



Kendall County, Texas Commissioners Court

Shane Stolarczyk, County Judge

Christina Bergmann
Commissioner, Precinct 1

Andra M. Wisian
Commissioner, Precinct 2

Richard Chapman
Commissioner, Precinct 3

Chad Carpenter
Commissioner, Precinct 4

AGENDA

REGULAR SESSION · WEDNESDAY, DECEMBER 27, 2023 · 9:00 AM

201 EAST SAN ANTONIO AVENUE, BOERNE, TX 78006

3RD FLOOR COMMISSIONERS COURTROOM

NOTICE is hereby given that a regular meeting of the Kendall County Commissioners Court will be held in person and via Zoom at which time the following will be discussed and appropriate action taken; pursuant to V.T.C.A. Government Code Chapter 551, Open Meetings Act, including all Subchapters and Sections.** The quorum of the court will be present at the Kendall County Commissioners Courtroom.

The public may join this meeting while in progress by calling 1-346-248-7799 and entering the meeting ID **565 651 9107** followed by #. Or by going to <https://txcourts.zoom.us/j/5656519107>

An electronic copy of the agenda and agenda backup documents can be found at:
<https://www.co.kendall.tx.us/page/Agendas>

At any meeting, the public may address/speak to the Commissioners Court by submitting an appropriately completed Public Comments Participation Form found at the back of the courtroom or on the county's website. Completed forms must be provided to the Judge's Court Coordinator and/or submitted online by 9:00 a.m. on the day of the Commissioners Meeting. You may also submit written materials to the Judge's Court Coordinator, who will disperse it to the members of the court at the appropriate time. All submitted materials will become part of the official public record.

PLEASE SILENCE CELL PHONES

1. Call to Order - 9:00 a.m.
2. Pledge of allegiance to the United States Flag / Texas Flag
 - Introduction of youth presenter by Commissioner Andra M. Wisian
3. Comments from the bench to share items of community interest as allowed under and limited by Texas Government Code Section 551.0415.
 - Commissioner Christina Bergmann, Precinct 1
 - Commissioner Andra M. Wisian, Precinct 2
 - Commissioner Richard Chapman, Precinct 3
 - Commissioner Chad Carpenter, Precinct 4
 - Shane Stolarczyk, County Judge
4. Declarations of Conflict of Interest – This is an opportunity for members of the Court to identify and disclose actual or perceived conflicts of interest.

5. Consent Agenda:

Items on the Consent Agenda are considered to be of a routine nature and may require only limited discussion. All items under the Consent Agenda are heard and acted upon collectively unless opposition is presented. Any member of the Commissioners Court may request that an item be removed from the Consent Agenda and considered separately for the purpose of discussion and voting.

- a. Consideration and action to approve Commissioner Court Minutes for the December 13, 2023 Regular Meeting: Paula Pfeiffer, County Clerk’s Office;
- b. Consideration and action to approve December Fee Office Reports: Corinna Speer, County Auditor;
- c. Consideration and action to approve Summary of Road Work for November 2023: Don L. Evans, Road and Bridge Supervisor;
- d. Consideration and action to approve Summary of Operations for November 2023: Don L. Evans, Road and Bridge Supervisor.

6. December 2023 Service Awards:

Francisca Scarbro	Sheriff’s Office	15 Years
Corrie Lindstrom	Tax Office	15 Years
Shelly Jennings	EMS	20 Years

- 7. Consideration and action on declaring December 27, 2023 as Brent Evans Day in Kendall County in recognition of his fifty years of volunteerism within our community: Shane Stolarczyk, County Judge / Christina Bergmann, Commissioner Precinct 1
- 8. PUBLIC COMMENTS – Opportunity for the general public to address the Court on any matter. The Court may not discuss any presented issue, nor may any action be taken on any issue at this time. Pursuant to the Commissioners Court’s rules of procedure and decorum, each person who appears before the court shall be limited to a maximum of three (3) minutes to make their remarks.
- 9. Consideration and action on the burn ban pursuant to Texas Local Government Code § 352.081: Shane Stolarczyk, County Judge / Jeffery Fincke, Fire Marshal
- 10. Consideration and action to approve the accounts payable claims for purchases, services, and vendors: Corinna Speer, County Auditor
- 11. Consideration and action to authorize the County Auditor to apply for the Rural Law Enforcement Grant from the Texas Comptroller on behalf of the County: Corinna Speer, County Auditor
- 12. Presentation to educate the Court and the public on the operations of the Boerne Area Historical Preservation Society (BAHPS) and their plans for the buildings on the newly purchased county property: Richard Chapman, Commissioner Precinct 3/ Julie Gossell, BAHPS
- 13. Consideration and action to approve the FY2024-2025 Biennium Interlocal Agreement with the Regional Public Defender Office for Capital Cases: Shane Stolarczyk, County Judge / Matthew Grove, General Counsel

14. Consideration and action on agreement for elevator maintenance services for the Kendall County Courthouse in an amount not to exceed \$622.59: Matthew Grove, General Counsel / Corinna Speer, County Auditor
15. Consideration and action on agreement for elevator maintenance services for the Kendall County Historic Courthouse in an amount not to exceed \$205.00: Matthew Grove, General Counsel / Corinna Speer, County Auditor
16. Consideration and action on agreement for septic maintenance services for the Kendall County Animal Shelter in an amount not to exceed \$1,850.00: Matthew Grove, General Counsel
17. Consideration and action to approve a contract with Kopplow Construction to build the EMS and Sheriff's Substation at the Voss Middle School site: Commissioner Richard Chapman, Precinct 3 / Mary Ellen Schulle, County Engineer
18. Consideration and action to approve the contract with Absolute Communications to install cameras and security door access to the new EMS/Sheriff Substation on the Voss Middle School Property: Richard Chapman, Commissioner Precinct 3 / Brian Stegall, IT Director
19. Consideration and action to approve the final plat of Windmill Ranch Subdivision in accordance to Chapter 2.4 of the 2022 Development Regulations. The proposed plat consists of 16 residential lots on 98.409 acres and 3069 linear feet of public roadway. The tracts will be served by individual well and OSSF: Chad Carpenter, Commissioner Precinct 4 / Mary Ellen Schulle, County Engineer / Ron Jones, Staff Engineer
20. Consideration and action on accepting the financial guarantee for Windmill Ranch in the form of a Cash Deposit Agreement in the amount of five hundred ninety-two thousand thirty-six dollars and 42 cents (\$592,036.42) for street and drainage improvements: Chad Carpenter, Commissioner Precinct 4 / Ron Jones, Staff Engineer
21. Consideration and action on approving an amending plat of Estancia at Thunder Valley Phase II Subdivision for Lot 21 and Lot 22 in accordance to the Kendall County Development Rules. The purpose of the amending plat is to adjust lot lines (Lot 21 and Lot 22) into Lot 21A and Lot 22A. The Lots are served by private water well and on-site wastewater system: Christina Bergmann, Commissioner Precinct 1 / Ron Jones, Staff Engineer
22. Consideration and action on naming of a private road off FM 3351 for safety reasons: Nathan Lickteig, GIS Specialist / 911 Coordinator
23. Consideration and action on naming of a private road off SH 46 West for safety reasons: Nathan Lickteig, GIS Specialist / 911 Coordinator

BREAK**EXECUTIVE SESSION (Closed to the public)***

- I. Pursuant to Texas Government Code § 551.071 (Attorney Consultation) and Texas Government Code § 551.072 (Real Property) the deliberation of the purchase, exchange, or lease or value of

real property. (Note: The deliberation in an open meeting would have a detrimental effect on the position of Kendall County in negotiations with a third person.)

1. Discussion regarding the purchase of office/ warehouse/ and other space for the county

II. Pursuant to Texas Government Code § 551.071 (Attorney Consultation) and Texas Government Code § 551.074 (Personnel Matters), consultation with legal counsel to seek the advice of attorney(s) representing the County concerning pending and/or threatened litigation, settlement offers, and/or matters in which the duties of the attorney(s) under the Texas Rules of Professional Conduct of the State Bar of Texas require confidential communications.

1. Proposition A Committee Update
2. Legal advice on personnel policies
3. Updates on pending litigation
4. ETJ Interlocal Agreement between the City of Boerne and Kendall County
5. Flood plain violations
6. Development Rules and Regulations
7. Duties and responsibilities of the County Auditor and County Judge as it pertains to a purchasing agent
8. Discussion on the application of SB22 for personnel in the Sheriff's Office
9. Fire Code Appeals Board
10. EMS Temporary and Full Time Positions

RESUME OPEN SESSION AND TAKE ANY NECESSARY ACTION RESULTING FROM EXECUTIVE SESSION DELIBERATIONS

24. Action resulting from Executive Session deliberations

ADJOURNMENT

**The Court reserves the right to adjourn, by majority vote, into Executive Session at any time during the course of this meeting to discuss any of the matters listed in this agenda, in the order deemed appropriate, as authorized by Chapter 551, Open Meetings, Texas Government Code, Sections 551.071, 551.072, 551.073, 551.074, 551.0745, 551.075, 551.076, 551.087, and 551.089 or to seek the advice of its attorney and/or other attorneys representing Kendall County on any matter in which the duty of the attorney to the Commissioners Court under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with chapter 551 of the Texas Government Code or as otherwise may be permitted under chapter 551. Action, if any, will be taken in the open session.*

***This agenda has been reviewed and approved by the Court's legal counsel. This paragraph is intended to constitute a legal opinion of the Court's legal counsel that the presence of any subject in and Executive Session portion of the agenda is properly noticed pursuant to the Texas Open Meetings Act. This constitutes an interpretation of Texas Government Code Chapter 551 by legal counsel for the governmental body and constitutes an opinion by that attorney that the items discussed therein may be legally discussed in the closed portion of the meeting considering available opinions of a court of record and opinions of the Texas Attorney General known to that attorney. This provision has been added to this agenda with the intent to meet all elements necessary to satisfy Texas Government Code Chapter 551.144(c) and the meeting is conducted by all participants in reliance on this opinion.*

Dated this the 20th day of December 2023.



Shane Stolarczyk
Kendall County Judge

I, the undersigned County Clerk, do hereby certify NOTICE of regular meeting of the above-named Commissioners Court is a true and correct copy of said Notice and that I have caused said Notice to be posted on the door at the Courthouse of Kendall County, Texas, located at 201 E. San Antonio Avenue on the 20th day of December 2023.



Denise Maxwell
County Clerk

Posted at 4:45 pm on the 20th day of December 2023 -MAM

NOTE: The Kendall County Commissioners Court complies with A.D.A. requirements. If you have an impairment and wish to appear at a meeting, please call (830)249-9343, 48 hours in advance to make arrangements.