



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, JANUARY 8, 2024 · 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>

At any meeting, the public may address/speak to the Commissioners Court by submitting an appropriately completed Public Comments Participation Form found at the back of the courtroom or on the county's website. Completed forms must be provided to the Judge's Court Coordinator and/or submitted online by 9:00 a.m. on the day of the Commissioners Meeting. You may also submit written materials to the Judge's Court Coordinator, who will disperse it to the members of the court at the appropriate time. All submitted materials will become part of the official public record.

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 correct Item # 24 II-9 to replace Commissioner Carpenter with Commissioner Chapman to accurately reflect action taken in court on the December 27, 2023 Commissioners Court Regular Meeting. As well as to approve Commissioners Court Minutes for the December 27, 2023 Regular Meeting: Maria Cano, County Clerk's Office;
 - b. Consideration and action to approve the cash summary at Frost Bank for October & November 2023: Sheryl D'Spain, Treasurer;
 - c. Consideration and action on accepting the list of donations received in December 2023, 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 to approve the accounts payable claims for purchases, services, and vendors: Corinna Speer, County Auditor
9. Consideration and action to award the Surface Pavement Bid #2024-03 for fiscal year 2024 to Texas Road Repair: Corinna Speer, County Auditor
10. Consideration and action to award the Road Material Bid #2024-04 for fiscal year 2024: Corinna Speer, County Auditor
11. Consideration and action to approve the Investment Report for 4th Quarter 2023 (July, August, September): Sheryl D'Spain, Treasurer
12. Presentation by Hill Country Regional Public Defender's Office (HCRPDO): Karli Kennell, Chief Public Defender
13. Presentation to educate the Court and the public on the operations of the Boerne Area Historical Preservation Society (BAHPS) and their plans for the buildings on the newly purchased county property: Richard Chapman, Commissioner Precinct 3/ Julie Gossell, BAHPS
14. Consideration and action on letters of permission for the Kendall County Youth Agriculture & Equestrian Center (KCYAEC) for alcohol to be sold at the Center during the AllCat Wounded Warrior Project fundraiser on January 26, 2024 and at the Valentine Massacre event, February 9 through 11, 2024 with the provision that servers are in accordance with the laws of the State of

Texas and the policies of the Texas Alcoholic Beverage Commission: Chad Carpenter, Commissioner, Precinct 4 / Andra M. Wisian, Commissioner, Precinct 2

15. Consideration and take action to approve a new wellness incentive to all Kendall County Employees: Jacqueline Guzman, Human Resources Generalist
16. Consideration and action on Commissioners Court Pauper Burial Policy: Shane Stolarczyk, County Judge / Matthew Grove, General Counsel
17. Consideration and action on approving an amendment to the cash deposit agreement for North Creek Cottages financial guarantee: Chad Carpenter, Commissioner, Precinct 4 / Mary Ellen Schulle, County Engineer
18. Consideration and action on approving a request for relief for 225 Highway 3351 South from the road frontage and platting requirements of Section 2.4 of the Development Regulations and Section 1.2.e of the Development Regulations Amendment 12/11/2023 for the creation of two tracts out of a parent tract of 81.9 acres. Tract 1 (approximately 67 acres) will have access on FM 3351 and Fritz Grosser Road, a 35' wide private easement. Tract 2 (approximately 15 acres) will have access on Fritz Grosser Road. Both tracts are served by well and septic and contain deed restrictions regarding future development. Platting will be required for any future division: Richard Chapman, Commissioner Precinct 3 / 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 § 551.074 (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. Legal advice on personnel policies
 2. Updates on pending litigation
 3. Duties and responsibilities of the County Engineer
 4. ETJ Interlocal Agreement between the City of Boerne and Kendall County
 5. Rainwater collection policies

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

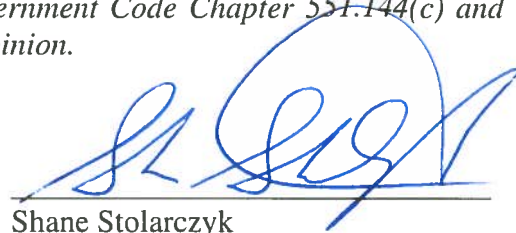
19. Action resulting from Executive Session deliberations

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 4th day of January 2024.


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 4th day of January 2024.


Denise Maxwell
County Clerk

Posted at 3:45 pm on the 4th day of January 2024


Paula Pfeiffer, Deputy
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, 72 hours in advance to make arrangements.