

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.

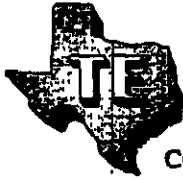
Bell Meadows Estates maintenance contract reports are not being received by Mr. Pinto every four (4) months as required. He also advised the spray does drift 50' to 100' when the wind blows and in order to protect public health the 50' set-back requirement was recommended.

Mr. Pinto continued when TNRCC passed their rules in 1997, they were applicable to all lots.

Mr. Joe P. (Jody) Giddens, Jr. advised groundwater was present in Cottonwood Creek Subdivision and requested the 50' set-back be reduced to 25'.

Engineer Don H. Bizzell reported big improvement advances and safeguards to the aerobic wastewater treatment systems. Water is more valuable every day. Treated affluent is being pumped back into the Aquifer in El Paso now. All Georgetown Sun City golf courses and medians as well as Southwestern University's golf course are using treated wastewater.

Mr. Bizzell continued with an average household only sprays 300 gallons per day. He advised safeguards are being built into the aerobic systems and appear to be the answer for a lot of areas where we have ground water, heavy clays and exposed surface rock. He suggested 25' would be a good compromise.



T. E. HAYNIE AND ASSOCIATES
CONSULTING CIVIL ENGINEERS AND LAND SURVEYORS

Honorable John Doerfler, County Judge
Williamson County
710 Main Street # 201
Georgetown, Texas 78626
Fax: 512-943-1662

October 19, 1999

**RE: Changes to Williamson County and Cities Health District
Environmental Services Rules**

Dear Judge Doerfler,

The recent changes to the Health District rules have a tremendous financial impact on the use of aerobic wastewater treatment systems for individual dwellings in existing subdivisions.

The new rules include a set-back of 50-feet for spray disposal for individual aerobic systems. This change will adversely effect the Bell Meadows subdivision which was designed with typical lot widths of 100 feet to 110 feet. Many of the lots are situated in thin soils (8 to 10 inches) over a limestone layer. Also, the subdivision of Cottonwood Creek has similar lot sizes with clay soil and in some areas ground water is present. In both soil conditions an aerobic system with spray disposal is the best individual wastewater disposal system. With the rule change, we cannot use aerobic systems with spray disposal on the developed lots. Alternative systems are estimated to be \$3,000 to \$4,000 more in construction cost.

The Health District selected to "Grandfather" only certain rule changes for existing subdivision. The rule changes effect the economics of the subdivisions already built. These subdivisions were designed under the rules that existed at the time..

In the future, lot widths of 100 to 110 feet will not be designed where spray disposal from aerobic systems will be the best disposal option. We have no problems with the new rules for new subdivisions in the County. We can take the new rules into consideration with any new subdivision design.

The TNRCC rules consider a 25 foot set-back as the worst case. Also, Travis County has recently adopted the 25 foot set-back for spray disposal. I would request that the Commissioner's Court support a recommendation of a 25' set-back to be included in the "Grandfather" rights for existing subdivision. I would consider this modification a matter of fair play by not changing the rules after the subdivision lots are designed, reviewed and approved by all governing authorities, the construction complete and the plats are recorded in the County plat records.

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Any assistance or consideration in this matter will be appreciated. Should you have any questions or need additional information, please feel free to call me at 512-837-2446, extension 208.

Sincerely,



Timothy E. Haynie, P.E., R.P.L.S.

Professional Engineer (Civil) License No. 36982
T.E. Haynie and Associates

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Joe P. Giddens, Jr. (Jody)
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October 21, 1999

The Honorable John Doerfler, County Judge
Williamson County
710 Main Street, #201
Georgetown, TX 78626
FAX: (512) 943-1662

In Re: Changes to Williamson County and Cities Health District Environmental
Services Rules

Dear Judge Doerfler:

The recent changes to the Health District rules are going to cost the owners of Cottonwood Creek Subdivision in Hutto \$2,500.00 to \$3,000.00 additional per lot to install a septic system other than the aerobic spray irrigation system. The total financial impact on the first section alone could be as much as \$240,000.00. This subdivision was reviewed by the Health District on August 17, 1998 at a cost of \$965.00. How can the rules be changed after the reviews and after consideration was given?

We know changes were being made but assumed the subdivision was "grand fathered" which it is on everything except IV J 4 of the new OSSF rules.

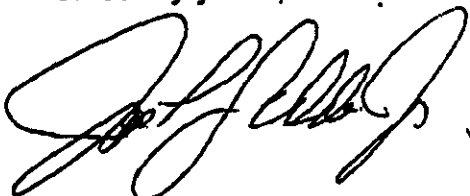
We can get by on all the changes except the 50' set-back from the property lines. We can get by with 25'. Our aerobic systems are set to spray after midnight and cut off before 5:00 a.m. During those times the wind does not blow much at all, plus it is treated effluent and everyone will have the same system in the subdivision.

The Honorable John Doerfler
October 21, 1999

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Your help and consideration of this matter will be greatly appreciated.

Sincerely yours,



Joe P. Giddens, Jr.

JPG:kog

cc:

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AGENDA ITEM #36

Discuss and take appropriate action on change order from Farmers State Bank.

No action was taken on this agenda item.

AGENDA ITEM #37**OCTOBER 26, 1999**

Open and consider awarding, rejecting or extending re-bids for Lake Creek Tributary.

At 10:12 a.m. Judge Doerfler announced time to receive bids for Lake Creek Tributary.

At 10:15 a.m. Judge Doerfler announced time closed to receive bids for Lake Creek Tributary.

Bids were opened and read aloud from:

Austin Engineering Company, Inc.	\$3,743,565.00
Austin Filter System, Inc.	2,940,841.00
Pat Canion Excavating Company	2,204,884.85
C.C. Carlton Industries, Ltd.	2,740,170.00
Chasco Contracting	3,425,862.50
Central Plains contracting Company	2,512,617.90
Cherokee Constrauction, Inc.	2,731,998.10
Edward R. Coleman Construction, Inc.	2,088,004.84
Alternate	253,345.50
Deavers Construction Company, L.P.	1,931,843.00
Martin K. Eby Construction Co., Inc.	2,252,000.00
Handex of Texas, Inc.	2,185,913.51
Ranger Excavating, Inc.	3,067,518.50
Rogers Construction Company	3,669,839.40

Transit Mix Cement

\$56.00 cubic yard

Lake Creek Tributary (Project #2) bids were opened and read aloud from:

Lake Creek Tributary II

Austin Filter Systems, Inc	\$1,447,803.00
C.C. Carlton industries, Ltd	1,391,137.50
Chasco Contracting	1,713,741.00
Cherokee Construction, Inc.	2,051,324 00
Edward R Coleman Construction, Inc.	1,181,026 66
Martin K. Eby Construction Co , Inc	1,476,000.00
Ross Construction, Inc	1,943,447 95

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Moved: Commissioner Boatright

Second: Judge Doerfler

Motion: To note receipt and opening of bids for Lake Creek Tributary and Lake Creek Tributary II with awards to be made on November 9, 1999.

Vote: Motion carried 4 - 0 with Commissioner Hays absent from the dais.

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