



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, APRIL 10, 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/Comm.Court.agendas.minutes>

PLEASE SILENCE CELL PHONES

1. Call to Order - 9:00 a.m.
2. Pledge of allegiance to the United States Flag / Texas Flag
 - Introductions 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
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. Minutes for March 27, 2023: Paula Pfeiffer, Deputy Clerk;

- b. Approve resolution requesting the designation of George Hyde of Hyde Kelley LLP as Kendall County's Litigation Counsel for all claims made to the Texas Association of Counties Risk Management Pool which necessitates the assignment of legal counsel: Shane Stolarczyk, County Judge;
 - c. Approve and accept the list of donations on behalf of Kendall County per Local Government Code § 81.032: Corinna Speer, County Auditor;
 - d. Approve amending the FY2023 budget through regular budget adjustments for County purposes: Corinna Speer, County Auditor.
6. 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.
 7. Consideration and action on the burn ban (Authority Section 352.081, Texas Local Government Code): Shane Stolarczyk, County Judge / Jeffery Fincke, Fire Marshal
 8. Consideration and action on the approval of accounts payable claims for purchases, services and vendors: Corinna Speer, County Auditor.
 9. Consideration and action on the approval to solicit bids for the construction of the EMS and Sheriff's Substation at 911 Voss Parkway: Corinna Speer, County Auditor / Richard Chapman, Commissioner Precinct 3
 10. PUBLIC HEARING: 10:00 a.m.: Conduct Public Hearing and take all appropriate action on the following matter:
 - a. Application filed by Cordillera Ranch, Ltd for the proposed cancellation of Lot 1030, Block Z of the subdivision plat of Cordillera Ranch Unit 201 recorded in Volume 4 Page 331 of the Kendall County Plat Records: Rick Tobolka, County Engineer / Mary Ellen Schulle, Assistant County Engineer / Andra M. Wisian, Commissioner Precinct 2
 11. Consideration and action for Kendall County EMS to enter into a one-year agreement with ZOLL Medical for preventive maintenance on five ZOLL Z Ventilators in the amount not to exceed \$3,275.00 effective 04/01/2023 through 03/31/2024: Brian Webb, EMS Administrator
 12. Presentation of the FY22 Annual Audit: Corinna Speer, County Auditor
 13. Consideration and action on the Preliminary Plat of the remaining acreage of George's Ranch Subdivision in accordance with Section 203 of the 2010 Kendall County Development Rules and Regulations. The proposed private subdivision consists of 950.81 acres, 642 single family residential lots, 60,379 linear feet of private roadway with a density of 1.48 acres/lot. The lots will be served by public water and individual on-site-sewage-Facilities (Lookout Development Group, LP): Rick Tobolka, County Engineer / Mary Ellen Schulle, Assistant County / Andra Wisian, Commissioner Precinct 2

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 space for Precinct 2 Justice of the Peace and other personnel.
 2. 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. Extra-Territorial Jurisdiction Agreement between City of Boerne and Kendall County
 2. County fire protection and firefighter duties, responsibilities, and services
 3. Discussion and update regarding personnel and sexual harassment policies and procedures
- III. Pursuant to Texas Government Code § 551.071 (Attorney Consultation) and Texas Government Code § 551.074 (Personnel) to deliberate and seek legal advice regarding the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee; or (2) to hear a complaint or charge against an officer or employee. (Note: the personnel deliberation portion of the executive session may occur in open session if the officer or employee who is the subject of the deliberation (the County Facilities Manager) requests a public hearing prior to the start of the meeting).

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

14. 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 6th day of April 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 6th day of April 2023.

By: 

Denise Maxwell
County Clerk

Posted at 3:30 pm on the 6th day of April 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.