

COMMISSIONERS' COURT ADJOURNED TO EXECUTIVE SESSION AT 11:05 A.M. ON TUESDAY, AUGUST 13, 2002.

AGENDA ITEM 35

Discuss real estate (EXECUTIVE SESSION as per VTCA Govt. Code sec. 551.071 consultation with attorney.)

No action was taken in Executive Session.

AGENDA ITEM 36

Discuss pending litigation: Gair D. Lowery VS. Williamson County (EXECUTIVE SESSION as per VTCA Govt. Code sec. 551.071 consultation with attorney.)

No action was taken in Executive Session.

AGENDA ITEM 37

Discuss potential litigation: Amanda Vancil, C.R. Dansby, Sherry Montemayor, Joanna Smith, and Jennifer Fikes VS. Williamson County (EXECUTIVE SESSION as per VTCA Govt. Code sec. 551.071 consultation with attorney.)

No action was taken in Executive Session.

AGENDA ITEM 38

Discuss damage claim from SBC - Southwestern Bell for damaged cable from October 9, 2001 (EXECUTIVE SESSION as per VTCA Govt. Code sec. 551.071 consultation with attorney.)

No action was taken in Executive Session.

AGENDA ITEM 39

Discuss damage claim from Verizon for damaged cable from April 25, 2002 (EXECUTIVE SESSION as per VTCA Govt. Code sec. 551.071 consultation with attorney.)

No action was taken in Executive Session.

COMMISSIONERS' COURT RECONVENED FROM EXECUTIVE SESSION AT 11:19 A.M. ON TUESDAY, AUGUST 13, 2002.

AGENDA ITEM 40

Discuss and take appropriate action on real estate.

No action was taken on this agenda item.

AGENDA ITEM 41

Discuss and take appropriate action on pending litigation: Gair D. Lowery vs. Williamson County.

Moved: **Judge Doerfler**

Seconded: **Commissioner Boatright**

Motion: To hire the law firm Dietz & Associates to represent Williamson County in Gair D. Lowery vs. Williamson County.

Vote: 5 - 0

AGENDA ITEM 42

Discuss and take appropriate action on potential litigation: Amanda Vancil, C.R. Dansby, Sherry Montemayor, Joanna Smith, and Jennifer Fikes VS. Williamson County.

Moved: **Judge Doerfler**

Seconded: **Commissioner Heiligenstein**

Motion: To deny all claims under Agenda Items 42, 43 and 44 except for the C. R. Dansby claim, which is to be paid in the amount of \$393.95.

Vote: 5 - 0

EUGENE D. TAYLOR
WILLIAMSON COUNTY ATTORNEY

Wayne Porter, First Assistant

Donna King	Doyle (Dee) Hobbs, Jr
Cole Spainhour	Crystal Heule.
Brian Baker	Kay Lively
Warren Waterman	Jeremiah Williams
John Escover	William Gates

Dale A. Rye, Of Counsel

Phone # (512) 943-1111 Fax # (512) 943-1120

To: Jane Tableriou
From: Warren O. Waterman
Date: 08/06/02
Re: URS Claim/ C.R. Dansby , Jr.

Dear Jane:

Attached please find a notice of claim forwarded to this office for an incident alleged to have occurred on June 25th, 2002. C. R. Dansby is claiming compensation for repairs to his vehicle due to it being struck by a rock thrown by a mower.

Please place an item on the agenda for the next Commissioners Court meeting to discuss this potential litigation and take any appropriate action.

If you have any questions or need further information, please contact me at 943-1106. Thank you for your time and consideration.

approved 8-13-02
John C. Dansby

Truly Yours,



Warren O. Waterman

Assistant County Attorney

C. R. Dansby, Jr.
1603 Pin Oak Lane
Round Rock, TX. 78681
512-388-2466

June 28, 2002

Williamson Co. Road & Bridge Dept.
Attention: Lee Garrett
Georgetown, Texas


Dear Mr. Garrett,

This memo is in response to your request for 3 estimates and a statement from me as to how my 96 Ford Explorer was damaged at approximately 2 pm on Tuesday, June 25, 2002 on Brushy Creek Road between Greats Oaks Dr. and Parmer Ln.

The County mower that Lance Stacey was operating was west bound mowing the north ditch when a rock was thrown from the mower blade and hit my right front fender causing the damage as listed in the estimates. I stopped and talked to Lance and he told me to contact you. He was super nice and kept his cool even though I may not have.

As discussed with you over the phone, the chain guards are not adequate when the roadside section is folded up and the other two sections are mowing in a "V" ditch. This causes the rocks and debris to be thrown upward. Are there any guards between the sections when the outside section is folded up? If there is, then the debris can be thrown under the guard when that section is on the front slope of a "V" ditch.

Sincerely,


C. R. Dansby, Jr.

Enclosures:
Three estimates as requested

06/26/2002 at 03:00 PM
71121

Job Number:

AUS-TEX BODY & FRAME, INC.
License #:71121 Federal ID #:742452986
AUS-TEX BODY & FRAME, INC.
2013 N. MAYS
ROUND ROCK, TX 78664
(512)244-6630 Fax: (512)244-2255

PRELIMINARY ESTIMATE

Written by: David Taylor #
Adjuster:

Insured: C.R. JR DANSBY
Owner: C.R. JR DANSBY
Address: 1603 PIN OAK LN

Day: (512)388-2466
Cellular: (512)567-1888

Claim #
Policy #
Deductible:
Date of Loss:
Type of Loss:
Point of Impact:

Inspect
Location:

Insurance
Company:

Days to Repair

1996 FORD EXPLORER 4X2 8-5.0L-FI 4D UTV Int:
VIN: 1FMDU32P2TZA46510 **Lic:** **Prod Date:** **Odometer:**
Air Conditioning Rear Defogger Tilt Wheel
Cruise Control Intermittent Wipers Rear Wiper
Body Side Moldings Dual Mirrors Privacy Glass
Luggage/Roof Rack Clear Coat Paint Power Steering
Power Brakes Power Windows Power Locks
Power Mirrors Anti-Lock Brakes (4) Driver Air Bag
Passenger Air Bag 4 Wheel Disc Brakes Cloth Seats
Recline/Lounge Seats Swivel Seats Aluminum/Alloy Wheels

NO.	OP.	DESCRIPTION	QTY	EXT. PRICE	LABOR	PAINT
1		FENDER				
2*	Rpr	RT Fender w/Limited			1.5	2.5
3		Add for Clear Coat				1.0
4#	Repl	STRIPE	1	60.00		
5#	R&I	ANTENNA			0.3	
6	Repl	RT Nameplate "V8"	1	8.73	0.2	
7#		HAZARDOUS WASTE	1	4.00		
8#		CORROSION PROTECTION	1			1.0
9#		MASK FOR OVERSPRAY	1	10.00		
Subtotals ==>				82.73	2.0	4.5

06/26/2002 at 03:00 PM
71121

Job Number:

PRELIMINARY ESTIMATE

1996 FORD EXPLORER 4X2 8-5.0L-FI 4D UTV Int:

Parts		82.73
Body Labor	2.0 hrs @ \$ 38.00/hr	76.00
Paint Labor	4.5 hrs @ \$ 38.00/hr	171.00
Paint Supplies	4.5 hrs @ \$ 24.00/hr	108.00
Body Supplies	1.7 hrs @ \$ 0.50/hr	0.85

SUBTOTAL		\$ 438.58
Sales Tax	\$ 191.58 @ 8.2500%	15.81

GRAND TOTAL		\$ 454.39
ADJUSTMENTS:		
Deductible	.	0.00

CUSTOMER PAY		\$ 0.00
INSURANCE PAY	.	\$ 454.39

Estimate based on MOTOR CRASH ESTIMATING GUIDE. Unless otherwise noted all items are derived from the Guide DR2MF95 Database Date 7/2002 and the parts selected are OEM-parts manufactured by the vehicles Original Equipment Manufacturer. Asterisk (*) or Double Asterisk (**) indicates that the parts and/or labor information provided by MOTOR may have been modified or may have come from an alternate data source. Non-Original Equipment Manufacturer aftermarket parts are described as AM or Qual Repl Parts. Used parts are described as LKQ, Qual Recy Parts, RCY, or USED. Reconditioned parts are described as Recon. Recored parts are described as Recore. NAGS Part Numbers and Price: are provided from National Auto Glass Specifications, Inc. Pound sign (#) items indicate manual entries.

Pathways - A product of CCC Information Services Inc.

06/26/2002 at 03:31 PM
27500

Job Number:

MAC HAIK FORD LINCOLN MERCURY INC.
Federal ID #:76-063843
OUR CUSTOMERS ARE #1
500 S. AUSTIN AVE
GEORGETOWN, TX 78627
(512)930-8333 Fax: (512)863-8368

PRELIMINARY ESTIMATE

Written by: MARK GARCIA #27500
Adjuster:

Insured: CR DANSBY
Owner: CR DANSBY
Address: 1603 PIN OAK LN
ROUND ROCK, TX 78681
Evening: (512)388-2466

Claim #
Policy #
Deductible:
Date of Loss:
Type of Loss:
Point of Impact: 1. Right Front

Inspect
Location:

Insurance
Company:

Days to Repair

1996 FORD EXPLORER 4X2 8-5.0L-FI 4D UTV GOLD Int:TAN

VIN: 1FMDU32P2TZA46510 Lic:

Prod Date: 11/1995 Odometer:

Air Conditioning	Rear Defogger	Tilt Wheel
Cruise Control	Intermittent Wipers	Rear Wiper
Body Side Moldings	Dual Mirrors	Privacy Glass
Luggage/Roof Rack	Clear Coat Paint	Power Steering
Power Brakes	Power Windows	Power Locks
Power Mirrors	Anti-Lock Brakes (4)	Driver Air Bag
Passenger Air Bag	4 Wheel Disc Brakes	Cloth Seats
Recline/Lounge Seats	Swivel Seats	Aluminum/Alloy Wheels

NO.	OP.	DESCRIPTION	QTY	EXT. PRICE	LABOR	PAINT
1		FENDER				
2*	Rpr	RT Fender w/o Eddie Bauer, Limited w/o wheel lip molding			2.0	2.5
3		Add for Clear Coat				1.0
4	Repl	RT Nameplate "V8"	1	8.73	0.2	
5		STRIPE TAPE				
6	Repl	RT Stripe tape side kit	1	41.50		
7#	R&I	ANTENA			0.3	
8#		Cover Vehicle for Overspray	1	10.00 T		
9#	Subl	E.P.C.	1	3.00 X		
Subtotals ==>				63.23	2.5	3.5

06/26/2002 at 03:31 PM
27500

Job Number:

PRELIMINARY ESTIMATE

1996 FORD EXPLORER 4X2 8-5.0L-FI 4D UTV GOLD Int:TAN

Parts		50.23
Body Labor	2.5 hrs @ \$ 38.00/hr	95.00
Paint Labor	3.5 hrs @ \$ 38.00/hr	133.00
Paint Supplies	3.5 hrs @ \$ 26.00/hr	91.00
Sublet/Misc.		13.00

SUBTOTAL		\$ 382.23
Sales Tax	\$ 151.23 @ 7.7500%	11.72

GRAND TOTAL		\$ 393.95
ADJUSTMENTS:		
Deductible		0.00

CUSTOMER PAY		\$ 0.00
INSURANCE PAY		\$ 393.95

THIS ESTIMATE IS BASED ON A VISUAL INSPECTION AND DOES NOT COVER ADDITIONAL PARTS OR LABOR WHICH MAY BE REQUIRED AFTER VEHICLE TEAR DOWN.

ESTIMATED DAYS TO REPAIR IS NOT A GUARANTEE. MAC HAIK BODY SHOP MAKES NO GUARANTEE AS TO THE LENGTH OF REPAIRS AND DENIES LIABILITY FOR CAR RENTAL, LOSS OF USE, OR TIME MISSED FROM A JOB.

ALL PARTS SUBJECT TO AVAILABILITY AND PRICES MAY CHANGE AT THE MANUFACTURERS DISCRETION.

MAC HAIK BODY SHOP WILL RETAIN A COPY OF THIS ESTIMATE FOR A PERIOD NOT TO EXCEED 90 DAYS.

"CR" INDICATES "CUSTOMER REQUEST" ITEM AND DOES NOT NECESSARILY INDICATE THE ITEMS ARE RELATED TO COLLISION DAMAGE.

Estimate based on MOTOR CRASH ESTIMATING GUIDE. Unless otherwise noted all items are derived from the Guide DR2MF95 Database Date 7/2002 and the parts selected are OEM-parts manufactured by the vehicles Original Equipment Manufacturer. Asterisk (*) or Double Asterisk (**) indicates that the parts and/or labor information provided by MOTOR may have been modified or may have come from an alternate data source. Non-Original Equipment Manufacturer aftermarket parts are described as AM or Qual Repl Parts. Used parts are described as LKQ, Qual Recy Parts, RCY, or USED. Reconditioned parts are described as Recon. Recored parts are described as Recore. NAGS Part Numbers and Prices are provided from National Auto Glass Specifications, Inc. Pound sign (#) items indicate manual entries.

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06/27/2002 at 10:55 AM
14918

Job Number:

PREMIER AUTOBODY, INC.
License #:14918
A Caliber Collision Center
1809 North Mays
Round Rock, TX 78664
(512)388-3020 Fax: (512)388-3755

ESTIMATE OF RECORD

Written by: DONNIE BOYD # 06/27/2002 10:54 AM
Adjuster:

Insured: CR DANSHY
Owner: CR DANSHY
Address: 1603
ROUND ROCK, TX 78681
Evening: (512)388-2466

Claim #
Policy #
Deductible:
Date of Loss:
Type of Loss:
Point of Impact: 1. Right Front

Inspect PREMIER AUTOBODY, INC.
Location: 1809 North Mays
Round Rock, TX 78664

Business: (512)388-3020

Insurance
Company:

Days to Repair

1996 FORD EXPLORER 4X2 8-5.0L-FI 4D UTV TAN Int:

VIN: 1FMDU32P2TZA46510 Lic: 7RVXM TX Prod Date:

Odometer:

Air Conditioning	Rear Defogger	Tilt Wheel
Cruise Control	Intermittent Wipers	Rear Wiper
Body Side Moldings	Dual Mirrors	Privacy Glass
Luggage/Roof Rack	Clear Coat Paint	Power Steering
Power Brakes	Power Windows	Power Locks
Power Mirrors	Anti-Lock Brakes (4)	Driver Air Bag
Passenger Air Bag	4 Wheel Disc Brakes	Cloth Seats
Recline/Lounge Seats	Swivel Seats	Automatic Transmission
Overdrive	Aluminum/Alloy Wheels	

NO.	OP.	DESCRIPTION	QTY	EXT.	PRICE	LABOR	PAINT
1		FENDER					
2*	Rpr	RT Fender w/o Eddie Bauer, Limited w/o wheel lip molding				4.0	2.5
3		Add for Clear Coat					1.0
4	R&I	RT Nameplate "V8"				0.2	
5	R&I	RT Body side mldg Limited				0.2	
6		ELECTRICAL					
7*	R&I	Mast fixed				0.6	
8		FRONT BUMPER					
9	R&I	R&I bumper assy				1.3	
10		FRONT LAMPS					
11		Rpl Both Headlamps				1.4	
12	R&I	R&I headlamp assy both sides				Incl.	

06/27/2002 at 10:55 AM
14918

Job Number:

ESTIMATE OF RECORD

1996 FORD EXPLORER 4X2 8-5.0L-FI 4D UTV TAN Int:

NO.	OP.	DESCRIPTION	QTY	EXT.	PRICE	LABOR	PAINT
13		STRIPE TAPE					
14	Repl	RT Stripe tape side kit	1		41.50		
15#		Clean for Delivery	1			0.5	
16#		Color tint	1				1.0
17#		Mask jambs	1				0.5
18#	Subl	Hazardous waste	1		4.00 X		
Subtotals ==>					45.50	8.2	5.0
Parts							41.50
Body Labor			8.2 hrs @	\$	38.00/hr		311.60
Paint Labor			5.0 hrs @	\$	38.00/hr		190.00
Paint Supplies			5.0 hrs @	\$	26.00/hr		130.00
Sublet/Misc.							4.00
SUBTOTAL							\$ 677.10
Sales Tax			\$	171.50 @	8.2500%		14.15
GRAND TOTAL							\$ 691.25
ADJUSTMENTS:							
Deductible							0.00
CUSTOMER PAY							\$ 0.00
INSURANCE PAY							\$ 691.25

****THIS IS AN ESTIMATE ONLY****

POSSIBLE HIDDEN DAMAGES ONCE DAMAGED PANELS REMOVED

ADDITIONAL DAMAGES WILL NEED CUSTOMER AUTHORIZATION PRIOR TO REPAIRS.

Estimate based on MOTOR CRASH ESTIMATING GUIDE. Unless otherwise noted all items are derived from the Guide DR2MF95 Database Date 7/2002 and the parts selected are OEM-parts manufactured by the vehicles Original Equipment Manufacturer. Asterisk (*) or Double Asterisk (**) indicates that the parts and/or labor information provided by MOTOR may have been modified or may have come from an alternate data source. Non-Original Equipment Manufacturer aftermarket parts are described as AM or Qual Repl Parts. Used parts are described as LKQ, Qual Recy Parts, RCY, or USED. Reconditioned parts are described as Recon. Recored parts are described as Recore. NAGS Part Numbers and Prices are provided from National Auto Glass Specifications, Inc. Pound sign (#) items indicate manual entries.

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WILLIAMSON COUNTY UNIFIED ROAD SYSTEM INCIDENT REPORT

SERVICE FACILITY _____

DATE OF INCIDENT 6 25 02LOCATION OF INCIDENT CR 1741. NAME OF EMPLOYEE (S) LANCE STACY2. EMPLOYEE (S) JOB TITLE CREW LEADER3. NAME OF SUPERVISOR STAFORD Bengston

4. TASK BEING PERFORMED at TIME of INCIDENT

mowing CR 174

5. TYPE OF INCIDENT

☐ Personal Injury☐ Vehicle/Equipment Damage & Unit # _____☒ Property Damage

6. LENGTH of EMPLOYMENT

☐ Less than 1mo.☐ 7 mos. to 5 yrs.☐ 1-6 mos.☒ More than 5 yrs.

7. EXPERIENCE with TASK BEING PERFORMED SINCE EMPLOYED

☐ Less than 1 mo.☐ 7 mos. to 5 yrs.☐ 1-6 mos.☐ More than 5 yrs.

8. NAMES OF WITNESSES or OTHER PERSONS FAMILIAR with INCIDENT

DEEANN STORK

9. DESCRIBE HOW the INCIDENT OCCURRED

A man in a golden colored Ford explorer passed the county truck following the mower. The man stopped in front of the mower to exam his vehicle and waited for ' . The man said a rock flew from the mower and struck his vehicle.

10. CAUSAL FACTORS. Events and conditions that contributed to the incident. Identify if training or supervision was a factor.

signs were placed at each end of road plus the mower was being followed by a truck

11. CORRECTIVE ACTIONS. Those that have been or will be taken to prevent recurrence.

PREPARED BY Lance Stacy
TITLE Mowing Crew Equipment Operator
DATE _____

AGENDA ITEM 43

Discuss and take appropriate action on damage claim from SBC.

Moved: **Judge Doerfler**

Seconded: **Commissioner Heiligenstein**

Motion: To deny all claims under Agenda Items 42, 43 and 44 except for the C. R. Dansby claim, which is to be paid in the amount of \$393.95.

Vote: **5 – 0**

AGENDA ITEM 44

Discuss and take appropriate action on damage claim from Verizon.

Moved: **Judge Doerfler**

Seconded: **Commissioner Heiligenstein**

Motion: To deny all claims under Agenda Items 42, 43 and 44 except for the C. R. Dansby claim, which is to be paid in the amount of \$393.95, and to direct the County Attorney to reply to the remaining claimants to inform them that the County has rejected their claims.

Vote: **5 - 0**

AGENDA ITEM 45

Comments from commissioners.

Commissioner Boatright asked the court to reconsider the County's policy regarding funding of Emergency Services Districts. He also noted that the County has rescinded the tax abatement agreement with Super Circuits, as they have acknowledged that they have not met the conditions of the abatement.

COMMISSIONERS' COURT RECESSED AT 11:26 A.M. ON TUESDAY, AUGUST 13, 2002.

COMMISSIONERS' COURT RECONVENED AT 1:37 P.M. ON TUESDAY, AUGUST 13, 2002.

AGENDA ITEM 46

Budget Work Session for Department Heads and Elected Officials.

Budget concerns were addressed by the following:

John Sneed, EMS

Gary Griffin, Constable Precinct 1

Jim Wilson, Constable Precinct 2

Bobby Gutierrez, Constable Precinct 3

Marty Ruble, Constable Precinct 4

David Flores, Auditor

Bob Space, Purchasing Director

Steve Benton, Justice of the Peace Precinct 3

COMMISSIONERS' COURT ADJOURNED AT 3:53 P.M. ON TUESDAY, AUGUST 13, 2002.