

**Ron Morrison**

**From:** rmdietz [rmdietz@lawdietz.com]  
**Sent:** Monday, February 02, 2009 5:50 PM  
**To:** Ron Morrison  
**Subject:** Hutto language

Ron, here is the language we discussed for the Hutto fees,

P14

TJP FEG

(a) Contractor shall pay annually a host fee in the amount of ??two percent (2%)?? of the ~~annual Gross Receipts~~ to County to be expended for the benefit of the City of Hutto and Hutto ISD with any such expenditures being at County's sole discretion. Contractor shall make payments to County on January 31 of each calendar year for the prior calendar year.

Or this alternative which is a little harsher

(a) Contractor shall pay annually a host fee in the amount of two percent (2%) of the annual Gross Receipts to County to be expended for the benefit of the City of Hutto and Hutto ISD with any such expenditures being at County's sole option. Distribution of the Host Fee by County may be terminated by County if the City of Hutto or Hutto ISD institutes any administrative or legal action against the Landfill. In the event of partial or total termination of distribution of the Host Fee, Contractor shall not be required to pay to County the terminated portion of the Host Fee. Contractor shall make payments to County on January 31 of each calendar year for the prior calendar year.

Or this language which is the harshest

(b) Contractor shall pay annually a host fee in the amount of two percent (2%) of the annual Gross Receipts for Disposal to County to be expended solely for the benefit of the City of Hutto and Hutto ISD ("Host Fee").

#228  
#3