



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, AUGUST 28, 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 August 14, 2023 Regular Session: Maria Cano, County Clerk's Office;
 - b. Ratify the adoption of the County Wildfire Protection Plan signed on August 24, 2023: Shane Stolarczyk, County Judge / Christina Bergmann, Commissioner Precinct 1;
 - c. Consideration and action to approve July 2023 Fee Office Reports: Corinna Speer, County Auditor;
 - d. Consideration and action on the approval of amending the FY2023 budget through certification of new revenue and regular budget adjustments: Corinna Speer, County Auditor;
 - e. Summary of Road & Bridge Reports for July 2023: Don L Evans, Road & Bridge Supervisor.
6. July 2023 Service Awards:
- | | | |
|-----------------|--------------|----------|
| Michele Badders | Tax Office | 5 Years |
| Nemo Boaglio | Parks | 5 Years |
| Brandon Mullens | Sheriff | 5 Years |
| Beth Steinruck | County Clerk | 10 Years |
| Tucker Webb | Sheriff | 10 Years |
7. 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.
 8. Consideration and action as to accounts payable claims for purchases, services, and vendors: Corinna Speer, County Auditor
 9. Consideration and action to authorize the Honorable Kirsten Cohoon, 451st District Judge, to oversee the renovations to the Kendall County Law Library in an effort to move to a digital platform: Christina Bergmann, Commissioner Precinct 1 / 451st District Judge, Kirsten Cohoon
 10. Consideration and action on the proposed Jury Fees schedule pursuant to House Bill 3474: Susan Jackson, District Clerk / Denise Maxwell, County Clerk
 11. Consideration and action regarding a contract with Kofile for the preservation of Kendall County Historic Naturalization Records from 1906 to 1945: Susan Jackson, District Clerk
 12. Consideration and action on the County Auditor's request to conduct an audit of the Criminal District Attorney's Office Chapter 59 Asset Forfeiture Report as required by Article 59.06 of the Code of Criminal Procedure: Nicole Bishop, Criminal District Attorney
 13. Consideration and action regarding the appointment of various personnel for the Central Counting Station for a one-year term to begin September 1, 2023: Staci Decker, Elections Administrator
 14. Consideration and action on the proposed polling locations for the November 7, 2023 Special Election: Staci Decker, Elections Administrator
 15. Consideration and action on the Joint Election Agreement with various Local Political Subdivisions for the November 7, 2023 Special Election: Staci Decker, Elections Administrator

16. Consideration and action as to the appointment of Election Judges. This includes election precinct judges, central counting station judges, and the early voting ballot board judges for a term of one year, beginning September 1, 2023 and ending August 31, 2024: Staci Decker, Elections Administrator
17. Consideration and action ordering a Special Election for the purpose of adopting or rejecting the proposed Constitutional Amendments to be held on November 7, 2023: Staci Decker, Elections Administrator
18. Consideration and action to allow the Comfort Athletic Booster Club to use Faltin Field (county owned property) to build a bonfire on the evening of September 13, 2023 in celebration of Homecoming: Chad Carpenter, Commissioner Precinct 4
19. Consideration and action to allow county road closures for Comfort High School's annual Homecoming Parade on September 13, 2023. The road closures will be Fifth Street and Main Street, Fifth Street and High Street, High Street from Fifth Street to Eighth Street, and from Eighth Street to Main Street: Chad Carpenter, Commissioner Precinct 4
20. Consideration and action to execute the agreement between CivicPlus and Kendall County: Andra M. Wisian, Commissioner Precinct 2
21. Discussion on planning a workshop to discuss transportation and mobility planning for Kendall County relating to future growth: Chad Carpenter, Commissioner Precinct 4
22. Consideration and action approve changes to the amended Interlocal Agreement between Kendall County and the City of Boerne: Andra M. Wisian, Commissioner Precinct 2 / Chad Carpenter, Commissioner Precinct 4
23. Consideration and action to rescind the motion on April 24, 2023 to adopt Resolution No. 04-24-2023 regarding the Kendall County Local Government Corporation: Andra M. Wisian, Commissioner Precinct 2
24. Consideration and action to allow Beaty-Palmer Architectural Firm to request bids for the construction of the EMS/Sheriff Substation on the Voss Middle School property in Bergheim. (Fund: 2022 Bonds): Richard Chapman, Commissioner Precinct 3 / Mary Ellen Schulle, County Engineer
25. Consideration and action regarding 329 Ammann Road for a request for relief from the maximum density of six acres in section 5.2-A of the Development Regulations. The proposed subdivision would create three lots, each approximately three acres in size out of a parent tract of ten acres: Andra M. Wisian, Commissioner Precinct 2 / Mary Ellen Schulle, County Engineer / Ron Jones, Staff Engineer
26. Consideration and action regarding 33 Lost Valley for a request for relief from the road frontage and platting requirements in accordance to Section 2.1.F.3 and 2.1.F.10 of the Kendall County Development Regulations. The proposed division would create a 20.03-acre tract (Tract 1), an

- 11.002-acre tract (Tract 2), and an 8.001-acre tract (Tract 3) out of a 39.03-acre tract. Access to the tracts would be over an existing 50' wide easement for roadway purposes to Walnut Grove Rd. The tracts would be served by individual wells and OSSF. (Kyle Greco - Boerne Assets, LLC, Owner): Chad Carpenter, Commissioner Precinct 4 / Mary Ellen Schulle, County Engineer / Ron Jones, Staff Engineer
27. Consideration and action regarding 97 Lost Valley Road for a request for relief from the road frontage and platting requirements in accordance to Section 2.1-F-10 of the Kendall County Development Regulations. The proposed division would create a 6.001-acre tract and a 13.759-acre tract out of a 19.76-acre tract. Access to the 6-acre tract would be over a proposed 60-foot-wide easement for roadway purposes to an existing 50-foot-wide easement to Walnut Grove Rd. Access to the 13-acre tract would be over an existing 50-foot-wide easement to Walnut Grove Rd. The tracts would be served by individual wells and OSSF. (James Hudson, Owner): Chad Carpenter, Commissioner Precinct 4 / Mary Ellen Schulle, County Engineer / Ron Jones, Staff Engineer
 28. Consideration and action on approving a final plat of Comfort Living Subdivision in accordance to Chapter 2.4 and Chapter 5.10 of the 2022 Development Regulations. The proposed plat consists of eight units located on 0.868 acres. The units will be served by central water and central sewer from WCID 1: Chad Carpenter, Commissioner Precinct 4 / Mary Ellen Schulle, County Engineer / Ron Jones, Staff Engineer
 29. Consideration and action on accepting the financial guarantee for Comfort Living Subdivision in the form of a bond in the amount of one hundred nineteen thousand five hundred fifty-seven dollars and 38 cents (\$119,557.38) for private drainage improvements: Chad Carpenter, Commissioner Precinct 4 / Mary Ellen Schulle, County Engineer / Ron Jones, Staff Engineer
 30. Consideration and action on approving an amending plat of Inspiration Hill No. 2 Lot 4A-1a, Lot 4A-2a, Lot 4A-4a, Lot 4A-6a, Lot 4A-7a, Lot 5A and Lot 5B in accordance to the 2010 Kendall County Development Rules. The purpose of the amending plat is to combine 9 Lots into 7 Lots. The proposed lots will be served by well and individual on-site sewage facilities: Chad Carpenter, Commissioner Precinct 4 / Mary Ellen Schulle, County Engineer / Ron Jones, Staff Engineer
 31. Consideration and action on the revised engineering fee schedule as required by new state law effective September 1, 2023: Richard Chapman, Commissioner Precinct 3 / Mary Ellen Schulle, County Engineer / Ron Jones, Staff Engineer
 32. Consideration and action on the amendment of the development rules and regulations of Kendall County regarding water availability, testing, and regulations: Richard Chapman, Commissioner Precinct 3 / Matthew Grove, General Counsel / 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. Kendall County's representation on the BKCEDC board of directors
 2. Security and public safety regarding the upcoming Eclipse event
 3. Updates to law library
 4. Duties and responsibilities of Proposition A Committee

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

33. 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 24th day of August 2023.

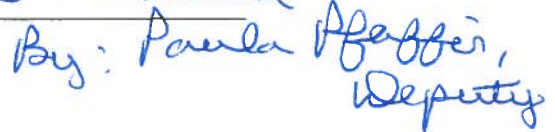


Shane Stolarczyk
Kendall County Judge

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 24th day of August 2023.



Denise Maxwell
County Clerk

By: 
Deputy

Posted at 5:15 pm on the 24th day of August 2023 MAN

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.