

AGENDA ITEM # 20

Consider authorizing advertising and setting date to open bids for construction of Brushy Creek Road from Cedar Park to Parmer Lane.

Moved: Judge Doerfler

Seconded: Commissioner Limmer

Motion: To authorize County Auditor and County Engineer advertising 10 o'clock a.m. March 21, 2000, to receive bids for construction of Brushy Creek Road from Cedar Park to Parmer Lane.

Vote: Motion carried 5 - 0

AGENDA ITEM # 21

\*

Consider approving payment of damage claims for Jill Barber (\$79.95) detailing charge for automobile and Michael Freeman for damage to vehicle.

Moved: Commissioner Boatright

Seconded: Commissioner Hays

Motion: To approve payments from 200-210-4999 of \$79.95 to Jill Barker and \$341.37 to Michael Freeman for damage to their vehicles.

Vote: Motion carried 3 - 2 with Commissioners Heiligenstein and Limmer voting against the motion.

< Clerk copy here >

**EUGENE D. TAYLOR**  
**WILLIAMSON COUNTY ATTORNEY**

Wayne Porter, First Assistant

Carol Collins	Duke Hildreth
David Glickler	Donna King
Brandi Byrd	David Laibovitz
Jana Hunsicker	G. Cole Spainhour
Daryl Eremun	Brian Baker

Dale A. Rye, Of Counsel to the County Attorney

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(512) 943-1111 (512) 352-3661, Ext. 4351  
FAX (512) 943-1120

February 11, 2000

To: Judge John Doerfler, Commissioner Heiligenstein, Commissioner Boatright,  
Commissioner Limmer and Commissioner Hays

From: Dan M. Gattis, Assistant District Attorney

Re: Jill Barber Damage Claim (Substance spilled on car)

I spoke with the Williamson County Road & Bridge Department. They claim that when they haul water it contains an emulsifier which does cause problems to a vehicle's finish if it is spilled on the vehicle. I was informed that in order to remove the substance it must either be professionally cleaned or they have a substance they use within the shop to remove the matter. Also, I was informed that the vehicles hauling the water do not have any type of lid or cap on the fill inlet and therefore the water will spill out when coming to an abrupt halt or when accelerating from a stopped position. Due to this information, it is my opinion that Williamson County is liable for the claim made by Mrs. Barber and should pay reasonable costs to remedy the matter.

Re: Allstate Insurance Co. Claim (Michael Freeman, insured)

We originally paid a claim to Michael Freeman for a broken windshield on his vehicle. We paid this claim because the Williamson County Road & Bridge Department was clearly at fault and admitted their culpability in the matter. Mr. Freeman, due to being paid by his insurance, only claimed his deductible. However, his insurance company, by law, has subrogation rights for the claim. Because they paid the bulk of the claim they may, by law, demand repayment from the liable party. Williamson County can either pay the reasonable cost of fixing the vehicle less the deductible or wait and see if Allstate brings a subrogation lawsuit in court. Should they do so, Williamson County would clearly be liable for the damages and may have to pay court costs and attorney's fees in certain matters.

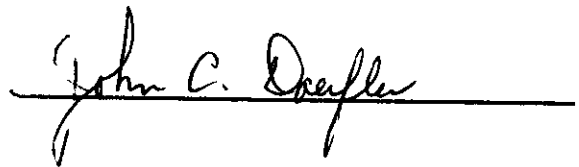
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Should you have any questions regarding these matters please do not hesitate to contact me at the Williamson County District Attorney's Office at (512) 943-1234.

Sincerely,

A handwritten signature in black ink, appearing to read 'Dan M. Gattis', written over a horizontal line.

Dan M. Gattis  
Assistant District Attorney  
Williamson County, Texas

A handwritten signature in black ink, appearing to read 'John C. Drayton', written over a horizontal line.

Feb. 15, 2000

pay out of line item  
200-210-4999

per Greg Buzon

**LEE H. GARRETT  
SAFETY COORDINATOR**



3151 S.E. Inner Loop, Suite B  
Georgetown, Texas 78626  
Telephone (512) 930-3330  
Fax (512) 930-3335

**Williamson County  
Unified Road System**

December 29, 1999

**MEMO TO:** Dan Gattis, County Attorney's Office

**SUBJECT:** Vehicle Damage Claim

Attached is information concerning a claim by Jill Barber that one of our department's vehicles spilled a liquid substance on her car, which required her to have detailed. She wants the County to reimburse her expense. I have copied a receipt from her car being detailed, a copy of a Sheriff deputy's business card that took down an incident report, and the copy of the incident report.

Our vehicle was not flagged down, and I have no information from our side, except that I asked a foreman and he said it was possible that it was one of our vehicles. Let me know if I can answer any questions regarding this. Thanks.

Sincerely,

Lee H. Garret

Attachments  
Cc: Greg Bergeron

Lee

Jill Barber

512-863-4559

200-210-4999

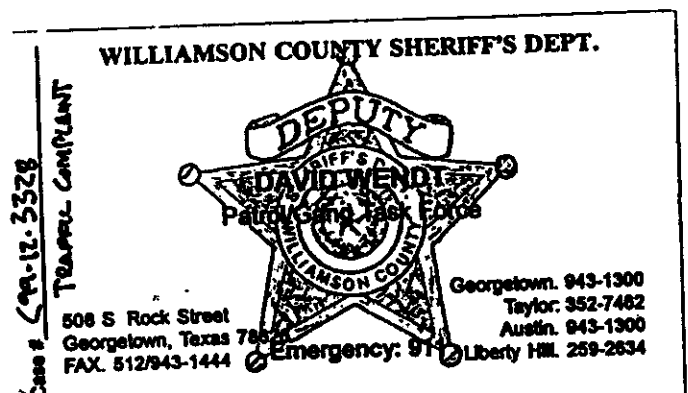
Doc Holliday's  
Cedar Park  
5:27pm 12-21-99  
SHIFT# 1 TERMINAL# 1  
CAR# 181 SLSMN# 681

F. S. Wash 9.95  
Extra Serv. 70.00

TOTAL \$: 79.95  
Cash / Check 79.95

H A N K Y O U  
Clean-Car-Fast

Good Customer  
Special If You  
Return Within  
2 Weeks  
\$3.00 OFF WASH!  
3.00 Off Lube if  
Used Within 30 Days  
Not Valid With  
Other Offers



Williamson County Sheriff's Department  
608 S. Rook St , Georgetown, Tx 78626 5819 Ph:512-930 3200

29 DEC 1999

Sheriff:  
ED RICHARDS, Sheriff

INCIDENT/OFFENSE REPORT

PAGE 1

Incident ID: 1110739 Case # C99-12-3328 Off Date: 12/21/1999 Time: 10 09 Location Type:  
Status # Premises :

INITIAL CALL INFORMATION

Initial Call Reported By  
BARBER, JILDETH

Received By: SWANRY, AMIE (1966) (COMM)  
Date: 12/21/1999  
Time: 10:09am  
Moth. Radio:

512 863-4551

Nature of Call : TRAFFIC HAZ (OTHER)

INCIDENT/OFFENSE INFORMATION

Offense/Incident Location:  
IH 35

Area of Off: EAST(OLD)/E DIST(NEW)  
Subdiv/Orid: GEORGETOWN

Officer/Unit Assigned	Date	Disp	Acc	Clsr	Total	Disposition
3425 (WINDT, D. (1348) (P))	12/21/99	10:09	10:09	10:10	00:01	MISCELLANEOUS INCIDENT

Investigator Assigned

RECORDERS MEMORANDUM  
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clearly legible for satisfactory recordation.

Incident #: 1110739

Case #: C99-12-3328

Rcvd By: 4012

Date/Time: 12/21/99 10:09am

How Rptd : R (Radio)  
Rptd By : BARBER, JILLBETH  
Address :  
CSZ :  
Phone : 512-863-4551  
Complaint: TRAFFIC HAZ (OTHER)  
Date/Time: 12/21/99 10:09am

Location : IH 35

Address : HWY 29  
CSZ : GEORGETOWN, TX  
Phone :

Subdiv : GT (GEORGETOWN)  
Area : E (EAST(OLD)/E DIST(NEW))

Priority: 3 (NON EMERGENCY)  
Hazard :

Officer/Unit Assigned.....	Date....	Disp.	Arr..	Clr..	Tot..	Disposition.....
3425 (WENDT, D. (1348)(P))	12/21/99	10:09	10:09	10:10	00:01	MI (MISCELLANEOU

Details : A DUMP TRUCK DUMPED SOME SORT OF LIQUID ON THE FRONT OF THE  
COMPL CAR. | FLAGGED DOWN 1348

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## RECORDERS MEMORANDUM

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clearly legible for satisfactory recordation.

INTER-INSURER SUBROGATION MEMORANDUM

FILE IDENTIFICATION:

Your Claim No. 060799  
Your Insured. Williams Cnty Unified RDS  
Your Insured's Address: 1900 Georgetown Ste A  
Georgetown, TX 78626  
Accident: Pflugerville, TX 6-7-99  
(Place) (Date)

DATE: 1-15-00  
Our Claim No.: 4583894151  
Our Insured. Michael Freeman

FROM: ☒ Allstate Insurance Co  
☐ Allstate Indemnity Co.  
☐ Allstate County Mutual Ins. Co. (Texas only)

Market Claim Office  
6300 La Calma Ste 300  
Austin, TX 78752

TO: Williamson Cnty Atty Office  
Attn: San Eutiss / Peggy Vazquez  
405 Martin Luther King  
Georgetown, TX 78626

Signature \_\_\_\_\_

REGARDING OUR SUBROGATION CLAIM AGAINST YOUR COMPANY...

- ☐ 1. Repair or replacement of our insured's motor vehicle or other property is being made under the terms of our insured's policy Our subrogation claim is forthcoming. Please protect Allstate's interests
- ☒ 2. Our investigation reveals that your insured was at fault for the accident, and:
- ☒ a. Payment for repairs to our insured's motor vehicle (or other property) 200-210-4999 have been completed and documentation is attached Please honor our claim:

Allstate's interest. \$ 341.37  
Insured's deductible (if indicated). \$ 50.00  
TOTAL: \$ 391.37

Please send a separate draft for our insured's deductible ☐ Yes ☒ No

- ☐ b. Our insured's vehicle was a total loss Documentation is attached. Basis for our claim.

Amount paid to our insured:	\$ _____
PLUS initial towing and storage charges	\$ _____
TOTAL (1)	\$ _____
Gross recovery on sale of salvage:	\$ _____
LESS fees in sale of salvage:	\$ _____
NET SALVAGE RECOVERY (2)	\$ _____
Our subrogation interest (1 minus 2)	\$ _____
PLUS our insured's deductible interest (if applicable):	\$ _____
TOTAL SUBROGATION CLAIM:	\$ _____

- ☐ c. We possess rights of subrogation for Medical Expense Coverage payments Documentation is attached Please honor our claim for. \$ \_\_\_\_\_

- ☐ d. We possess rights of subrogation for No-Fault benefit payments. Documentation is attached Please honor our claim for:

Medical:	\$ _____	Ess. Serv.:	\$ _____	Surv. Loss:	\$ _____
Work Loss:	\$ _____	Funeral:	\$ _____	TOTAL:	\$ _____

- ☐ 3. Following earlier correspondence to you regarding our subrogation claim, we incurred additional expense involving the loss. Documentation is attached. Please include the following amount in our subrogation claim. \$ \_\_\_\_\_

- ☐ 4. Our assessment of liability factors warrants a subrogation demand of less than 100% In lieu of the amount shown in 2a or 2b above, a \_\_\_\_\_% a compromised request is indicated as follows:

☐ Allstate's interest only \$ \_\_\_\_\_

☐ Allstate's interest including our insured's deductible interest \$ \_\_\_\_\_

- ☐ 5. Documentation of our claim was sent to you earlier. Please remit payment.

- ☐ 6. An arbitration decision in our favor was rendered on \_\_\_\_\_. When may we expect payment?

- ☐ 7. Your offer of settlement is accepted Please send your draft

- ☐ 8. Your offer of settlement is unacceptable. We will proceed with legal action (or arbitration if applicable) unless our demand is met within 20 days.



SHARON D LEIFESTE & MICHAEL FREEMA

FINAL SETTLEMENT OF CLAIM UNDER COMPREHENSIVE  
COVERAGE ARISING FROM LOSS ON 06/07/99

POLICY NUMBER	CLAIM NUMBER
516422714	4583894151
SSN/TIN	DESK LOC
	KRW 0783

TWENTY FIVE DOLLARS AND 00 CENTS\*\*\*\*\*

\$ \*\*\*\*\*25.00

llstate

INVOICE NUMBER	PROC MCO	IRS	PAYEE	DATE ISSUED		
	0458		1	06	15	99

74473076 7

74473076 7

74473076

ALLSTATE INSURANCE COMPANY OR ONE OF ITS AFFILIATES

SHARON D LEIFESTE & MICHAEL FREEMA  
17304 BUSHMILL RD  
PFLUGERVILLE TX 78660-1701

COMPANY NAME
ALLSTATE PROPERTY AND CASUALTY INSURANCE COMPANY

FILE COPY NON-NEGOTIABLE

SHARON D LEIFESTE & MICHAEL FREEMA

FINAL SETTLEMENT OF CLAIM UNDER COMPREHENSIVE  
COVERAGE ARISING FROM LOSS ON 06/07/99

POLICY NUMBER	CLAIM NUMBER
516422714	4583894151
SSN/TIN	DESK LOC
	KRW 0783

ONE HUNDRED FIFTY DOLLARS AND 27 CENTS\*\*\*\*\*

\$ \*\*\*\*\*150.27

llstate

INVOICE NUMBER	PROC MCO	IRS	PAYEE	DATE ISSUED		
	0458		3	06	15	99

74473075 8

74473075 8

74473075

ALLSTATE INSURANCE COMPANY OR ONE OF ITS AFFILIATES

MORRIS GLASS  
2112 RUTLAND DRIVE  
AUSTIN TX 78738

COMPANY NAME
ALLSTATE PROPERTY AND CASUALTY INSURANCE COMPANY

FILE COPY NON-NEGOTIABLE

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RECORDERS MEMORANDUM  
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clearly legible for satisfactory recordation

\*\*\* REVIEW INVOICE SUMMARY \*\*\*

FPLV200

AGLS VENDOR: 0001 SAFELITE GLASS

ORIGINAL INVOICE: 9906333327 BILL DT: 06/15/99 CLAIM #: 4583894151 CLMT ID: 0

CUSTOMER NAME: MICHAEL FREEMAN

DATE OF LOSS: 06/07/99

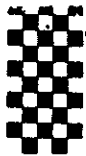
VEHICLE YR: 1997 MAKE: GMC MODEL: C SERIES PICKUP

\*\*\*\*\*

SEL PART		PART				LIST	NET
NO. DESCRIPTION	QTY	NUMBER	UNIT	LABOR		PRICE	PRICE
1 DOOR GLASS	1	DD08305	EA	25.00		335.60	176.53

\*\*\*\*\*

SELECT LINE NO:	FOR PART DETAIL	TOTAL INV PARTS	176.53
POLICY REGION: 16	POLICY ROC: 16	TOTAL INV LABOR	25.00
POLICY NUMBER: 516422714		TOTAL TAXES	14.57
STATUS CODE : P (H=HOLD, R=REJECT, P=PAY)		LESS DEDUCTIBLE	50.00
		LESS CREDITS	0.00
RSN:		NET INV TOTAL	166.10
PF14=INDICATIVE	PF15=AUDIT DETAIL	PF21=INV HISTORY	



2112 Rutland Drive, Suite 179  
Austin, Texas 78758

835-7575

FED ID# 456-84-7739

SAFELITE GLASS CORP.  
PO BOX 182277  
ATTN: AIC BILLING  
COLUMBUS, OHIO 43218-2277

Attention: Renee Williams

Claim # 458 389 4151

INV #	32946A	DATE	06/08/1999
CUST. #	BGC	SALE TYPE	SA
CUST. PO.		SOLD BY	SA
FED. TAX #		NETL BY	AM

MICHAEL  
MICHAEL FREEMAN  
2000 IH 35 SOUTH  
ROUND ROCK, TX

800-898-1276 Fax 800-567-5568

H#512-238-9955 WK

YEAR	1997	MAKE	DMC	POLICY #	
MODEL	C SERIES PICKUP	BODY STYLE	2 DOOR EXTENDED CA	AUTHORIZED BY	FAX
VIN		VIN	EGDEC19R6V1560455	CLAIM CODE	333327
PHONE	512-238-9955	BUS PHONE	- -	DAMAGE/CAUSE	
QTY	1	QTY		QTY	
QTY		QTY		QTY	

\*\*\*\*\* DUPLICATE \*\*\*\*\*  
1 DD08305UTYN Door (Front) (Right) (slr cont 25x35.8 335.60 162.77 162.77  
Labor (1.50 hours) 37.50

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RECEIVED

JUN 09 1999

AUSTIN - MCO

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TOTAL LABOR (NON-TAXABLE) 37.50

SPECIAL INSTRUCTIONS		TOTAL	200.27
All material sold on this invoice is guaranteed to be as specified, and is not safety glazed material unless so marked. It is sold with the understanding that this material will not be glazed in a "hazardous location" as defined by the Consumer Product Safety Commission. All merchandise returned for credit, refund or exchange must be in resalable condition, authorized for return, accompanied by this receipt, and may be subject to restocking fee. No returns will be authorized for special orders or cut flat glass. Terms of payment are 30 days from invoice date. A service charge of 0.0 % per month (0.0 % annum) will be added to past due accounts.		TOTAL DEDUCT.	-50.00
		BALANCE	150.27

RECEIVED BY

The glass listed has been replaced / repaired with the same type quality as my original installation, and

**AUSTIN**

Auto Tint & Alarm  
Residential & Commercial Solar Film  
15533 IH 35 North  
PFLUGERVILLE, TX  
990-0303

SOLD BY		DATE	
NAME <b>Michael Freeman</b>			
ADDRESS <b>17301 Bushmille Rd</b>		PHONE <b>990-7368</b>	
CITY <b>Pflugerville TX 78660</b>			
<b>[REDACTED]</b>			
QTY	DESCRIPTION	PRICE	AMOUNT
1			25 00
2	Replace window tint		
3	ONE WINDOW		
4			
5			
6			
7			
8			
9			
10			
11			
12			
13			
14			
15			
16			
RECEIVED BY		TOTAL	25 00

3439

**AUSTIN** To Reader Call  
1-800-325-0303

**THANK YOU**

RECORDERS MEMORANDUM  
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clearly legible for satisfactory recordation.

AGENDA ITEM # 22

Open and consider awarding, rejecting or extending bids on agricultural lease land in Taylor.

At 10:11 a.m. Judge Doerfler announced time to receive bids for agricultural lease land in Taylor.

At 10:13 a.m. Judge Doerfler announced time closed to open bids for agricultural lease land in Taylor.

One bid was opened and read aloud from:

James Jirasek for \$1,404.75 year @ \$16.00 acre for Tract 1 (89.797 acres)  
\$319.40 year @ \$5.00 acre for Tract 2 (63.88 acres)

Moved: Judge Doerfler

Seconded: Commissioner Heiligenstein

Motion: To note receipt and opening of James Jirasek bid for agricultural lease land in Taylor with possible award to be made February 22, 2000.

Vote: Motion carried 3 - 2 with Commissioners Heiligenstein and Hays voting against the motion.

< Clerk copy here >