

Special Session Commissioners' Court

Monday, May 24, 1999

2:00 PM

Judge Leath called the meeting to order. The following members of the Court are present:

Jack Leath	County Judge
Keith Clark	Commissioner Pct. #1
Lynn Smith	Commissioner Pct. #2
Doyle Dickerson	Commissioner Pct. #3
Louise Clark	Chief Deputy County Clerk

Commissioner Nethery, Pct. #4 is not present.

Agenda item #1-Discuss & Possible Take Action – On-site Sewage Inspection

Judge Leath said he has looked over the proposal and everything looks in order.

Billy Mott and Jerry Johnson are present to answer any questions the Court may have. The fee quoted includes processing the application, doing a design review, issuing the authorization to construct, final inspection and licensing. You can not construct without authorization.

At the present time, the people outside of the Sabine River Authority (SRA) are paying \$210.00 to TNRCC and to ANRA they are paying \$360.00. The distance to be covered by SRA is 2000 feet from the take line. Jasper County and the SRA have a lower fee. The only reason we can come up with is that they are being subsidized from general revenue funds or somewhere.

The proposed fee for residential service is \$260.00. This fee was increased from \$210.00 to \$260.00 to take care of complaints instead of charging a \$35.00 charge back to the County for complaints. They said as for them doing the work, we could do it for \$210.00 and \$260.00. We will work complaints under this program if the Court will allow us to come back in thirty or sixty days to review it to see if we can continue to do it. This is for an aerobic system or conventional system.

Judge Leath asked if they received a complaint and they went out and told the people what they needed to do to be compliant, would they charge the people then.

They said if it is a licensed system, it would be under the modification schedule. If it is an unlicensed system, they will have to go through the application procedure just like a brand new system.

A monthly report has to be sent into TNRCC. A copy of this report can be sent to the Court also.

Commissioner Smith said he thinks we will have a storm when people living on the lake only has to pay SRA \$105.00 and everyone else will have to pay from \$210.00 to \$260.00.

It was stated that that is what they are paying now.

Mr. Mott and Mr. Johnson said they would concentrate mostly on new construction. They would not drive all over the County inspecting systems. They will inspect a system if there is a complaint or if the property is sold and there is no transfer of a licensed sewer system. If you have a licensed system and you sell your property, you will transfer that license to the new owners. If you have a system and it is not licensed, you can contact us to get a provisional license for an existing system.

The Court said they are sensitive to people of the County that can not afford to install new systems.

Mr. Mott and Mr. Johnson said they are required by law to report any system that is not working properly. They try to help the people in giving as much information as they have available for financing and for additional time.

The fee schedule will be as follows:

AEROBIC SYSTEM Residential-\$210.00 Commercial-\$260.00

CONVENTIONAL SYSTEM Residential-\$210.00 Commercial-\$260.00

TRANSFERS Residential Inspection & License-\$135.00

Commercial Inspection & License-\$160.00

MODIFICATIONS TO EXISTING LICENSED FACILITY

Residential-\$150.00 Commercial-\$200.00

PROVISIONAL LICENSE FOR EXISTING FACILITY

Residential-\$210.00 Commercial-\$260.00

Judge Leath said he would like to delay a decision for a few days.

Commissioner Smith moved to enter into this agreement with Brookeland Fresh Water Supply District for the on-site sewage inspection program with the fee

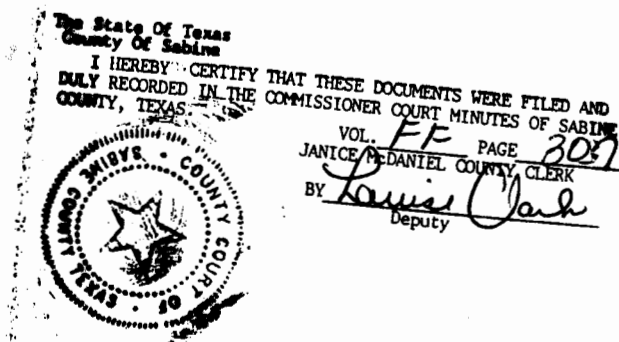
schedule as agreed to today. Commissioner Clark seconded. All voted for.
Motion carried. See attached copy.

Commissioner Smith moved to adjourn. Commissioner Dickerson
seconded. Meeting adjourned.

<u>Jack Leath</u>	COUNTY JUDGE
<u>Keith C. Clark</u>	COMMISSIONER PCT. #1
<u>Lynne Smith</u>	COMMISSIONER PCT. #2
<u>Doyle Dickerson</u>	COMMISSIONER PCT. #3
<u>NOT PRESENT</u>	COMMISSIONER PCT. #4

ATTEST:

<u>Janice McDaniel</u>	CHIEF DEPUTY COUNTY CLERK
<u>Louise Clark</u>	



Vol FF Pg 309

PROPOSAL

IMPLEMENTATION OF TNRCC ON-SITE-SEWAGE FACILITY PROGRAM

COMMISSIONER'S COURT SABINE COUNTY, TEXAS

Submitted by:
Brookeland Fresh Water Supply District
PO Box 5350
Sam Rayburn, Texas 75951
phone
409-698-2914
800-256-6839
fax
409-698-2101

Vol FF Pg 310

**BROOKELAND FRESH WATER SUPPLY DISTRICT
SABINE COUNTY OSSF PROGRAM PROPOSAL**

May 17, 1999

To The Honorable Judge Leath and Commissioner's Court of Sabine County, Texas

Brookeland Fresh Water Supply District proposes to establish a program consistent with the established procedures of the Texas Natural Resources Conservation Commission (TNRCC) under Title 30, Texas Administrative Code Chapter 285, and/or additional requirements of the Commissioner's Court of Sabine County, as per the On-Site-Sewage Facility Order for Sabine County, adopted _____.

This proposal will implement the Sabine County OSSF Program with the following procedures:

APPLICATION

Brookeland Fresh Water Supply District will provide Sabine County with blank application forms, to be left at the County Courthouse, at a designated location, and at the office of the District. Upon completion of the application, the Applicant will submit the completed application to the Brookeland Fresh Water Supply District with the appropriate fees for processing.

SITE & SOIL EVALUATION, DESIGN, & SITE PLAN

It is the responsibility of the Applicant to retain the services of a Licensed Site Evaluator, Registered Sanitarian or Professional Engineer to submit Soil & Site Evaluation, Design, and Site Plan to the Brookeland Fresh Water Supply District's Designated Representative.

DESIGN REVIEW

The District's Designated Representative will perform a Design Review to confirm that the Design meets the Minimum Requirements for construction standards under Title 30, Texas Administrative Code, Chapter 285.

AUTHORIZATION TO CONSTRUCT

Following the Design Review and if the Design meets the Minimum Construction Standards, an Authorization to Construct will be issued.

CONSTRUCTION

Following the issuance of the Authorization to Construct, the Applicant will then obtain a "Registered" Installer (must have a TNRCC license) to perform the construction of the OSSF. Upon completion of construction, but prior to closure, the Installed must notify the District's Designated Representative to schedule a Final Inspection.

Vol FF Pg 311

**BROOKELAND FRESH WATER SUPPLY DISTRICT
SABINE COUNTY OSSF PROGRAM PROPOSAL**

FINAL INSPECTION

Will be performed by the District's Designated Representative to insure that all guidelines and requirements of the State and County have been met. If all requirements are satisfied, a License to operate the OSSF will be issued to the Applicant and a License File will be maintained at the District's Office.

TRANSFERS

In the event that property is sold, the Buyer shall make Application and pay appropriate fees to Brookeland Fresh Water Supply District for Transfer of License to operate OSSF. An inspection will be made to observe the system's ability of proper performance and/or not causing a public health threat or environmental pollution. Also, a review of the Application will be made to determine if the use and loading is compatible with the original design. After completion of the Transfer Inspection, a License to operate the OSSF will be issued to the Applicant and a License File will be maintained at the District's Office.

MODIFICATION OF EXISTING SYSTEM

In the event that loading to a existing OSSF system exceeds the original design, the system is damaged, or the systems fails, an Application to modify an existing system shall be made to Brookeland Fresh Water Supply District. Modification Design must be performed by a Licensed Site Evaluator, Registered Sanitarian, or Professional Engineer. Modification design will be submitted to the District's Designated Representative for design review. If the design meets the minimum construction standards, an Authorization to Construct will be issued. The Applicant will then obtain a "Registered" Installer to construct the modification to the existing system. Upon completion of construction, but prior to closure, the Installer will notified the District's Designated Representative to schedule an inspection. After inspection and all work meets minimum standards, the License will be modified and maintained at the District's Office.

PROVISIONAL LICENSE

In the event that an existing system has not been Licensed, it may be licensed if Application is made for a Provisional License and appropriate fees paid. Upon completion of an inspection and it is determined that the system does not pose a threat to public health or the environment, a Provisional License will be issued. Provisional meaning if the system fails for any reason, it must be modified to meet current construction standards. Then, the Applicant would re-apply under the guidelines for Modification of Existing Systems.

COMPLAINT INVESTIGATIONS

Complaints received will be performed by the District's Designated Representative. An investigation to determine the facts of the Complaint will be done. If it is determined that any condition exist that may threaten the public health or the environment, a Notice of Non-Compliance will be issued to person or persons in violation, and given an opportunity to

vol FF Pg 312

**BROOKELAND FRESH WATER SUPPLY DISTRICT
SABINE COUNTY OSSF PROGRAM PROPOSAL**

correct the problem. Within 15 days of receipt of Certified Mail Notice of Non-Compliance, the property owner must respond by making an appropriate Application, and within 30 days of receipt, must have modification or installation and inspection completed. If the property owner refuses to comply with the above Notice of Non-Compliance, an affidavit for probable cause and sworn complaint will be filed with the Justice of the Peace within the Precinct that the violation occurs.

TNRCC MONTHLY REPORT

A Monthly Report will be submitted to the TNRCC by the District's Designated Representative stating the number of applications processed, number of inspections, number and type of OSSF systems installed, number of complaints investigated, and the number of court cases filed.

FEES

All Fees will be payable to Brookeland Fresh Water Supply District. A Fee schedule will be published and available along with each Application Form located at the Sabine County Courthouse and Brookeland Fresh Water Supply District Office.

APPEALS

In cases where the Applicant is in disagreement with the Designated Representative, a written appeal must be presented to the General Manager of the Brookeland Fresh Water Supply District, to be placed on the Agenda for the next regular meeting of the Board of Supervisors for the Brookeland Fresh Water Supply District.

UPDATE ON-SITE-SEWAGE FACILITY ORDER

In discussions with the Texas Natural Resources Conservation Commission, it has been noted that it is necessary for Sabine County to update the On-Site-Sewage Facility Order. The District's Designated Representative has obtained the required Model Order, and will assist the Sabine County Commissioners Court in preparing and implementation of an Update Order per TNRCC guidelines.

Please review the above outline for implementation of the OSSF Program and make notations for change or questions. I understand that this item has been placed on the Agenda for Commissioner Court on May 24, 1999 at 10:00 AM. Myself and Jerry Johnson, the District's Designated Representative, will attend this meeting to answer questions and comments.

Respectfully Submitted,



Billy M. Mott, General Manager
Brookeland Fresh Water Supply District

Vol FF Pg 313

**SABINE COUNTY
ON-SITE-SEWAGE FACILITY PROGRAM
FEE SCHEDULE
(JUNE 1, 1999)**

SERVICE	FEE
AEROBIC SYSTEM	
Residential	\$260.00 210.00
Commercial	\$310.00 260.00
CONVENTIONAL SYSTEM	
Residential	\$260.00 210.00
Commercial	\$310.00 260.00
TRANSFERS	
Commercial Inspection & License	\$160.00 ✓
Residential Inspection & License	\$135.00
MODIFICATIONS TO EXISTING LICENSED FACILITY	
Residential	\$150.00 ✓
Commercial	\$200.00
PROVISIONAL LICENSE FOR EXISTING FACILITY	
Residential	\$260.00 210.00
Commerical	\$310.00 260.00

***** Special Notation *****

Site & Soil Evaluations and Designs will be done by Licensed Site Evaluators, Registered Sanitarians, or Register Professional Engineers of Applicant's choice

**ALL FEES ARE PAYABLE TO BROOKELAND FRESH WATER SUPPLY DISTRICT
IN THE FORM OF MONEY ORDERS OR CHECKS. NO CASH WILL BE
ACCEPTED..**

All Fees include \$10.00 to be sent to TNRCC. All Fees are payable in advance, with
excecption to modifications to existing facility and provisional license.

Vol FF Pg 314

EAST TEXAS AREA OOSF PROGRAM FEE SURVEY

May 1999

TYPE OF SYSTEM	ANRA	ANGELINA COUNTY	JASPER COUNTY	TNRCC	SRA	NACOGDOCHES COUNTY	AVERAGE CHARGES
Conventional							
Residential	\$360.00	\$210.00	\$110.00	\$210.00	\$105.00	\$190.00	\$197.50
Commercial	\$360.00	\$260.00		\$410.00			\$343.33
Aerobic							
Residential	\$310.00	\$210.00	\$110.00	\$210.00	\$105.00	\$190.00	\$189.17
Commercial		\$260.00		\$410.00			\$223.33

Vol FF Pg 315

The State of Texas
County of Sabine
I HEREBY CERTIFY THAT THESE DOCUMENTS WERE FILED AND
DULY RECORDED IN THE COMMISSIONER COURT MINUTES OF SABINE
COUNTY, TEXAS.
VOL. FF PAGE 307
JANICE MCANIEL COUNTY CLERK
BY *Janice Clark*
Deputy

