

**AGENDA ITEM 13**

Hold public hearing for resubdivision of Wild Country Ranch, Lot 5.

Judge Doerfler announced the public hearing open at 10:35 a.m. on the re-subdivision of Wild Country Ranch, Lot 5.

County Engineer Joe England discussed Wild Country Ranch, Lot 5 and answered all questions.

Judge Doerfler announced the public hearing closed at 10:37 a.m.

**AGENDA ITEM 14**

Discuss and consider taking action on resubdivision of Wild Country Ranch, Lot 5.

Moved: **Commissioner Boatright**

Seconded: **Commissioner Hays**

Motion: To approve re-subdivision of Wild Country Ranch, Lot 5.

Vote: Motion carried 4 - 0

**AGENDA ITEM 15**

Discuss and take appropriate action on resolution for Capital Metro.

Commissioner Heiligenstein requested that this item be tabled until further notice.

**AGENDA ITEM 16**

Discuss and take appropriate action on resolution from concerned citizens regarding the application for beneficial land use, specifically pertaining to a sludge and septage disposal site in northeast Travis County.

Joe Payne from the Blackland Prairie Concerned Citizens Association spoke about the association's concerns about a proposed sludge and septage disposal site in northeast Travis County near the Williamson County line, and asked for a resolution from the Commissioners to TNRCC to deny site application.

Gary Chandler, Superintendent of Coupland Independent School District, also asked for the support of the Commissioners in opposing the site, which is near the Coupland schools.

Moved: **Commissioner Heiligenstein**

Seconded: **Commissioner Boatright**

Motion: To request that TNRCC deny the site registration for the CAP-TEX Inc. proposed disposal site, in part based upon Travis County's resolution opposing the site.

Vote: Motion carried 4 - 0

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## BLACKLAND PRAIRIE CONCERNED CITIZENS ASSOCIATION

**President**

David W. Samuelson  
14914 Svenska Road  
Coupland, Texas 78615  
281-4816  
4116

**Vice President**

Charles Rountree  
13410-C Sandeen Road  
Manor, Texas 78653  
281-9673

**Secretary/Treasurer**

Sherry Moore  
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Elgin, Texas 78621  
281-4741

**Steering Committee:**

Gayle Anderson

Jack Atterstorm

Milton Cooke

Susan Erickson

James Estes

Gary Johnson

Ray Robbins

Charles Rountree

W. C. Rountree, Jr.

David Samuelson, Jr. Stephanie Ward

August 8, 2000

The Honorable Samuel T. Biscoe, County Judge  
The Honorable Ron Davis, Commissioner Pct. 1  
The Honorable Karen Sonleitner, Commissioner Pct. 2  
The Honorable Todd Baxter, Commissioner Pct. 3  
The Honorable Margaret Gomez, Commissioner Pct. 4

P.O. Box 1748  
Austin, Texas 78767

RE: TNRCC Registration 710855  
Applicant: CAP-TEX, Inc.

Dear Judge and Commissioners,

As briefly discussed before the Commissioners Court the morning of August 1, 2000 the Blackland Prairie Concerned Citizens Association (BPCCA) and its members want to bring before the Court our concerns pertaining to the application with Texas Natural Resource Conservation Commission (TNRCC) for a "beneficial land use" application of waste water treatment plant sludge, water treatment plant sludge and domestic septage products. The applicant is CAP-TEX, Inc., 12321 Waters Park Road, Austin, Texas 78759, The proposed site of this application is in northeastern Travis County adjoining Skog Road.

We, the members of the Blackland Prairie Concerned Citizens Association express to you our deep concern as to the above mentioned application and ask you to Officially Oppose the registration of the site for application of waste products. This is a matter of utmost urgency as the deadline for comments to be received by TNRCC is August 18, 2000 *this was extended to Oct 23-2000*

1. We are deeply concerned about the health hazards of this type operation to humans and both domestic and wild animals. Drainage from the proposed disposal site will run off onto adjacent

property and into the wet weather creeks that lead into Wilbarger Creek and then into the Colorado River. Stock tanks and water holes in the wet weather creeks will be subject to collect the pollutants with potential for diseases to humans and animals which come in contact with the runoff. These diseases include hepatitis, cryptosporidiosis, dysentery, ecoli 157 typhoid, giardia, and shigellosis.

2. The proposed "Beneficial Land Application" site would be "Beneficial" only to the applicant. It will be a pollutant to the Environment of Northeast Travis County and could easily lead to pollution of streams and creeks including Wilbarger Creek and the Colorado River. From an examination of the TNRCC files it was found that CAP-TEX, Inc. operates a waste disposal site, Registration No. 710739, in Burnet County. The site is across US Highway 183 from the community of Briggs. The file contains a series of complaints by area citizens. As a result of the complaints an investigation was made by TNRCC staff. CAP-TEX, Inc is alleged to have placed much more waste on the land than the regulations permit. Area citizens have observed this, but, apparently unless the TNRCC staff is there to monitor and actually observes a violation, TNRCC will not accept the reported violation as existing. An inspection by TNRCC staff as a result of the complaints resulted in the observation of liquid sludge being placed during saturated ground conditions. A CAP-TEX truck was photographed dumping liquid on the saturated ground via a hose. The truck was stationary and standing sewer sludge was observed by the TNRCC staff. This indicates that the applicant does not operate in good faith and flagrantly violates TNRCC rules and regulations. A copy of photographs from the TNRCC file showing observed violations by TNRCC staff is enclosed.

3. Should TNRCC grant the registration of the proposed Skog Road site, it will have a detrimental effect on property values in the area. There are five to seven residences within one half mile of the proposed site and approximately 14 residences within one mile of the proposed site. In addition there are many acres of productive farm land adjacent to and around the area. Many of the farms have been in the same families for 50 to 100 years. Eastern Travis County should not be permitted to become a dumping site for waste products from other areas. If area property values decrease there is potential for reduced county tax revenue.

4. County roads and bridges in the area are not designed to withstand the heavy loads that will be imposed on them should this registration be approved. The application indicates that transport vehicles owned by the applicant can haul as much as 7,000 gallons of liquid. With that volume of liquid plus the weight of the transport vehicle the potential to exceed load limits is significant. That size load will approach limits for Interstate Highways. Skog Road consists of a narrow gravel surfaced road that is occasionally oiled by county forces. The road bed is subject to rutting in wet weather and trucks accessing the site will be a traffic hazard to area residents. Other county roads which must be traversed to access the area are paved, but are relatively narrow and not designed to carry the potentially damaging heavy loads.

5. The proposed waste disposal site will be tremendous nuisance to the area. Based on personal observations of the above discussed Burnet County disposal site, odor and noxious vegetation will be present. This will certainly attract flies and rodents. There is no basis to believe that the Skog Road site would be operated any differently should it be approved for registration by the TNRCC.

"Corporate Irresponsibility" would best sum up the operations of CAP-TEX, Inc. based on information obtained concerning the applicant and a review of the TNRCC file for Registration No. 710739 in Burnet County. The complete file was not reviewed because it was unavailable from TNRCC. It was understood that a portion of the file has been missing from the TNRCC records center for some time and no information was available as to where the missing file might be.

Enclosed are copies of correspondence and photographs from the TNRCC files on the Burnet County site, Registration No. 710739. If the proposed Skog Road site in northeast Travis County is approved for registration, we can expect similar problems at that location.

In closing, we again urgently ask for your support by Officially Opposing the registration of the proposed Skog Road site as a "Beneficial Land Use" site for disposing of waste water treatment plant sludge, water treatment plant sludge and domestic septage. Thank you for your consideration of this urgent matter.

Sincerely,

*Mary Johnson*      *David W. Samulson*

Blackland Prairie Concerned Citizens Association

Enclosure

THE STATE OF TEXAS

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:  
:

KNOW ALL MEN BY THESE PRESENTS

THE COUNTY OF WILLIAMSON

That on this, the 17th day of October A.D. 2000, the Commissioners Court of Williamson County, Texas, met in duly called Regular Meeting at the courthouse in Georgetown, Texas, with the following members present:

John C. Doerfler, County Judge,  
Mike Heiligenstein, Commissioner Precinct One,  
Greg Boatright, Commissioner Precinct Two,  
David Hays, Commissioner Precinct Three, and  
Frankie Limmer, Commissioner Precinct Four; - Absent

And at said meeting, among other business, the Court considered the following:

#### RESOLUTION

**WHEREAS**, CAP-TEX, Inc has proposed a "sludge" and "septage" disposal site on land owned by one Cary Juby and located in the immediate vicinity of Coupland under Texas Natural Resources Conservation Commission proposed "Beneficial use Site Registration No. 710855"; and

**WHEREAS**, such site will have a depressive effect on property values within Williamson County, and thereby adversely affect the tax base of the County, and

**WHEREAS**, transportation of sludge, septage, and other materials on county maintained by Williamson County will damage such roads, resulting in additional wear and tear and maintenance costs for the County, and

**WHEREAS**, the materials that CAP-TEX, Inc, proposes to dump on the site would include untreated and partially treated sewage, which would result in the possible exposure Williamson County Residents to numerous diseases organisms associated with human waste; and

**WHEREAS**, the operation of a sludge and septage disposal site at the proposed location would probably cause an increase in insects and rodents in adjacent areas of Williamson County; and

**WHEREAS**, the rodents and insects mentioned above are, in some cases, known vectors for diseases commonly associated with human wastes, which could result in direct and/or indirect exposure Williamson County residents to such diseases; and

**WHEREAS**, the proximity of the site to Williamson County raises the probability that noxious fumes and odors from the site will adversely affect Williamson County and its residents, and

**WHEREAS,** because of its proximity to the site, the circumstances mentioned above will particularly affect Coupland School located in Williamson County, as well as its students, staff and residents; and

**WHEREAS,** CAP-TEX, Inc. has a poor record of compliance with state law and/or the rules and regulations of the Texas Natural Resources Conservation Commission, and poor compliance by CAP-TEX, Inc. in the operation of this site will magnify the adverse effects of the site on Williamson County and its residents;

**NOW THEREFORE,** be it **RESOLVED** that the Commissioners Court of Williamson County opposes the operation of a "sludge" and "septage" disposal site by CAP-TEX, Inc., on any site in close proximity to Williamson County,

**Be it further RESOLVED** that the Commissioners Court of Williamson County requests that the Texas Natural Resources Conservation Commission hold a public hearing regarding the issuance of a "Beneficial Use Site Registration" to CAP-TEX, Inc., for the subject property, and following such hearing deny such registration.

**Be it further RESOLVED** that a copy of this resolution should be sent to the Texas Natural Resources Conservation Commission, to advise that body of the opinion of the Commissioner's Court of Williamson County.

Approved by a vote of 4 YEA and 0 NAY on the 17<sup>th</sup> day of October, 2000.

County Judge John C. Doerfler was duly authorized to sign said Resolution as the act and deed of Commissioner's Court of Williamson County and of said County.

John C. Doerfler 10-17-00  
JOHN C. DOERFLER, County Judge

ATTEST:

Nancy E. Rister  
NANCY RISTER, County Clerk

**AGENDA ITEM 17**

Discuss and take appropriate action concerning awarding contract for third party administrator services.

Moved: **Commissioner Hays**

Seconded: **Judge Doerfler**

Motion: To award contract for third party administrator services to Benefit Planners Inc. of Boerne, Texas, to begin as of November 1, 2000.

Vote: Motion carried 4 – 0

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**PROPOSED CONTRACT AWARDS IN RESPONSE TO REQUESTS FOR PROPOSALS**

**October, 2000**

**%age Increase**

**November 1, 2000 - Third Party Administrator Contract with Benefit Planners, Inc.**

Reinsurance Contract with Reliastar - \$75,000 Specific with \$125,000 Aggregating Specific Stop Loss  
15/12 Contract

Total Administration - Claims, Pre-Cert, PPO Access/Repricing	\$187,649.60	35.33%
Total Reinsurance	\$279,434.52	68.53%

Total Fixed Costs Based on 748 Participants	\$467,084.12	53.41%
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Expected Annual Claims	\$2,805,143.84
Expected Reserves	\$669,968.64

Claims Fund / Aggregate Attachment Point Based on 748 Participants	<u>\$3,475,112.48</u>	12.81%
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Total Annual Cost for TPA Services Based on 748 Participants	<u>\$3,942,196.60</u>	15.38%
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**November 1, 2000 - Contract with Insurors of Texas**

Insuror's of Texas Fees Associated w/ Third Party Administrator Contract	\$10,000.00	100.00%
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**November 1, 2000 - Contract with Standard Life Insurance Company**

Group Life Insurance - Standard Life Insurance - \$2.00/emp (911); \$0.76/dep (675)	\$28,031.76	-10.94%
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**November 1, 2000 - Contract with BKCW**

BKCW Fees Associated w/ Group Life Insurance Contract	\$1,800.00	100.00%
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**November 1, 2000 - Contract with COBRA Compliance**

COBRA / HIPAA Compliance - COBRA Compliance	\$6,000	-33.00%
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\$450 One-time group setup fee

\$4,785 Annual Costs

\$200 Premium Collection Fee & retain 2% admin fee

\$30/COBRA participant initial setup fee

Includes Hold Harmless Agreement

<b>Total Annual Costs</b>	<b><u>\$3,988,028.36</u></b>	<b>16.73%</b>
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approved 10-17-00  
John C. Doerfler