

MINUTES OF THE WILLIAMSON COUNTY COMMISSIONERS' COURT MEETING FEBRUARY 12, 2008

STATE OF TEXAS)(

COUNTY OF WILLIAMSON)(

BE IT REMEMBERED that at 9:35 A.M. on TUESDAY, FEBRUARY 12, 2008, a REGULAR SESSION of the Commissioners' Court of Williamson County, Texas, was held with the following being present, to-wit:

Present: Dan A. Gattis, County Judge
Lisa Birkman, Commissioner Precinct 1
Cynthia Long, Commissioner Precinct 2
Valerie Covey, Commissioner Precinct 3
Ron Morrison, Commissioner Precinct 4
Nancy E. Rister, County Clerk
Attendees: Dale Rye, County Attorney General Counsel
Connie Singleton, Deputy County Clerk

1. Read and approve the minutes of the last meeting.

Motion By: Commissioner Precinct 3 Valerie Covey

Second By: Commissioner Precinct 4 Ron Morrison *Motion: To approve the minutes of the last meeting.*

Aye: County Judge Dan A. Gattis
Commissioner Precinct 2 Cynthia Long
Commissioner Precinct 3 Valerie Covey
Commissioner Precinct 4 Ron Morrison

Other: Commissioner Precinct 1 Lisa Birkman (Absent from the Dais)

2. Consider noting in minutes any off right-of-way work on any County road done by Road & Bridge Unified System.

URS Road Administrator Greg Bergeron addressed the Court.

Motion By: County Judge Dan A. Gattis

Second By: Commissioner Precinct 2 Cynthia Long *Motion: To note in the minutes off right-of-way work:*

104 Tradesmen's Park Drive - Permission to enter the property of Richard Delancey to clean the culvert and ditch to improve drainage. (Pct. 4 - AS)

Aye: County Judge Dan A. Gattis
Commissioner Precinct 2 Cynthia Long
Commissioner Precinct 3 Valerie Covey
Commissioner Precinct 4 Ron Morrison

Other: Commissioner Precinct 1 Lisa Birkman (Absent from the Dais)

3. **Hear County Auditor concerning invoices, bills, Quick Check Report, and Wire Transfers submitted for payment and take appropriate action including, but not limited to approval for payment provided said items are found by the County Auditor to be legal obligations of the County.**

Auditor Donna McKittrick addressed the Court.

Commissioner Birkman abstained in regards to invoice for Gabriels Funeral Chapel. (Conflict of Interest Affidavit attached)

Motion By: Commissioner Precinct 2 Cynthia Long

Second By: Commissioner Precinct 3 Valerie Covey *Motion: To authorize the payment of bills totaling \$4,906,768.46 from computer printout, Addendum, Wire Transfer, Quick Check Report from the proper line items, if found by the County Auditor to be legal expenses as appropriated in the 2006-07 and 2007-08 County budgets.*

Aye: County Judge Dan A. Gattis
Commissioner Precinct 1 Lisa Birkman
Commissioner Precinct 2 Cynthia Long
Commissioner Precinct 3 Valerie Covey
Commissioner Precinct 4 Ron Morrison

4. **Citizen comments.**

John Hubler of Brushy Creek and Jim Dillon of Liberty Hill addressed the Court.

CONSENT AGENDA

***The Consent Agenda includes routine items that the Court may act on with one single vote. The Judge or a Commissioner may pull any item from the Consent Agenda in order that the Court discuss and act upon it individually as part of the Regular Agenda.
(Items 5 - 13)***

5. **Consider approving a line item transfer for the District Courts.**

Motion By: Commissioner Precinct 1 Lisa Birkman

Second By: Commissioner Precinct 4 Ron Morrison *Motion: To approve a line item transfer for the District Courts:*

from	0100-0435-004130	Court Appointed Attorneys	24,000.00
to	0100-0435-004141	Interpreters	24,000.00

Aye: County Judge Dan A. Gattis
Commissioner Precinct 1 Lisa Birkman
Commissioner Precinct 2 Cynthia Long
Commissioner Precinct 3 Valerie Covey
Commissioner Precinct 4 Ron Morrison

6. **Consider approving a line item transfer for the EOC.**

Motion By: Commissioner Precinct 1 Lisa Birkman

Second By: Commissioner Precinct 4 Ron Morrison
Motion: To approve a line item transfer for the EOC:

From	0100-0583-003010	Computer Equipment <\$5000	\$5,300.00
To	0100-0583-004430	Utilities	\$5,000.00
To	0100-0583-004999	Miscellaneous	\$300.00

Aye: County Judge Dan A. Gattis
Commissioner Precinct 1 Lisa Birkman
Commissioner Precinct 2 Cynthia Long
Commissioner Precinct 3 Valerie Covey
Commissioner Precinct 4 Ron Morrison

7. Consider approving the Treasurer's Report on the Williamson County finances for December 2007.

Motion By: Commissioner Precinct 1 Lisa Birkman
Second By: Commissioner Precinct 4 Ron Morrison *Motion: To approve the Treasurer's Report on the Williamson County finances for December 2007.*

Aye: County Judge Dan A. Gattis
Commissioner Precinct 1 Lisa Birkman
Commissioner Precinct 2 Cynthia Long
Commissioner Precinct 3 Valerie Covey
Commissioner Precinct 4 Ron Morrison

8. Consider approving Justice of the Peace #4 January, 2008, monthly report in compliance with Code of Criminal Procedure 103.005(b)

Motion By: Commissioner Precinct 1 Lisa Birkman
Second By: Commissioner Precinct 4 Ron Morrison *Motion: To approve Justice of the Peace #4 January, 2008, monthly report in compliance with Code of Criminal Procedure 103.005(b)*

Aye: County Judge Dan A. Gattis
Commissioner Precinct 1 Lisa Birkman
Commissioner Precinct 2 Cynthia Long
Commissioner Precinct 3 Valerie Covey
Commissioner Precinct 4 Ron Morrison

9. Consider approving request for \$100.00 for deposit into the Property Tax Office account to cover the shortage of \$100.00 from a clerk's till.

Assistant to County Auditor Julie Kiley addressed the Court.

Motion By: Commissioner Precinct 1 Lisa Birkman
Second By: Commissioner Precinct 4 Ron Morrison *Motion: To approve a request for \$100.00 for deposit into the Property Tax Office account to cover the shortage of \$100.00 from a clerk's till.*

Aye: County Judge Dan A. Gattis
Commissioner Precinct 1 Lisa Birkman
Commissioner Precinct 2 Cynthia Long
Commissioner Precinct 3 Valerie Covey
Commissioner Precinct 4 Ron Morrison

10. Consider reappointment of Gene Gatlin and Sandra Taylor to the ESD #4 Board.

Motion By: Commissioner Precinct 1 Lisa Birkman

Second By: Commissioner Precinct 4 Ron Morrison *Motion: To approve the reappointment of Gene Gatlin and Sandra Taylor to the ESD #4 Board.*

Aye: County Judge Dan A. Gattis

Commissioner Precinct 1 Lisa Birkman

Commissioner Precinct 2 Cynthia Long

Commissioner Precinct 3 Valerie Covey

Commissioner Precinct 4 Ron Morrison

- 11. Consider authorizing the retirement of three vehicles and transfer of various items from multiple departments through inter-office transfer to auction/donation. (Complete list filed with official minutes)**

Motion By: Commissioner Precinct 1 Lisa Birkman

Second By: Commissioner Precinct 4 Ron Morrison *Motion: To authorize the retirement of three vehicles and transfer of various items from multiple departments through inter-office transfer to auction/donation.*

Aye: County Judge Dan A. Gattis

Commissioner Precinct 1 Lisa Birkman

Commissioner Precinct 2 Cynthia Long

Commissioner Precinct 3 Valerie Covey

Commissioner Precinct 4 Ron Morrison

- 12. Consider approving credit hours for Ethics in Government Training for Commissioner Covey.**

Motion By: Commissioner Precinct 1 Lisa Birkman

Second By: Commissioner Precinct 4 Ron Morrison *Motion: To approve credit hours for Ethics in Government Training for Commissioner Covey.*

Aye: County Judge Dan A. Gattis

Commissioner Precinct 1 Lisa Birkman

Commissioner Precinct 2 Cynthia Long

Commissioner Precinct 3 Valerie Covey

Commissioner Precinct 4 Ron Morrison

- 13. Consider authorizing Spokes 'N Spurs Benefit Bicycle Ride to be held on Saturday, March 8, 2008.**

Motion By: Commissioner Precinct 1 Lisa Birkman

Second By: Commissioner Precinct 4 Ron Morrison *Motion: To authorize the Spokes 'N Spurs Benefit Bicycle Ride to be held on Saturday, March 8, 2008.*

Aye: County Judge Dan A. Gattis

Commissioner Precinct 1 Lisa Birkman

Commissioner Precinct 2 Cynthia Long

Commissioner Precinct 3 Valerie Covey

Commissioner Precinct 4 Ron Morrison

REGULAR AGENDA

- 14. Hear presentation by the City of Leander on Road Bond Projects.**

Mayor John Cowman of Leander addressed the Court.

No action was taken.

- 15. 10:06 A.M. Public Hearing Opened**
Conduct a public hearing on abolishment of Somerset Hills Road District No. 1 and Somerset Hills Road District No. 2.
10:28 A.M. Public Hearing Closed

Rob Hardy of Georgetown, Jim Dillon of Leander, Leighton Batey of Georgetown, Dwayne Daughtery of Georgetown and Gary Newman developer for Somerset Hills addressed the Court.

- 16. Consideration and action with respect to order abolishing Somerset Hills Road District No. 1 and ordering other matters incident and related to the abolishment of such road district.**

Motion By: Commissioner Precinct 3 Valerie Covey

Second By: Commissioner Precinct 4 Ron Morrison *Motion: To approve an order abolishing Somerset Hills Road District No. 1 and order other matters incident and related to the abolishment of such road district.*

Aye: County Judge Dan A. Gattis
Commissioner Precinct 1 Lisa Birkman
Commissioner Precinct 2 Cynthia Long
Commissioner Precinct 3 Valerie Covey
Commissioner Precinct 4 Ron Morrison

- 17. Consideration and action with respect to order abolishing Somerset Hills Road District No. 2 and ordering other matters incident and related to the abolishment of such road district.**

Motion By: Commissioner Precinct 3 Valerie Covey

Second By: Commissioner Precinct 4 Ron Morrison *Motion: To approve an order abolishing Somerset Hills Road District No. 2 and ordering other matters incident and related to the abolishment of such road district.*

Aye: County Judge Dan A. Gattis
Commissioner Precinct 1 Lisa Birkman
Commissioner Precinct 2 Cynthia Long
Commissioner Precinct 3 Valerie Covey
Commissioner Precinct 4 Ron Morrison

- 18. 10:29 A.M. Public Hearing Opened**
Conduct public hearing on establishment of Somerset Hills Road District No. 3 and Somerset Road District No. 4.
10:30 A.M. Public Hearing Closed

No one addressed the Court.

- 19. Consideration and action with respect to order creating and establishing Somerset Hills Road District No. 3 and ordering other matters incident and related to the creation and establishment of such road district.**

Gary Newman developer for Somerset and Attorney Charlie Crossfield addressed the Court.

Motion By: Commissioner Precinct 3 Valerie Covey

Second By: Commissioner Precinct 1 Lisa Birkman *Motion: To approve an order creating and establishing Somerset Hills Road District No. 3 and order other matters incident and related to the creation and establishment of such road district.*

Aye: County Judge Dan A. Gattis
Commissioner Precinct 1 Lisa Birkman
Commissioner Precinct 2 Cynthia Long
Commissioner Precinct 3 Valerie Covey
Commissioner Precinct 4 Ron Morrison

20. Consideration and action with respect to order creating and establishing Somerset Hills Road District No. 4 and ordering other matters incident and related to the creation and establishment of such road district.

Gary Newman developer for Somerset and Attorney Charlie Crossfield addressed the Court.

Motion By: Commissioner Precinct 3 Valerie Covey

Second By: Commissioner Precinct 1 Lisa Birkman *Motion: To approve an order creating and establishing Somerset Hills Road District No. 4 and ordering other matters incident and related to the creation and establishment of such road district.*

Aye: County Judge Dan A. Gattis
Commissioner Precinct 1 Lisa Birkman
Commissioner Precinct 2 Cynthia Long
Commissioner Precinct 3 Valerie Covey
Commissioner Precinct 4 Ron Morrison

21. Consideration and action with respect to order establishing a public hearing on a petition calling a Bond Election for Somerset Hills Road District No. 3.

Gary Newman developer for Somerset and Attorney Charlie Crossfield addressed the Court.

Motion By: Commissioner Precinct 3 Valerie Covey

Second By: Commissioner Precinct 1 Lisa Birkman *Motion: To approve an order establishing a public hearing on a petition calling a Bond Election for Somerset Hills Road District No. 3.*

Aye: County Judge Dan A. Gattis
Commissioner Precinct 1 Lisa Birkman
Commissioner Precinct 2 Cynthia Long
Commissioner Precinct 3 Valerie Covey
Commissioner Precinct 4 Ron Morrison

22. Consideration and action with respect to order establishing a public hearing on a petition calling a Bond Election for Somerset Hills Road District No. 4.

Gary Newman developer for Somerset and Attorney Charlie Crossfield addressed the Court.

Motion By: Commissioner Precinct 3 Valerie Covey

Second By: Commissioner Precinct 1 Lisa Birkman *Motion: To approve an order establishing a public hearing on a petition calling a Bond Election for Somerset Hills Road District No. 4.*

Aye: County Judge Dan A. Gattis
Commissioner Precinct 1 Lisa Birkman
Commissioner Precinct 2 Cynthia Long

Commissioner Precinct 3 Valerie Covey

Commissioner Precinct 4 Ron Morrison

23. Discuss and take action on road bond program.

Mike Weaver of Prime Strategies addressed the Court.

It was noted that the Ribbon Cutting Ceremony for the opening of Ronald W. Reagan North will be on Friday, February 22 at 1:00 P.M.

24. Discuss and consider authorizing the Judge to sign a resolution to separate the IH-35 Frontage Road and Ramps Improvement Project into two (2) phases.

Mike Weaver of Prime Strategies addressed the Court.

Motion By: Commissioner Precinct 3 Valerie Covey

Second By: Commissioner Precinct 1 Lisa Birkman *Motion: To authorize Judge Gattis to sign a resolution to separate the IH-35 Frontage Road and Ramps Improvement Project into two (2) phases.*

Aye: County Judge Dan A. Gattis

Commissioner Precinct 1 Lisa Birkman

Commissioner Precinct 2 Cynthia Long

Commissioner Precinct 3 Valerie Covey

Commissioner Precinct 4 Ron Morrison

25. Consider authorizing County Judge to execute Release of Temporary Easement for Canelo Way. (Hy-land Resources)

Motion By: Commissioner Precinct 3 Valerie Covey

Second By: Commissioner Precinct 2 Cynthia Long *Motion: To authorize Judge Gattis to execute Release of Temporary Easement for Canelo Way. (Hy-land Resources)*

Aye: County Judge Dan A. Gattis

Commissioner Precinct 1 Lisa Birkman

Commissioner Precinct 2 Cynthia Long

Commissioner Precinct 3 Valerie Covey

Commissioner Precinct 4 Ron Morrison

26. Consider approving request to issue a call for projects that will utilize the allocated FY08 Community Development Block Grant (CDBG) funding amount of \$1,096,136.

Grants Coordinator Sally Bardwell addressed the Court.

Motion By: Commissioner Precinct 1 Lisa Birkman

Second By: Commissioner Precinct 2 Cynthia Long *Motion: To approve a request to issue a call for projects that will utilize the allocated FY08 Community Development Block Grant (CDBG) funding amount of \$1,096,136.*

Aye: County Judge Dan A. Gattis

Commissioner Precinct 1 Lisa Birkman

Commissioner Precinct 2 Cynthia Long

Commissioner Precinct 3 Valerie Covey

Commissioner Precinct 4 Ron Morrison

27. **Discuss and consider approving the early voting polling locations for the Republican and Democratic Parties 2008 Primaries and, if necessary, runoff elections.**

Kay Eastes of Elections addressed the Court.

Motion By: Commissioner Precinct 2 Cynthia Long

Second By: Commissioner Precinct 3 Valerie Covey *Motion: To approve, with noted correction on the list for Round Rock, the early voting polling locations for the Republican and Democratic Parties 2008 Primaries and, if necessary, runoff elections.*

Aye: County Judge Dan A. Gattis
Commissioner Precinct 1 Lisa Birkman
Commissioner Precinct 2 Cynthia Long
Commissioner Precinct 3 Valerie Covey
Commissioner Precinct 4 Ron Morrison

28. **To discuss and consider approving an "Information Aide/Tour Guide" position for the County Judge's office.**

Motion By: County Judge Dan A. Gattis

Second By: Commissioner Precinct 1 Lisa Birkman *Motion: To approve an "Information Aide/Tour Guide" position for the County Judge's office.*

Aye: County Judge Dan A. Gattis
Commissioner Precinct 1 Lisa Birkman
Commissioner Precinct 2 Cynthia Long
Commissioner Precinct 3 Valerie Covey
Commissioner Precinct 4 Ron Morrison

29. **Consider authorizing advertising and setting date of February 27, 2008 at 2:00 P.M. in the Purchasing Department to receive proposals for Food Services for the Williamson County Juvenile Services Facility.**

Motion By: Commissioner Precinct 3 Valerie Covey

Second By: Commissioner Precinct 1 Lisa Birkman *Motion: To authorize advertising and set date of February 27, 2008 at 2:00 P.M. in the Purchasing Department to receive proposals for Food Services for the Williamson County Juvenile Services Facility.*

Aye: County Judge Dan A. Gattis
Commissioner Precinct 1 Lisa Birkman
Commissioner Precinct 2 Cynthia Long
Commissioner Precinct 3 Valerie Covey
Commissioner Precinct 4 Ron Morrison

30. **Discuss and consider approval of an order declaring an emergency and a grave necessity due to unforeseeable circumstances and approving a budget amendment for park donations.**

Motion By: Commissioner Precinct 2 Cynthia Long

Second By: Commissioner Precinct 3 Valerie Covey

Motion: To approve an order declaring an emergency and a grave necessity due to unforeseeable circumstances and approve a budget amendment for park donations:

From/To	Acct No.	Description	Amount
	0100.0000.367403	Park Donations	\$120.00

Aye: County Judge Dan A. Gattis
 Commissioner Precinct 1 Lisa Birkman
 Commissioner Precinct 2 Cynthia Long
 Commissioner Precinct 3 Valerie Covey
 Commissioner Precinct 4 Ron Morrison

31. Discuss and consider approval of an order declaring an emergency and a grave necessity due to unforeseeable circumstances and approving a budget amendment for use of donations.

Motion By: Commissioner Precinct 2 Cynthia Long

Second By: Commissioner Precinct 3 Valerie Covey

Motion: To approve an order declaring an emergency and a grave necessity due to unforeseeable circumstances and approve a budget amendment for use of donations:

From/To	Acct No.	Description	Amount
	0100.0510.003670	Donations	\$120.00

Aye: County Judge Dan A. Gattis
 Commissioner Precinct 1 Lisa Birkman
 Commissioner Precinct 2 Cynthia Long
 Commissioner Precinct 3 Valerie Covey
 Commissioner Precinct 4 Ron Morrison

32. Discuss and consider approval of an order to declare an emergency and a grave necessity due to unforeseeable circumstances and approving a budget amendment for the County Judge's office.

Motion By: County Judge Dan A. Gattis

Second By: Commissioner Precinct 1 Lisa Birkman

Motion: To approve an order to declare an emergency and a grave necessity due to unforeseeable circumstances and approve a budget amendment for the County Judge's office:

From/To	Acct No.	Description	Amount
	0100-0400-001100	Full-time Salaries	\$25,376.00
	0100-0400-002010	FICA	\$1,942.00
	0100-0400-002020	Retirement	\$2,782.00
	0100-0400-002030	Insurance	\$5,538.00
	0100-0400-003005	Office Furniture <\$5,000	\$1,500.00
	0100-0400-003010	Computer Equipment <\$5,000	\$2,700.00
	0100-0400-003006	Office Equipment <\$5,000	\$400.00

Aye: County Judge Dan A. Gattis
 Commissioner Precinct 1 Lisa Birkman
 Commissioner Precinct 2 Cynthia Long
 Commissioner Precinct 3 Valerie Covey
 Commissioner Precinct 4 Ron Morrison

33. Discuss and consider approval of an order to declare an emergency and a grave necessity due to unforeseeable circumstances and approving a budget amendment for the EOC.

Budget Manager Ashlie Koenig and Assistant to County Auditor Julie Kiley addressed the Court.

Motion By: Commissioner Precinct 3 Valerie Covey

Second By: Commissioner Precinct 1 Lisa Birkman Motion: To approve an order to declare an emergency and a grave necessity due to unforeseeable circumstances and approve a budget amendment for the EOC:

From/To	Acct No.	Description	Amount
	0100-0583-005000	Capital Outlay>\$5,000	\$112,273.15

Aye: County Judge Dan A. Gattis
Commissioner Precinct 1 Lisa Birkman
Commissioner Precinct 2 Cynthia Long
Commissioner Precinct 3 Valerie Covey
Commissioner Precinct 4 Ron Morrison

COMMISSIONERS' COURT ADJOURNED TO EXECUTIVE SESSION AT 10:57 A.M. ON TUESDAY, FEBRUARY 12, 2008.

34. **Discuss Real Estate (EXECUTIVE SESSION as per VTCA Govt. Code sec. 551.0721 deliberation regarding Real Property.)**

No action taken in Executive Session.

35. **Discuss pending or contemplated litigation (EXECUTIVE SESSION as per VTCA Govt. Code sec. 551.071 consultation with attorney.)**

No action taken in Executive Session.

36. **Discuss County Landfill (EXECUTIVE SESSION as per VTCA Govt. Code sec. 551.0721 consultation with attorney.)**

No action taken in Executive Session.

37. **Discuss Courthouse restoration (EXECUTIVE SESSION as per VTCA Govt. Code sec. 551.071 consultation with attorney.)**

No action taken in Executive Session.

COMMISSIONERS' COURT RECONVENED FROM EXECUTIVE SESSION AT 11:58 A.M. ON TUESDAY, FEBRUARY 12, 2008.

38. **Discuss and take appropriate action on real estate.**

No action was taken.

39. **Discuss and take appropriate action on pending or contemplated litigation.**

No action was taken.

40. **Discuss and take appropriate action on the County Landfill.**

No action was taken.

41. Discuss and take appropriate action on courthouse restoration.

Motion By: Commissioner Precinct 3 Valerie Covey

Second By: Commissioner Precinct 2 Cynthia Long *Motion: To authorize assessment of late fees in the amount of \$50,000 toward liquidated damages to Browning Construction to be held in retainage.*

Aye: County Judge Dan A. Gattis

Commissioner Precinct 1 Lisa Birkman

Commissioner Precinct 2 Cynthia Long

Commissioner Precinct 3 Valerie Covey

Commissioner Precinct 4 Ron Morrison

42. Comments from Commissioners.

Judge Gattis advised that the Road and Bridge Department would be closed at noon today for employee Dale Hughes' funeral. They would be opened again tomorrow.

COMMISSIONERS' COURT ADJOURNED AT 12:00 P.M. ON TUESDAY, FEBRUARY 12, 2008.

THE FOREGOING MINUTES had at a Regular Session of Commissioners' Court of Williamson County, Texas, having been read are hereby approved this 19th day of February, 2008.

ATTEST: Nancy E. Rister, Clerk of County Court
Commissioners' Court, Williamson County, Texas

By: Connie Singleton, Deputy