

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 11th day of September, 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

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

In memory of those who died on September 11, 2001, the Judge recited the 2 nd stanza of The Star Spangled Banner.

The Court extended sympathy to the family of Dr. Russell Thomas and asked for thoughts and prayers for EMS employee, Shannon Stockton-Brandt.

THE STATE OF TEXAS 9:01

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 (attached).

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

THE STATE OF TEXAS 9:03

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 (on file).

Motion was made by Commissioner Busby, seconded by Commissioner Lux, 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 authorize the Sheriff's Department to use Other Capital Outlay funds to purchase a high security storage locker and kitchen tools for the County Jail at a total cost of \$2,105.99.

Motion was made by Commissioner Busby, seconded by Commissioner Miertschin, 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 authorize Road & Bridge to use budgeted funds in Capital Outlay to purchase software for work flow administration in lieu of diagnostics software.

Motion was made by Commissioner Miertschin, seconded by Commissioner Reissig, 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 overtime pay to Road & Bridge employee Tobias Bagley for emergency response to repair a downed stop sign at the intersection of Herff Road and Old San Antonio Road (attached).

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

THE STATE OF TEXAS 9:25

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to adopt the Fiscal Year 2007 Budget.

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

THE STATE OF TEXAS 9:20

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, that property taxes be increased by the adoption of a tax rate of \$.37 per \$100.00 of taxable value. The Debt Service Rate is \$.02566 and the Maintenance and Operations Rate is \$.34434, both rates are per \$100.00 of taxable value.

THIS TAX RATE WILL RAISE MORE TAXES FOR MAINTENANCE AND OPERATIONS THAN LAST YEAR'S TAX RATE. THE TAX RATE WILL RAISE TAXES FOR MAINTENANCE AND OPERATIONS ON A \$100,000 HOME BY APPROXIMATELY \$4.25.

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

Vogt, Commissioner Reissig, Commissioner Miertschin, Commissioner Lux, and Commissioner Busby all voting in

favor.

THE STATE OF TEXAS 9:20

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve taxpayer discounts for early payment of property taxes as follows: 3% if paid in October, 2% if paid in November, and 1% if paid in December.

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

9:30

No action was taken on lifting the burn ban.

9:31

Jeff Fincke, Director of EMS, informed the Court of the Fair Labor Standards Act, Section 7(p)(3) reference rule 533.31 substitution of an employee for another to be enacted on behalf of Shannon Stockton-Brandt. The Judge will put this as an action item on the next Court 's Regular Meeting agenda.

THE STATE OF TEXAS 9:35

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve an addition to the current policy manual for the vacation accumulation rate for EMS employees with 10 or more years of service. This will be effective as of September 3, 2006.

Motion was made by Commissioner Lux, seconded by Commissioner Busby, 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 contracting with the Appraisal District to supply Public Notices for the County Road Map.

Motion was made by Commissioner Lux, seconded by Commissioner Busby, 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 extend by one year the current lease with the Boerne Soccer League for use of the property on Adler Road.

Motion was made by Commissioner Miertschin, seconded by Commissioner Reissig, 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 extending the hours of operation from 9:00 a.m. to 5:00 p.m. on Saturday for the County's Solid Waste Collection Site station on Spanish Pass Road.

Motion was made by Commissioner Miertschin, seconded by Judge Vogt, and carried by a vote of 3-2 with Commissioner Lux and Commissioner Busby voting against.

THE STATE OF TEXAS 9:55

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to untable the 9:27 agenda item from the August 14, 2006 Commissioners' Court Regular Meeting concerning the placement of No Parking signs on Bluebonnet Drive from the access road of IH-10 to Wagon Wheel Drive.

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

9:55

No action was taken concerning the placement of No Parking signs on Bluebonnet Drive from the access road of IH-10 to Wagon Wheel Drive .

PUBLIC COMMENTS:

Gene Sparks gave an overview of Road & Bridge vehicular needs.

Commissioner Miertschin encouraged attendance at the State of Texas Senate Public Hearing to be held in Austin on Wednesday, September 13, 2006 at 1:00 p.m., which will address the legislation to authorize counties to have regulatory jurisdiction in the unincorporated areas of the counties.

Court recessed for a Break.

THE STATE OF TEXAS 10:25

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas , to keep the Sheriff's and Constables' Fees at the same rate for 2007.

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

10:27

The Judge stated for the record that the Salary Grievance Committee met on the 31 st of August with eight of the members present, that four voted in favor of the Treasurer's salary raise request, and that according to the statute there were not enough votes; six votes were needed for the Court to reconsider. Therefore no action was taken on the report from the Salary Grievance Committee.

THE STATE OF TEXAS 10:35

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to grant relief to minimum road frontage on Walnut Grove Road at the intersection with Cravey Road and Marquardt Road in accordance with paragraph 301.1 of the Development Rules and Regulations dated August 29, 2005, and to require that the deed for the proposed 12-acre tract that is being divided out of a 109.88-acre tract (Ben Cravey) with access through a 60-

foot easement and an existing 30-foot easement to Walnut Grove Road state that it is being created for a family-only division of property and is limited to conveyance to family members.

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

THE STATE OF TEXAS 10:30

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to authorize Road & Bridge to obtain an Agreement of Release from the resident at 140 Steel Valley Drive in order to direct storm water to the roadside ditch on Steel Valley Drive instead of running down the property owner's driveway and across Steel Valley Drive.

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

THE STATE OF TEXAS 10:32

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the Amending Plat for Cordillera Ranch Subdivision, Unit 203, Block C, Lots 1 and 2 into Lots 1A and 2A (William Rowsey) in accordance with paragraph 208.1200.4 of the Development Rules and Regulations dated August 29, 2005.

Motion was made by Commissioner Miertschin, 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 allow employees of Cow Creek Groundwater Conservation District to be eligible to obtain health, life, and other insurance benefits through insurance carriers of Kendall County at no cost to Kendall County.

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 allow Mack Lambert of Lambert & Associates to offer the Section 457 Deferred Compensation Plan through One America to all Kendall County Employees.

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

Court went into Executive Session.

Court resumed Open Session from Executive Session at 12:10 p.m. There were no motions from Executive Session.

The 9:50 agenda item was revisited with the following order:

THE STATE OF TEXAS 9:50

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, that the new hours for the County's Solid Waste Collection Site station on Spanish Pass Road will become effective as of Monday, September 18, 2006.

Motion was made by Commissioner Miertschin, seconded by Commissioner Reissig, and carried by a vote of 3-0 with Commissioner Lux and Commissioner Busby abstaining.

Court recessed for lunch agreeing to reconvene at 1:30 p.m. that day to look at a particular parcel of property to consider for purchase.

Court reconvened and after inspection of the property, it was agreed to recess until the morrow, pending further negotiations of the property purchase.

Court reconvened on September 12, 2006 at 2:25 p.m. to consider the 11:15 agenda item.

Judge Vogt, Commissioner Reissig, and Commissioner Miertschin were present. Commissioner Lux and Commissioner Busby were absent.

A quorum being present, Judge Vogt announced at 2:28 p.m. that the Court would enter into Executive Session pursuant to 551.072 of the Government Code.

At 2:35 p.m. the Court reconvened in Open Session.

A quorum being present, the following order was made:

THE STATE OF TEXAS 11:15 #4

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to allow the County Attorney, the County Development Manager, and the County Judge to continue the process of acquiring real estate under the terms as discussed in Executive Session.

Motion was made by Judge Vogt, seconded by Commissioner Reissig, and carried by a vote of 3-0.

Being no further business, the meeting was adjourned.

EXAMINED AND APPROVED THIS ____ DAY OF ____ OCTOBER __ A.D., __ 2006

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ATTESTED: _____

COUNTY CLERK COUNTY JUDGE

KENDALL COUNTY , TEXAS KENDALL COUNTY , TEXAS