



# 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

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## AGENDA

**REGULAR SESSION · MONDAY, MAY 13, 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://us06web.zoom.us/my/commissioners.court>

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. Recognize Robert Kolar as Boerne ISD 2024 Teacher of the Year: Shane Stolarczyk, County Judge
  6. Consideration and action on proclaiming May 2024 as Mental Health Awareness Month in Kendall County: Shane Stolarczyk, County Judge / Todd Citron, CEO, Hill Country MHDD Centers / Seth Mersing, Care Coordinator
  7. Consideration and action on proclaiming the week of May 12-18, 2024 as National Prevention Week in Kendall County: Shane Stolarczyk, County Judge / Aubrie Walker, Coalition Coordinator, San Antonio Council on Alcohol and Drug Awareness
  8. Consideration and action on proclaiming the week of May 19 as Emergency Medical Services Week and to recognize Kendall County EMS 50th Anniversary: Shane Stolarczyk, County Judge / Brian Webb, EMS Administrator
  9. **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 a proposed plat revision of Comfort Lot 76A
  10. 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 22, 2024 Regular Meeting: Paula Pfeiffer, County Clerk's Office;
    - b. Consideration and action to approve the minutes for the Special Called Budget Hearings for May 6, 7, and 8, 2024: Paula Pfeiffer, County Clerk's Office;
    - c. Consideration and action on the approval of amending the FY2024 budget through regular budget adjustments and certification of new revenue: Corinna Speer, County Auditor;
    - d. Consideration and action on accepting the list of donations received in April 2024, on behalf of Kendall County per Local Government Code 81.032: Corinna Speer, County Auditor;
    - e. Consideration and action to approve cash summary at Frost Bank for February 2024: Sheryl D'Spain, Treasurer.

11. 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.
12. Consideration and action on the burn ban pursuant to Texas Local Government Code § 352.081: Shane Stolarczyk, County Judge / Brady Constantine, 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 on the LESO Annual LESO Renewal Application to allow for the continuance of the Kendall County Sheriff’s Office LESO Program through the Defense Logistics Agency/Department of Defense: Al Auxier, Sheriff
15. Update related to the renovations of County Property located at 400 E Blanco: Chad Carpenter, Commissioner Precinct 4
16. Update on the Interlocal Agreement between Kendall County and the City of Boerne: Andra M. Wisian, Commissioner Precinct 2 / Chad Carpenter, Commissioner Precinct 4
17. Consideration and action on approving a Citizen Participation Plan for grants: Mary Ellen Schulle, County Engineer
18. Consideration and action on a request for relief from the setback requirements in Section 5.2 Table 5-1 to 10' side and rear setbacks for proposed lot 76A-1; 10' front, side, and rear setbacks for proposed Lot 76A-2, and for the encroachment of existing buildings into the setbacks on lot 76A-1 an 76A-2. Lot 76A-1 has an existing 50' front setback that will be maintained: Chad Carpenter, Commissioner Precinct 4 / Mary Ellen Schulle, County Engineer
19. Consideration and action on approving the final plat of High Garden Subdivision Phase I in accordance to the 2010 Development Regulations. The proposed plat would create 35 single family residential lots, for an average density of 0.348 acres/lot and 2,046 linear feet of private roadway. The subdivision will be served by central water and sewer by WCID 1. (Owner: LLLL investments LLC - Shawn Lovorn): Chad Carpenter, Commissioner Precinct 4 / Mary Ellen Schulle, County Engineer
20. Consideration and action on approving the financial guarantee for High Garden Subdivision Phase I in the form of a bond in the amount of eight hundred and eighty-six thousand, seven hundred and three dollars and two cents (\$886,703.02) for street and drainage improvements. (Owner: LLLL investments LLC - Shawn Lovorn): Chad Carpenter, Commissioner Precinct 4 / Mary Ellen Schulle, County Engineer
21. Consideration and action on approving the Devloo family cemetery: Andra M. Wisian, Commissioner Precinct 2 / Matthew Grove, General Counsel / 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. Interlocal agreement between City of Boerne and Kendall County regarding fire departments
  2. *Kendall County v. Vaqueros Del Mar, LLC*, lawsuit pending in 451<sup>st</sup> Judicial Court of Kendall County
  3. Discussion on CWPP contractual relationships
  4. Duties and responsibilities of County Surveyor
  5. Development Rules related to developing in the Flood Plain
  6. Bergheim Volunteer Fire Department
  7. Legal advice on County grant compliance
  8. Discussion of Development Violations
  9. Discussion on CivicPlus
  10. Duties and responsibilities of Proposition A Committee

**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 9<sup>th</sup> day of May 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 9<sup>th</sup> day of May 2024.



Denise Maxwell  
County Clerk

Posted at 4:10 pm on the 9<sup>th</sup> day of May 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.