

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 13th day of February, 2006.

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.

Commissioner Busby was not present for the first order and Commissioner Reissig was not present for the first three orders.

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 January as submitted.
Motion was made by Commissioner Miertschin, seconded by Commissioner Lux, and carried by a vote of 3-0.

THE STATE OF TEXAS 9:02

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 with the addition of \$4.95 in shipping to Sterlings on page 16.
Motion was made by Commissioner Lux, seconded by Commissioner Busby, and carried by a vote of 4-0.

THE STATE OF TEXAS 9:02

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the change in amount paid to Chubbs Security on the recurring bills to \$32.19.
Motion was made by Commissioner Lux, seconded by Commissioner Busby, and carried by a vote of 4-0.

THE STATE OF TEXAS 9:05

COUNTY OF KENDALL **It is ordered by the Commissioners' Court of Kendall County, Texas, to declare that the County salvage and surplus property be put up for auction.**

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 accept the Racial Profile Reports from the County Law Enforcement Agencies as submitted. (copies on file in the County Judge's Office)**

Motion was made by Commissioner Lux, seconded by Commissioner Reissig, 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 adopt the Texas Department of Transportation Safety Program and funding of same.**

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

THE STATE OF TEXAS **9:17**

COUNTY OF KENDALL **It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the Resolution recognizing the Agricultural Heritage Museum Chuck Wagon Cook-Off.**

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

9:20

Due to several unaccepted positions to the Salary Grievance Committee the following names were drawn: Eric Ingram, Bob Sonnen, Jim McCormick, Elizabeth Paine, Chris Hastings, and Julia Norris. Two alternate names were also drawn: Linda Blaschke and David Mullen.

THE STATE OF TEXAS **9:25**

COUNTY OF KENDALL **It is ordered by the Commissioners' Court of Kendall County, Texas, to approve payment as attached to a Road and Bridge employee for emergency response time worked on February 5, 2006, at a grass fire.**

Motion was made by Commissioner Busby, seconded by Commissioner Lux, and carried by 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 authorize Brent Evans to contact interested persons and help form a group Friends of the Park . Motion was made by Commissioner Busby, seconded by Commissioner Lux, 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 release the additional security amount of \$172.00, plus interest, for Woodridge Estates Subdivision, Unit 1. This additional deposit was overlooked when releasing the Letter of Credit at the January 9, 2006 meeting. Motion was made by Commissioner Busby, seconded by Commissioner Lux, and carried by a vote 5-0.

THE STATE OF TEXAS 9:40

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to request a waiver with Texas Department of Transportation on local match participation for the River Bend Bridge East Project in favor of equivalent match projects and a Resolution adopting the waiver request. The Judge is authorized to sign both. Motion was made by Commissioner Busby, seconded by Commissioner Lux, 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 the construction of roads and drainage in Units 201, 201B, 202, and 203 of Cordillera Ranch Subdivision and release the Letters of Credit in the amounts as listed:

| | |
|---------------------------|--------------------------|
| Unit 201 - \$ 458,377.00 | Unit 202 - \$ 623,708.00 |
| Unit 201B - \$ 102,988.00 | Unit 203 - \$ 94,860.00 |

The roads and drainage will not be maintained by the County.

Motion was made by Commissioner Miertschin, seconded by Commissioner Lux, 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 approve the amending plat of Lots 213 and 231 of Waterstone Subdivision, into Lots 213A and 231A in accordance with paragraph 208.1200.4 of the County Guidelines dated August, 2005. Motion was made by Commissioner Lux, seconded by Commissioner Reissig, and carried by a vote of 5-0.

THE STATE OF TEXAS 10:40

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to grant relief to minimum road frontage on property owned by Drew Berlin off of Toepperwein Road in accordance with paragraphs 106 and 301.1000 of the County Guidelines dated August, 2005.

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 approve the amending plat of Lots 27 and 28, Tapatio Springs, Unit 15, Block 3, into Lot 28A in accordance with paragraph 208.1200.4 of the County Guidelines dated August, 2005.

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

Public Comments:

Frank Wetzel spoke against the 10:20 agenda item where a developer is asking for relief to maximum lot density on a proposed subdivision in Comfort.

Andy Burge also spoke against granting relief on density of lots in subdivisions.

Travis Cannon thanked the Court for the work being done on Johns Road.

Daniel Ochoa spoke on Master Planning for the County and preservation of the community by County Officials and Developers attending meetings that are being held by groups interested in doing so.

Developer Rick Stewart advised that a couple of business people from Comfort were in to speak in favor of the proposed subdivision requesting the density relief. Paul Urban and Paula Bohnert spoke of the restricted growth in Comfort and the need for such housing.

Phillip Bell informed the Court that the Historical Landmark Commission is concerned with the old Jail building on Main Street, across from the Episcopal Church. It needs to be either renovated or relocated.

THE STATE OF TEXAS 9:50

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to deny the relief requested by Tapatio Springs for Units 19A, 19B, 19C, and 19D.

Motion was made by Commissioner Reissig, seconded by Commissioner Lux, 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, to approve relief on minimum road frontage and minimum lot size to the division of Lot 51 in Alamo Springs Subdivision. The lot, belonging to Gregorio Martinez, is being divided into two tracts, 3.00 acres and 2.33 acres with the 2.33 acre tract having access by a thirty foot easement to Alamo Road. Both tracts belong to family members with existing homes, individual septic systems, and share a water well. A restriction shall be put on the plat and deeds that

in the future the property can only be conveyed to family members within the third degree of consanguinity.

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

THE STATE OF TEXAS 10:20 (Motion Failed)

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to grant relief to maximum density in accordance with paragraphs 106 and 301.1150 of the County Guidelines dated August, 2005, for a proposed subdivision in Comfort, The Village at Comfort, with an overall density of 0.62 acre. Motion was made by Commissioner Busby, seconded by Judge Vogt, and failed by a vote of 2-3 with Commissioners Reissig, Miertschin, and Lux voting against.

THE STATE OF TEXAS 10:25 (Motion Failed)

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to grant relief to minimum road frontage and minimum lot size to property owned by Alfredo Avalos on Amber Drive in accordance with paragraph 106 and 301.1150 of the County Guidelines dated August, 2005. Motion was made by Commissioner Busby, seconded by Judge Vogt, and failed by a vote of 2-3 with Commissioners Reissig, Miertschin, and Lux voting against.

THE STATE OF TEXAS 10:50

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to adopt and authorize the Judge to sign a Memorandum of Understanding with The Guadalupe-Blanco River Trust and other entities for Computer Modeling Software. Motion was made by Commissioner Busby, seconded by Commissioner Lux, and carried by a vote of 5-0.

11:25

Becky Meier discussed the County Road Map with the Court and the direction she should be taking in verifying the information and roads listed.

11:20

A contract with Boerne Wireless was discussed that would exchange services for tower space. The document will be prepared and sent to the County Attorney for review.

Being no further business, the meeting was adjourned.

EXAMINED AND APPROVED THIS _____ DAY OF MARCH A.D., 2006 .

ATTESTED: _____
COUNTY CLERK
KENDALL COUNTY, TEXAS

COUNTY JUDGE
KENDALL COUNTY, TEXAS

