

[BACK](#)

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 26th day of June, 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  
SALLY W. PETERS, DEPUTY COUNTY CLERK

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The meeting was called to order with the Pledge of Allegiance to the United States and Texas flags.

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9:00

Donna Stewart was presented with a Certificate of Service on her final day in Court being recognized for faithful and dedicated service to the Commissioners    Court from January 1987 until June 2006.

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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 Monthly Reports for May, 2006, as submitted by the Auditor    s Office and on file.

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 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    s Office and attached.

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 9:05

COUNTY OF KENDALL            It is ordered by the Commissioners    Court of Kendall County, Texas, to approve the Claims and Additional Claims as presented 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.

THE STATE OF TEXAS 9:07

COUNTY OF KENDALL It is ordered by the Commissioners Court of Kendall County, Texas, to authorize payment of the accrued sick leave for an employee who is retiring from the Auditor s office and to approve hiring an Assistant Auditor and the additional funds for the Assistant Auditor s salary.

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

9:10

No action was taken on the existing burn ban. It is still in effect.

THE STATE OF TEXAS 9:12

COUNTY OF KENDALL It is ordered by the Commissioners Court of Kendall County, Texas, to authorize Eddie J. Vogt, County Judge, and Jeff Fincke, Emergency Services Administrator, to sign a Memorandum of Agreement (MOA) to provide mutual aid in a pending or actual disaster.

Motion was made by Commissioner Busby, seconded by Commissioner Lux, 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 the purchase of a digital contour map (two-foot interval) and an aerial map from Geodetix, Inc. for the county park on River Bend Road for a total cost of \$3,500. These maps are required for the park planning and development process.

Motion was made by Commissioner Miertschin, seconded by Commissioner Reissig and carried by a vote of 4-1 with Commissioner Busby voting against.

9:20

The County Engineer presented a summary of activities by Road and Bridge during May 2006.

9:25

The Development Manager presented a summary of activities by Development Management during May 2006.

9:30

A Public Hearing was held for the proposed plat revision of Schwarz Ranch Subdivision, Lot 2. No one spoke for or against.

THE STATE OF TEXAS 9:35

COUNTY OF KENDALL It is ordered by the Commissioners Court of Kendall County, Texas, to approve the Plat Revision for Schwarz Ranch Subdivision, Lot 2 into Lots 2A and 2B (Israel and Patricia Pena) in accordance with paragraph 208.1200.3 of the County Guidelines dated August 29, 2005. Motion was made by Commissioner Miertschin, seconded by Commissioner Reissig, and carried by a vote of 5-0.

9:40

A Public Hearing was held for the proposed plat revision of Kendall Woods Estates Subdivision, Lot 1A. No one spoke for or against.

9:45

A Plat Revision for Kendall Woods Estates Subdivision was tabled.

THE STATE OF TEXAS 10:05

COUNTY OF KENDALL It is ordered by the Commissioners Court of Kendall County, Texas, to approve the Final Plat for Vista Real Subdivision and the acceptance of a Letter of Credit in the amount of \$191,745.69 for road and drainage improvements in accordance with sections 203 & 204 of the County Guidelines dated August 29, 2005. This proposed development is located north of Boerne, west of IH-10 and consists of 118 acres divided into six residential lots for an overall density of 19.81. This subdivision will be serviced by individual wells and septic systems. The Developer is Ruben Perez. Motion was made by Commissioner Busby, seconded by Commissioner Lux, and carried by a vote of 5-0.

Public Comments:

Mark Mason, a spokesperson for Boerne Together, expressed concerns regarding water reliance on GBRA and its negative impact on growth in the community.

Court recessed for a break.

9:55

A Public Hearing was held for the proposed plat revision of Cordillera Ranch Subdivision, Unit 7C, Block B, Lot 24A. No one spoke for or against.

THE STATE OF TEXAS 10:00

COUNTY OF KENDALL It is ordered by the Commissioners Court of Kendall County, Texas, to approve the Plat Revision for Cordillera Ranch Subdivision, Unit 7C, Block B, Lot 24A into Lots 24A-1 and 23A (Marvin Dotson) in accordance with paragraph 208.1200.3 of the County Guidelines dated August 29, 2005. Motion was made by Commissioner Miertschin, seconded by Commissioner Lux, and carried by a vote of 5-0.

10:25

Joe Pellish expressed concern about taxpayers bearing the burden on density issues in the schools if a MUD (Municipal Utility District) is approved.

Al Hamilton expressed concern about density and urged the Court to protect the welfare and safety of the public by regulating lot size.

Don Allee, County Attorney, clarified Vested Rights Statute from Local Government Code, subchapter a (not e ), which means the Developer in this instance has Plats already approved for the density the Developer has requested.

Al Hamilton refuted Don Allee's statement and urged the Court to look into the matter.

Spencer McClure expressed concern about MUDs and described the impact on Austin, his former hometown, as negative, and he urged the Court to wait on the pending TCEQ (Texas Commission on Environmental Quality) decision before approving any Plats.

Ron Gonzales, a five-year County resident, expressed concern regarding availability of water and its quality and asked that the Court carefully review every aspect of this project.

Court briefly left and went into Executive Session to discuss the 10:25 Agenda Item.

Court returned from Executive Session.

**THE STATE OF TEXAS 10:25**

**COUNTY OF KENDALL** It is ordered by the Commissioners Court of Kendall County, Texas, to approve the Master Plan for Lerin Hills Subdivision in accordance with paragraph 202.6000 of the County Guidelines dated January 1, 1997. This is a proposed mixed-use residential and commercial development located southwest of Boerne between Johns Road and State Highway 46. The proposed development contains approximately 960 acres and will be served by public water (GBRA-out of county) and public sewer systems through a Municipal Utility District. Motion was made by Commissioner Reissig, seconded by Judge Vogt, 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 Preliminary Plat for Lerin Hills Subdivision, Unit 1, in accordance with sections 201, 202 & 301.155 of the County Guidelines dated January 1, 1997. The proposed subdivision is located southwest of Boerne between Johns Road and State Highway 46 and includes 114.41 acres divided into 144 residential lots and 71.51 acres of open space. The overall density is 0.79. This subdivision will be served by public water (GBRA-out of county) and public sewer systems through a Municipal Utility District. Motion was made by Commissioner Reissig, seconded by Judge Vogt, and carried by a vote of 5-0.

Court went into Executive Session at this time.

As a result, the following two motions were made:

**THE STATE OF TEXAS 10:50 Item #1**

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

**Barbara Christman to work for Kendall County as Director of Indigent Health for 20 hours per week. Compensation will be as discussed in Executive Session.**

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

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**THE STATE OF TEXAS            11:05    Item #2**

**COUNTY OF KENDALL            It is ordered by the Commissioners    Court of Kendall County, Texas, to accept the proposal from Bucon, Inc. for Road and Bridge.**

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

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**Being no further business, the meeting was adjourned.**

**EXAMINED AND APPROVED THIS 24th DAY OF JULY A.D., 2006.**

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

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                  COUNTY JUDGE  
                  KENDALL COUNTY, TEXAS**