

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 23rd day of October, 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.

9:01

Angie San Miguel, Deputy County Clerk, was presented with a Service Award for 10 years of service and Maria "Elsa" Thompson, Development Management, was presented with a Service Award for 5 years of service.

The Court announced that the children's prayer group from First Baptist Church would be at the Courthouse today at 4:30 p.m. for a prayer meeting, which is open to all county employees and elected officials.

THE STATE OF TEXAS 9:02

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the Minutes for the month of September 2006.

Motion was made by Commissioner Miertschin, 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 Monthly Reports for September 2006 as submitted by the Auditor's Office (on file).

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

THE STATE OF TEXAS 9:04

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

9:10

No action was taken on reinstating the burn ban.

THE STATE OF TEXAS 9:11

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to adopt the Resolution to allow Kendall County to apply and receive a grant for Indigent Defense (attached).

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

THE STATE OF TEXAS 9:12

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to join "Texas Yes!" and authorize the County Judge to sign and submit the application for membership.

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 using the existing subdivision committee which consists of Commissioner Lux; Commissioner Busby; Don Allee, County Attorney; Terry Anderson, County Engineer; and Tom Pahl, Development Management to meet with the representatives of the City of Boerne concerning the interlocal agreement for the regulation of subdivision platting in the extraterritorial jurisdiction (ETJ).

Motion was made by Commissioner Miertschin, seconded by Commissioner Reissig, 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, to authorize the publication of a notice to adopt the Order to establish minimum infrastructure standards for manufactured home rental communities and to set the Public Hearing on November 13 at 9:30 a.m.

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

THE STATE OF TEXAS 9:23

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to authorize the publication of a notice to adopt the Order prohibiting and/or regulating the keeping of wild animals in Kendall County and setting the Public Hearing on November 27 at 9:30 a.m.

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 approve the architect's plans for completion of the third floor of the Courthouse and to proceed with the specification phase.

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

9:27

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

THE STATE OF TEXAS

9:30

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the final construction of roads and drainage in Cordillera Ranch Subdivision, Unit 204, contingent on the installation of a Dead End sign for Winged Foot at the intersection of Clubs Drive and also to release the Letters of Credit in the amount of \$742,919.00 for roads and drainage and in the amount of \$527,363.00 for water and wastewater facilities.

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

THE STATE OF TEXAS

9:32

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to grant relief for Cordillera Ranch Subdivision, Unit 205, to allow less than 75 feet of road frontage for Lots 1041 and 1042 (nonresidential lots), Block Z, as required by the Development Guidelines and Regulations Rule Book dated January 1, 1997, subsection 304.40.

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

9:35

The County Development Manager presented a summary of activities during September 2006.

THE STATE OF TEXAS

9:37

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve waiving the development fee and all of the septic permit fee, except \$10.00 which is required by the Texas Commission on Environmental Quality (TCEQ), for the Bergheim Volunteer Fire Department.

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

THE STATE OF TEXAS

9:39

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve rewording the deed restrictions and the note on the plat for Will Cravey which was originally approved on September 11, 2006 for family division only. The modification for the 12-acre tract is for the deed and the plat to reflect that it cannot be further subdivided.

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

THE STATE OF TEXAS

9:42

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to authorize the request for relief for minimum road frontage on Platten Creek Road.

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

THE STATE OF TEXAS 9:42

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to authorize platting the triangular section of land between the originally platted Platten Creek Road and where it actually exists to allow for the realignment of the road and to grant relief to the Kendall County platting requirements in the Development Rules and Regulations dated August 29, 2005 to instead allow an affidavit of land location for the 798.83-acre tract (John Montgomery) which is being divided into two tracts with each having 25-foot road frontage. 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 approve the Amending Plat for Comfort, portions of Lots 298 and 299 into Lot 298A (Carlos Castro) and 299A (Russell Busby) in accordance with paragraph 208.1200.4 of the Kendall County Development Rules and Regulations dated August 29, 2005.

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

PUBLIC COMMENTS—No one spoke.

Court recessed for a Break.

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

THE STATE OF TEXAS 10:15 #1

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to authorize hiring Tami Wolff as Administrative Assistant to County Court-at-Law Judge Bill Palmer, as a full-time, exempt employee, at the will of Judge Palmer and at the current rate of pay she receives as County Court Reporter.

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

THE STATE OF TEXAS 10:15 #2

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to open the position for Park Administrator with the job description as presented to the Court and with resumes to be submitted to the Human Resources Department through December 31, 2006.

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

THE STATE OF TEXAS 10:30 #3

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to authorize the use of County property as the location for a battered women's shelter contingent upon KB Homes providing the design, building, and material for the shelter. The property to be used is off of Adler Road and Staudt Street approximately where the Justice of the Peace, Precinct 3, and Adult Probation are currently located.

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

THE STATE OF TEXAS 10:30 #4

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to authorize the County Surveyor to plat the 12-acre tract on Adler Road and Staudt Street to be used for the battered women's shelter as soon as possible.

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

THE STATE OF TEXAS 10:45 #3

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, that with the growing population of Kendall County and the increased court cases which accompany that growth that it would be in the best interest of Kendall County and that it would aid administrative convenience, improve economy and efficiency and improve service to the citizens of Kendall County if Kendall County had a separate and independent Adult Probation Office. Thereby, the Kendall County Commissioners' Court does request that the County Attorney prepare a letter to the 216th Judicial Board of Judges requesting a separate and independent Adult Probation Office and authorizes the County Judge to sign said letter.

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

The Court reconvened in Open Session where the following order was made:

THE STATE OF TEXAS 11:15


COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to authorize the County Engineer to investigate the costs, feasibility, and related matters involved in constructing new office space for Justice of the Peace, Precinct 3, and Adult Probation, and other county offices at the location on Adler Road and Staudt Street, where the practice soccer field is now located and next to the current jail.

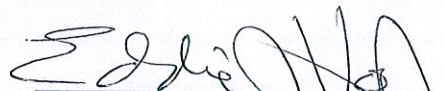
Motion was made by Commissioner Busby, seconded by Commissioner Lux, and carried by a vote of 5-0.

Being no further business, the meeting was adjourned.

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

ATTESTED:


COUNTY CLERK
KENDALL COUNTY, TEXAS


COUNTY JUDGE
KENDALL COUNTY, TEXAS