

**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 Courthouse in Boerne, Texas, and via Zoom on the 24th day of April 2023.

**Present:** SHANE STOLARCZYK, COUNTY JUDGE  
CHRISTINA BERGMANN, COMMISSIONER, PCT. #1  
ANDRA WISIAN, COMMISSIONER, PCT. #2  
RICHARD CHAPMAN, COMMISSIONER, PCT. #3  
CHAD CARPENTER, COMMISSIONER, PCT. #4  
PAULA PFEIFFER, DEPUTY COUNTY CLERK

1. Call to Order – 9:00 a.m.  
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2. Pledges of Allegiance to the United States and Texas flags.  
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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 Wisian, Precinct 2, Commissioner Richard Chapman, Precinct 3, Commissioner Chad Carpenter, Precinct 4 and Shane Stolarczyk, County Judge  
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4. Declarations of Conflict of Interest  
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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 April 10, 2023
  - b. Consideration and action on the approval of amending the FY2023 budget through regular budget adjustments (attached)
  - c. Consideration and action on accepting the March Fee Office Reports
  - d. Consideration and action to declare the attached list as surplus and salvage property and to proceed with disposition through an online county auction (attached)
  - e. Summary of Road Work for March 2023 (attached)
  - f. Summary of Operations for March 2023 (attached)

**THE STATE OF TEXAS**

**COUNTY OF KENDALL** It is ordered by the Commissioners’ Court of Kendall County, Texas, to approve Consent Agenda Items as read.

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

6. April 2023 Service Awards:
 

Amanda Meyer	Sheriff’s Office	10 Years
Jeffrey LeSturgeon	LEC	5 Years
Justin Richard	EMS	5 Years
Claudia Jenkins	IT	5 Years

  
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**7. THE STATE OF TEXAS**

**COUNTY OF KENDALL** It is ordered by the Commissioners' Court of Kendall County, Texas, to proclaim April 30 through May 7, 2023 as Soil & Water Stewardship Week in Kendall County (attached).

Motion was made by Commission Chapman, seconded by Commissioner Bergmann, and carried by a vote of 5-0.

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- 8. Clem Zabalza, TACRMP Risk Control Manager presented the Texas Association of Counties Risk Management Pool 2022 Safety Achievement Award.**
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- 9. PUBLIC COMMENTS: Jan Couch, Denise Dever, and Maxie Zinsmeister**
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- 10. No action was taken on reinstating the burn ban. It is still off.**
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**11. THE STATE OF TEXAS**

**COUNTY OF KENDALL** It is ordered by the Commissioners' Court of Kendall County, Texas, to approve accounts payable claims for purchases, services and vendors in the amount of \$1,166,312.00.

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

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- 12. Rick Tobolka, County Engineer discussed the upcoming Household Hazardous Waste collection event scheduled for April 29, 2023. The event will be held at 46 Spanish Pass Recycling and Solid Waste facility. The recycling station will be closed the day of the event.**
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- 13. No action was taken regarding a legal research database subscription for the General Counsel's Office.**
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- 14. The Court discussed the proposed timeline for adding yield and stop signs to various county roads.**
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**At 9:59 a.m. the Court recessed Open Session, and went into Executive Session:**

- I. Pursuant to Texas Government Code § 551.071 (Attorney Consultation) and Texas Government Code § 551.072 (Real Property) the deliberation of the purchase, exchange, 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**
- III. Pursuant to Chapter 551 of the Texas Government Code § 551.076 (Security Devices or Audits) and § 551.089 (Security Devices or Audits), the deliberation and discussion concerning the following: the deployment, or specific occasions for implementation, of security personnel, critical infrastructure, or security devices; security audits/security assessments; and network security information as described by Section 2059.055(b).**
- 1. Security for Eclipse events**

**IV. Pursuant to Texas Government Code Section § 551.071 (Attorney Consultation), to deliberate and seek legal advice on the appointment, employment, evaluation, reassignment, duties, or dismissal of a public officer or employee; or to hear a complaint or a charge against an officer or employee.**

**1. Duties and responsibilities of the County Engineer**

**At 1:43 p.m. the Court closed Executive Session and resumed Open Session.**

**15. THE STATE OF TEXAS**

**11-2 COUNTY OF KENDALL It is ordered by the Commissioners’ Court of Kendall County, Texas, to adopt Resolution No. 04-24-2023 regarding the Kendall County Local Government Corporation as read (attached).**

**Motion was made by Commissioner Wisian, seconded by Commissioner Carpenter, and carried by a vote of 4-1 with Judge Stolarczyk voting against.**

**Being no further business, the meeting was adjourned at 1:46 p.m.**

**EXAMINED AND APPROVED THIS 8TH DAY OF MAY 2023.**

*/s/ Shane Stolarczyk*  
**COUNTY JUDGE  
KENDALL COUNTY, TEXAS**

**ATTESTED:** */s/ Denise Maxwell*  
**COUNTY CLERK  
KENDALL COUNTY, TEXAS**

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.