



# Kendall County, Texas Commissioners Court

Shane Stolarczyk, County Judge

Christina Bergmann  
Commissioner, Precinct 1

Andra Wisian  
Commissioner, Precinct 2

Richard Chapman  
Commissioner, Precinct 3

Chad Carpenter  
Commissioner, Precinct 4

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## AGENDA

REGULAR SESSION · MONDAY, JANUARY 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 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 Wisian
3. Comments from the bench
  - Commissioner Christina Bergmann, Precinct 1
  - Commissioner Andra Wisian, Precinct 2
  - Commissioner Richard Chapman, Precinct 3
  - Commissioner Chad Carpenter, Precinct 4
  - Shane Stolarczyk, County Judge
4. Consideration and action on approval of the Minutes for January 9, 2023: Paula Pfeiffer, Deputy Clerk
5. Discussion and update on the 451st District Court: Judge Kirsten B. Cohoon, 451st District Court
6. Presentation of the Patriotic Employer Award through the US Office of the Secretary of Defense/Employer Support of the Guard and Reserve: Juanita Espino, Human Resources Office / Donna Balderston, Employer Support of the Guard and Reserve (ESGR)

7. January 2023 Retirements and Service Awards:

Retirements

Harold De Hart	Fire Marshall	5 Years
Michelle Lux	Benefits Coordinator	20 Years

Service Awards

Felicia Whitt	Elections	5 Years
Juan Guerrero	Road & Bridge	10 Years
Cary Boerner	Sheriff's Dept.	10 Years
Thomas Dudley	Sheriff's Dept.	10 Years
Thomas Matjeka	Sheriff's Dept.	10 Years
Larry Ripley	Sheriff's Dept.	10 Years
Al Auxier	Sheriff	10 Years
Jeff Fincke	Emergency Mgmt	45 Years

8. Consideration and action on the burn ban (Authority Section 352.081, Texas Local Government Code): Shane Stolarczyk, County Judge / Jeffery Fincke, Fire Marshal
9. Consideration and action on the approval of amending the FY2023 budget through regular budget adjustments: Corinna Speer, County Auditor
10. Consideration and action on the Fees of Office Report for December 2022: Corinna Speer, County Auditor
11. Consideration and action on the approval of accounts payable claims for purchases, services, and vendors: Corinna Speer, County Auditor
12. Consideration and action to declare the attached list as surplus and salvage property and to proceed with disposition through an online county auction: Corinna Speer, County Auditor
13. Consideration and action on the approval of the cash summary at Frost Bank November 2022: Sheryl D'Spain, County Treasurer
14. Presentation and discussion of the Sales Tax report: Sheryl D'Spain, County Treasurer
15. Summary and discussion of Road Work For December 2022: DonL Evans, Road Supervisor, Road & Bridge
16. Summary and discussion of Operations For December 2022: Jean Maxwell, Operations Manager, Road & Bridge
17. Presentation and discussion of 2022 activities for Emergency Services: Jeffery Fincke, EMC/Fire Marshal

18. Consideration and action regarding the dissolution of the Kendall County Sexual Assault Response Team (SART) and participation in a multi-county SART with Comal County through approval of the proposed Interlocal Agreement with Comal County. The multi-county SART will strengthen our collaborative response and enhance the health and judicial outcomes for sexual assault survivors who are adults: Nicole Bishop, Criminal District Attorney
19. **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.
20. Consideration and action on the appointment of Jeffery Fincke as County Fire Marshal pursuant to Texas Local Government Code § 352.011: Shane Stolarczyk, County Judge
21. Consideration and action regarding the approval of the official bond for Tax Assessor-Collector for State Tax Collections: James Hudson, Tax Assessor-Collector
22. Consideration and action regarding the annual filing of County Tax Assessor-Collector’s Continuing Education Certificate/Transcript for 2022 as evidence of compliance with Texas Property Tax Code § 6.231(d): James Hudson, Tax Assessor-Collector
23. Consideration and action regarding the approval of funding to allow the Kendall County Road & Bridge operation to hire an Administrative Assistant II prior to the current administrative assistant’s retirement. The overlap between hiring the new employee and the current employee’s retirement ensures time for training purposes: Jean Maxwell, Road & Bridge / Rick Tobolka, County Engineer
24. Consideration and action on the application filed by 4B Brooks Investments, LLC for the proposed plat cancellation of Escorial Subdivision Unit 1, Lot 12, Block 1 recorded in Volume 2 Page 75 of the Kendall County Plat Records: Rick Tobolka, County Engineer / Mary Ellen Schulle, Assistant County Engineer
25. Consideration and action on the execution of a Lump Sum contract with BGE Inc. for the development of a Preliminary Engineering Schematic of Scenic Loop Road from the Kendall County line to IH 10 Southbound Frontage Road: Christina Bergmann, Commissioner Precinct 1 / Rick Tobolka, County Engineer / Mary Ellen Schulle, Assistant County Engineer
26. Consideration and action regarding the approval of a new commercial lease for Justice of the Peace, Precinct 2: Andra Wisian, Commissioner Precinct 2

**BREAK**

**EXECUTIVE SESSION (Closed to the public)**

- I. Pursuant to Chapter 551 of the Texas Government Code § 551.072, the deliberation of the purchase, exchange, lease or value of real property. (Note: deliberation in an open meeting would have a detrimental effect on the position of Kendall County in negotiations with a third person.)
  
- II. Pursuant to Chapter 551 of the Texas Government Code §§ 551.071 and 551.074, 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. Kniffin
  2. Newsom
  3. Outside counsel
  4. Law Enforcement Center – Turner Construction
  
- III. Pursuant to Chapter 551 of the Texas Government Code §§ 551.076 and 551.089, 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).

**RESUME OPEN SESSION AND TAKE ANY NECESSARY 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 19th day of January 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 19th day of January 2023.

  
Denise Maxwell  
County Clerk  
By: Paula Afaber, Deputy

Posted at 3:30pm on the 19th day of January 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.