

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 14<sup>th</sup> day of November, 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 STATE OF TEXAS 9:01

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 Reissig, and carried by a vote of 5-0.

9:08 and 9:12

Items tabled for discussion during Executive Session.

THE STATE OF TEXAS 9:15

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to revise the 2005 Holiday Calendar allowing an additional half day off on Friday, December 23. The Courthouse will close at 12:00 noon. Motion was made by Commissioner Lux, seconded by Commissioner Busby, and carried by a vote of 4-1 with Commissioner Miertschin voting against.

THE STATE OF TEXAS 9:20

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to reinstate the burn ban, effective immediately, and for it not to be removed unless ordered by Commissioners' Court. Motion was made by Commissioner Lux, seconded by Commissioner Miertschin, and carried by a vote of 5-0.

9:22

Jeff Fincke gave a favorable review of billing collections by InterMedix on delinquent accounts.

9:25

Jeff Fincke asked for the Court s support of an exercise on Texas Weapons of Mass Destruction Preparedness that will be held on November 29, 30, and December 1, 2005. It is possible that the Sheriff s Department and Road and Bridge employees will experience some overtime.

THE STATE OF TEXAS 9:30

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to suspend the Commissioner s Court Rule allowing 30 minutes (five minutes to 6 people) on a particular topic to allow three minutes to anyone wanting to speak on the following agenda item.

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

9:30

A Public Hearing was held on a revision plat of a portion of Champee Springs Ranches. Numerous residents spoke including Attorneys Elizabeth Martin and Randy Richards.

Court recessed for a Break.

THE STATE OF TEXAS 10:10

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to table any action on the Preliminary Plat and/or Master Development Plan for Cielo Grande at Champee Springs Subdivision, Section 1, pending TCEQ (Texas Commission on Environmental Quality) hearings and settlement of a civil suit.

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

Public Comments None.

11:00

Mark Spencer of MHS Planning and Design gave a presentation on park planning.

11:20

Item pulled from agenda.

THE STATE OF TEXAS 11:25

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to cast all of the County s 1,018 votes for County nominee, Bille Busby, for the 2006-2007 Kendall Appraisal District Board

of Directors.

Motion was made by Judge Vogt, seconded by Commissioner Reissig, and carried by a vote of 4-0 with Commissioner Busby abstaining.

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THE STATE OF TEXAS            11:15

COUNTY OF KENDALL            It is ordered by the Commissioners' Court of Kendall County, Texas, that effective January 1, 2006, the employee contribution to the Texas County and District Retirement System be increased to 7% with the matching County percentage also going to 7%.

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

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11:30

A committee concerned with a thoroughfare around Boerne was discussed. At next court a mission statement, possible members, and funding needs will be reviewed and/or established.

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Court recessed for lunch at this time.

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THE STATE OF TEXAS            1:30

COUNTY OF KENDALL            It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the canvass of the November 8, 2005, Constitutional Amendment Election.

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

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THE STATE OF TEXAS            1:30

COUNTY OF KENDALL            It is ordered by the Commissioners' Court of Kendall County, Texas, to authorize payment to the Election Judges and Clerks for the November 8, 2005, Constitutional Amendment Election, as listed by the County Clerk and attached.

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

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THE STATE OF TEXAS            1:35

COUNTY OF KENDALL            It is ordered by the Commissioners' Court of Kendall County, Texas, to approve and authorize the Judge to sign the contract with Election Systems and Software, Inc. for a voter tabulation system and services for compliance with the Help America Vote Act.

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

THE STATE OF TEXAS 1:40

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to reassign a 911 address for the undeveloped lot between lots 148 and 150 on Ranger Creek Road to 148-A. Motion was made by Commissioner Busby, seconded by Commissioner Reissig, and carried by a vote of 5-0.

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THE STATE OF TEXAS 1:45

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to authorize the County Attorney to enter into an interlocal agreement with Kerr County for one of the Kendall County trappers to spend 20% or less of his time in eastern Kerr County at a cost to Kerr County of \$5,000.00, effective immediately. Motion was made by Commissioner Busby, seconded by Commissioner Lux, and carried by a vote of 5-0.

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THE STATE OF TEXAS 1:50

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to authorize the County Attorney to enter into negotiations with the City of Kerrville and Kerr County for Kendall County to provide EMS service to eastern portions of Kerr County. Agreement will be brought back before the Court for final approval. Motion was made by Commissioner Busby, seconded by Commissioner Lux, and carried by a vote of 5-0.

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THE STATE OF TEXAS 1:55

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve and authorize the County Judge to sign the contract with Hill Country Alternative Dispute Resolution Center for another year after review by the County Attorney. Motion was made by Commissioner Busby, seconded by Commissioner Lux and carried by a vote of 4-1 with Commissioner Miertschin voting against.

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THE STATE OF TEXAS 1:55

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to increase the fees charged by the County and District Clerks offices for the Hill Country Alternative Dispute Resolution Center from \$10.00 to \$15.00 and by the Justice of the Peace Courts from \$3.00 to \$5.00 effective January

1, 2006.

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

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THE STATE OF TEXAS 2:00

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the construction of roads and drainage in Cordillera Ranch Subdivision, Unit 105, and release the Letter of Credit in the amount of \$804,318.00. The roads and drainage will be not be maintained by the County.

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

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THE STATE OF TEXAS 2:05

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to grant relief to Unit 204 of Cordillera Ranch from paragraph 406.12 of the 1990 Subdivision Regulations. They may go by the current regulations that allow a concrete headwall width of two feet plus the pipe diameter.

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

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2:10  
The Woodridge Estates Subdivision, Unit 1 topic was tabled.

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THE STATE OF TEXAS 2:15

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the final plat for Estancia at Thunder Valley Subdivision, formerly The Springs at Thunder Valley, and accept the Letter of Credit in the amount of \$1,750,000.00 for road and drainage improvements in accordance with Sections 203 and 204 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.

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THE STATE OF TEXAS 2:20

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the preliminary plat for Vista Real Subdivision in accordance with Section 202 of the County Guidelines dated August, 2005.

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

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THE STATE OF TEXAS 2:25

**COUNTY OF KENDALL**                    It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the amending plat for Lots 7 and 8, Block 8, in Waring, into Lot 7A, incorporating a portion of a platted but undeveloped alley.

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

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**THE STATE OF TEXAS**                    2:30

**COUNTY OF KENDALL**                    It is ordered by the Commissioners' Court of Kendall County, Texas, to grant relief on minimum building setback lines for three proposed lots being created from six in Cibolo Oaks Subdivision. Relief from fifty to ten feet on Cibolo Avenue, Oak Bluff Blvd., and on the north side will be allowed in accordance with Sections 106 and 305 of the County Guidelines dated August, 2005. Interior lot lines will have a zero setback.

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

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Court went into Executive Session at this time. Commissioner Lux was not present.

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As a result, the following three motions were made:

**THE STATE OF TEXAS**                    9:08

**COUNTY OF KENDALL**                    It is ordered by the Commissioners' Court of Kendall County, Texas, to allow Cow Creek Groundwater Conservation District employees to obtain health insurance through the County's provider.

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

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**THE STATE OF TEXAS**                    9:12

**COUNTY OF KENDALL**                    It is ordered by the Commissioners' Court of Kendall County, Texas, to authorize the Treasurer to pay accrued sick leave to employee Luther Vanlandingham upon his retirement.

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

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**THE STATE OF TEXAS**                    3:00

**COUNTY OF KENDALL**                    It is ordered by the Commissioners' Court of Kendall County, Texas, to authorize the County Attorney and the Land Development Manager to proceed as discussed in Executive Session regarding Road and Bridge Property.

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

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Being no further business, the meeting was adjourned.

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EXAMINED AND APPROVED THIS \_\_\_\_\_ DAY OF December A.D., 2005 .

ATTESTED: \_\_\_\_\_  
COUNTY CLERK  
KENDALL COUNTY, TEXAS

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COUNTY JUDGE  
KENDALL COUNTY, TEXAS