

[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 10 th day of October, 2006.

Present: EDDIE J. VOGT, COUNTY JUDGE

ANN REISSIG, COMMISSIONER, PCT. #1

GENE MIERTSCHIN, COMMISSIONER, PCT. #2

RUSSELL C. BUSBY, COMMISSIONER, PCT. #4

SALLY W. PETERS, DEPUTY COUNTY CLERK

Absent: DARREL LUX, COMMISSIONER, PCT. #3

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

The Court extended sympathy to the families of Bernadine Cobb and Zoe Budnik and a speedy recovery to Commissioner Darrel Lux.

9:10

No action was taken on reinstating the burn ban.

THE STATE OF TEXAS 9:15

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to name the County Park on River Bend Road the James Kiehl River Bend Park.

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

THE STATE OF TEXAS 9:01

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the Claims as presented by the Auditor's Office (on file).

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

THE STATE OF TEXAS 9:01

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the changes to the Recurring Payments as presented by the Auditor's Office (on file).

Motion was made by Commissioner Busby, seconded by Judge Vogt, 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 adopt a Resolution with JP Morgan Chase Bank for Purchasing Card accommodations and authorize the County Judge to sign the letter of agreement (attached).

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

THE STATE OF TEXAS 9:20

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to advertise a request for resumes for the position of Park Administrator.

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

THE STATE OF TEXAS 9:25

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to select the firm of Dixie Watkins as first choice to enter into negotiations for architectural planning of the landscape for James Kiehl River Bend Park and RVK Architectural as second choice.

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

THE STATE OF TEXAS 9:30

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to enter into an interlocal agreement with Kendall County Partnership for Parks, Incorporated as presented and authorize the County Judge to sign the same and present it to the Partnership.

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

THE STATE OF TEXAS 9:33

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the Criminal Justice Plan for 2006-2007 as presented by Nancy White, Justice of the Peace, Precinct 1.

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

THE STATE OF TEXAS 9:37

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to submit a Letter of Intent to apply for Hazard Mitigation Grants.

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

THE STATE OF TEXAS 9:40

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to authorize the creation of an Animal Issues Committee for Kendall County per Executive Order RP75 and a call for volunteers (attached).

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

THE STATE OF TEXAS 9:45

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the request for relief from the Development Guidelines and Regulations Rule Book dated January 1, 1997 by the Developer of Estancia at Thunder Valley Subdivision to substitute a \$600,000.00 six-month Letter of Credit which is to be received by October 16, 2006, for the original \$1,710,605.00 one-year Letter of Credit which expires on November 3, 2006.

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

THE STATE OF TEXAS 9:50

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the request from Guadalupe Valley Telephone Cooperative, Incorporated (GVTC) for a 10-foot easement along the west and south property lines of the Kendalia Road & Bridge yard contingent upon review and approval of the agreement by the County Attorney.

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

THE STATE OF TEXAS 9:55

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve in Section 303.1100 (Water Availability) of the Development Rules and Regulations dated August 29, 2005 changing the word paragraph to subsection and authorize changes printed in red (attached).

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

Court recessed for a Break.

THE STATE OF TEXAS 10:00

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to table action on the citizen request to oppose the wastewater discharge permit from the Texas Commission on Environmental Quality (TCEQ) for Lerin Hills until consultation with the County Attorney.

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

PUBLIC COMMENTS:

Karen Wetzel asked for clarification on whether the Court had decided to contest the TCEQ hearing regarding the MUD (Municipal Utility District) for Lerin Hills.

The Court responded that it decided to not contest it.

THE STATE OF TEXAS 10:25

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the 2006 property tax roll total and the total tax levy of \$10,624,433.94 as presented by the County Tax Assessor Collector (attached).

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

Court went into Executive Session and as a result the following motions were made:

THE STATE OF TEXAS 10:00

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to untable the 10:00 agenda item.

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

THE STATE OF TEXAS 10:00

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to appoint the County Engineer, Terry Anderson, as the Court's representative to attend the TCEQ Public Hearing on the Wastewater Discharge Permit request by Lerin Hills on October 24, 2006 at 7:00 p.m. at the Historic Courthouse in Kendall County and to express the concerns of Kendall County to include:

- Location of wastewater discharge in relationship to the property of Lerin Hills and neighboring property
- Type of discharge: spray as irrigation versus runoff
- Amount of phosphates, especially as relates to discharge into a lake-type setting
- Amount of suspended solids parts per million
- Chlorine versus ultra-violet treatment of wastes

Furthermore, the Court shall issue a letter to TCEQ expressing the Court's concerns.

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

Being no further business, the meeting was adjourned.

**EXAMINED AND APPROVED THIS __ 13 th __ DAY OF __ _ NOVEMBER __ A.D., __
2006 __ .**

ATTESTED: _____

COUNTY CLERK COUNTY JUDGE

KENDALL COUNTY , TEXAS KENDALL COUNTY , TEXAS