



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, MARCH 27, 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/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 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
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 March 13 & 16, 2023;

- b. Consideration and action on the approval of amending the FY2023 budget through regular budget adjustments: Corinna Spear, County Auditor;
 - c. Consideration and action on the approval of accounts payable claims for purchases, services and vendors: Corinna Spear, County Auditor;
 - d. Consideration and action on the Fees of Office Report for February 2023.: Corinna Spear, County Auditor: Corinna Spear, County Auditor;
 - e. Consideration and action on accepting the list of donations on behalf of Kendall County as per Local Government Code 81.032: Corinna Spear, County Auditor;
 - f. Consideration and action regarding the acceptance of the Fiscal Year 2022 Annual Audit: Corinna Spear, County Auditor;
 - g. Presentation and discussion regarding the Sales Tax report: Sheryl D'Spain, Treasurer;
 - h. Consideration and action regarding the approval of the cash summary at Frost Bank for February 2023: Sheryl D'Spain, Treasurer
 - i. Presentation and discussion of Road and Bridge operations for February 2023: Jean Maxwell, Operations Manager, Road & Bridge
 - j. Presentation and discussion of Road and Bridge road work for February 2023: Don L Evans, Road supervisor, Road & Bridge
5. 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.
 6. Consideration and action on proclaiming April 2023 as Child Abuse Prevention Month in Kendall County: Shane Stolarczyk, County Judge / Kiana Sonora, Kendall County Child Services Board President
 7. Consideration and action on the burn ban (Authority Section 352.081, Texas Local Government Code): Shane Stolarczyk, County Judge / Jeffery Fincke, Fire Marshal
 8. Consideration and action on directing the County Auditor, Financial Advisor, and Bond Counsel to move forward with the issuance of the County's General Obligation Bond approved by the voters on November 8, 2022 regarding Proposition A: Shane Stolarczyk, County Judge / Corinna Spear, County Auditor
 9. Presentation and discussion as to Pre-Trial Services 2022 Annual Report: Erica O'Neil, Pre-Trial Services
 10. Consideration and action concerning the purchase of a vehicle for the County Facilities Manager: Robert Kinsey, Facilities Manager
 11. Consideration and action to amend the January 1, 2020 Order regulating food establishments in Kendall County pursuant to Chapter 437, Texas Health and Safety Code. This item is to update dates and fees reflected in the order: Brenda Bell, Health Inspector / Nicole Bishop, Criminal District Attorney

12. Consideration and action on a request for a variance from the Kendall County Flood Damage Prevention Order concerning Property ID 21360, Abstract number 515145, for the proposed replacement of a single-wide mobile home with a double-wide mobile home: Chad Carpenter, Commissioner Precinct 4 / Richard Tobolka, County Engineer / Mary Ellen Schulle, Assistant County Engineer
13. Consideration and action on a Preliminary Plat of Cordillera Ranch Unit 305 in accordance to the 1997 Kendall County Development Rules. The proposed residential subdivision would create 42 lots out of 158.599 acres for an average density of 3.77 acres per lot, and 7,701 linear feet of private roadway. The proposed subdivision would be served by central water and individual on-site sewage facility: Richard Chapman, Commissioner Precinct 3 / Richard Tobolka, County Engineer / Mary Ellen Schulle, Assistant County Engineer
14. Consideration and action on a plat revision of Comfort lot 113A filed in Volume 8, page 152 of the plat records of Kendall County, Texas. The proposed plat would create a 0.22-acre lot (Lot 113A-1) and a 0.385-acre lot (Lot 113A-2). A public hearing was held on 2/13/23, but no one was present to speak on the proposed plat revision. The owners of the subject property are James P. Jenkins and Lisa R. Jenkins: Chad Carpenter, Commissioner Precinct 4 / Richard Tobolka, County Engineer / Mary Ellen Schulle, Assistant County Engineer

BREAK

EXECUTIVE SESSION (Closed to the public)*

- I. Pursuant to Texas Government Code 551.071 (Attorney Consultation) and 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 a lease agreement for Precinct 2 Justice of the Peace and other personnel.
- II. Pursuant to Texas Government Code Section 551.071 (Attorney Consultation) and 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 services
 3. Matthew Dietz vs. Kendall County Sheriff Al Auxier, Kendall County Sheriff's Office, and Kendall County, Texas
- III. Pursuant 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. Discussion and update upon the hiring of In-House General Counsel
 2. Discussion and update regarding personnel and sexual harassment policies and procedures

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

15. 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.*

Dated this the 23rd day of March 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 23rd day of March 2023.


Denise Maxwell
County Clerk

Posted at 4:50 pm on the 23rd day of March 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.