



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, JULY 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/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 June 26, 2023 Commissioners Court minutes: Paula Pfeiffer, Deputy Clerk;
 - b. Consideration and action on accepting the list of donations on behalf of Kendall County per Local Government Code 81.032: 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 pursuant to Texas Local Government Code § 352.081: Shane Stolarczyk, County Judge / Jeffery Fincke, Fire Marshal
 8. Consideration and action as to accounts payable claims for purchases, services, and vendors: Corinna Speer, County Auditor
 9. Consideration and action on a request from Brian Stegall, IT Director, to travel out-of-state to the MS-ISAC Cybersecurity Annual Meeting from August 6 - 9, 2023 in Salt Lake City, UT: Shane Stolarczyk, County Judge / Brian Stegall, IT Director
 10. Consideration and action on the corrected allocation calculations for the CDBG-MIT MOD form. The formula used to calculate Kendall County's allocation share has been recalculated and a different allocation amount has been submitted for the county: Shane Stolarczyk, County Judge / Claudia Mora, Regional Services Administrator, AACOG
 11. Consideration and action to transfer vehicle asset #4827, unit 1609, a 2016 Ford F250, from Animal Control to Facilities Maintenance: Kelton Auxier, Acting Facilities Manager
 12. Consideration and action on Kendall County's group medical insurance for the plan year October 1, 2023 to September 30, 2024: Jacqueline Guzman, Human Resources Clerk II
 13. Consideration and action to allow the Kendall County Sheriff's Office to receive overtime reimbursement incurred as participants of joint operations/task forces with the Department of Homeland Security: Al Auxier, Sheriff
 14. Consideration and action on the Prepare Protect Defend LLC Software License and Services Agreement to allow for the continued use of the Life Spot App by Kendall County Employees at the Kendall County Courthouse and other county buildings during an Active Shooter Event: Al Auxier, Sheriff
 15. Consideration and action on an updated inter-governmental agreement with U.S. Marshal service for prisoner housing at the rate of \$103.00 per day: Al Auxier, Sheriff
 16. Consideration and action on restructuring the Road and Bridge Department: Shane Stolarczyk, County Judge / Richard Chapman, Commissioner Precinct 3 / Don L. Evans, Road & Bridge Supervisor / Mary Ellen Schulle, Acting County Engineer

17. Consideration and action allowing the Kendall County Commissioners Court to give notice to the City of Boerne regarding amendments to the current ETJ Interlocal Agreement: Andra M. Wisian, Commissioner, Precinct 2 / Chad Carpenter, Commissioner, Precinct 4
18. Presentation from the Engineering Department regarding current projects within Kendall County: Mary Ellen Schulle, Acting County Engineer
19. Consideration and action on a request for relief from minimum road frontage and lot size requirements to create a 0.27-acre lot out of a 3-acre tract to be used for cell tower purposes. The remainder of the 3-acre tract shall be combined with the adjacent 20.8-acre tract recorded in document no. 2021-353654 through an Affidavit of Land Location. The 0.27-acre tract shall be platted and the plat shall contain notes stating the 0.27-acre lot shall be used for cell tower purposes only, the drilling of wells is prohibited, and on-site sewage facilities are prohibited: Chad Carpenter, Commissioner Precinct 4 / Mary Ellen Schulle, Acting County Engineer
20. Consideration and action on approving a contract amendment with Beatty Palmer for the EMS station at Voss Middle School to include a well in the design: Richard Chapman, Commissioner Precinct 3 / Mary Ellen Schulle, Acting County Engineer
21. Consideration and action on the approval to solicit bids for the construction of a well at the proposed EMS station at Voss Middle School: Richard Chapman, Commissioner Precinct 3 / Mary Ellen Schulle, Acting County Engineer / Corinna Speer, County Auditor
22. Consideration and action on a plat revision of Lindner's addition Second Section, part of Lot 1 filed in Volume 82, Page 227 of the plat records of Kendall County, Texas in accordance with the Kendall County Development Regulations. The proposed plat revision would create Lot 1B and 1C to be served by central water and central sewer. A public hearing was held on May 22, 2023. No one was present to speak. (Owner - April Berry Massey): Chad Carpenter, Commissioner Precinct 4 / Mary Ellen Schulle, Acting County Engineer / Ron Jones, Staff 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. County fire protection and firefighter duties, responsibilities, and service

2. Cause No. 23-063 Waring Land Investments, LLC v. Kendall County, in the 451st Judicial District Court
3. Volkswagon Settlement
4. Violation of flood plain regulations regarding 216 FM 473, Comfort, TX
5. Employee exit interviews and policies
6. COVID Leave Policy

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

23. 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 July 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 July 2023.

By: Rachel Garcia, deputy
Denise Maxwell
County Clerk

Posted at 4:35 pm on the 6th day of July 2023 11 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.