorney for Don Holmes, spoke in regards to previous action by the Court concerning Hein Road and how it was classified.

Court recessed for a break at this time.

THE STATE OF TEXAS 10:20

COUNTY OF KENDALL **It is ordered by the Commissioners' Court of Kendall County, Texas, to lift the burn ban that had previously been lifted by Judge Vogt.**

Motion was made by Commissioner Lux, seconded by Commissioner Busby, 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 purchase of an ambulance from San Antonio Ambulance Sales in the amount of \$95,000.00 plus the cost of radio installation. Delivery will be made on or after October 1, 2005.**

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

10:15

Commissioner Miertschin advised that representatives from the Bergheim Volunteer Fire Department were not able to attend today but in the near future will make a presentation to the Court on the status of their newly chartered department.

THE STATE OF TEXAS **10:30**

COUNTY OF KENDALL **It is ordered by the Commissioners' Court of Kendall County, Texas, to authorize Comfort Library to use funds in 10-650-591 for equipment other than computers.**

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

THE STATE OF TEXAS **10:35**

COUNTY OF KENDALL **It is ordered by the Commissioners' Court of Kendall County, Texas, to repair the low water crossing and the roadway, within the County s existing right of way, through the Gombert property.**

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

10:40

The Road and Bridge Department was authorized to obtain bids and make the necessary budget adjustments to replace the 1991 GMC Top Kick truck.

THE STATE OF TEXAS **10:45**

COUNTY OF KENDALL **It is ordered by the Commissioners' Court of Kendall County, Texas, to table discussion on the seal coat bids for the County Attorney to review.**

Motion was made by Commissioner Lux, seconded by Commissioner Reissig, 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 grant**

the variances as listed on the agenda for Cordillera Ranch, Unit 204, which falls partially under the 1990 Subdivision Rules and Regulations and partially under the 1997 Rules and Regulations.

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

THE STATE OF TEXAS 11:05

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to not allow the relief requested for Cordillera Ranch, Unit 204, in submitting the final plat without the road and drainage construction drawings.

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

THE STATE OF TEXAS 11:10

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the preliminary plat for Unit 204 of Cordillera Ranch according to paragraph 202 of the County guidelines dated 1990 and paragraphs 201, 202, and 203 of the guidelines dated January, 1997.

Motion was made by Commissioner Miertschin, seconded by Commissioner Reissig, 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 approve the development plan for Spanish Dagger, a manufactured home rental community on River Bend Road in Comfort, in accordance with Section 305 of the County guidelines dated January, 1997.

Motion was made by Commissioner Busby, 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 approve the preliminary plat for Woodridge Estates, Unit 2, and the replat of Lot 16 in accordance with paragraphs 103.50, 201, 202, and 203 of the County guidelines dated January, 1997. Request for relief is granted for Merlot Street which is less than 300 feet in length.

Motion was made by Commissioner Busby, seconded by Judge Vogt, 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 approve the plat revision of Lots 30 and 32 in Sparkling Springs Ranchettes, Unit 1, into Lot 30-A in accordance with paragraphs 203.4 and 203.5 of the County guidelines dated January, 1997.

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

THE STATE OF TEXAS 11:30

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the preliminary plat for The Springs at Thunder Valley in accordance with paragraphs 201, 203, and 303 of the County guidelines dated January, 1997.

Motion was made by Commissioner Reissig, seconded by Commissioner Miertschin, 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 reopen the discussion of seal coat bids from earlier in the meeting.

Motion was made by Commissioner Lux, seconded by Commissioner Busby, 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 accept the low bids for sealcoating as listed on the attached sheet for fiscal year 2006.

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

Court went into Executive Session at this time.

As a result the following motion was made:

THE STATE OF TEXAS 11:40

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to appoint Becky Meier as 911 coordinator, duties as defined in attachment. Position will report to Emergency Management Coordinator Jeff Fincke effective October 1, 2005. Pay and benefits as budgeted.

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 September A.D., 2005 .

ATTESTED: COUNTY CLERK KENDALL COUNTY, TEXAS

COUNTY JUDGE KENDALL COUNTY, TEXAS