



KENDALL COUNTY COMMISSIONERS COURT AGENDA REQUEST

COMMISSIONER COURT DATE: 7/8/2019 OPEN SESSION	
SUBJECT	Commissioners Court Meeting Minutes
DEPARTMENT & PERSON MAKING REQUEST	County Clerk's Office Sally Peters, Deputy Clerk/Administrative Assistant
PHONE # OR EXTENSION #	830-249-9343, ext. 212
TIME NEEDED FOR PRESENTATION	1 minute
WORDING OF AGENDA ITEM	Consideration and action on approval of the Minutes for June 24, 2019.
REASON FOR AGENDA ITEM	To approve the Minutes from the previous Commissioners Court meeting.
WHO WILL THIS AFFECT?	The public
ADDITIONAL INFORMATION	None



KENDALL COUNTY COMMISSIONERS COURT AGENDA REQUEST

COMMISSIONER COURT DATE: 7/8/2019 OPEN SESSION	
SUBJECT	FY2019 Budget Adjustments
DEPARTMENT & PERSON MAKING REQUEST	County Auditor's Office Corinna Speer, County Auditor
PHONE # OR EXTENSION #	830-249-9343 Ext. 240
TIME NEEDED FOR PRESENTATION	5 Minutes
WORDING OF AGENDA ITEM	Consideration and action on the approval of amending the FY2019 budget through regular budget adjustments.
REASON FOR AGENDA ITEM	To correctly allocate funds needed in the budget.
IS THERE DOCUMENTATION	Yes Financial Transparency Link / County Auditor Web Page
WHO WILL THIS AFFECT?	Any department needing a budget adjustment
ADDITIONAL INFORMATION	None

TO: KENDALL COUNTY COMMISSIONERS COURT

FROM: COUNTY AUDITOR'S OFFICE

DATE: JULY 8, 2019

THE FOLLOWING BUDGET AMENDMENTS TRANSFER BUDGETED FUNDS FROM ONE LINE ITEM TO ANOTHER.

COUNTY AUDITOR:

10-495-51490	TEMPORARY	+	1,200
10-495-52020	GROUP INSURANCE	-	1,200

COURTHOUSE & RELATED BUILDINGS:

10-510-54400	UTILITIES	+	20,000
10-510-54861	CONTRACT SERVICES	-	20,000

DISTRICT COURT:

10-435-54079	TRANSCRIPTS	+	15,000
10-512-54050	MEDICAL - OTHER	-	15,000

ROAD & BRIDGE FUND:

11-620-53300	FUEL & OIL	+	25,000
11-620-53615	AGGREGATES & EMULSIONS	-	25,000



KENDALL COUNTY COMMISSIONERS COURT AGENDA REQUEST

COMMISSIONER COURT DATE: 7/8/2019 OPEN SESSION	
SUBJECT	Accounts Payable Claims
DEPARTMENT & PERSON MAKING REQUEST	Auditor's Office Corinna Speer, County Auditor
PHONE # OR EXTENSION #	830-249-9343 Ext. 240
TIME NEEDED FOR PRESENTATION	5 Minutes
WORDING OF AGENDA ITEM	Consideration and action on the approval of accounts payable claims for purchases, services and vendors.
REASON FOR AGENDA ITEM	To pay current accounts payable claims.
IS THERE DOCUMENTATION	Yes Financial Transparency Link / County Auditor Web Page
WHO WILL THIS AFFECT?	Departments that have AP claims
ADDITIONAL INFORMATION	None



KENDALL COUNTY COMMISSIONERS COURT AGENDA REQUEST

COMMISSIONER COURT DATE: 7/8/2019
OPEN SESSION

SUBJECT	Accept Donations
DEPARTMENT & PERSON MAKING REQUEST	County Auditor's Office Corinna Speer, County Auditor
PHONE # OR EXTENSION #	830-249-9343 Ext. 240
TIME NEEDED FOR PRESENTATION	5 Minutes
WORDING OF AGENDA ITEM	Consideration and action on accepting the list of donations on behalf of Kendall County as per Local Government Code 81.032.
REASON FOR AGENDA ITEM	Accept donations received in June
IS THERE DOCUMENTATION	Yes
WHO WILL THIS AFFECT?	County Wide
ADDITIONAL INFORMATION	None

Kendall County, Texas
Donation List for Commissioners Court July 8, 2019

Pursuant to LGC 81.032, the commissioners court may accept a gift, grant, donation, bequest, or devise of money or other property on behalf of the county, including a donation under Chapter 26, Government Code, for the purpose of performing a function conferred by law on the county or a county officer.

The following donations were received from June 1, 2019 to June 30, 2019.

Monetary Donations:

Date	Amount	Received From	Description of Donation	Specific Department or Purpose
05/28/19	\$ 25.00	Anonymous	Cash	Animal Shelter
05/24/19	\$ 3.00	Summer Cambell	Cash	Animal Shelter
05/25/19	\$ 20.00	Michael Marlowe	Cash	Animal Shelter
05/25/19	\$ 100.00	Gail Vecker	Cash	Animal Shelter
05/28/19	\$ 20.00	Claude Smith	Credit Card	Animal Shelter
05/28/19	\$ 40.00	Joyce Pankratz	Cash	Animal Shelter
05/31/19	\$ 150.00	Alice Merchant	Cash	Animal Shelter
05/31/19	\$ 15.00	Cheryl King	Credit Card	Animal Shelter
06/04/19	\$ 50.00	Jeffrey & Debra Weiss	Check	EMS Memorial
06/01/19	\$ 15.00	Johnny Sandoval	Cash	Animal Shelter
06/01/19	\$ 5.00	Tracy Janecek	Cash	Animal Shelter
06/03/19	\$ 75.00	April Massey	Cash	Animal Shelter
06/03/19	\$ 100.00	Margaret Stone	Cash	Animal Shelter
06/07/19	\$ 5.00	Jennifer Anglesey	Credit Card	Animal Shelter
06/08/19	\$ 40.00	Gary Louie	Cash	Animal Shelter
06/10/19	\$ 40.00	Bernard Neubauer	Cash	Animal Shelter
06/13/19	\$ 20.00	Randy Engel	Cash	Animal Shelter
06/13/19	\$ 20.00	Patrick Hunt	Cash	Animal Shelter
06/14/19	\$ 15.00	Carla Price	Cash	Animal Shelter
06/14/19	\$ 25.00	John Hobson	Credit Card	Animal Shelter
06/18/19	\$ 5.00	April Matheney	Credit Card	Animal Shelter
06/19/19	\$ 75.00	Linda Garza	Cash	Animal Shelter
06/19/19	\$ 5.00	Jennifer Vela	Credit Card	Animal Shelter
06/20/19	\$ 20.00	Jessie Robin	Cash	Animal Shelter
06/21/19	\$ 5.00	Melody Long	Cash	Animal Shelter
06/26/19	\$ 50.00	Donna & Carl Hammond	Check	EMS Memorial
06/26/19	\$ 60.00	Darryl Pitts	Credit Card	Animal Shelter
06/27/19	\$ 5.00	Sonia Pape	Cash	Animal Shelter
06/27/19	\$ 20.00	Dawn Lehmann	Cash	Animal Shelter
06/28/19	\$ 25.00	Mellie / Gary Bergmann	Cash	Animal Shelter
06/28/19	\$ 100.00	Pat & Julie Gaines	Check	EMS Memorial



KENDALL COUNTY COMMISSIONERS COURT AGENDA REQUEST

COMMISSIONER COURT DATE: 7/8/2019 OPEN SESSION	
SUBJECT	Sales Tax Report
DEPARTMENT & PERSON MAKING REQUEST	Treasurer's office Sheryl D'Spain
PHONE # OR EXTENSION #	830-249-9343 ext. 220
TIME NEEDED FOR PRESENTATION	2 minutes
WORDING OF AGENDA ITEM	Presentation of Sales Tax report
REASON FOR AGENDA ITEM	To report on the portion of sales tax reimbursed from the State Comptroller's office.
IS THERE DOCUMENTATION	Yes, the report is on the County Website under departments, County Treasurer
WHO WILL THIS AFFECT?	Countywide
ADDITIONAL INFORMATION	None



Sheryl D'Spain

Kendall County Treasurer

201 E. San Antonio, Suite 302 • Boerne, TX. 78006

830-249-9343 ext. 220 • Fax 830-249-9340

sheryl.dspain@co.kendall.tx.us

July 8, 2019

TO: Honorable Darrel Lux, County Judge
Honorable Christina Bergmann, Commissioner, Pct. 1
Honorable Richard Elkins, Commissioner, Pct. 2
Honorable Richard Chapman, Commissioner, Pct. 3
Honorable Don Durden, Commissioner, Pct. 4

RE: Comparison report for the collection of sales tax in Kendall County

In June, Kendall County received collections of \$ 320,093.82 for the month of April 2019. This figure is up 19.52% from April collections the previous year. Our year-to-date collections are \$ 1,857,999.61 an increase of .87 % from last year.

A handwritten signature in cursive script that reads "Sheryl D'Spain".

Sheryl D'Spain
Treasurer

Sales Tax Report 2019

Sales tax collection for month	Month collection received	Sales Tax Collection 2018	Sales Tax Collection 2019	% change from 2018	% change from previous month collection	2018 sales tax collections year to date	2019 sales tax collections year to date	% change from 2018
Nov-18	Jan-19	276,348.08	272,130.00	-1.53%	-9.26%	276,348.08	272,130.00	-1.53%
Dec-18	Feb-19	325,797.63	357,359.84	9.69%	31.32%	602,145.71	629,489.84	4.54%
Jan-19	Mar-19	253,698.62	293,395.43	15.65%	-17.90%	855,844.33	922,885.27	7.83%
Feb-19	Apr-19	243,636.23	301,863.48	23.90%	2.89%	1,099,480.56	1,224,748.75	11.39%
Mar-19	May-19	321,232.71	313,157.04	-2.51%	3.74%	1,420,713.27	1,537,905.79	8.25%
Apr-19	Jun-19	267,805.65	320,093.82	19.52%	2.22%	1,841,888.87	1,857,999.61	0.87%
May-19	Jul-19	301,129.80				1,989,648.72		
Jun-19	Aug-19	317,505.07				2,307,153.79		
Jul-19	Sep-19	284,367.06				2,591,520.85		
Aug-19	Oct-19	268,660.21				2,860,181.06		
Sep-19	Nov-19	312,138.44				3,172,319.50		
Oct-19	Dec-19	299,903.30				3,472,222.80		

Total Sales Tax Revenue in Previous Years

Year	Total Collections	% change from previous year
2018	\$3,472,222.80	7.77%
2017	\$3,221,902.66	2.65%
2016	\$3,138,814.44	7%

**covering payments from Nov 2018-Oct 2019



KENDALL COUNTY COMMISSIONERS COURT AGENDA REQUEST

COMMISSIONER COURT DATE: 7/8/2019 OPEN SESSION	
SUBJECT	Genealogical Society – Past Kendall County Sheriffs
DEPARTMENT & PERSON MAKING REQUEST	Dick Tomlinson, GSKC President Darrel L. Lux, County Judge
PHONE # OR EXTENSION #	830-249-9343
TIME NEEDED FOR PRESENTATION	5 minutes
WORDING OF AGENDA ITEM	Presentation of The Keys to the Past spring/summer journal featuring the first 12 sheriffs of Kendall County.
REASON FOR AGENDA ITEM	To memorialize the information and photos gathered of all the sheriffs in a bound journal format. It was decided to write two journals on the sheriffs, the second is being written and will come out in late 2019.
WHO WILL THIS AFFECT?	The public.
ADDITIONAL INFORMATION	None



KENDALL COUNTY COMMISSIONERS COURT AGENDA REQUEST

COMMISSIONER COURT DATE: 7/8/2019 OPEN SESSION	
SUBJECT	Burn Ban
DEPARTMENT & PERSON MAKING REQUEST	Darrel L. Lux, County Judge Jeffery Fincke, Fire Marshal
PHONE # OR EXTENSION #	830-249-9343, ext. 213
TIME NEEDED FOR PRESENTATION	3 minutes
WORDING OF AGENDA ITEM	Consideration and action on the burn ban (Authority Section 352.081, Local Government Code)
REASON FOR AGENDA ITEM	To determine whether or not there is a need for a ban on burning
WHO WILL THIS AFFECT?	Countywide
ADDITIONAL INFORMATION	None



KENDALL COUNTY COMMISSIONERS COURT AGENDA REQUEST

COMMISSIONER COURT DATE: 7/8/2019 OPEN SESSION	
SUBJECT	Public Hearing Town of Comfort Outlots 26A, 26B & 27A
DEPARTMENT & PERSON MAKING REQUEST	Development Engineer - Mary Ellen Schulle
PHONE # OR EXTENSION #	830-249-9343 Ext. 250
TIME NEEDED FOR PRESENTATION	5 Minutes
WORDING OF AGENDA ITEM	(9:10 a.m.) Public hearing on the application filed by Wade Russell Saur for the proposed revision of the subdivision plat for The Town of Comfort Outlots 26A, 26B, and 27A filed in Volume 5 Page 318 of the plat records of Kendall County, Texas. The proposed plat revision would create six lots ranging in size from 0.159 acres to 3.175 acres (Wade Russell Saur, Owner / Donnie Boerner, Donnie Boerner Surveying Company).
REASON FOR AGENDA ITEM	Public Hearing Town of Comfort Outlots 26A, 26B & 27A
IS THERE DOCUMENTATION	Yes
WHO WILL THIS AFFECT?	Pct #4
ADDITIONAL INFORMATION	None



KENDALL COUNTY COMMISSIONERS COURT AGENDA REQUEST

COMMISSIONER COURT DATE: 7/8/2019
OPEN SESSION

SUBJECT	Request for Relief - Comfort Outlots 26A, 26B & 27A
DEPARTMENT & PERSON MAKING REQUEST	Development Engineer - Mary Ellen Schulle
PHONE # OR EXTENSION #	830-249-9343 Ext. 250
TIME NEEDED FOR PRESENTATION	5 Minutes
WORDING OF AGENDA ITEM	Consideration and action on a request for relief for the proposed plat revision for Town of Comfort Outlots 26A, 26B, and 27A from the following sections of the Kendall County Development Rules and Regulation: Section 300.1100 for lot size density and road frontage, Section 304.1100 for building setbacks (Wade Russell Saur, Owner / Donnie Boerner, Donnie Boerner Surveying Company).
REASON FOR AGENDA ITEM	Request for Relief - Comfort Outlots 26A, 26B & 27A
IS THERE DOCUMENTATION	Yes
WHO WILL THIS AFFECT?	Pct #4
ADDITIONAL INFORMATION	None

REQUEST FOR RELIEF (Variance)

From the Kendall County (KC) Development Rules and Regulations
(Section 106)

1. Date June 9, 2019
2. Location of Property: US Highway 87 and FM Highway 473, Comfort Texas

3. Name of Development (If Applicable): Town of Comfort

4. Property Owner/Developer Name: Wade Russell Saur

5. Relief Requested (Reference the specific Section/Paragraph of the current KC Development Rules and Regulations:

301 LOT SIZE/ ROAD FRONTAGE/ DENSITY/ SETBACKS

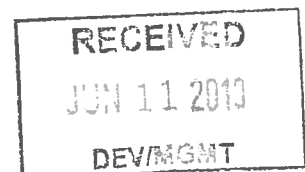
6. Reason(s) for Requesting Relief: (Please refer to Section 106, Relief by County Commissioners Court in answering these questions)

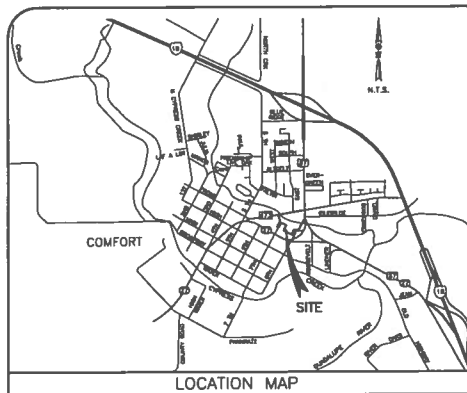
- a. What special circumstances or conditions affecting the land involved such that the strict interpretation of the provisions of these regulations would deprive you of the reasonable use of this land.

I need to split property in order to get ~~multiple~~ multiple sewer taps, Comfort water district only allows 1 sewer tap per property.

- b. Why is relief necessary for the preservation and enjoyment of a substantial property right of yours?

To provide much needed commercial spaces for Comfort as well as a large parking lot which is needed also.





DONNIE BOERNER SURVEYING COMPANY L.P.
228 HOLIDAY ROAD
COMFORT, TEXAS 78013
PH: 830-377-2492 FIRM NO. 10193963

DATE: 08-09-2019 JOB# 15-288

NOTES:

1. BASIS OF BEARING WAS ESTABLISHED FROM THE STATE PLANE COORDINATE SYSTEM, NORTH AMERICAN DATUM OF 1983, TEXAS SOUTH CENTRAL ZONE.
2. FIELD SURVEY COMPLETED 10/30/2018.
3. WATER SERVICE SHALL BE PROVIDED BY THE KENDALL COUNTY W.C.I.D. # 1.
4. SEWAGE FACILITIES SHALL BE PROVIDED BY THE KENDALL COUNTY W.C.I.D. # 1.
5. THESE LOTS ARE LOCATED WITHIN THE COMFORT INDEPENDENT SCHOOL DISTRICT.
6. ELECTRICAL SERVICE IS PROVIDED BY BANDERA ELECTRIC COOPERATIVE INC.
7. TELEPHONE SERVICE IS PROVIDED BY HILL COUNTRY TELEPHONE COOPERATIVE INC.
8. THESE LOTS ARE LOCATED WITHIN THE SPECIAL FLOOD HAZARD AREA ACCORDING TO LETTER OF MAP REVISION NO. 10-01-18BSP DATED JUNE 17, 2018.
9. THESE LOTS ARE NOT LOCATED WITHIN THE ETJ OF ANY CITY MUNICIPALITY.
10. THIS PLAT REVISION DOES NOT CHANGE OR ALTER COVENANTS AND RESTRICTIONS BY PREVIOUS SUBDIVISION PLAT OR OTHER METHODS.
11. NO STRUCTURES OR IMPROVEMENTS WILL BE LOCATED IN A MANNER THAT WOULD RESTRICT VEHICLE SIGHT DISTANCE.

PLAT REVISION

CREATING OUTLOTS 27A-1, 27A-2 27A-3, 27A-4, 27A-5 AND 27A-6 IN THE TOWN OF COMFORT, KENDALL COUNTY, TEXAS

PLAT SHOWING: Outlot 27A-1, containing 0.159 acres of land, Outlot 27A-2, containing 3.175 acres of land, Outlot 27A-3, containing 1.206 acres of land, Outlot 27A-4, containing 1.615 acres of land, Outlot 27A-5, containing 1.023 acres of land and Outlot 27A-6, containing 1.984 acres of land, Town of Comfort, Kendall County, Texas and being all of Outlots 26A, 26B AND 27A, Town of Comfort recorded in Volume 5, Page 318, Plat Records, Kendall County, Texas and also being that certain 9.167 acre tract recorded in Volume 1630, Pages 480-488, Official Records, Kendall County, Texas.

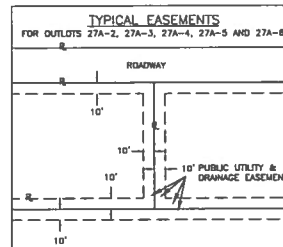
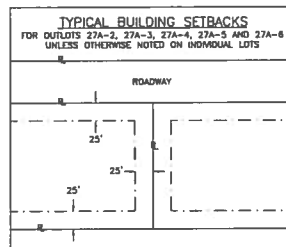
6 COMMERCIAL LOTS

AVERAGE DENSITY PER LOT FOR THIS SUBDIVISION - 1.527 ACRES

TxDOT Plat Notes:

- (1) For developments directly adjacent to State Right-of-Way, the developer and/or landowner shall be responsible for adequate setback and/or sound abatement measures for present and/or future noise mitigation.
- (2) The developer and/or the landowner is responsible for preventing any adverse impact to the drainage system within the highway right-of-way.
- (3) Intersection and/or Driveway access to the state highway will be regulated as directed by the current edition of the TxDOT Access Management Manual. The existing access driveways are granted by TxDOT, but changes in land use / average daily traffic volumes can require improvements and a new driveway permit to be re-issued.
- (4) If sidewalks are required by TxDOT or the appropriate City ordinance the location, the design, and specifications shall adhere to TxDOT requirements when permitted in TxDOT Right-of-Way. A TOLR inspection report will be required.
- (5) TxDOT will use the current editions of the appropriate manuals when issuing permits. Typical manuals used, but not limited to are: TxDOT Access Management Manual, San Antonio District Driveway, Sidewalk, Landscaping, and Drainage Permit Package, TxDOT Roadway Design Manual, TxDOT Hydraulic Manual, TxDOT Construction Specifications, and TxDOT Standard Sheets when the site develops.

THE ENGINEERING CONSULTANT, COUNTY ENGINEER OR PROJECT ENGINEER OF KENDALL COUNTY, TEXAS, HAS REVIEWED THIS PLAT REVISION FOR CONFORMANCE TO ALL REQUIREMENTS OF THE KENDALL COUNTY DEVELOPMENT RULES AND REGULATIONS.



THIS PLAT REVISION OF OUTLOTS 27A-1, 27A-2, 27A-3, 27A-4, 27A-5 AND 27A-6 IN THE TOWN OF COMFORT, KENDALL COUNTY, TEXAS, HAS BEEN SUBMITTED TO AND CONSIDERED BY THE COMMISSIONERS COURT OF KENDALL COUNTY, TEXAS, AND IS HEREBY APPROVED BY SUCH COURT.

DATED THIS _____ DAY OF _____ A.D. 2019.

COUNTY JUDGE

COMMISSIONER PRECINCT NO.1

COMMISSIONER PRECINCT NO.2

COMMISSIONER PRECINCT NO.3

COMMISSIONER PRECINCT NO.4

STATE OF TEXAS
COUNTY OF KENDALL

THE OWNERS OF THE LAND IDENTIFIED BY THE LOT NUMBERS RECORDED IN THE VOLUME AND PAGE NUMBERS SHOWN ON THIS PLAT, AND WHOSE NAMES ARE SUBSCRIBED HERETO, AND IN PERSON OR THROUGH A QUALIFIED AUTHORIZED AGENT, ACKNOWLEDGE THAT THIS PLAT WAS MADE FROM ACTUAL SURVEYS ON THE GROUND AND DEDICATES TO THE USE OF THE PUBLIC FOREVER ALL STREETS, ALLEYS, PARKS, WATER COURSES, DRAIN EASEMENTS AND PUBLIC PLACES THEREON SHOWN FOR THE PURPOSE AND CONSIDERATION THEREIN EXPRESSED.

MADE RUSSELL SAUR

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED, MADE RUSSELL SAUR, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT THEY EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATIONS THEREIN EXPRESSED AND IN THE CAPACITY THEREIN STATED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS _____ DAY OF _____ A.D. 2019.

NOTARY PUBLIC IN AND FOR
THE STATE OF TEXAS

SURVEYOR CERTIFICATE:

STATE OF TEXAS
COUNTY OF KENDALL

I HEREBY CERTIFY THIS PLAT IS TRUE AND CORRECT AND WAS PREPARED FROM AN ACTUAL SURVEY OF THE PROPERTY MADE UNDER MY SUPERVISION ON THE GROUND.



REGISTERED PROFESSIONAL LAND SURVEYOR #5207
DONALD DEAN BOERNER
DONNIE BOERNER SURVEYING COMPANY L.P.
228 HOLIDAY ROAD
COMFORT, TEXAS 78013

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED DONALD DEAN BOERNER, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT THEY EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATIONS THEREIN EXPRESSED AND IN THE CAPACITY THEREIN STATED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS _____ DAY OF _____ A.D. 2019.

NOTARY PUBLIC IN AND FOR
THE STATE OF TEXAS

STATE OF TEXAS
COUNTY OF KENDALL

I, _____ COUNTY CLERK OF SAID COUNTY, DO HEREBY CERTIFY THAT THE FOREGOING INSTRUMENT OF WRITING WITH ITS CERTIFICATE OF AUTHENTICATION WAS FILED FOR RECORD IN MY OFFICE, ON THE _____ DAY OF _____ A.D. 2019 AT _____ M., IN THE RECORDS OF DEEDS AND PLATS OF SAID COUNTY, IN BOOK VOLUME _____, ON PAGE _____. IN TESTIMONY WHEREOF, WITNESS BY HAND AND OFFICIAL SEAL OF OFFICE, THIS _____ DAY OF _____ A.D. 2019.

TAX CERTIFICATE AFFIDAVIT FILED THIS DATE IN VOLUME _____ PAGES _____, KENDALL COUNTY OFFICIAL RECORDS.

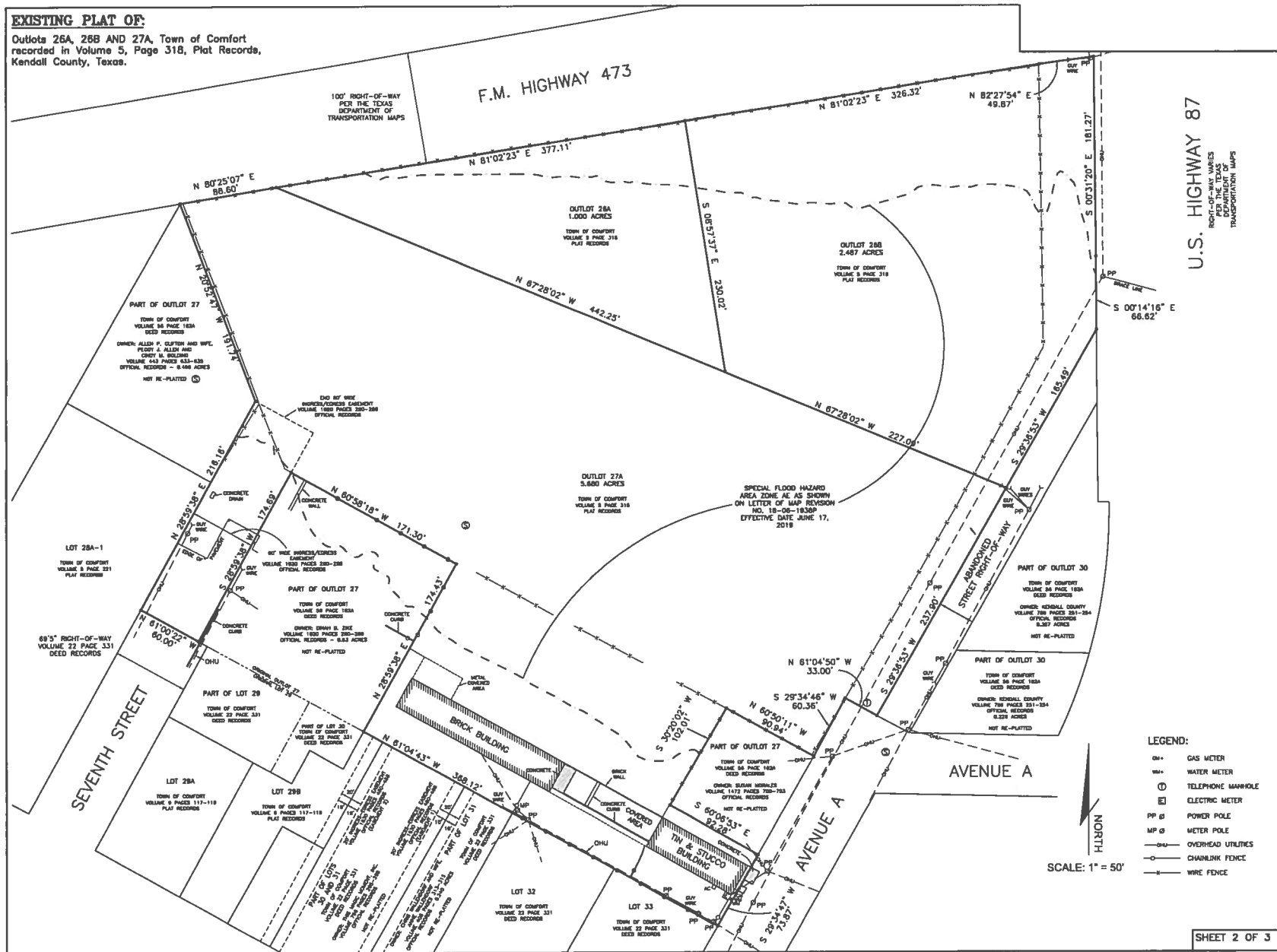
IN TESTIMONY WHEREOF, WITNESS BY HAND AND OFFICIAL SEAL OF OFFICE, THIS _____ DAY OF _____ A.D. 2019.

COUNTY CLERK, KENDALL COUNTY, TEXAS

BY: _____
DEPUTY

EXISTING PLAT OF:

Outlots 26A, 26B AND 27A, Town of Comfort
recorded in Volume 5, Page 318, Plat Records,
Kendall County, Texas.



PLAT REVISION OF: TOWN OF COMFORT

Establishing Outlot 27A-1, containing 0.159 acres of land, Outlot 27A-2, containing 3.175 acres of land, Outlot 27A-3, containing 1.206 acres of land, Outlot 27A-4, containing 1.615 acres of land, Outlot 27A-5, containing 1.023 acres of land and Outlot 27A-8, containing 1.984 acres of land, Town of Comfort, Kendall County, Texas.

100' RIGHT-OF-WAY
PER THE TEXAS
DEPARTMENT OF
TRANSPORTATION MAPS

F.M. HIGHWAY 473

U.S. HIGHWAY 87

RIGHT-OF-WAY VARIES
AND RECORDS
DEPARTMENT OF
TRANSPORTATION MAPS

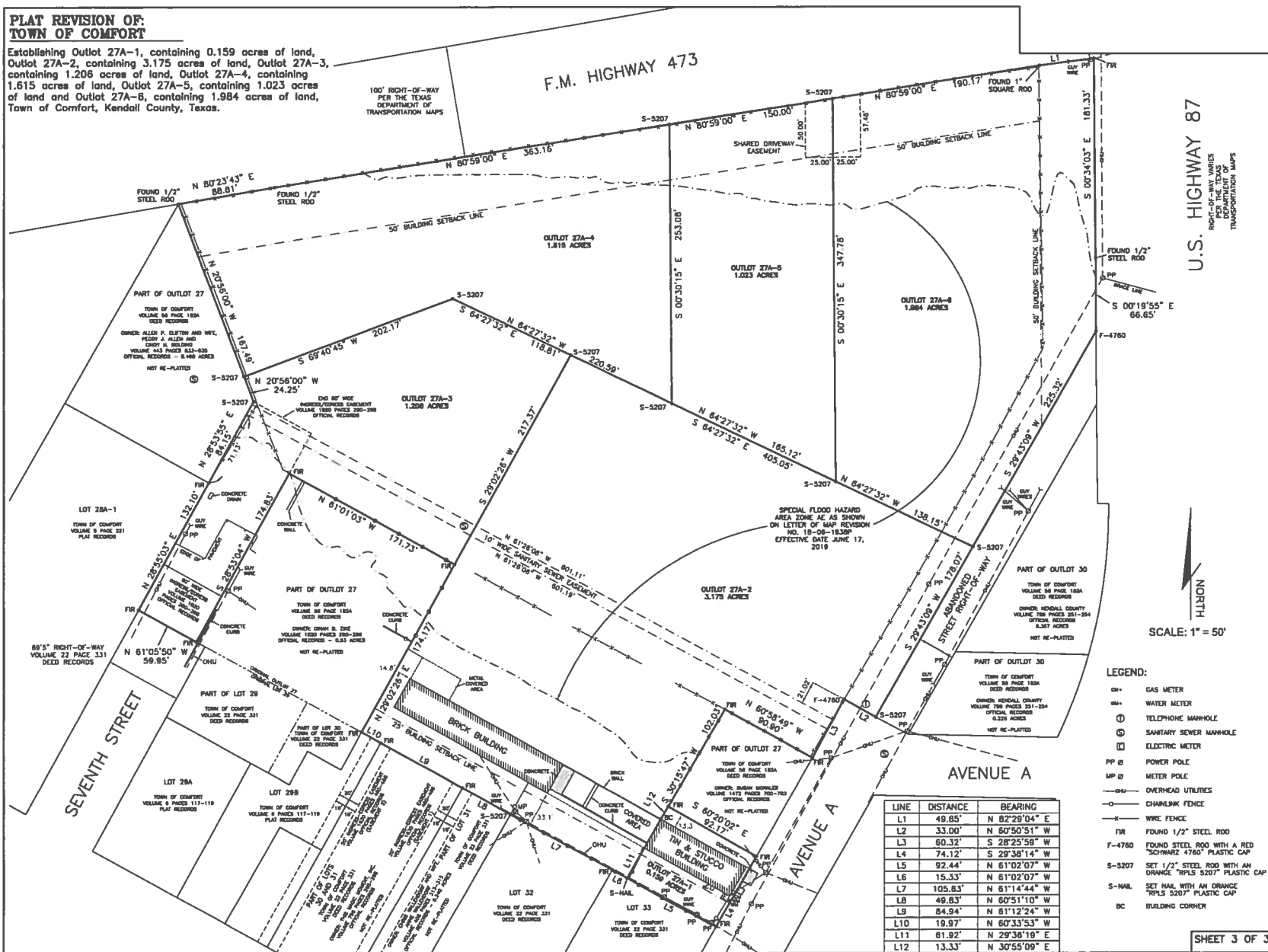
SCALE: 1" = 50'

NORTH

LEGEND:

- GM GAS METER
- WM WATER METER
- ⊕ TELEPHONE MANHOLE
- ⊙ SANITARY SEWER MANHOLE
- ⊞ ELECTRIC METER
- PP POWER POLE
- MP METER POLE
- OVERHEAD UTILITIES
- CHAINLINK FENCE
- WIRE FENCE
- FIR FOUND 1/2" STEEL ROD
- F-4780 FOUND STEEL ROD WITH A RED "SCHWARTZ 4780" PLASTIC CAP
- S-5207 SET 1/2" STEEL ROD WITH AN ORANGE "RPLS 5207" PLASTIC CAP
- S-NAIL SET NAIL WITH AN ORANGE "RPLS 5207" PLASTIC CAP
- BC BUILDING CORNER

LINE	DISTANCE	BEARING
L1	49.85'	N 82°29'04" E
L2	33.00'	N 60°50'51" W
L3	60.32'	S 28°25'58" W
L4	74.12'	S 29°38'14" W
L5	92.44'	N 61°02'07" W
L6	15.33'	N 61°02'07" W
L7	105.83'	N 61°14'44" W
L8	49.83'	N 60°51'10" W
L9	84.94'	N 61°12'24" W
L10	19.97'	N 60°33'53" W
L11	61.92'	N 29°38'19" E
L12	13.33'	N 30°55'09" E





KENDALL COUNTY COMMISSIONERS COURT AGENDA REQUEST

COMMISSIONER COURT DATE: 7/8/2019
OPEN SESSION

SUBJECT	Request for Relief - Fuller Road
DEPARTMENT & PERSON MAKING REQUEST	Development Engineer - Mary Ellen Schulle
PHONE # OR EXTENSION #	830-249-9343 Ext. 250
TIME NEEDED FOR PRESENTATION	5 Minutes
WORDING OF AGENDA ITEM	Consideration and action on a request for relief from road frontage and platting requirements in accordance to Sections 101 & 102 of the Kendall County Development Rules and Regulations. The proposed division would create an approximately 105 acre tract out of a 4 adjacent tracts as depicted on the attached exhibit. The proposed tract has 27.6 feet of frontage on Fuller Road (William Dierks – Owner, Donnie Boerner – Donnie Boerner Surveying Company).
REASON FOR AGENDA ITEM	Request for Relief - Fuller Road
IS THERE DOCUMENTATION	Yes
WHO WILL THIS AFFECT?	Pct #3
ADDITIONAL INFORMATION	The remainder tract has access to SH 46 in Comal County over a private road easement.

REQUEST FOR RELIEF (Variance)

From the Kendall County (KC) Development Rules and Regulations
(Section 106)

1. Date June 12, 2019
2. Location of Property: Fuller Drive, Bergheim Texas

3. Name of Development (If Applicable): Not Applicable

4. Property Owner/Developer Name: Dierks Ranch Ltd

5. Relief Requested (Reference the specific Section/Paragraph of the current KC Development Rules and Regulations:

301 ROAD FRONTAGE
6. Reason(s) for Requesting Relief: (Please refer to Section 106, Relief by County Commissioners Court in answering these questions)
 - a. What special circumstances or conditions affecting the land involved such that the strict interpretation of the provisions of these regulations would deprive you of the reasonable use of this land.

Not Applicable _____

 - b. Why is relief necessary for the preservation and enjoyment of a substantial property right of yours?

I feel it's my right of to sell a portion of my ranch and the portion I am selling has access to Fuller Drive. I understand that this access does not meet minimum county requirements, but that's all the access I have to a county maintained road at this part of my ranch.

RECEIVED
JUN 14 2019
DEV/MGMT

- c. Will the granting of relief not be detrimental to the public's health, safety, and welfare? Please explain.

Not to my knowledge _____

- d. Will the granting of relief not have the effect of preventing the orderly subdivision of other land in the area? Please explain.

Not to my knowledge _____

William F. Dierks
Property Owner Signature

William F. Dierks
Print Owner Name

6-14-2019
Date

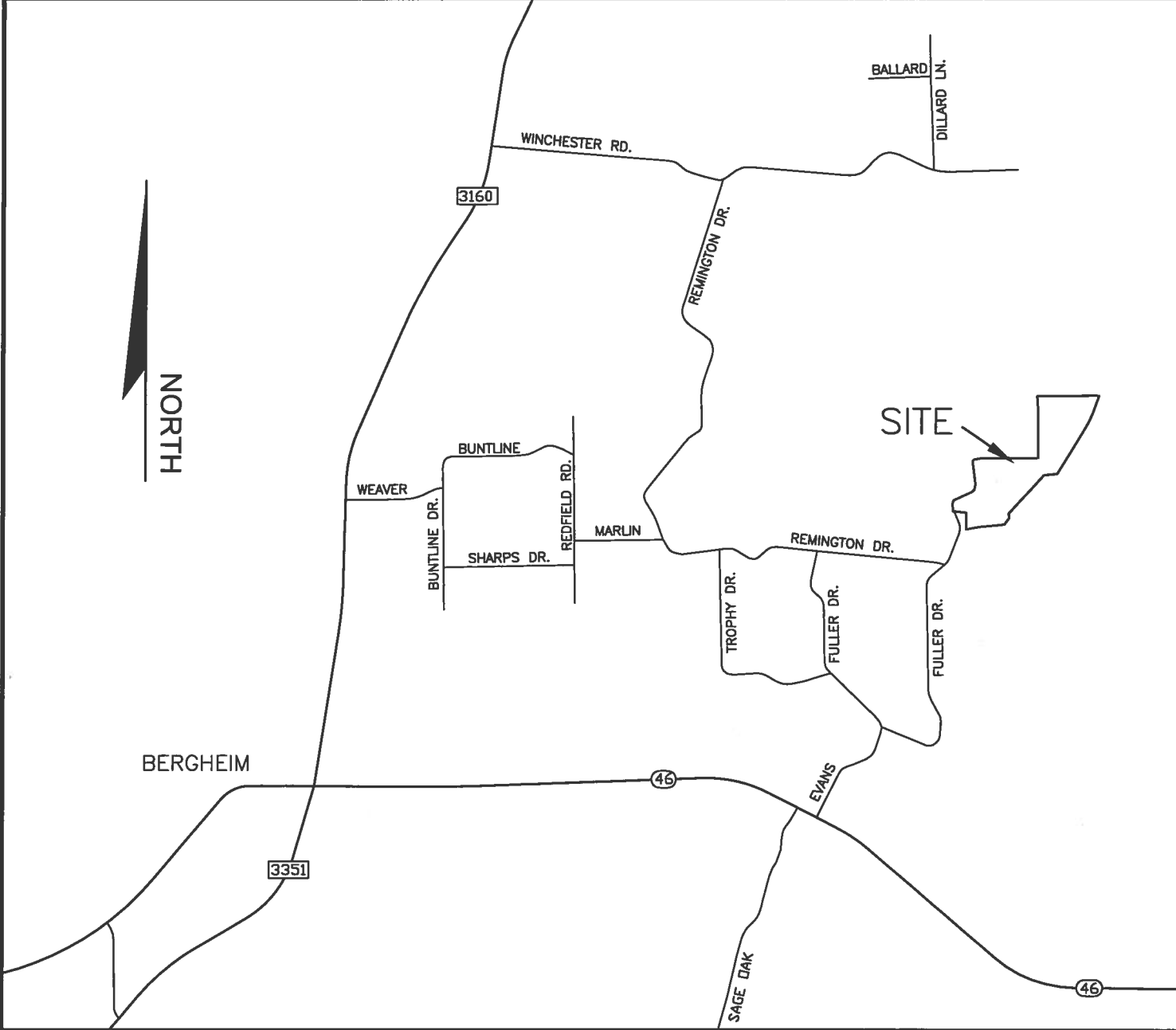
Property Owner Signature

Print Owner Name

Date

Phone Number

AFFIDAVIT OF LAND LOCATION



LOCATION MAP

WE, DIERKS RANCH LTD. OWNER, HEREBY AFFIRM THAT THIS PLAT IS A TRUE AND CORRECT COPY OF THE PLAT PREPARED BY A REGISTERED PROFESSIONAL LAND SURVEYOR, OR LICENSED PROFESSIONAL ENGINEER, AND THAT IT DEPICTS THE 105.544 ACRE TRACT TO BE DIVIDED AS ILLUSTRATED, SUCH BEING OUT OF THE WACO MFG. CO. SURVEY 39, ABSTRACT NO. 608, THE F. HOFHEINZ SURVEY NO. 717, ABSTRACT NO. 266, THE C. VOLCK SURVEY NO. 148, ABSTRACT NO. 599 AND THE W. SMITH SURVEY NO. 786, ABSTRACT NO. 465, KENDALL COUNTY, TEXAS.

BY: WILLIAM F. DIERKS, MANAGER
FOR: DIERKS RANCH LTD.

SUBSCRIBED AND SWORN TO BEFORE ME THIS ____ DAY OF _____, 20 ____

"NOTARY PUBLIC, STATE OF TEXAS"

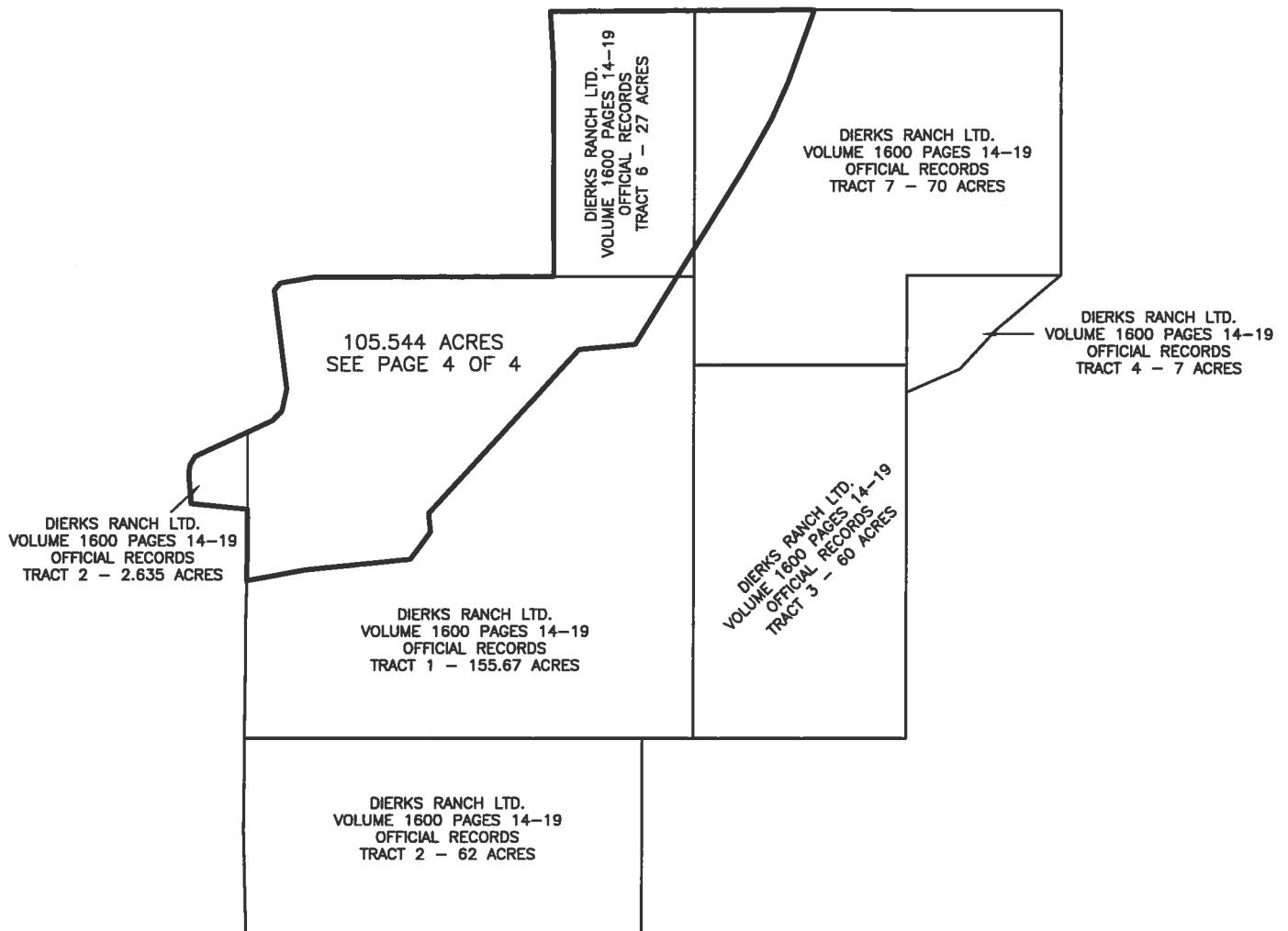
REVIEWED AND APPROVED BY _____

DATE _____ KENDALL COUNTY DEVELOPMENT MANAGEMENT

DONNIE BOERNER SURVEYING COMPANY L.P.
228 HOLIDAY ROAD
COMFORT, TEXAS 78013
PH: 830-377-2492

FIRM NO. 10193963

AFFIDAVIT OF LAND LOCATION

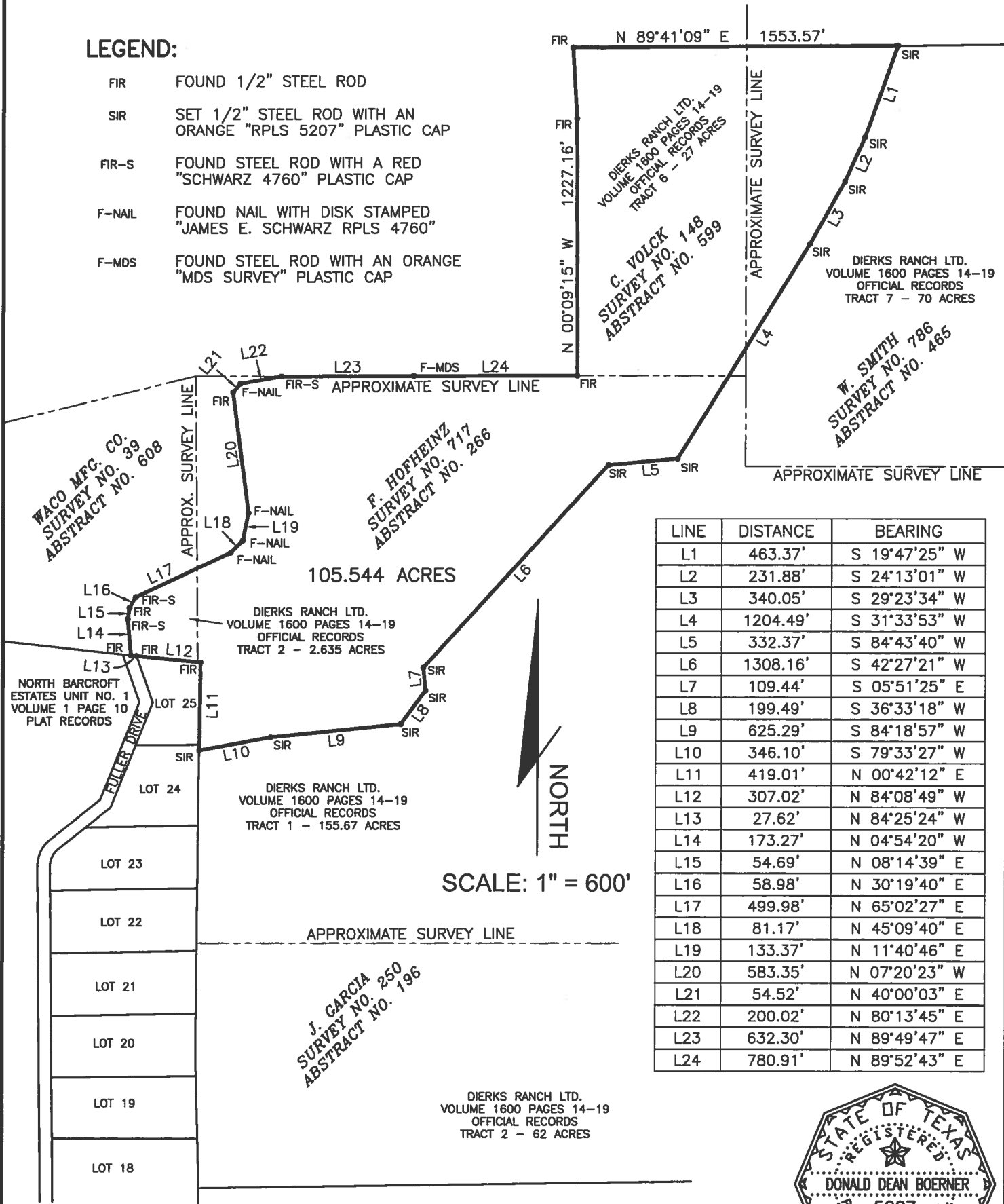


AFFIDAVIT OF LAND LOCATION

GENERAL NOTES:
1) BASIS OF BEARING WAS ESTABLISHED FROM THE STATE PLANE COORDINATE SYSTEM, NORTH AMERICAN DATUM OF 1983, TEXAS SOUTH CENTRAL ZONE.
2) THERE ARE NO WATER WELLS ON THE 105.544 ACRE TRACT OF LAND.
3) THERE ARE NO SEPTIC SYSTEMS ON THE 105.544 ACRE TRACT OF LAND.

LEGEND:

- FIR FOUND 1/2" STEEL ROD
- SIR SET 1/2" STEEL ROD WITH AN ORANGE "RPLS 5207" PLASTIC CAP
- FIR-S FOUND STEEL ROD WITH A RED "SCHWARZ 4760" PLASTIC CAP
- F-NAIL FOUND NAIL WITH DISK STAMPED "JAMES E. SCHWARZ RPLS 4760"
- F-MDS FOUND STEEL ROD WITH AN ORANGE "MDS SURVEY" PLASTIC CAP



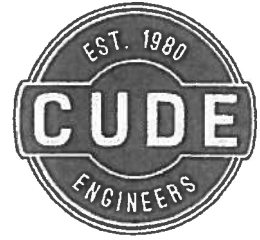
PLAT SHOWING: A 105.544 acre tract of land being approximately 2.640 acres out of the Waco Mfg. Co. Survey 39, Abstract No. 608, 60.556 acres out of the F. Hofheinz Survey No. 717, Abstract No. 266, 28.969 acres out of the C. Volck Survey No. 148, Abstract No. 599 and 13.379 acres out of the W. Smith Survey No. 786, Abstract No. 465, Kendall County, Texas and being all of that certain 2.635 acre tract conveyed to DIERKS RANCH, LTD by deed designated as Tract 5 and recorded in Volume 1600, Pages 14-19, Official Records, Kendall County, Texas, part of the certain 155.67 acre tract conveyed to DIERKS RANCH, LTD by deed designated as Tract 1 and recorded in Volume 1600, Pages 14-19, Official Records, Kendall County, Texas, all of that certain 27 acre tract conveyed to DIERKS RANCH, LTD by deed designated as Tract 6 and recorded in Volume 1600, Pages 14-19, Official Records, Kendall County, Texas and part of that certain 70 acre tract conveyed to DIERKS RANCH, LTD by deed designated as Tract 7 and recorded in Volume 1600, Pages 14-19, Official Records, Kendall County, Texas.

DONNIE BOERNER SURVEYING COMPANY L.P.
228 HOLIDAY ROAD
COMFORT, TEXAS 78013
PH: 830-377-2492



KENDALL COUNTY COMMISSIONERS COURT AGENDA REQUEST

COMMISSIONER COURT DATE: 7/8/2019 OPEN SESSION	
SUBJECT	Request for Relief Cordillera Ranch
DEPARTMENT & PERSON MAKING REQUEST	County Engineer - Richard Tobolka
PHONE # OR EXTENSION #	830-249-9343 Ext. 250
TIME NEEDED FOR PRESENTATION	5 Minutes
WORDING OF AGENDA ITEM	Consideration and action on a request for relief from the 1997 Development Guidelines and Regulations Rule Book for Cordillera Ranch. The request for relief for Cul-de-sac geometry, pavement width for curbed and uncurbed residential streets, pavement width for curbed and uncurbed collector streets, pavement markings for residential and collector streets, construction methods for HMAC pavement, erosion control methods, and curb geometry as detailed in attached exhibit. The request for relief is for an approximately 2120 acre tract generally bordered on the West FM 3351, to the North by Edge Falls Road, the Guadalupe River, and to the South by Mertens Ranch LLC.
REASON FOR AGENDA ITEM	Request for Relief Cordillera Ranch
IS THERE DOCUMENTATION	Yes
WHO WILL THIS AFFECT?	Pct # 3
ADDITIONAL INFORMATION	None



June 28, 2019

Rick Tobolka, P.E., CFM
Kendall County Engineer
201 East San Antonio Street, Ste. 101
Boerne, TX 78006

Re: Cordillera Ranch
Blanket Request for Relief
Various Subsections of the 1997 Kendall County Regulations

Dear Mr. Tobolka:

CR/KWW Partnership, Ltd. ("CR/KWW"), dba Cordillera Ranch, requests blanket relief from Subsection 302.1430, Subsection 302.1650, Subsection 410.1000, Subsection 404.1000, Subsection 405.1700 and Rule 620 of the Kendall County, Texas "Regulations, Rules and Specifications for Plats, Roads, Subdivisions and Manufactured Home Parks" effective January 1, 1997 ("Regulations"). This request is for an approximate 2,120-acre tract bordered on the west by FM 3351 and on the north by Edge Falls Road and the Guadalupe River. The relief items requested herein are consistent with relief previously granted by Kendall County Commissioner's Court on prior phases of Cordillera Ranch, and this letter is merely intending to memorialize this relief for future phases to provide consistency in the development planning and an understanding between CR/KWW and Kendall County going forward. CR/KWW respectfully requests that Kendall County provide this blanket relief for the remainder of the Cordillera Ranch development east of FM 3351 to CR/KWW and any assignees that may develop this land under the Cordillera Ranch development name. The referenced sections of the Regulations deal with various roadway and drainage parameters.

The blanket relief requests are as follows:

- 1) Cul-de-sacs to have a 110' diameter turnaround right-of-way and 80' diameter of pavement in lieu of 150' diameter turnaround right-of-way and 100' diameter of pavement as required by Subsection 302.1430.
- 2) Residential streets with roadside ditches to have 24' of pavement in lieu of 28' of pavement as required by Subsection 302.1650.
- 3) Residential streets with curb & gutter to have 50' of right-of-way and 21' of pavement in lieu of 60' of right-of-way and 28' of pavement as required by Subsection 302.1650.

- 4) Collector streets with roadside ditches to have a minimum 60' of right-of-way and 28' of pavement in lieu of 80' of right-of-way and 42' of pavement as required by Subsection 302.1650.
- 5) Collector streets with curb & gutter to have minimum 60' of right-of-way and 29' of pavement in lieu of 80' of right-of-way and 42' of pavement as required by Subsection 302.1650.
- 6) Eliminate the street double yellow center line marking and white edge line marking on Residential classification streets and eliminate the white edge line marking on Collector classification streets that have curbs in lieu of the same being required by Subsection 410.1000.
- 7) Use of a prime coat under 1 ½-inch compacted HMAC pavement in lieu of a one course treatment as required in Subsection 404.1000.
- 8) Use of erosion control blankets in roadside ditches in lieu of concrete lining as required in Subsection 405.1700.
- 9) Where curbs are proposed, the curb section shall be either roll curbs or ribbon curbs in lieu of the typical curb detail in Rule 620.

Support for blanket relief requests are as follows.

- 1) The 110' diameter turnaround right-of-way and 80' diameter pavement has been used in Cordillera Ranch since its start in 1996. I am not aware of any issues regarding vehicle turning movements, including emergency vehicles, school buses, trash trucks, etc.
- 2) 3), 4) & 5) These right-of-way and pavement widths have been used in Cordillera Ranch for many years with great success. This proposed pavement width is justified for several reasons. This roadway will be privately owned and maintained. The minimum lot sizes in this tract are generally greater than 1.00 acres, resulting in a relatively low density. Several recent studies show a direct correlation between reduced pavement widths and slower driving speeds. Slower driving speeds certainly benefit the safety and welfare of the future residents of this area. The restrictive covenants proposed for this tract will have stringent requirements limiting on-street parking such that on-street parking will not be an issue regarding the requested reduced pavements widths. The proposed right-of-way and pavement widths provide adequate space to install underground utility lines within the right-of-way, but outside the pavement and curb areas.
- 6) The Federal Highway Administration's "MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES" (2009) states that "Center line markings shall be placed on all paved urban arterials and collectors that have a traveled way of 20 feet or more in width and an ADT of 6,000 vehicles per day or greater." Section 3B.01 of the "TEXAS MANUAL OF UNIFORM TRAFFIC CONTROL DEVICES" (2011) recommends that center line markings should be placed on urban and rural arterials and collectors that have daily traffic volumes of 3,000 vehicles per day or greater. None of the Residential classification streets in this tract will even approach the traffic volumes recommended in the above regulations to have centerline markings.
- 7) HMAC pavement over a prime coat has been used for over 20 years in Cordillera Ranch with excellent results. The asphalt material for the prime coat will generally be AE-P per Item 300 of the TxDOT Standard Specifications.

- 8) Where erosion potential exists in roadside ditches (where the grade exceeds 5% and/or the velocity exceeds 4 fps), Cordillera Ranch proposes to place an appropriate erosion control blanket liner in the ditch in lieu of a concrete lining. This alternative method has been used in Cordillera Ranch for many years with excellent results. Vegetation in ditches reduces runoff velocities and provides better water quality than concrete.
- 9) On streets where curbs are proposed, a 24" wide concrete roll curb (6" high) and gutter section is proposed on the pavement edges. Cordillera Ranch prefers the curb and gutter section because trickle runoff flows on the concrete gutter rather than on the interface between the pavement and concrete curb. These curb and gutter sections have been utilized for years in Cordillera Ranch with great success. On streets where roadside ditches are proposed, a concrete ribbon curb MAY be utilized on some streets.

Thank you for your consideration of this blanket request for relief.

Sincerely,



Fred C. Lockwood, P.E.

Copy: Charlie Hill
Commissioner Richard Chapman
Mary Ellen Schulle, P.E., CFM




KENDALL COUNTY COMMISSIONERS COURT AGENDA REQUEST

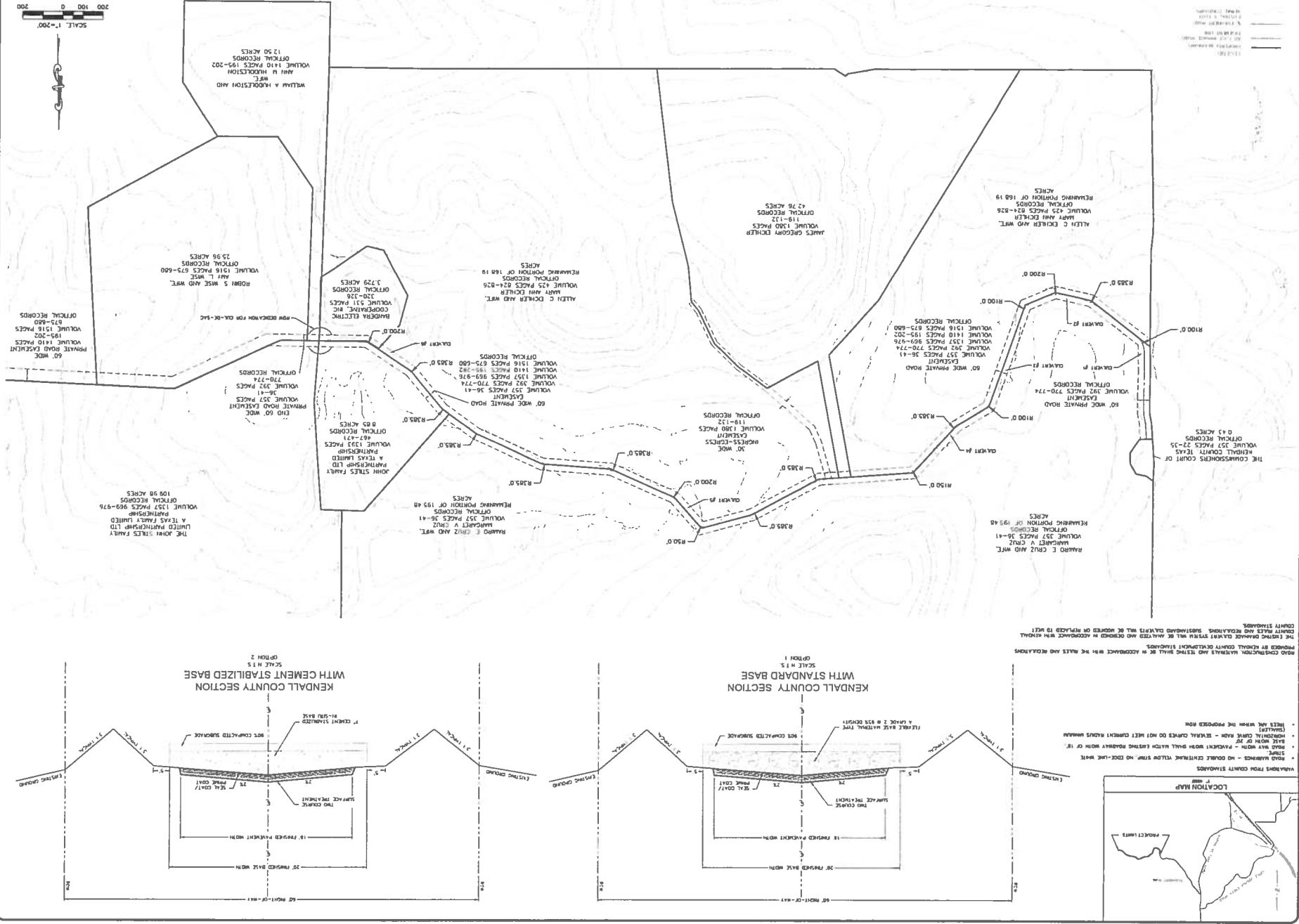
COMMISSIONER COURT DATE: 7/8/2019 OPEN SESSION	
SUBJECT	Kendall County acceptance for maintenance of approximately one mile of Poehnert Road which extends from a cul-de-sac at the current end of County maintained Poehnert Road to a Bandera Electric substation.
DEPARTMENT & PERSON MAKING REQUEST	County Engineer - Richard Tobolka
PHONE # OR EXTENSION #	830-249-9343 Ext. 250
TIME NEEDED FOR PRESENTATION	5 Minutes
WORDING OF AGENDA ITEM	Consideration and action on accepting Poehnert Road into the county road system and accepting a one (1) year maintenance bond for Roadway and Drainage in the amount of \$68,936.22. The Maintenance Bond is effective for one year beginning July 8, 2019.
REASON FOR AGENDA ITEM	Kendall County acceptance for maintenance of approximately one mile of Poehnert Road which extends from a cul-de-sac at the current end of County maintained Poehnert Road to a Bandera Electric substation.
IS THERE DOCUMENTATION	Yes
WHO WILL THIS AFFECT?	Pct #4
ADDITIONAL INFORMATION	The existing roadway is privately maintained and located within the limits of a previously recorded 60ft Private Road Easement. Property owners dedicated an existing 60 ft road easement to Kendall County and reconstructed Poehnert Road in accordance with details in the exhibit provided and conditions placed on the proposed project by Commissioners Court. Kendall County Engineer's office inspected the project construction to assure compliance with plan details and Commissioners Court conditions. Upon completion of the one year warranty period, the County will assume responsibility for maintenance of the roadway and associated drainage culverts. On 6-11-2018, Commissioners Court voted 5-0 to accept and maintain Poehnert Road if conditions and actions defined in the agenda item are completed.

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FOR INTERIM
REVIEW ONLY
This document is available for
purchase or rental only.
NAME: JAMES MCCABE
P. L. No. 108753
Date of birth or issuance: 04 Dec
1952
Date of birth: 04 Dec 1952

CIVIL TECH., PLLC.
ENGINEERS, CONSULTANTS, LAND PLANNERS

 Firm No. 13711 (210) 345-5029
P.O. BOX 2203 BOERNE, TX. 78006



SureTec Insurance Company

9737 Great Hills Trail, Suite 320

Austin, Texas 78759

512-732-0099

CHANGE RIDER

To be attached to and form a part of:

Bond Number: 4426376

Principal: Complete Maintenance Solutions

Obligee: Kendall County Judge or the Judge's successors in office

Said bond, issued by SureTec Insurance Company, as Surety, is hereby amended as follows:

Bond Amount Is Increased:

From: \$63,750.00

To: \$68,936.22

Effective date of rider: June 26, 2019

All other terms and conditions shall remain the same.

Signed and sealed this 26th day of June, 2019.

SureTec Insurance Company

Surety

By: 

Thomas E. Whitney, Attorney-in-fact

SureTec Insurance Company

LIMITED POWER OF ATTORNEY

Know All Men by These Presents, That SURETEC INSURANCE COMPANY (the "Company"), a corporation duly organized and existing under the laws of the State of Texas, and having its principal office in Houston, Harris County, Texas, does by these presents make, constitute and appoint

Catherine M. Martinez, Deborah L. Jung, Michael N. Venson, Robert B. Wray, S. West Warren, Thomas E. Whitney, Donald E. Miller, Jr.

its true and lawful Attorney-in-fact, with full power and authority hereby conferred in its name, place and stead, to execute, acknowledge and deliver any and all bonds, recognizances, undertakings or other instruments or contracts of suretyship to include waivers to the conditions of contracts and consents of surety for, providing the bond penalty does not exceed

Ten Million and 00/100 Dollars (\$10,000,000.00)

and to bind the Company thereby as fully and to the same extent as if such bond were signed by the CEO, sealed with the corporate seal of the Company and duly attested by its Secretary, hereby ratifying and confirming all that the said Attorney-in-Fact may do in the premises. Said appointment is made under and by authority of the following resolutions of the Board of Directors of the SureTec Insurance Company:

Be it Resolved, that the President, any Vice-President, any Assistant Vice-President, any Secretary or any Assistant Secretary shall be and is hereby vested with full power and authority to appoint any one or more suitable persons as Attorney(s)-in-Fact to represent and act for and on behalf of the Company subject to the following provisions:

Attorney-in-Fact may be given full power and authority for and in the name of and of behalf of the Company, to execute, acknowledge and deliver, any and all bonds, recognizances, contracts, agreements or indemnity and other conditional or obligatory undertakings and any and all notices and documents canceling or terminating the Company's liability thereunder, and any such instruments so executed by any such Attorney-in-Fact shall be binding upon the Company as if signed by the President and sealed and effected by the Corporate Secretary.

Be it Resolved, that the signature of any authorized officer and seal of the Company heretofore or hereafter affixed to any power of attorney or any certificate relating thereto by facsimile, and any power of attorney or certificate bearing facsimile signature or facsimile seal shall be valid and binding upon the Company with respect to any bond or undertaking to which it is attached. (Adopted at a meeting held on 20th of April, 1999.)

In Witness Whereof, SURETEC INSURANCE COMPANY has caused these presents to be signed by its CEO, and its corporate seal to be hereto affixed this 7th day of November, A.D. 2018.

SURETEC INSURANCE COMPANY

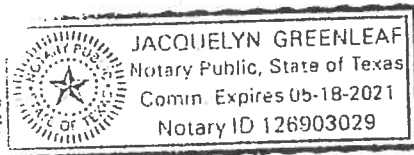
By: 
John Knox Jr., CEO

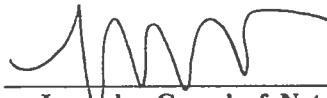
State of Texas
County of Harris

ss:




On this 7th day of November, A.D. 2018 before me personally came John Knox Jr., to me known, who, being by me duly sworn, did depose and say, that he resides in Houston, Texas, that he is CEO of SURETEC INSURANCE COMPANY, the company described in and which executed the above instrument; that he knows the seal of said Company; that the seal affixed to said instrument is such corporate seal; that it was so affixed by order of the Board of Directors of said Company; and that he signed his name thereto by like order.




Jacquelyn Greenleaf, Notary Public
My commission expires May 18, 2021

I, M. Brent Beaty, Assistant Secretary of SURETEC INSURANCE COMPANY, do hereby certify that the above and foregoing is a true and correct copy of a Power of Attorney, executed by said Company, which is still in full force and effect; and furthermore, the resolutions of the Board of Directors, set out in the Power of Attorney are in full force and effect.

Given under my hand and the seal of said Company at Houston, Texas this 25th day of June, 2019, A.D.


M. Brent Beaty, Assistant Secretary

Any instrument issued in excess of the penalty stated above is totally void and without any validity.
For verification of the authority of this power you may call (713) 812-0800 any business day between 8:30 am and 5:00 pm CST.

<p style="text-align: center;">SureTec Insurance Company THIS BOND RIDER CONTAINS IMPORTANT COVERAGE INFORMATION</p>
--

Statutory Complaint Notice

To obtain information or make a complaint: You may call the Surety's toll free telephone number for information or to make a complaint at: 1-866-732-0099. You may also write to the Surety at:

SureTec Insurance Company
9737 Great Hills Trail, Suite 320
Austin, Texas 78759

You may contact the Texas Department of Insurance to obtain information on companies, coverage, rights or complaints at 1-800-252-3439. You may write the Texas Department of Insurance at

PO Box 149104
Austin, TX 78714-9104
Fax#: 512-475-1771

PREMIUM OR CLAIM DISPUTES: Should you have a dispute concerning your premium or about a claim, you should contact the Surety first. If the dispute is not resolved, you may contact the Texas Department of Insurance.

Terrorism Risks Exclusion

The Bond to which this Rider is attached does not provide coverage for, and the surety shall not be liable for, losses caused by acts of terrorism, riot, civil insurrection, or acts of war.

**Exclusion of Liability for
Mold, Mycotoxins, Fungi & Environmental Hazards**

The Bond to which this Rider is attached does not provide coverage for, and the surety thereon shall not be liable for, molds, living or dead fungi, bacteria, allergens, histamines, spores, hyphae, or mycotoxins, or their related products or parts, nor for any environmental hazards, bio-hazards, hazardous materials, environmental spills, contamination, or cleanup, nor the remediation thereof, nor the consequences to persons, property, or the performance of the bonded obligations, of the occurrence, existence, or appearance thereof.

SureTec Insurance Company

2103 CityWest Boulevard, Suite 1300
Houston, TX 77042
713-812-0800

Bond No.4426376

MAINTENANCE BOND

KNOW ALL MEN BY THESE PRESENTS, that we Complete Maintenance Solutions as Principal, and SureTec Insurance Company, a corporation organized under the laws of the State of Texas, and duly authorized to do business in the State of Texas, as Surety, are held and firmly bound unto Kendall County Judge or the Judge's successors in office as Obligee, in the penal sum of Sixty Three Thousand Seven Hundred Fifty and 00/100-- (\$63,750.00) to which payment well and truly to be made we do bind ourselves, and each of our heirs, executors, administrators, successors and assigns jointly and severally, firmly by these presents.

WHEREAS, the said Principal has entered into a contract with Kendall County Judge or the Judge's successors in office dated 09/20/2018 for streets and drainage - Poehnert Rd Reconstruction, Boerne, TX, which contract is hereinafter referred to as the "Contract."

WHEREAS, said Obligee requires that the Principal furnish a bond conditioned to guarantee for the period of one year (s) after substantial completion of the work performed under the Contract against defects in workmanship and materials in the Work which would have been the responsibility under the Contract for which written notice is made to Surety during said period.


NOW THEREFORE, THE CONDITIONS OF THIS OBLIGATION IS SUCH that, if the Principal shall indemnify the Obligee for all loss that the Obligee may sustain by reason of any defective materials or workmanship in the Work which may become apparent and with respect to which notice is delivered to Surety in writing during the period of one year (s) from and after date of substantial completion of the work, then this obligation shall be void, otherwise to remain in full force and effect.

No right of action shall accrue hereunder to or for the benefit of any person or entity other the Obligee named herein, nor shall any suit be filed or action maintained on this bond more than twenty five (25) months after the date of the earliest timely notice of defect by Obligee to Surety.

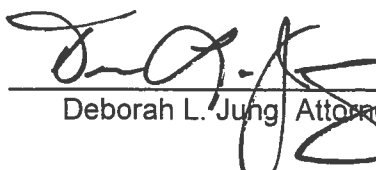
SIGNED, SEALED AND DATED THIS 20th day of June, 2019.

Complete Maintenance Solutions

Principal

By: Eric Wade Lowman  ERIC WADE LOWMAN

SureTec Insurance Company

By:  Deborah L. Jung Attorney-in-Fact

SureTec Insurance Company

LIMITED POWER OF ATTORNEY

Know All Men by These Presents, That SURETEC INSURANCE COMPANY (the "Company"), a corporation duly organized and existing under the laws of the State of Texas, and having its principal office in Houston, Harris County, Texas, does by these presents make, constitute and appoint

Catherine M. Martinez, Deborah L. Jung, Michael N. Venson, Robert B. Wray, S. West Warren, Thomas E. Whitney, Donald E. Miller, Jr.

its true and lawful Attorney-in-fact, with full power and authority hereby conferred in its name, place and stead, to execute, acknowledge and deliver any and all bonds, recognizances, undertakings or other instruments or contracts of suretyship to include waivers to the conditions of contracts and consents of surety for, providing the bond penalty does not exceed

Ten Million and 00/100 Dollars (\$10,000,000.00)

and to bind the Company thereby as fully and to the same extent as if such bond were signed by the CEO, sealed with the corporate seal of the Company and duly attested by its Secretary, hereby ratifying and confirming all that the said Attorney-in-Fact may do in the premises. Said appointment is made under and by authority of the following resolutions of the Board of Directors of the SureTec Insurance Company:

Be it Resolved, that the President, any Vice-President, any Assistant Vice-President, any Secretary or any Assistant Secretary shall be and is hereby vested with full power and authority to appoint any one or more suitable persons as Attorney(s)-in-Fact to represent and act for and on behalf of the Company subject to the following provisions:

Attorney-in-Fact may be given full power and authority for and in the name of and of behalf of the Company, to execute, acknowledge and deliver, any and all bonds, recognizances, contracts, agreements or indemnity and other conditional or obligatory undertakings and any and all notices and documents canceling or terminating the Company's liability thereunder, and any such instruments so executed by any such Attorney-in-Fact shall be binding upon the Company as if signed by the President and sealed and effected by the Corporate Secretary.

Be it Resolved, that the signature of any authorized officer and seal of the Company heretofore or hereafter affixed to any power of attorney or any certificate relating thereto by facsimile, and any power of attorney or certificate bearing facsimile signature or facsimile seal shall be valid and binding upon the Company with respect to any bond or undertaking to which it is attached. (Adopted at a meeting held on 20th of April, 1999.)

In Witness Whereof, SURETEC INSURANCE COMPANY has caused these presents to be signed by its CEO, and its corporate seal to be hereto affixed this 7th day of November, A.D. 2018.

SURETEC INSURANCE COMPANY

By: _____

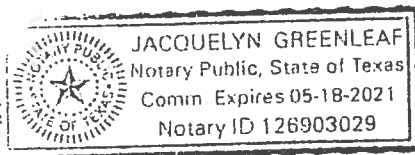
John Knox Jr., CEO

State of Texas
County of Harris

ss:



On this 7th day of November, A.D. 2018 before me personally came John Knox Jr., to me known, who, being by me duly sworn, did depose and say, that he resides in Houston, Texas, that he is CEO of SURETEC INSURANCE COMPANY, the company described in and which executed the above instrument; that he knows the seal of said Company; that the seal affixed to said instrument is such corporate seal; that it was so affixed by order of the Board of Directors of said Company; and that he signed his name thereto by like order.



Jacquelyn Greenleaf, Notary Public
My commission expires May 18, 2021

I, M. Brent Beaty, Assistant Secretary of SURETEC INSURANCE COMPANY, do hereby certify that the above and foregoing is a true and correct copy of a Power of Attorney, executed by said Company, which is still in full force and effect; and furthermore, the resolutions of the Board of Directors, set out in the Power of Attorney are in full force and effect.

Given under my hand and the seal of said Company at Houston, Texas this 20th day of June, 2019, A.D.

M. Brent Beaty, Assistant Secretary

Any instrument issued in excess of the penalty stated above is totally void and without any validity.

For verification of the authority of this power you may call (713) 812-0800 any business day between 8:30 am and 5:00 pm CST.

<p style="text-align: center;">SureTec Insurance Company THIS BOND RIDER CONTAINS IMPORTANT COVERAGE INFORMATION</p>
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Statutory Complaint Notice

To obtain information or make a complaint: You may call the Surety's toll free telephone number for information or to make a complaint at: 1-866-732-0099. You may also write to the Surety at:

SureTec Insurance Company
9737 Great Hills Trail, Suite 320
Austin, TX 78759

You may contact the Texas Department of Insurance to obtain information on companies, coverage, rights or complaints at 1-800-252-3439. You may write the Texas Department of Insurance at

PO Box 149104
Austin, TX 78714-9104
Fax#: 512-475-1771

PREMIUM OR CLAIM DISPUTES: Should you have a dispute concerning your premium or about a claim, you should contact the Surety first. If the dispute is not resolved, you may contact the Texas Department of Insurance.

Terrorism Risks Exclusion

The Bond to which this Rider is attached does not provide coverage for, and the surety shall not be liable for, losses caused by acts of terrorism, riot, civil insurrection, or acts of war.

**Exclusion of Liability for
Mold, Mycotoxins, Fungi & Environmental Hazards**

The Bond to which this Rider is attached does not provide coverage for, and the surety thereon shall not be liable for, molds, living or dead fungi, bacteria, allergens, histamines, spores, hyphae, or mycotoxins, or their related products or parts, nor for any environmental hazards, bio-hazards, hazardous materials, environmental spills, contamination, or cleanup, nor the remediation thereof, nor the consequences to persons, property, or the performance of the bonded obligations, of the occurrence, existence, or appearance thereof.



KENDALL COUNTY COMMISSIONERS COURT AGENDA REQUEST

COMMISSIONER COURT DATE: 7/8/2019
OPEN SESSION

SUBJECT	Kendall County participation with Texas State Soil and Water Conservation Board and Kendall County Soil and Water Conservation District on funding rehabilitation for Upper Cibolo Creek Watershed Floodwater Retarding Structures No. 2 and No. 4.
DEPARTMENT & PERSON MAKING REQUEST	County Engineer - Richard Tobolka
PHONE # OR EXTENSION #	830-249-9343 Ext. 250
TIME NEEDED FOR PRESENTATION	5 Minutes
WORDING OF AGENDA ITEM	Consideration and action on Kendall County participating with Texas State Soil and Water Conservation Board and Kendall County Soil and Water Conservation District on funding rehabilitation for Upper Cibolo Creek Watershed Floodwater Retarding Structures No. 2 and No. 4.
REASON FOR AGENDA ITEM	Texas State Soil and Water Conservation Board requires a commitment from Kendall County to either participate or decline participation for the Federal and State funded Floodwater Retarding Structure upgrades. Kendall County participation consists of funding a percentage of each project. Kendall County funding for Floodwater Retarding Structures No. 2 is \$52,500 with a project cost of \$3,000,000. Kendall County funding for Floodwater Retarding Structures No. 4 is \$250,000 with a project cost of \$5,000,000. Funding for the project must be committed by May 31, 2021.
IS THERE DOCUMENTATION	Yes
WHO WILL THIS AFFECT?	Pct #1, #2, #3, #4
ADDITIONAL INFORMATION	None

UPPER CIBOLO CREEK DAMS with Applications or Earmarks in \$150 M Plan

DAM	COUNTY	ACTIVITY	EST. COST	SPONSOR'S ESTIMATED SHARE OF COST	PROJECT AND SPONSOR STATUS	Target Agreement Execution Date
REPAIR (Sponsor share 5.0%)						
		TOTAL	\$0	\$0		
FEDERAL REHABILITATION (sponsor share 1.75%)						
Upper Cibolo 2	Kendall	Rehab	\$3,000,000	\$52,500	Fed Rehab Planning funded 2019	8/31/2023
		TOTAL	\$3,000,000	\$52,500		
STATE FUNDED UPGRADE TO HIGH HAZARD CRITERIA ** (similar to federal rehab but no rehab plan required)						
Upper Cibolo 4	Kendall	Upgrade	\$5,000,000	\$250,000	Sponsor Ready?	5/31/2021
		TOTAL	\$5,000,000	\$250,000		

**** NOTE:** Sponsor share of state funded upgrade/rehab based on current TSSWCB rules of 5% of project cost. TSSWCB is requesting a change to rules to allow sponsor share of 1.75% when only state funding is used for upgrading/rehab of dams. No guarantees that this rule change will be approved by the governor's office.



KENDALL COUNTY COMMISSIONERS COURT AGENDA REQUEST

COMMISSIONER COURT DATE: 7/8/2019 OPEN SESSION	
SUBJECT	Modification of Section 405.1600 of the Kendall County Development Rules and Regulations
DEPARTMENT & PERSON MAKING REQUEST	County Engineer - Richard Tobolka
PHONE # OR EXTENSION #	830-249-9343 Ext. 250
TIME NEEDED FOR PRESENTATION	5 Minutes
WORDING OF AGENDA ITEM	Consideration and action regarding an Order to Modify Kendall County Development Rules and regulations, Subdivision Rules Section 405.1600 to become effective July 12, 2019.
REASON FOR AGENDA ITEM	Better align policy with accepted engineering practices pertaining to detention of stormwater runoff.
IS THERE DOCUMENTATION	Yes
WHO WILL THIS AFFECT?	Public
ADDITIONAL INFORMATION	None

Existing

- 405.1600 All new developments may require on-site detention to prevent post-development peak discharge runoff rate from exceeding the pre-development peak discharge runoff rate for the 2-, 5-, 10-, 25-, 50-, 100-year event. If detention is required, the developer shall provide design documentation by a licensed professional engineer as part of the County's development permitting process. If the engineer determines for a commercial development that the difference between the peak discharge runoff rate is 0.85 cubic feet per second or less for the 100-year event, then detention is not required. If the engineer determines for a residential development that the post-development peak discharge rate for the 2-, 5-, 10-, 25-, 50-, and 100-year events exceeds the pre-development peak discharge rate, he must design the drainage system in the development to mitigate the excess peak discharge flow rate to the satisfaction of the County Engineer. If a detention pond is required, drawings and specifications shall be submitted by the engineer of record to the County Engineer for review and approval. Upon completion of construction of the detention pond, the engineer of record shall direct correspondence to the County Engineer stating that the detention pond has been completed in accordance with these Rules and Regulations and in accordance with the engineer's drawings and specifications and request that that the County Engineer conduct a final inspection of the detention pond. On-site detention will be discussed at the preliminary conference required in Section 201 of these regulations.

Modifications

- 405.1600 All new developments may require on-site detention to prevent post-development peak discharge runoff rate from exceeding the pre-development peak discharge runoff rate for the 2-, 5-, 10-, 25-, 50-, 100-year event. If detention is required, the developer shall provide design documentation by a licensed professional engineer as part of the County's development permitting process. ~~If the engineer determines for a commercial development that the difference between the peak discharge runoff rate is 0.85 cubic feet per second or less for the 100-year event, then detention is not required.~~ If the engineer determines for a *residential subdivision, commercial subdivision, or commercial* development that the post-development peak discharge rate for the 2-, 5-, 10-, 25-, 50-, and 100-year events exceeds the pre-development peak discharge rate, he must design the drainage system in the development to mitigate the excess peak discharge flow rate to the satisfaction of the County Engineer. If a detention pond is required, drawings and specifications shall be submitted by the engineer of record to the County Engineer for review and approval. Upon completion of construction of the detention pond, the engineer of record shall direct correspondence to the County Engineer stating that the detention pond has been completed in accordance with these Rules and Regulations and in accordance with the engineer's drawings and specifications and request that that the County Engineer conduct a final inspection of the detention pond. On-site detention will be discussed at the preliminary conference required in Section 201 of these regulations.

Proposed

405.1600 All new developments may require on-site detention to prevent post-development peak discharge runoff rate from exceeding the pre-development peak discharge runoff rate for the 2-, 5-, 10-, 25-, 50-, 100-year event. If detention is required, the developer shall provide design documentation by a licensed professional engineer as part of the County's development permitting process. If the engineer determines for a residential subdivision, commercial subdivision, or commercial development that the post-development peak discharge rate for the 2-, 5-, 10-, 25-, 50-, and 100-year events exceeds the pre-development peak discharge rate, he must design the drainage system in the development to mitigate the excess peak discharge flow rate to the satisfaction of the County Engineer. If a detention pond is required, drawings and specifications shall be submitted by the engineer of record to the County Engineer for review and approval. Upon completion of construction of the detention pond, the engineer of record shall direct correspondence to the County Engineer stating that the detention pond has been completed in accordance with these Rules and Regulations and in accordance with the engineer's drawings and specifications and request that that the County Engineer conduct a final inspection of the detention pond. On-site detention will be discussed at the preliminary conference required in Section 201 of these regulations.



**KENDALL COUNTY COMMISSIONERS COURT
AGENDA REQUEST**

**COMMISSIONER COURT DATE: 7/8/2019
OPEN SESSION**

SUBJECT	2019 2nd Quarter Jail Report
DEPARTMENT & PERSON MAKING REQUEST	Al Auxier, Sheriff
PHONE # OR EXTENSION #	830-249-9721
TIME NEEDED FOR PRESENTATION	10 minutes
WORDING OF AGENDA ITEM	Jail operations report for 2nd quarter of 2019.
REASON FOR AGENDA ITEM	To inform Commissioners Court of jail operations
WHO WILL THIS AFFECT?	Public
ADDITIONAL INFORMATION	None