

FROM THE OFFICE OF
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County Eye Newsletter

The recent upheaval over the proposed gravel pit in Precinct 2 has opened an age-old conversation about what authority the county has over private use of land and a myriad of other issues that are brought before the county officials.

Often county residents come before commissioners' court meetings to request that the county intervene in issues that the county commissioners have limited or no authority to do anything about.

Counties have very limited powers defined in statutes created by the Texas Legislature. Commissioners sometimes can only sympathize with constituents but have no authority to act. Counties have no ordinance making ability...incorporated cities have a great deal more power to regulate in a variety of areas.

Kerr County has the authority to regulate in very limited instances...primarily their regulations are based on state laws. Such regulations include septic systems (construction and maintenance), flood plain regulations, and implementation of the burn ban which is based on the drought index information provided by the Texas Forest Service.

Regulation of the sale of specific kinds of fireworks can be done by a county but again must be based on a valid reason like the drought index.

The county has the authority to create subdivision rules (construction, water availability, septic regulations), mandate the construction regulations for roads and bridges that are maintained by the county and to set rules for roads and bridges for which the county will assume maintenance once completed. The county can decide where stop signs are located and speed limits on county maintained roads.

Use of county owned facilities like the youth event center, parks, baseball fields, the courthouse grounds can also be regulated by the county. February 1 the county turned over the management of the Hill Country Youth Event Center to a contracted private management firm which reduces the county's involvement in the day to day operations of the facility.

The county can develop regulations related to rabies control, leash laws, nuisance issues with animal control but, again, many of the rules are related to state laws passed by the legislature.

Other agencies have authority to enforce other laws. State parks and wildlife has authorization to enforce laws on public waterways and lakes and game wardens enforce state hunting regulations including investigating poaching.

Upper Guadalupe River Authority has authority to regulate construction of dams, state-issued water permits to withdraw water from the river, monitors water quality issues in the river, and other issues impacting the quality and availability of water in the Guadalupe River and its tributaries.

UGRA has also provided an number of financial grants to help the county during the construction of the Kerrville South Wastewater Project and the upcoming East Kerr County Wastewater Project.

Headwaters Groundwater Conservation District issues well permits, monitors public water systems, and monitors the underground water resource levels.

The regulation of the use of private property and ownership of water underneath the property have been hot topics at the local and state level for decades but few support more government control over those rights.

Often when local residents don't like something that's about to happen or has happened they will run to local government and request intervention when in reality the local leaders have little or no way to intervene or control anything.

With early voting to begin in less than a week, candidates are busy seeking commitments from voters. Signs are everywhere and mailboxes are packed with political advertising every day.

The Kerr County Republican Party will host a forum for candidates for Precinct 1 Constable and candidates for Pct. 1 Commissioner tomorrow evening, Thursday, Feb. 11, at the Union Church beginning at 6 p.m.

If you live in Precinct 1 and did not have the opportunity to attend the League of Women Voters forum or watch it on YouTube, this will be your final chance to meet and learn about the candidates in a single venue. Hope to see you there.