

**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 8<sup>th</sup> day of May, 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**

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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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**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 and attached.

Motion was made by Commissioner Lux, seconded by Commissioner Reissig, 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 pay the Claims and additional Claims as submitted 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.

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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 increase the recurring payment to Chubbs Security from \$90.35 to \$94.41.

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**      9:12

**COUNTY OF KENDALL**      It is ordered by the Commissioners' Court of Kendall County, Texas, to authorize the County Clerk to replace the Deputy County Clerk that is retiring.

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**      9:07

**COUNTY OF KENDALL**      It is ordered by the Commissioners' Court of Kendall County, Texas, to authorize the remote capture of deposits to Frost Bank from Justice of the Peace, Pct. 4.

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

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9:15

A Public Hearing was held on the proposed revision of a portion of Comfort Outlot 47 owned by Arch and Juanita Jacobson. No one spoke.



THE STATE OF TEXAS 9:10

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve payment of accrued sick leave for the retiring employee in the County Clerk's Office.

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 9:20

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the plat revision of a portion of Comfort Outlot 47 owned by Arch and Juanita Jacobson into Outlots 47A and 47B in accordance with paragraph 208.1200.3 of the County Guidelines dated August, 2005. Outlot 47B will be served by public water and sewer.

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

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9:25

A Public Hearing was held on the proposed revision of Lot 16, Block 5, in Alamo Springs Subdivision. No one spoke.

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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 plat revision of Lot 16, Block 5, in Alamo Springs Subdivision into Lots 16A and 16B in accordance with paragraphs 208.1200.3 and 301.1000 of the County Guidelines dated August, 2005. No variance is requested.

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

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9:35

No action was taken to reinstate the Burn Ban. It remains lifted.

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9:37

Brent Evans informed the Court that the Kendall County Partnership for Parks was now a 501C3 non-profit organization and introduced the officers that were in attendance.

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THE STATE OF TEXAS 9:45

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to allow Boerne Police Department use of the Courthouse for tactical training on May 21<sup>st</sup> from 4:00 p.m. to 8:00 p.m.

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

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THE STATE OF TEXAS 9:50

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to authorize \$2,800.00 be taken from the Commissioners' Contingency Fund for electrical work at the Spanish Pass Collection Station in preparation for the new compactor.

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 9:55

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve payment to Road and Bridge employees Steven Flemming and Robert Barron as attached for emergency response time.

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

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Public Comments: John LaRoche appreciated that all agenda items clarified the property being discussed.

Court recessed for a break.

10:20

Proposals for wireless internet services for EMS, the Fire Marshall, and Emergency Management were discussed. Item was tabled until Jeff Fincke could verify with Guadalupe Valley Telecommunications Cooperative when installation could be expected if chosen.

10:25

Commissioner Miertschin made a motion giving authority to the County Engineer to approve requests by subdivisions under prior County Guidelines to proceed under current rules concerning road construction and drainage improvements. Motion died for lack of a second.

THE STATE OF TEXAS

10:30

COUNTY OF KENDALL

It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the amending plat of Lots 35 and 36, Block A, Unit 104A, of Cordillera Ranch Subdivision into Lot 35A in accordance with Paragraph 208.1200.4 of the County Guidelines dated August, 2005.

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 26 and 27 of Estancia at Thunder Valley Subdivision into Lots 26A and 27A 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.

THE STATE OF TEXAS

10:40

COUNTY OF KENDALL

It is ordered by the Commissioners' Court of Kendall County, Texas, to suspend the Commissioners' Court Rules of Procedure and allow three minutes to everyone that signed up to speak regarding the Lerin Hills Municipal Utility District.

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

10:40

A motion on Lerin Hills Municipal Utility District was tabled until it could be discussed further in Executive Session.

Court went into Executive Session at this time and then recessed for lunch.

THE STATE OF TEXAS

10:20

COUNTY OF KENDALL

It is ordered by the Commissioners' Court of Kendall County, Texas, to untable the discussion on internet service for the EMS building.

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

THE STATE OF TEXAS

10:20

COUNTY OF KENDALL

It is ordered by the Commissioners' Court of Kendall County, Texas, to accept the proposal from Guadalupe Valley Telecommunications Cooperative to provide internet service to the EMS building and authorize the Judge to sign the service contract.

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



THE STATE OF TEXAS 10:40

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to authorize the County Judge to respond to the letter from TCEQ, Texas Commission on Environmental Quality, indicating that the County does not have enough information to recommend approval or denial of the application for the creation of Lerin Hills Municipal Utility District and request a contested case hearing before TCEQ.

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

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The following five agenda items resulted from Executive Session:

1:30 Item #2

Item will be placed on the next agenda to correctly request an uncompensated Reserve Deputy Constable position for Pct. 1.

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THE STATE OF TEXAS 1:30 Item #3

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to authorize the Sheriff to allow, subject to his restrictions, his Chief Deputy, Jail Administrator, and Patrol Commander to drive their County vehicles to and from their residences which are outside the County.

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 2:00 Item #1(Motion Failed)

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, that the 25 acres previously purchased by the County on River Bend Road be declared surplus property and offered for sale to the public.

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

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THE STATE OF TEXAS 2:00 Item #1

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to authorize the newly formed Partnership for Parks to pursue plans to recommend to the Court for development of the 25 acres on River Bend Road as a County Park.

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

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THE STATE OF TEXAS 3:30

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the final plat for Mountain Laurel Heights Subdivision and authorize the Judge to sign the road construction agreement with Sanford Reed for the extension of Jennifer Drive in accordance with Sections 200, 203, and 301 of the County Guidelines dated August, 2005.

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.

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EXAMINED AND APPROVED THIS 12 DAY OF June A.D., 2006 .

ATTESTED: Darlene Herrin  
COUNTY CLERK  
KENDALL COUNTY, TEXAS

Eddie J. Vogt  
COUNTY JUDGE  
KENDALL COUNTY, TEXAS