



# 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 · MONDAY, SEPTEMBER 25, 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>

### 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 the minutes for the September 11, 2023 Regular Meeting and September 14, 2023 Special Called Meeting: Maria Cano, County Clerk’s Office;
  - b. Consideration and action on the approval of the cash summary at Frost Bank for July and August 2023: Sheryl D’Spain, Treasurer;
  - c. Consideration and action on the approval of amending the FY2023 budget through certification of new revenue and regular budget adjustments: Corinna Speer, County Auditor;
  - d. Consideration and action to approve August Fees of Office Reports: Corinna Speer, County Auditor;
  - e. Consideration and action to declare the attached list as surplus and salvage property and to proceed with disposition through an online county auction: Corinna Speer, County Auditor;
  - f. Consideration and action to approve Summary of Operations for August 2023: Don L Evans, Road and Bridge Supervisor;
  - g. Consideration and action to approve Summary of Road Work for August 2023: Don L Evans, Road and Bridge Supervisor.
6. September 2023 Service Awards:
- |               |                |          |
|---------------|----------------|----------|
| Joshua Conley | Sheriff Office | 5 Years  |
| Lisa Dusek    | Sheriff Office | 5 Years  |
| Evan Profeta  | Sheriff Office | 5 Years  |
| Staci Decker  | Elections      | 20 Years |
7. Consideration and action to proclaim October 1 - 7, 2023 as National 4-H Week in Kendall County: Shane Stolarczyk, County Judge / Hilary Putrite, 4-H Program Coordinator
  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 to update and extend the local drought disaster declaration dated August 7, 2023 until drought conditions subside: 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. Updates and recommendations on the County Wildfire Protection Plan (CWPP): Christina Bergmann, Commissioner Precinct 1 / Christie Wiley, Volunteer CWPP Project Manager / Doug Meckel, Volunteer, CWPP Project Coordinator
  12. Consideration and action regarding an Interlocal Fire Protection Agreement with the City of Boerne: Christina Bergmann, Commissioner Precinct 1
  13. Consideration and action on the approval of the 2024 Commissioners Court meeting dates: Shane Stolarczyk, County Judge

14. Consideration and action on the approval of the contract with the Hill Country Dispute Resolution Center: Shane Stolarczyk, County Judge / Matthew Grove, General Counsel
15. Consideration and action to appoint American Fidelity to serve as Kendall County's Section 125 Plan service provider: Jacqueline Guzman, Human Resources Generalist
16. Consideration and action to approve the renewal of the preventative maintenance agreement for jail kitchen equipment with Commercial Kitchen: Al Auxier, Sheriff
17. Consideration and action on designating a purchasing agent for Kendall County for the upcoming eclipse event and other potential emergencies: Shane Stolarczyk, County Judge
18. Consideration and action approving a Kendall County resolution supporting TxDOT to perform all project development activities including environmental studies, schematic design, public involvement efforts, and additional right-of-way needs to add additional capacity to FM 3351 in order to reduce congestion and improve safety and mobility along FM 3351 due to the increased traffic demand and projected traffic growth for the corridor. Furthermore, this action item will appoint Commissioner Andra M. Wisian and Commissioner Richard Chapman as the County's representatives for this project: Andra M. Wisian, Commissioner Precinct 2 / Richard Chapman, Commissioner Precinct 3
19. Consideration and action concerning an exemption to the competitive bid process for Butler-Cohen as authorized by Texas Local Government Code § 262.024(a)(2), (3), and (4) for the purchase of HVAC installation and repair services at the Kendall County Jail and Sheriff Administration Offices in an amount not to exceed \$3,658,516.81 (Fund: 2022 Tax Note). Also, this action item will authorize County Judge Shane Stolarczyk to sign the contract upon approval by General Counsel: Richard Chapman, Commissioner Precinct 3 / Mary Ellen Schulle, County Engineer

**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. Security and public safety regarding the upcoming Eclipse event
  2. Duties and responsibilities of Proposition A Committee
  3. Legal advice on personnel policies

4. Kendall County Development Rules and Regulations
5. Floodplain issues throughout the County
6. Legal advice regarding public health emergencies
7. Updates on pending litigation
8. Facilities Manager Interviews
9. Legal advice regarding transportation issues throughout the County
10. County parking lot renovations

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

20. 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 21<sup>st</sup> day of September 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 21<sup>st</sup> day of September 2023.

  
Denise Maxwell  
County Clerk

Posted at 4:45 pm on the 21<sup>st</sup> day of September 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.