



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, FEBRUARY 12, 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 the Commissioners Court either in person or via Zoom.

- You are required to submit a [Commissioners Court Public Participation Form](#) to the [Judge's Court Coordinator](#) either in person or online by 9:00 a.m. on the day of the Commissioners Meeting.
- Please keep your comments to **three minutes**.
- You may 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.

The Public Participation form may be found:

- At the back of the courtroom
- On the county's website as a PDF and an online form: <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 Commissioners Court Minutes for the January 22, 2024 Regular Meeting: Maria Cano, County Clerk's Office;
 - b. Consideration and action on accepting the list of donations received in January 2024, on behalf of Kendall County per Local Government Code 81.032: Corinna Speer, County Auditor;
 - c. Consideration and action to approve the cash summary report at Frost Bank for December 2023: Sheryl D'Spain, Treasurer
6. **Public Hearing (9:15 a.m.)** - Pursuant to Texas Local Government Code Chapter Section 111.007, the Commissioners Court will hold a public hearing on the application filed by Eric Eggemeyer for the proposed plat revision of lot 1A recorded in Document No. 2022-367451 of the Kendall County Plat Records.
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 on the burn ban pursuant to Texas Local Government Code § 352.081 and potential fireworks ban for Texas Independence Day fireworks season: Shane Stolarczyk, County Judge / Jeffery Fincke, Fire Marshal
9. Presentation of end of year statistics and information for Fire Service, EMS, Emergency Management, and Fire Marshal activities: Jeffery Fincke, Fire Marshal/EMC
10. Consideration and action to approve the accounts payable claims for purchases, services, and vendors: Corinna Speer, County Auditor
11. Consideration and action to accept the 2023 Racial Profiling Reports for Constable Precincts 1, 2, 3, and 4: Shane Stolarczyk, County Judge / Brian Vaughan, Constable Precinct 4

12. Present update to Commissioners Court on Jail Expansion: Richard Chapman, Commissioner Precinct 3
13. Consideration and action to approve hiring Renee Vance, LVN as the jail nurse effective March 4, 2024 and discuss rate of pay. An overlap of employment with existing jail nurse is needed for training purposes: Al Auxier, Sheriff
14. Consideration and action on use of SB22 funds for Kendall County Law Enforcement: Shane Stolarczyk, County Judge / Al Auxier, Sheriff
15. Consideration and action on Vehicle Upfitting Agreement with FarrWest Specialty Vehicles through Houston-Galveston Area Council Contract No. EP11-20 in an amount not to exceed \$147,430.85: Corinna Speer, County Auditor / Matthew Grove, General Counsel
16. Consideration and action on the agreement between Kendall County and P Squared Emulsion Plants, LLC, a sole source provider as authorized by section 262.024 (a)(7) Texas Local Government Code for road materials in an amount not to exceed \$300,000: Corinna Speer, County Auditor / Matthew Grove, General Counsel
17. Consideration and possible action to execute an Interlocal Agreement between Tarrant County and Kendall County to participate in the TARRANT COUNTY COOPERATIVE PURCHASING PROGRAM, pursuant to the authority granted by the "Texas Interlocal Cooperation Act," Chapter 791 Texas Government Code providing for the cooperation between local governmental bodies: Corinna Speer, County Auditor / Matthew Grove, General Counsel
18. Consideration and action on an amendment to Kendall County Order No. 07-25-2022 Adopting Tax Abatement Guidelines and Criteria: Shane Stolarczyk, County Judge / Christina Bergmann, Commissioner Precinct 1
19. Consideration and action on approving the final plat of Cordillera Ranch Subdivision Unit 220 in accordance to the Development Rules and Regulations and relief granted. The proposed subdivision would create 39 residential lots out of 58.940 acres for an average density of 1.511 acres/lot, 3,867 linear feet of private roadway. The proposed private subdivision would be served by central water and central sewer: Andra M. Wisian, Commissioner Precinct 2 / Mary Ellen Schulle, County Engineer
20. Consideration and action on accepting the financial guarantee for Cordillera Ranch Subdivision Unit 220 in the form of a letter of credit in the amount of one million seven hundred ninety-seven thousand seven hundred twenty-seven and 85/100 dollars (\$1,797,727.85) for street and drainage improvements in the subject subdivision: Andra M. Wisian, Commissioner Precinct 2 / Mary Ellen Schulle, County Engineer
21. Consideration and action on a request for relief from the setback requirements in Chapter 5.2A of the Development Rules and Regulations for Boerne Motorsports Club (Lot 5 Block A Bergheim Business Park). Relief is being requested for a 10-to-15-foot side setback on the western property line in lieu of 25 feet.: Richard Chapman, Commissioner Precinct 3 / Mary Ellen Schulle, County Engineer

22. Consideration and action on a request for relief from the setback requirements in Chapter 5.2A of the Development Rules and Regulations for the Langston Subdivision (409 7th Street, Comfort, TX). Relief is being requested for a 5-foot side setback: Chad Carpenter, Commissioner Precinct 4 / Mary Ellen Schulle, County Engineer
23. Consideration and action on approving the final plat of Windmill Ranch Subdivision in accordance to the Development Rules and Regulations. The proposed subdivision would create 16 residential lots out of 98.409 acres for an average density of 6.15 acres/lot, 3,069 linear feet of private roadway. The proposed private subdivision would be served by individual wells and on-site sewage facilities: Chad Carpenter, Commissioner Precinct 4 / Mary Ellen Schulle, County Engineer
24. Consideration and action on naming of a private road off FM 474 for safety reasons: Andra M. Wisian, Commissioner Precinct 2 / Nate Lickteig, Engineering Dept. / 911 Coordinator
25. Consideration and action on naming of a private road off Edge Falls for safety reasons: Richard Chapman, Commissioner Precinct 3 / Nate Lickteig, Engineering Dept. / 911 Coordinator

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. Legal advice on potential employee litigation
 2. Potential litigation - Development Regulations
 3. Development Rules and Regulations
 4. Discussion on Eclipse planning
 5. County Fire Department Personnel
 6. Boerne Kendall County Economic Development Corporation attendance
 7. Community Wildfire Protection Plan Future Strategies
 8. Duties and responsibilities of Fire Marshal Office
 9. Boerne Lockdown After Action Reports
 10. Duties and Responsibilities of Commissioners and County Engineer regarding policies and procedures
 11. Courthouse Security Policy and Updates
 12. Legal advice on HIPAA, Health & Safety Code, and Compliance/Enforcement

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

26. 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 8th day of February 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 8th day of February 2024.


Denise Maxwell
County Clerk

Posted at 2:30 PM on the 8th day of February 2024 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.