AGENDA ITEM 20

Discuss and consider entering into an agreement with the Brushy Creek MUD concerning a new treated water line along Great Oaks Drive between Sam Bass Road and Brushy Creek (Pct. 3)

James W. "Jimmy" Griffith, P.E., addressed the court in his capacity as District Engineer for the Brushy Creek Municipal Utility District, regarding the development of a water treatment system which would provide potable water to the homes of his M.U.D. Mike Taylor, the general manager of the Brushy Creek M.U.D., also addressed the court to explain the reasons for the development of this system, the process by which it has been developed, and cost of the project. Both speakers gave specific attention to the issue of the treated water line placement within the right of way of Great Oaks Drive.

Louis Frank Burchers, in his capacity as a professional in commercial real estate, addressed the court in to state that the property in question could cost as much as $6,000,000.00 in the purchase of the property known as "the Walsh ranch." He was joined by Daniel McFall, who spoke as a Walsh relative with financial interests in the property in question, and Judy Sharp, who spoke in her capacity as a member of the M.U.D. and as a long-term resident of the neighborhood. Frank Zipperer also spoke up in opposition to the project.

The discussion of an agreement with the Brushy Creek MUD concerning a new treated water line along Great Oaks Drive between Sam Bass Road and Brushy Creek was tabled until such time as a written version of the agreement is available for consideration. Mr. Griffith and Mr. Taylor said they would coordinate with Dale Rye on the verbiage of the agreement.

< Attachment >

BRUSHY CREEK
Municipal Utility District
901 Great Oaks Drive · Round Rock, Texas 78681 - 2506
(512) 255-7871 Fax (512) 255-0332

October 13, 2003

Mr. David Hays
Williamson County Commissioner, Precinct 3
900 Georgetown Inner Loop
Georgetown, TX 78626

Dear Commissioner Hays:

We appreciate the opportunity to meet with Joe England, Judy Mezger, and you last Thursday. In that meeting we developed a possible alternative location for the construction of Brushy Creek MUD's new treated water line along Great Oaks Drive between Sam Bass Road and Brushy Creek. That option includes laying the water line in the paved area of Great Oaks Drive. The MUD would like to pursue that option.

Brushy Creek MUD's requirements regarding the water line route include the following.

1. The water line must be in a protected easement. The line will be the only treated water feed to most of Brushy Creek South for both domestic and fire flow purposes. Any discontinuity in services is at best a serious problem for our citizens. Further, the MUD cannot afford the cost to relocate the line if there were changes in the roadway requiring such a relocation. Obviously, the MUD must also have access to perform any required maintenance on the line.
2. The cost of laying the water line must be reasonably competitive with other alternatives.
3. A pedestrian trail is to be constructed along with the line.

The alternative we discussed included the following provisions. We recognize that at this time this alternative is a possible approach that has not been discussed nor voted on by the commissioners.

1. The county would grant the MUD an exclusive easement in the existing roadway of Great Oaks Drive. That exclusive easement would ensure that any future relocation of the water line (if such were required by future construction) would not require expenditure on the part of the MUD. Further, the exclusive easement would prevent other utilities from constructing within that easement without the prior approval of the MUD. This would provide the MUD the ability to prevent most problems with other utilities damaging the water line either through direct contact with the water line or through cathodic

activity. The easement would also recognize the right of the MUD to conduct any necessary repair work on the water line within the roadway.

2. The county would agree to provide the equipment and manpower to resurface the roadway after the water line construction is complete with the MUD providing the resurfacing material.
3. The county would agree that the MUD will construct a pedestrian trail within the right of way of Great Oaks Drive. In some instances this may require removal of some trees within the right of way unless the MUD can obtain a small amount of additional right of way to allow routing of the trail around those trees.
4.

Due to the tight scheduling constraints of our project, we will need to work a final decision on this route by November 12, 2003. If the MUD is to change to this other route, the MUD will need to have executed documents with the Counnty by the November 12, 2003 deadline.

We are hereby requesting that you begin the appropriate efforts to allow consideration of this alternative by the County Commissioners Court.

Thanks again for your efforts.

Sincerely,

Mike Taylor
General Manager

AGENDA ITEM 21

Discuss and consider rescinding/revising the service agreement with Leo Wood & Associates that was signed on September 23, 2003.

The Commissioners discussed the service agreement with Leo Wood & Associates that was signed on September 23, 2003. Part of the discussion involved sending a staff member to a school in San Antonio on Wednesday and Thursday, October 29 and 30, 2003. Administrative costs of the HUD agreement will need an RFQ.

Moved: **Judge Doerfler**
Seconded: **Commissioner Limmer**
Motion: To retain Leo Wood & Associates until an exact amount has been established on the service agreement that was signed on September 23, 2003.
Vote: **4 – 1. Commissioner Boatright** was opposed.

AGENDA ITEM 22

Consider approving Crime Lab Improvement Grant Application for the Sheriffs Office.

Randy Traylor addressed the court regarding a crime lab improvement grant application for an award of $29,805.00. The county would be asked to supply 25% of the total cost of the project.

Moved: **Commissioner Boatright**
Seconded: **Judge Doerfler**
Motion: To approve a Crime Lab Improvement Grant Application for the Sheriffs Office.
Vote: **5 - 0**

< Attachment >