

of the

WILLIAMSON COUNTY COMMISSIONERS COURT MEETING

October 13, 1998

THE STATE OF TEXAS) (

COUNTY OF WILLIAMSON) (BE IT REMEMBERED that at 9:30 a.m. on this the 13th day of October A.D., 1998, there was begun and holden a REGULAR SESSION of the Commissioners Court of Williamson County, Texas, the following members being present, to-wit:

JOHN C. DOERFLER, County Judge
MICHAEL L. HEILIGENSTEIN, Commissioner, Precinct 1
GREGORY W. BOATRIGHT, Commissioner, Precinct 2
Absent.....DAVID S. HAYS, Commissioner, Precinct 3
JERRY L. MEHEVEC, Commissioner, Precinct 4
EUGENE D. TAYLOR, County Attorney
NANCY E. RISTER, County Clerk
DAVID U. FLORES, County Auditor

AGENDA ITEM # 1

October 13, 1998

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Hear any interested person and consider forming the next agenda or adding items to today's agenda.

Ken Snyder addressed the court requesting Williamson County trench out a 15' public utility easement in Northridge Acres Subdivision. He felt a drainage problem caused by a water meter leak and contamination could be alleviated with the water flowing to a drainage ditch.

County Engineer Joe England reported originally a ditch did run along the rear lot lines leading out to our roadside ditch but landscaping over the years has blocked the drainage. Opening the ditch would not require a significant amount of time and work by Williamson County Unified Road System.

First Assistant County Attorney Dale Rye advised drainage work could not be accomplished by the county in a public utility easement unless it has been dedicated as a drainage easement. The county cannot go out to cure a private flooding problem. If the problem falls within a health and safety issue, the county could perform the task and bill the individual for the work.

Williamson County and Cities Health Department Environmental Division Director Paulo Pinto reported two on site visits to the problem area by his department but due to a spring being located on this property his department could not confirm the problem as a public health issue. He offered to take another look but if it is a water meter leak it will be difficult to prove a public health nuisance. Mr. Pinto suggested the water leak be repaired.

Commissioner Heiligenstein requested County Engineer Joe England contact ECO Resources, Inc. (335-7580) 9511 Ranch Road 620 North, Austin, Texas 78726, regarding water leak repair. ECO Resources, Inc. provides water to the Northridge Acres subdivision.

Tim Worthy of Coupland addressed the court requesting Williamson County build handicapped ramps with access to Coupland State Bank, United States Post Office and Old Coupland Inn Dance Hall and Tavern. First Assistant County Attorney Dale Rye brought pictures of the downtown Coupland area and advised someone was supposed to have performed a survey in Coupland to confirm the edge of county right-of-way. Coupland is platted but like Jarrell the location of the streets sometime does not comply absolutely with the dedication on the plat. The sidewalk is really not a sidewalk but a way of traveling from point "a" to point "b".

The front door is located substantially above ground level and a concrete structure is located in front of the building which elevates above street level to the location of the door. This 50 to 60 year old structure which is tied in architecturally to the building is not a sidewalk and was obviously not constructed by Williamson County nor is it maintained by the county. An awning covers the structure which is supported by attached posts. The awning which was built by the owner and not Williamson County would be considered part of the building and improvements should be the responsibility of the owner rather than the county.

Mr. Rye continued a survey would be helpful to determine the property line. However, it appears the structure has been treated as a part of the building for many years. Under the American Disabilities Act we do not have an obligation to go back and retrofit a structure which the county did not place there in the first place. ADA compliance is not an issue of traveling the sidewalk but having access to the building.

Mr. Worthy advised Theodore Whitman built the sidewalks before World War II because he could not get Williamson County to build them. A 1992 survey for his property indicates the property line is the front of the building. The county has 80' across to the bank building and he feels the sidewalks are county property. ADA inspector Chris Sykes had advised Mr. Worthy the ramps would need to be located on the sidewalks along with 6' of county right-of-way. Therefore permission or easement from the county would be required or the county could perform the work. A \$1,500.00 per ramp cost estimate for 2 ramps for his building alone. Mr. Worthy requested the county build the necessary ramps.

Judge Doerfler explained to Mr. Worthy it would be necessary for the office of the County Attorney to issue a legal opinion. The Judge felt granting right-of-way to the property owners would not be a problem.

Mr. Rye advised issuing the necessary easements to the property owners in order for the property owners to build the ramps would be legal. He also continued the sidewalks could be converted to ADA compliance but the doors would still be 3' off the ground and inaccessible to the disabled.

Again Mr. Rye advised the county was not legally obligated for maintenance of the sidewalks.

Mr. Rye and Mr. Worthy met in the conference room for further discussion.

Co-chairman of the Williamson County Sesquicentennial Committee Mrs. Irene Varan introduced Co-chairman District Judge Billy Ray Stubblefield. The Judge recognized Rod Johnson, dressed in Swedish costume, who presented his wooden hand carving of Robert McAlpine Williamson "Three Legged Willie" to Judge Doerfler.

Mr. Ralph Dixon Love announced he has contacted nieces and nephews of Mr. Williamson who will be attending the fair and cowboy jubilee this week-end.

Judge Stubblefield gave an excerpt from his "Three Legged Willie" story. Robert McAlpine Williamson was born in Georgia in either 1804 or 1806. He contacted white water fever at the age of 15 and when he recovered his right leg was drawn up at the knee so he attached a peg leg along with another pant leg and thus his nick name.

In Texas he was a buffalo hunter, indian fighter and first head of the Texas Rangers under the provisional government of the Republic of Texas. He became the first judge of the 3rd District Court of the Republic of Texas which included the territory now known as Williamson County. He was also on the Supreme Court, a Representative of the Republic, Senator of the new state of Texas and one of the most outspoken proponents of annexation of Texas by the United States.

Robert McAlpine Williamson was extremely popular throughout the republic and state because of his humor and fought in the battle of San Jacinto under Mirabeau B. Lamar. An entirely admirable person who lived all but 15 years of his life handicapped. He died in 1859.

Judge Stubblefield advised the old fashioned county fair and cowboy jubilee is scheduled for Thursday, October 15 through Sunday 18, 1998, in Old Settlers Park. Members of the committee introduced themselves and their projects for this sesquicentennial.

Fran Whitley displayed the "Willie" coin selling for \$52.55 at all Heritage Banks and advised a \$5.00 donation will be accepted and someone will definitely own an authentic 1860 Army Model Colt .44 cap and ball pistol - #2 of a 250 limited addition donated by the Sam Bass Centennial Association. Number 250 will be donated to the Williamson County Historical Museum.

Judge Doerfler expressed his appreciation for all the effort involved in this sesquicentennial.

AGENDA ITEM # 2

October 13, 1998

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Read and approve the minutes of the last meeting.

Moved: Commissioner Mehevec

Seconded: Judge Doerfler

Motion: To approve the minutes of the meeting of October 6, 1998.

Vote: Motion carried 4 - 0

AGENDA ITEM # 3

October 13, 1998

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Hear County Auditor concerning invoices and bills submitted for payment and take appropriate action including, but not limited to approval for payment provided said items are found by the County Auditor to be legal obligations of the County.

Moved: Judge Doerfler

Seconded: Commissioner Boatright

Motion: To authorize the payment of \$1,359,245.05 in computer print-out and report from the proper line items, if found by the County Auditor to be legal expenses as appropriated in the 1997/98 and 1998/9 County Budget.

Vote: Motion carried 4 - 0

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