



# 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, APRIL 22, 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. Consideration and action on proclaiming April 28 - May 5, 2024 as Texas Soil and Water Stewardship week in Kendall County: Shane Stolarczyk, County Judge / Elizabeth Joost, Soil and Water Conservation Board
6. Consideration and action on proclaiming April 2024 as Child Abuse Prevention Month in Kendall County: Shane Stolarczyk, County Judge / Marion McKenzie, Community Liason – North Region, Belong, a division of SJRC (St. Jude’s Ranch for Children) Texas
7. Consideration and action on proclaiming May 12 - 18, 2024 as National Police Week and further declare May 15th as Peace Officer Memorial Day: Shane Stolarczyk, County Judge / Al Auxier, Sheriff
8. Consideration and action to proclaim May 2, 2024 as a National Day of Prayer in Kendall County: Shane Stolarczyk, County Judge / Andra M. Wisian, Commissioner Precinct 2
9. 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 the minutes from the April 10, 2024 Regular Meeting: Paula Pfeiffer, County Clerk’s Office;
  - b. Consideration and action on the approval of amending the FY2024 budget through regular budget adjustments: Corinna Speer, County Auditor;
  - c. Consideration and action to approve March Fee Office Reports: Corinna Speer, County Auditor;
  - d. Consideration and action on accepting the list of donations received in March 2024, on behalf of Kendall County per Local Government Code 81.032: Corinna Speer, County Auditor;
  - e. Consideration and action on approval of an amending plat of Falling Water Block 1 Lots 83 and 84 creating lot 83A. (Owner: Daniel and Debra Massey): Chad Carpenter, Commissioner Precinct 4 / Mary Ellen Schulle, County Engineer.
10. 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.

11. April 2024 Service Awards:

|                 |     |                      |
|-----------------|-----|----------------------|
| Lissy SanMiguel | EMS | 20 Years             |
| Jeffery Fincke  | EMS | Retirement/ 46 Years |
12. Consideration and action on the burn ban pursuant to Texas Local Government Code § 352.081: Shane Stolarczyk, County Judge / Jeffery Fincke, Fire Marshal
13. Consideration and action to approve the accounts payable claims for purchases, services, and vendors: Corinna Speer, County Auditor
14. Consideration and action to solicit bids for Seal Coat Work for the Road and Bridge Department for FY2024: Corinna Speer, County Auditor
15. Consideration and action to move money from vehicle purchase/ total value to machinery and equipment. This is in order to purchase two new tractors out of line item 11-620-5300: Richard Chapman, Commissioner Precinct 3 / Mary Ellen Schulle, County Engineer / Don L. Evans, Road and Bridge Supervisor
16. Presentation on the May 16 Workshop covering Flood Plain Management and the National Flood Insurance Program: Andra M. Wisan, Commissioner Precinct 2 / Mary Ellen Schulle, County Engineer / Troy Dorman, Ph.D., Halff Engineering
17. Consideration and action to support the Kendall County Partnership for Parks 501(C)3 to pursue various grant opportunities for park enhancement projects: Chad Carpenter, Commissioner Precinct 4 / Joe Reissig, Parks Director / Jill Boyter, Chair, Kendall County Partnership for Parks
18. Consideration and action on replacing the damaged fire water storage tank at 7505 Ranger Creek Road on property owned by the County: Chad Carpenter, Commissioner Precinct 4 / Jeffery Fincke, Fire Marshal
19. Consideration and action concerning an exemption to the competitive bid process for Butler-Cohen as authorized by Texas Local Government Code § 262.024(a)(3) to Johnson & Sons and for approval of an agreement with Johnson & Sons to perform repair services at the Kendall County Detention Center in an amount not to exceed \$96,675.00. Also, this action item will authorize County Judge Shane Stolarczyk to sign the contract upon approval by General Counsel Matthew Grove, Kendall County Sheriff, Al Auxier; Richard Chapman, Commissioner Precinct 3: Richard Chapman, Commissioner Precinct 3 / Al Auxier, Sheriff / Matthew Grove, General Counsel
20. Consideration and action on approval of a plat revision of Bergheim Business Park Lot 5 creating Lot 5A, Boerne Motorsports Club. The proposed plat revision would create 23 condo units served by a public water system and an on-site sewage facility. (Owner: Michael Cude): Richard Chapman, Commissioner Precinct 3 / Mary Ellen Schulle, County Engineer
21. Update from 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
    - i. Legal advice on the need to designate a new boundary line to include Precinct 1 and 2 for potential property purchase of Fred on the Water
- 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. Fire Marshal/ EMC Interviews
  2. Legal advice regarding appraisal contract
  3. Interlocal agreement between City of Boerne and Kendall County regarding fire departments
  4. Work related injuries
  5. Sick Leave Pool
  6. *Kendall County v. Vaqueros Del Mar, LLC*, lawsuit pending in 451<sup>st</sup> Judicial Court of Kendall County
  7. Discussion on CWPP contractual relationships
  8. Possible litigation with ABMF LLC/Alex Trif
  9. Kendall County's previous One America 457 Deferred Compensation Plans is being phased out

**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.*


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 18<sup>th</sup> day of April 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 18<sup>th</sup> day of April 2024.

  
Denise Maxwell  
County Clerk

Posted at 3:40 pm on the 18<sup>th</sup> day of April 2024  
By:  Paula A. Faber, 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.