

AGENDA ITEM #34

Discuss and take any appropriate action concerning Right-of-way Agent for Unified Road System.

Moved: Commissioner Hays

Seconded: Commissioner Heiligenstein

Motion: To post Unified Road System Right-of-way Agent position at salary up to \$45,049.00 (Grade 30 Step 1).

Vote: Motion carried 4 - 1 with Judge Doerfler voting against the motion.

AGENDA ITEM #35OCTOBER 26, 1999VOL.107, PG.667

Discuss and take appropriate action concerning new rules for on-site sewerage facilities.

Commissioner Boatright discussed the new Cities and Williamson County Health District regulations of 50' set-back for spray disposal of individual aerobic wastewater systems and their effect on subdivisions which were approved and filed prior to the effective date. The 50' set-back requirement will not allow installation of aerobic systems on many already platted subdivisions. The commissioner advised he has a problem with the subdivisions which have already been platted not being "grandfathered".

Professional engineer Tomothy E. Haynie requested the court consider a 25' set-back for spray disposal such as Travis County has recently adopted on existing subdivisions. He can live with 50' on proposed subdivisions. He was especially interested in Bell Meadows, Section Three.

First Assistant County Attorney Dale Rye advised the basic rule is "grandfathered" as of the date of the application - not the date the permit is approved. The new statute basically states if there are a series of permits required for a particular project the entire series is blocked in from the filing date of the first application. The question here is whether the permit to actually construct the sewage facilities are part of the same series as the initial permits and should they be "grandfathered". His thought is "probably not" since the lot owner and not the developer will be making application for the permit.

Commissioner Boatright stated the 50' set-back requirement prohibits the aerobic wastewater treatment systems being installed in some recorded subdivisions in Williamson County.

Cities and Williamson County Health District Environmental Division Department Head Paulo Pinto advised Bell Gin Estates subdivision was platted when spray irrigation systems were not allowed in Williamson County per decision of Commissioners Court.

Aerobic wastewater treatment systems were not allowed in Williamson County until February, 1998, which defeats the "grandfather" theory. He has discussed the 25' set-back in effect in Travis County which plans to enforce ruling on all lots. He has called numerous septic installers who advise the spray system is now being installed for \$6,000.00 to \$6,500.00 which is about the same price as other type systems. He understands the companies can install the spray system easier and faster than the other type system.

Mr. Pinto has a letter in hand from an engineer stating there is no ground water in Cottonwood Creek Subdivision. It has been alleged there is now ground water and a conventional wastewater system would not work. If there is a specific problem on a lot by lot basis, the Health District will check each one.