# MINUTES OF THE WILLIAMSON COUNTY COMMISSIONERS' COURT MEETING SEPTEMBER 9, 2008

STATE OF TEXAS)(

**COUNTY OF WILLIAMSON)(** 

BE IT REMEMBERED that at 9:35 A.M. on TUESDAY SEPTEMBER 9, 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 1 Lisa Birkman

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

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

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: Commissioner Precinct 1 Lisa Birkman

Second By: Commissioner Precinct 2 Cynthia Long Motion: To note in minutes Utility Requests:

Precinct 1: Chisholm Trail S.U.D. - CR 212 - Road bore.

Precinct 4: Southwest Milam Water Supply Corp.

CR 426 - Road bore and ROW

CR 487 - Road bore CR 444 - Road bore

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

 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.

Accounts Payable/Payroll Manager Donna McKitrick addressed the Court.

Motion By: Commissioner Precinct 4 Ron Morrison

Second By: Commissioner Precinct 3 Valerie Covey *Motion: To authorize the payment of bills totaling \$7,229,557.59 from computer printout, Addendum, Wire Transfers, Quick Check Report from the proper line items, if found by the County Auditor to be legal expenses as appropriated in the County budget.* 

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.

Liberty Hill residents Tim Harlow, Patrick Harlow, Michael Harlow and Jim Dillon 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 upoin it individually as part of the Regular Agenda. (Items 5 – 22)

Discuss and consider approving a line item transfer for Communications.

Motion By: Commissioner Precinct 2 Cynthia Long Second By: Commissioner Precinct 1 Lisa Birkman

Motion: To approve a line item transfer for Communications:

From	0100-0583-003101	Educational Aids/Matls/Training Supplies	\$107.25
From	0100-0583-003900	Membership Dues	\$400.00
From	0100-0583-004621	Copier Rental & Supplies	\$1,093.89
То	0100-0583-003100	Office Supplies	\$1,601.14

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. Discuss and consider approving a line item transfer for Communications.

Motion By: Commissioner Precinct 2 Cynthia Long Second By: Commissioner Precinct 1 Lisa Birkman

Motion: To approve a line item transfer for Communications:

From	0100-0583-004100	Professional Services	\$2,000.00
То	0100-0583-004510	Facility Maint & Repairs	\$2,000.00

Commissioner Precinct 1 Lisa Birkman Commissioner Precinct 2 Cynthia Long Commissioner Precinct 3 Valerie Covey Commissioner Precinct 4 Ron Morrison

#### 7. Discuss and consider approving a line item transfer for Communications.

Motion By: Commissioner Precinct 2 Cynthia Long Second By: Commissioner Precinct 1 Lisa Birkman

Motion: To approve a line item transfer for Communications:

From	0100-0583-004100	Professional Services	\$2,500.00
То	0100-0583-003006	Office Equipment <\$5000	\$2,500.00

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

#### 8. Discuss and consider approving a line item transfer for Communications.

Motion By: Commissioner Precinct 2 Cynthia Long Second By: Commissioner Precinct 1 Lisa Birkman

Motion: To approve a line item transfer for Communications:

From	0100-0583-004548	Radio Repairs & Maintenance	\$10,000.00
То	0100-0583-003010	Computer Equipment >\$5000.00	\$10,000.00

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

#### 9. Discuss and consider approving a line item transfer for the District Attorney's Office.

Motion By: Commissioner Precinct 2 Cynthia Long Second By: Commissioner Precinct 1 Lisa Birkman

Motion: To approve a line item transfer for the District Attorney's Office:

From	0100-0440-004932	Trial Expenditures	\$162.50
То	0100-0440-005758	Law Books>\$5000	\$162.50

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. Discuss and consider approving a line item transfer for Tax Assessor/Collector.

Motion By: Commissioner Precinct 2 Cynthia Long Second By: Commissioner Precinct 1 Lisa Birkman

Motion: To approve a line item transfer for Tax Assessor/Collector:

From	0100-0499-001103	Part-time Salaries 30-40 hrs/wk	\$1,200.00
То	0100-0499-001107	Temp Labor/Seasonal Help	\$1,200.00

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

#### 11. Discuss and consider approving a line item transfer for EMS.

Motion By: Commissioner Precinct 2 Cynthia Long Second By: Commissioner Precinct 1 Lisa Birkman Motion: To approve a line item transfer for EMS:

From	0100-0540-004100	Professional Services	\$4,600.00
То	0100-0540-003010	Computer Equipment<\$5000	\$2,500.00
То	0100-0540-003001	Small Equipment & Tools<\$5000	\$2,100.00

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

#### 12. Discuss and consider approving a line item transfer for ITS.

Motion By: Commissioner Precinct 2 Cynthia Long Second By: Commissioner Precinct 1 Lisa Birkman Motion: To approve a line item transfer for ITS:

From	0100-0503-005750	Office Furniture > \$5,000	\$200.00
То	0100-0503-004231	Travel	\$100.00
То	0100-0503-004212	Postage	\$100.00

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

#### 13. Discuss and consider approving a line item transfer for the District Attorney's Office.

Motion By: Commissioner Precinct 2 Cynthia Long Second By: Commissioner Precinct 1 Lisa Birkman

Motion: To approve a line item transfer for the District Attorney's Office:

From	0100-0440-004544	Repairs to Office Equipment	\$200.00
То	0100-0440-003100	Office Supplies	\$200.00
From	0100-0440-004932	Trial Expenditures	\$986.50
То	0100-0440-005758	Law Books>\$5000	\$986.50

Commissioner Precinct 1 Lisa Birkman Commissioner Precinct 2 Cynthia Long Commissioner Precinct 3 Valerie Covey Commissioner Precinct 4 Ron Morrison

#### 14. To discuss and consider approving a line item transfer for JP #1.

Motion By: Commissioner Precinct 2 Cynthia Long Second By: Commissioner Precinct 1 Lisa Birkman Motion: To approve a line item transfer for JP #1:

From	0100-0451-003900	Membership Dues	\$340.00
То	0100-0451-003901	Publications/Books?Periodicals	\$340.00

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

#### 15. To discuss and consider approving a line item transfer for URS.

Motion By: Commissioner Precinct 2 Cynthia Long Second By: Commissioner Precinct 1 Lisa Birkman Motion: To approve a line item transfer for URS:

From	0200-0210-003551	Base & Stabilizer	\$ 30,000.00
From	0200-0210-003556	Aggregate/Rock Materials	\$ 30,000.00
То	0200-0210-004541	Vehicle Repairs & Maint.	\$ 60,000.00

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

#### Discuss and consider approving a line item transfer for the County Clerk's office.

Motion By: Commissioner Precinct 2 Cynthia Long Second By: Commissioner Precinct 1 Lisa Birkman

Motion: To approve a line item transfer for the County Clerk's office:

From	0100-0404-003005	Office Equipment <\$5,000	\$288.33
То	0100-0404-004212	Postage	\$288.33

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. Discuss and consider approving a line item transfer for the County Attorney.

Motion By: Commissioner Precinct 2 Cynthia Long Second By: Commissioner Precinct 1 Lisa Birkman

Motion: To approve a line item transfer for the County Attorney:

То	0100-0475-004210	Internet/Email Service	\$500.00
From	0100-0475-004350	Printed Materials & Binding	\$500.00

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

#### 18. Discuss and consider approving a line item transfer for the Elections Department.

This item was moved to regular session.

Kay Eastes of Elections addressed the Court.

Motion By: Commissioner Precinct 2 Cynthia Long Second By: Commissioner Precinct 4 Ron Morrison

Motion: To approve a line item transfer for the Elections Department:

From	0100-0492-004212	Postage	\$4,000.00
То	0100-0492-004310	Advertising & Legal Notices	\$4,000.00

Aye: County Judge Dan A. Gattis

Commissioner Precinct 1 Lisa Birkman
Commissioner Precinct 2 Cynthia Long
Commissioner Precinct 4 Ron Morrison
Nay: Commissioner Precinct 3 Valerie Covey

#### 19. Consider approving the Treasurer's Report on the Williamson County Finances July 2008.

Motion By: Commissioner Precinct 2 Cynthia Long

Second By: Commissioner Precinct 1 Lisa Birkman *Motion: To approve the Treasurer's Report on the Williamson County Finances July 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

### 20. Consider loaning 50 cones to the Rattan Creek Neighborhood Association for their 16th annual 5k race to be held on Saturday, September 27, 2008.

Motion By: Commissioner Precinct 2 Cynthia Long

Second By: Commissioner Precinct 1 Lisa Birkman *Motion: To approve loaning 50 cones to the Rattan Creek Neighborhood Association for their 16th annual 5k race to be held on Saturday, September 27, 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

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

Motion By: Commissioner Precinct 2 Cynthia Long

Second By: Commissioner Precinct 1 Lisa Birkman *Motion: To approve Justice of the Peace #4 August 2008 monthly report in compliance with the 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

22. Discuss and consider final plat approval of The Susan Estates, Pct. #4.

Motion By: Commissioner Precinct 2 Cynthia Long

Second By: Commissioner Precinct 1 Lisa Birkman *Motion: To approve the final plat for The Susan Estates, Pct. #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

#### REGULAR AGENDA

23. Discuss and consider preliminary plat approval of Erfurt Commercial Subdivision, Pct. #4.

Motion By: Commissioner Precinct 4 Ron Morrison

Second By: Commissioner Precinct 1 Lisa Birkman *Motion: To approve the preliminary plat for Erfurt Commercial Subdivision, Pct. #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

24. Discuss and take appropriate action on road bond program.

Richard Ridings of HNTB addressed the Court.

25. Discuss and consider approving Rogers Design Services (RDS) Supplemental #1 to the CR 214 Professional Service Agreement (PSA).

Richard Ridings of HNTB addressed the Court.

Motion By: Commissioner Precinct 1 Lisa Birkman

Second By: Commissioner Precinct 2 Cynthia Long Motion: To approve Rogers Design Services (RDS) Supplemental #1 to the CR 214 Professional Service Agreement (PSA).

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. Discuss and consider approving Haynie Consulting Supplemental #2 to the CR 175, Phase 2 Professional Service Agreement (PSA).

Richard Ridings of HNTB addressed the Court.

Motion By: Commissioner Precinct 1 Lisa Birkman

Second By: Commissioner Precinct 2 Cynthia Long *Motion: To approve Haynie Consulting Supplemental #2 to the CR 175, Phase 2 Professional Service Agreement (PSA).* 

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. Consideration and action with respect to order authorizing the issuance of Williamson County, Texas Limited Tax Note, Series 2008; levying an ad valorem tax in support of the note; approving a paying agent/registrars agreement and an Investment and Commitment Letter; authorizing other matters relating to the note.

County Auditor David Flores, Senior Vice President of First Southwest Dan Wegmiller and Attorney Carol Polumbo of McCall, Parkhurst & Horton addressed the Court.

Motion By: Commissioner Precinct 1 Lisa Birkman

Second By: Commissioner Precinct 3 Valerie Covey *Motion: To authorize the issuance of Williamson County, Texas Limited Tax Note, Series 2008; levying an ad valorem tax in support of the note; approving a paying agent/registrars agreement and an Investment and Commitment Letter; authorizing other matters relating to the note.* 

Ave: 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. Discuss and take appropriate action on various County parks and trails projects.

Parks Director Jim Rodgers addressed the Court.

29. Discuss and consider approving proposed fee rates charged for services provided by the Constable offices, in accordance with LGC 118.131.

Constable Precinct 3 Bobby Gutierrez and General Counsel Dale Rye addressed the Court.

Motion By: Commissioner Precinct 3 Valerie Covey

Second By: Commissioner Precinct 2 Cynthia Long *Motion: To approve the proposed fee rates charged for services provided by the Constable offices, in accordance with LGC 118.131.* 

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 take appropriate action on additional appointments of election judges and alternate judges.

Kay Eastes of Elections addressed the Court.

Motion By: Commissioner Precinct 1 Lisa Birkman

Second By: Commissioner Precinct 4 Ron Morrison *Motion: To approve additional appointments* of election judges and alternate judges.

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 take appropriate action regarding the appointment of Ed Komamdosky as the Williamson County board member to the Taylor Tax Increment Financing District.

Motion By: Commissioner Precinct 1 Lisa Birkman

Second By: Commissioner Precinct 4 Ron Morrison *Motion: To approve the appointment of Ed Komamdosky as the Williamson County board member to the Taylor Tax Increment Financing 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

32. Consider an order declaring an emergency and a grave necessity due to unforeseeable circumstances and approve a budget amendment for Park Donations.

Motion By: Commissioner Precinct 1 Lisa Birkman

Second By: Commissioner Precinct 4 Ron Morrison

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	
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- 1	I I	0100-0000-367403	Dark Danationa	\$100.00
- 1	I I	0100-0000-367403	Park Donations	\$100.00 <b> </b>
- 1				

Commissioner Precinct 1 Lisa Birkman Commissioner Precinct 2 Cynthia Long Commissioner Precinct 3 Valerie Covey Commissioner Precinct 4 Ron Morrison

33. Consider an order declaring an emergency and a grave necessity due to unforeseeable circumstances and approve a budget amendment to acknowledge use of Park Donations.

Motion By: Commissioner Precinct 1 Lisa Birkman

Second By: Commissioner Precinct 4 Ron Morrison

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

From/To	Acct No.	Description	Amount
	0100-0510-003670	Use of Donations	\$100.00

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

34. Consider an order declaring an emergency and a grave necessity due to unforeseeable circumstances and approve a budget amendment for Victim's Assistance Donations.

Motion By: Commissioner Precinct 1 Lisa Birkman Second By: Commissioner Precinct 4 Ron Morrison

Motion: To approve an order declaring an emergency and a grave necessity due to unforeseeable circumstances and approve a budget amendment for Victim's Assistance Donations:

From/To	Acct No.	Description	Amount
	0100-0000-367400	Donations	\$173.70

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

35. Consider an order declaring an emergency and a grave necessity due to unforeseeable circumstances and approve a budget amendment for Victim's Assistance Donations.

Motion By: Commissioner Precinct 1 Lisa Birkman

Second By: Commissioner Precinct 4 Ron Morrison

Motion: To approve an order declaring an emergency and a grave necessity due to unforeseeable circumstances and approve a budget amendment for Victim's Assistance Donations:

From/To	Acct No.	Description	Amount
	0100-0560-003671	V.A. Donations	\$173.70

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 11:23 A.M. ON TUESDAY SEPTEMBER 9, 2008.

36. Discuss real estate (EXECUTIVE SESSION as per VTCA Govt. Code sec. 551.0721 deliberation regarding real property.)

No action was taken in Executive Session.

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

No action was taken in Executive Session.

38. Discuss County Landfill (EXECUTIVE SESSION as per VTCA Govt. Code sec. 551.071 consultation with attorney.)

No action was taken in Executive Session.

39. Deliberation regarding economic development negotiations (EXECUTIVE SESSION as per VTCA Govt. Code sec. 551.087 deliberation regarding economic development negotiations.)

No action was taken in Executive Session.

## COMMISSIONERS' COURT RECONVENED FROM EXECUTIVE SESSION AT 12:59 P.M. ON TUESDAY SEPTEMBER 9, 2008.

40. Discuss and take appropriate action on real estate.

No action was taken.

41. Discuss and take appropriate action on pending or contemplated litigation.

No action was taken.

42. Discuss and take appropriate action on the County Landfill.

No action was taken.

43. Discuss and take appropriate action concerning deliberation regarding economic development negotiations.

No action was taken.

44. Comments from Commissioners.

**Commissioner Covey** announced that the Ground Breaking Ceremony for CR 313 in Jarrell will be this Wednesday, September 10, at 3:00 P.M.

**Commissioner Birkman** asked everyone to remember that Open Enrollment is this week and will end on September 17.

**Judge Gattis** commented that Williamson County Emergency Services is on the alert for Hurricane lke. If the hurricane comes on shore at Galveston, Williamson County will be a major evacuation area. He reminded the Court that there will be a Budget Order Workshop next Tuesday at 1:00 P.M.

### COMMISSIONERS' COURT ADJOURNED AT 1:00 P.M. ON TUESDAY, SEPTEMBER 9, 2008.

THE FOREGOING MINUTES had at a Regular Session of Commissioners' Court of Williamson County, Texas, having been read are hereby approved this 16th day of September, 2008.

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

County, Texas

By: Connie Singleton, Deputy