



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, OCTOBER 23, 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 Commissioner Court Minutes for the October 10, 2023 Regular Meeting and the October 16, 2023 Special Called Meeting.: Maria Cano, County Clerk's Office;
 - b. Consideration and action to approve Summary of Road Work for September 2023: Don L. Evans, Road and Bridge Supervisor;
 - c. Consideration and action to approve Summary of Operations for September 2023: Don L. Evans, Road and Bridge Supervisor.
6. September and October 2023 Service Awards:
- | | | |
|-----------------------|----------------------|---------|
| September 2023 | | |
| Todd Setliff | Constable Precinct 1 | 5 Years |
| October 2023 | | |
| Gregory Backer | Sheriff Office | 5 Years |
| Olivia Cerda | Sheriff Office | 5 Years |
| Michael Hudson | Sheriff Office | 5 Years |
| Jonathan Garcia | District Clerk | 5 Years |
| Araceli Maldonado | Facilities | 5 Years |
7. Consideration and action to approve the Resolution pertaining to the Rainbow Senior Center's application for grant funds from the Texas Department of Agriculture for home-delivered meals: Shane Stolarczyk, County Judge / Olivia Burdick, CEO, The Center
 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. Presentation from Kendall Appraisal District: Shane Stolarczyk, Kendall County Judge / Rodney Edmondson, Kendall Appraisal District Board Member
 10. Consideration and action to approve the accounts payable claims for purchases, services, and vendors: Corinna Speer, County Auditor
 11. Consideration and action on the approval of the Investment Policy for FY 2024: Sheryl D'Spain, Treasurer
 12. Consideration and action setting the bond amount for the Fire Marshal as well as a blanket bond for Kendall County Fire Marshal's office: Shane Stolarczyk, County / Jeff Fincke, Fire Marshal
 13. Consideration and action on Kendall County's appointment(s) to the Kendall County Library Advisory Board: Shane Stolarczyk, County Judge
 14. Discussion regarding a joint transportation public survey with the City of Boerne to gauge public perception about transportation needs: Andra M. Wisian, Commissioner Precinct 2 / Richard Chapman, Commissioner Precinct 3

15. Consideration and action to approve health services agreement with MedHealth for inmate medical services at the Kendall County Jail: Al Auxier, Sheriff
16. Consideration and action to approve contract with Motorola Solutions, Inc. for body worn cameras in an amount not to exceed \$299,908.00: Al Auxier, Sheriff
17. Consideration and action on Interlocal Cooperation Agreement between Kendall County and City of Fair Oaks Ranch for Detention Services: Al Auxier, Sheriff
18. Consideration and action on Interlocal Cooperation Agreement between Kendall County and City of Boerne for Detention Services: Al Auxier, Sheriff
19. Consideration and action on the operating hours for the Thanksgiving and Christmas holidays for the solid waste and recycle site as well as the brush site: Mary Ellen Schulle, County Engineer
20. Consideration and action on amending the development regulations: Richard Chapman, Commissioner Precinct 3 / Chad Carpenter, Commissioner Precinct 4 / Mary Ellen Schulle, County Engineer
21. Consideration and action on approval of Morningside Ministries to issue tax-exempt financing for Menger Springs Facility as required by section 147(f) of the United States Revenue Code: Christina Bergmann, Commissioner Precinct 1 / Matthew Grove, General Counsel
22. Consideration and action on Kendall County acceptance of 0.007 acre of right-of-way dedication along North Creek Road: Mary Ellen Schulle, County Engineer / Wesley Speer, Project Manager
23. Consideration and action on approving a temporary construction easement for construction of Flood Control Structure No. 4: Christina Bergman, Commissioner Precinct 1 / Mary Ellen Schulle, County Engineer
24. Consideration and action on the approval to solicit bids for structural modifications to Flood Control Structure No. 4: Christina Bergman, Commissioner Precinct 1 / Mary Ellen Schulle, County Engineer / Corinna Speer, County Auditor
25. Consideration and action on approving a request for relief from section 5.2.A.1 to allow for a minimum rear building setback of 15 feet and section 5.10.G.2. to eliminate perimeter fencing/landscaping along the sides of the development. (Owner: Dominick Caruso III, Fairway Hills Development Group): Christina Bergmann, Commissioner Precinct 1 / Mary Ellen Schulle, County Engineer
26. Consideration and action on approving a contract with AGCM for project management services associated with HVAC replacement at the Kendall County Jail and Sheriff's Office: Richard Chapman, Commissioner Precinct 3 / Mary Ellen Schulle, County Engineer
27. Consideration and action on a request for relief from the road frontage requirements of section 2.1.F.3 for the creation of a 12-acre tract to be transferred to and combined with the adjacent 51.9-acre tract recorded in volume 1603 page 234. The 12-acre tract does not have any road frontage: Richard Chapman, Commissioner Precinct 3 / Mary Ellen Schulle, County Engineer

28. Presentation from the Engineering Department: 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 discussion following the Eclipse event
 2. Proposition A Committee Update
 3. Legal advice on personnel policies
 4. Updates on pending litigation
 5. Legal advice regarding BKCEDC
 6. ETJ Interlocal Agreement between the City of Boerne and Kendall County
 7. VFD self-dispatches
 8. Legal advice regarding appointments to and participation in AAMPO
 9. Legal advice regarding County's obligation for grants
 10. Updates to courtroom renovations
 11. Flood plain violations

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

29. 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 October 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 October 2023.



Denise Maxwell
County Clerk

Posted at 8:55 am on the 20th day of October 2023

By: Paula Affler, Deputy
-m Am

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.