

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 13<sup>th</sup> day of March, 2006.

**Present:**                                **EDDIE J. VOGT, COUNTY JUDGE**  
    **ANN REISSIG, COMMISSIONER, PCT. #1**  
    **GENE MIERTSCHIN, COMMISSIONER, PCT. #2**  
    **RUSSELL C. BUSBY, COMMISSIONER, PCT. #4**  
    **DONNA B. STEWART, DEPUTY COUNTY CLERK**

**Absent:**                                 **DARREL LUX, COMMISSIONER, PCT. #3**

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The meeting was called to order with the Pledge of Allegiance to the United States and Texas flags.  
 Sympathy was extended to the families of Deloris Littlejohn, Faye White, and Billy Pechacek.

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THE STATE OF TEXAS                **9:01**

COUNTY OF KENDALL                **It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the Claims and Additional Claims as submitted by the Treasurer's Office and on file. The claim in excess of \$100,000.00 for Election expense will be verified before payment.**  
**Motion was made by Commissioner Busby, seconded by Commissioner Reissig, and carried by a vote of 4-0.**

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**9:05**

**The Salary Grievance committee positions have not been filled at this time. The four remaining names from the list of Grand Jurors will be contacted for possible acceptance.**

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THE STATE OF TEXAS                **9:07**

COUNTY OF KENDALL                **It is ordered by the Commissioners' Court of Kendall County, Texas, to set juror fees/compensation per Chapter 61 of the Texas Government Code 61.005 and 61.0015. Jurors will receive \$6.00 for responding, \$6.00 for the first day served, and \$40.00 a day thereafter. The Treasurer is authorized to file for reimbursement from the State Comptroller's Office as allowed. (see attachment)**  
**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                **9:10**

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

declare existing fill material at the Road and Bridge yard as surplus/salvage property. There is no monetary value to the fill.

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

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THE STATE OF TEXAS 9:10

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to allow Humanitarian groups to haul fill material from the Road and Bridge yard at their own expense.

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

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THE STATE OF TEXAS 9:10

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to authorize the County Engineer or Development Manager to determine the value of fill material being hauled from a job site and to where it will be hauled.

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

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THE STATE OF TEXAS 9:12 (Motion Failed)

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to allow 116 foot diameter cul-de-sac right-of-way in lieu of 175 feet for the Tapatio Springs Units being developed under the 1997 County Guidelines.

Motion was made by Commissioner Reissig, seconded by Judge Vogt, and failed by a vote of 2-2 with Commissioner Miertschin and Busby voting against.

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THE STATE OF TEXAS 9:12 (Motion Failed)

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to allow a 15 foot setback in lieu of 25 feet in Units 19C and 19D of Tapatio Springs.

Motion was made by Commissioner Reissig and died for lack of a second.

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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 allow a 40 foot right-of-way in lieu of 60 feet in Units 19A and 19B of Tapatio Springs, which are under the 2005 County Guidelines.

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

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THE STATE OF TEXAS 9:12 (Motion Failed)

**COUNTY OF KENDALL**                    It is ordered by the Commissioners' Court of Kendall County, Texas, to allow 116 foot diameter cul-de-sac right-of-way in lieu of 132 feet in Units 19A and 19B of Tapatio Springs. Motion was made by Commissioner Reissig, seconded by Judge Vogt, and failed by a vote of 2-2 with Commissioners Miertschin and Busby voting against.

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**THE STATE OF TEXAS**            9:12            (Motion Failed)

**COUNTY OF KENDALL**                    It is ordered by the Commissioners' Court of Kendall County, Texas, to allow a 25 foot setback in lieu of 50 feet in Units 19A and 19B of Tapatio Springs. Motion was made by Commissioner Reissig, seconded by Judge Vogt, and failed by a vote of 2-2 with Commissioner Miertschin and Busby voting against.

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**THE STATE OF TEXAS**            9:12            (Motion failed)

**COUNTY OF KENDALL**                    It is ordered by the Commissioners' Court of Kendall County, Texas, to allow a 15 foot setback in lieu of 50 feet in Units 19C and 19D of Tapatio Springs. Motion was made by Commissioner Reissig and died for lack of a second.

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9:15

A Public Hearing was held on the proposed updating of the Kendall County On-Site Sewage Facility Order in accordance with Chapter 366 of the Texas Health and Safety Code and Chapter 285, Title 30, Texas Administrative Code. No one requested to speak.

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**THE STATE OF TEXAS**            9:20

**COUNTY OF KENDALL**                    It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the Order Adopting Rules of Kendall County, Texas, for On-Site Sewage Facilities in accordance with Chapter 366, Texas Health and Safety Code and Chapter 285, Title 30, Texas Administrative Code. (copy attached) 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**            9:25

**COUNTY OF KENDALL**                    It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the amending plat for Estancia at Thunder Valley Subdivision, changing the name of Thunder Valley Road to Estancia Lane, relocating the cul-de-sac on Thunder Ridge and adjusting the lot lines for Lots 7, 8, 9, and 10 into Lots 7A, 8A, 9A, and 10A 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 4-0.

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THE STATE OF TEXAS 9:27

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the final plat for La Cancion Subdivision and accept the Letter of Credit in the amount of \$532,251.00 for road and drainage improvements in accordance with Sections 203 and 204 of the County Guidelines dated August, 2005.

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

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THE STATE OF TEXAS 9:30

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the preliminary plat of Unit 106, Cordillera Ranch Subdivision, in accordance with Sections 201, 202, and 203 of the County Guidelines dated January, 1997.

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

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THE STATE OF TEXAS 9:32

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the amending plat for Lots 101, 102, 103, 104, 105, and 106 of Cibolo Oaks Subdivision into Lots 101A, 102A, and 106A in accordance with paragraph 208.1200.4 of the County Guidelines dated August, 2005.

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

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**Public Comments:**

Andy Burge spoke against relief on density requirements that subdivisions were requesting.

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Court went into Executive Session at this time.

As a result, no motions were made.

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THE STATE OF TEXAS 11:15 (Motion Failed)

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to grant relief as requested for Mountain Laurel Heights Subdivision on density, water availability reports, submission of a preliminary plat, and agreement with Kendall County on extension of Jennifer Drive.

Motion was made by Commissioner Busby, seconded by Judge Vogt, and failed by a vote of 2-2 with Commissioners Reissig and Miertschin voting against.

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THE STATE OF TEXAS 11:15

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to grant relief for Mountain Laurel Heights Subdivision to file only a final plat, no preliminary plat will be required. Motion was made by Judge Vogt, seconded by Commissioner Busby, and carried by a vote of 4-0.

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THE STATE OF TEXAS 11:15

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to grant relief on density requirements, six lots are being created out of 28.191, for Mountain Laurel Heights Subdivision. Motion was made by Judge Vogt, seconded by Commissioner Busby, and carried by a vote of 3-1 with Commissioner Miertschin voting against.

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THE STATE OF TEXAS 11:15 (Motion Failed)

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to grant relief on requiring a water availability study for Mountain Laurel Heights Subdivision. Motion was made by Judge Vogt, seconded by Commissioner Busby, and failed by a vote of 2-2 with Commissioners Reissig and Miertschin voting against.

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THE STATE OF TEXAS 11:15

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, for the County to enter into an agreement with Sanford Reed, developer of Mountain Laurel Heights Subdivision, to extend Jennifer Drive approximately 788 feet, ending in a cul-de-sac. The developer will provide funding for all materials and right-of-way and the County will perform the labor. Motion was made by Judge Vogt, seconded by Commissioner Busby, and carried by a vote of 4-0.

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THE STATE OF TEXAS 11:30

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to pay the accrued sick leave for an employee retiring from the District Clerk's Office. Motion was made by Commissioner Miertschin, seconded by Commissioner Reissig, and carried by a vote of 4-0.

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11:35

Budget adjustment item tabled until the next court.

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Being no further business, the meeting was adjourned.

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EXAMINED AND APPROVED THIS \_\_\_\_\_ DAY OF APRIL A.D., 2006 .

ATTESTED: \_\_\_\_\_

COUNTY CLERK  
KENDALL COUNTY, TEXAS

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COUNTY JUDGE  
KENDALL COUNTY, TEXAS