



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 26, 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 February 12, 2024 Regular Meeting: Maria Cano, County Clerk's Office;
 - b. Consideration and action on the approval of amending the FY2024 budget through regular budget adjustments and certification of new revenue: Corinna Speer, County Auditor;
 - c. 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;
 - d. Consideration and action to approve January Fee Office Reports: Corinna Speer, County Auditor;
 - e. Consideration and action to approve the Investment Report 1st Quarter 2024 (October, November, December): Sheryl D'Spain, Treasurer
6. February 2024 Service Awards:

Raul Gonzales	Sheriff's Department	5 Years
Aaron Ramirez	Sheriff's Department	5 Years
Glyn Suttle	Parks Department	5 Years
7. Consideration and action on proclaiming March 2024 as American Red Cross month in Kendall County: Shane Stolarczyk, County Judge
8. 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.
9. Consideration and action on the burn ban pursuant to Texas Local Government Code § 352.081: Shane Stolarczyk, County Judge / Jeffery Fincke, Fire Marshal
10. Consideration and action to approve the accounts payable claims for purchases, services, and vendors: Corinna Speer, County Auditor

11. Consideration and action to solicit bids for Road Material Hot Mix, Hot Lay Asphalt Concrete Payment for the Road and Bridge Department for FY2024: Corinna Speer, County Auditor
12. Consideration and action to accept the 2023 Racial Profile Report for the Kendall County Sheriff's Department: Shane Stolarczyk, County Judge / Al Auxier, Sheriff
13. Consideration and action regarding a request from the Kendall County Agriculture & Equestrian Center for the Boerne Education Foundation to sell alcohol at its March 23, 2024 fundraiser at the Center 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 / Kristin Jay, Director, Kendall County Youth Agriculture and Equestrian Center
14. Consideration and action on Amendment to Agreement For Courthouse Security System Installation Services to increase the amount by \$487.42 to purchase additional camera licenses: Matthew Grove, General Counsel / Brian Stegall, IT Director
15. Update from Facilities Department: Shane Stolarczyk, County Judge / Jason Parker, Facilities Manager
16. Consideration and action on adopting a Countywide Open Records Policy: Matthew Grove, General Counsel / Nicole Bishop, Criminal District Attorney
17. Consideration and action on an amending plat of The Hartland at Tapatio. The purpose of the amending plat is to add shared access easements: Christina Bergmann, Commissioner Precinct 1 / Mary Ellen Schulle, County Engineer
18. Consideration and action on approving an increase in the county match for the county-wide drainage plan: Chad Carpenter, Commissioner Precinct 4 / Mary Ellen Schulle, County Engineer
19. Consideration and action on a request for relief from the setback requirements in Chapter 5.2A of the Development Rules and Regulations. Relief is being requested for an existing structure to encroach into the 25-foot side setback approximately seven feet: Chad Carpenter, Commissioner Precinct 4 / Mary Ellen Schulle, County Engineer
20. Consideration and action on the Kendall County Capital Improvement Plan – Richard Chapman, Commissioner Precinct 3
21. Update from the Engineering Department: 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. Potential litigation - Development Regulations
 2. Discussion on Eclipse planning
 3. County Fire Department Personnel
 4. Duties and responsibilities of Fire Marshal Office
 5. Duties and responsibilities of the County Judge, Commissioners, General Counsel, and Development Staff
 6. Duties and responsibilities of the County Auditor
 7. Courthouse Security Policy and Updates– Tex. Gov’t Code Ann. § 418.181. Confidentiality Of Certain Information Relating To Critical Infrastructure.
 8. County Engineer Application Process
 9. Proposition A Committee
 10. Well Monitoring
 11. George Hyde Employment Contract

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

22. 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 22nd 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 22nd day of February 2024.


Denise Maxwell
County Clerk

Posted at 4:45 pm on the 22nd 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.