

**MINUTES OF THE WILLIAMSON COUNTY COMMISSIONERS' COURT MEETING  
JANUARY 27, 2009**

STATE OF TEXAS )(

COUNTY OF WILLIAMSON )(

**BE IT REMEMBERED** that at 9:36 A.M. on TUESDAY, JANUARY 27, 2009, 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 2 Cynthia Long

Second By: Commissioner Precinct 4 Ron Morrison ***Motion: To approve 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.**

No action was taken.

**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.**

Accounts Payable/Payroll Manager Donna McKitrick addressed the Court.

Motion By: Commissioner Precinct 1 Lisa Birkman

Second By: Commissioner Precinct 2 Cynthia Long ***Motion: To authorize the payment of bills totaling \$1,822,683.57 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 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.**

The following addressed the Court:  
Jim Dillon of Liberty Hill  
Dan Sulzer of Austin

**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 -12)

**5. To discuss and take appropriate action on the approval of a line item transfer for URS.**

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

**Motion: To approve a line item transfer for URS:**

|      |                  |                           |            |  |
|------|------------------|---------------------------|------------|--|
| To   | 0200-0210-003005 | Office Furniture <\$5,000 | \$1,000.00 |  |
| From | 0200-0210-005711 | Heavy Equipment >\$5,000  | \$1,000.00 |  |

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

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

**Motion: To approve a line item transfer for Emergency Communications:**

|      |                  |                            |          |  |
|------|------------------|----------------------------|----------|--|
| From | 0100-0581-003010 | Computer Equipment <\$5000 | \$671.00 |  |
| To   | 0100-0581-003011 | Computer Software <\$5000  | \$671.00 |  |
| From | 0100-0581-003010 | Computer Equipment <\$5000 | \$200.00 |  |
| To   | 0100-0581-003601 | Employee Recognition       | \$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

7. **Please discuss and consider approving a line item transfer for JP #4.**

Motion By: Commissioner Precinct 1 Lisa Birkman

Second By: Commissioner Precinct 4 Ron Morrison

***Motion: To approve a line item transfer for JP #4:***

|      |                  |                          |            |  |
|------|------------------|--------------------------|------------|--|
| From | 0100-0454-004190 | Autopsies, Med Inquests  | \$5,000.00 |  |
| To   | 0100-0454-004192 | Transportation Autopsies | \$5,000.00 |  |

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

8. **Consider approving the 2008 racial profiling report for approval as required by the Criminal Code of Procedure articles 2.133 and 2.134. for Constable Pct. #4.**

Motion By: Commissioner Precinct 1 Lisa Birkman

Second By: Commissioner Precinct 4 Ron Morrison ***Motion: To approve the 2008 racial profiling report as required by the Criminal Code of Procedure articles 2.133 and 2.134. for Constable 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

9. **Consider approving the Waiver of Penalty and Interest to customer as described in attachments from the Tax Assessor/Collector.**

Motion By: Commissioner Precinct 1 Lisa Birkman

Second By: Commissioner Precinct 4 Ron Morrison ***Motion: To approve the Waiver of Penalty and Interest to customer as described in attachments from the Tax Assessor/Collector.***

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 and take appropriate action on authorizing the inter-office transfer of one ABA bullet proof vest from Constable Pct. #1 to the Sheriff's Department. (Complete list filed with official minutes)**

Motion By: Commissioner Precinct 1 Lisa Birkman

Second By: Commissioner Precinct 4 Ron Morrison ***Motion: To authorize the inter-office transfer of one ABA bullet proof vest from Constable Pct. #1 to the Sheriff's Department.***

Aye: County Judge Dan A. Gattis

Commissioner Precinct 1 Lisa Birkman

Commissioner Precinct 2 Cynthia Long

Commissioner Precinct 3 Valerie Covey

11. **Consider approving a support letter for Lone Star Circle of Care for a mental health expansion grant.**

Motion By: Commissioner Precinct 1 Lisa Birkman

Second By: Commissioner Precinct 4 Ron Morrison ***Motion: To approve a support letter for Lone Star Circle of Care for a mental health expansion grant.***

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 detour route for CR 269, Pct. #2.**

Motion By: Commissioner Precinct 1 Lisa Birkman

Second By: Commissioner Precinct 4 Ron Morrison ***Motion: To approve detour route for CR 269, Pct. #2.***

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**

13. **Discuss and take appropriate action on road bond program.**

Richard Ridings of HNTB addressed the Court.

14. **Consider authorizing project budget transfer request for 2001 Road Bond monies as recommended by Mike Weaver, Road Bond Manager: to move \$3,724,268.93 from P116 (SH 45) to P127 (O'Connor Boulevard Extension).**

Motion By: Commissioner Precinct 1 Lisa Birkman

Second By: Commissioner Precinct 2 Cynthia Long ***Motion: To authorize project budget transfer request for 2001 Road Bond monies as recommended by Mike Weaver, Road Bond Manager: to move \$3,724,268.93 from P116 (SH 45) to P127 (O'Connor Boulevard Extension).***

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. **Consider approving reimbursement certificate to express official intent to reimburse costs on Pass Through Finance Bond for various invoices in the amount of \$42,529.75 associated with project US 183A Extension (PTT0273-04-026).**

Motion By: Commissioner Precinct 1 Lisa Birkman

Second By: Commissioner Precinct 2 Cynthia Long ***Motion: To approve reimbursement certificate to express official intent to reimburse costs on Pass Through Finance Bond for various invoices in the amount of \$42,529.75 associated with project US 183A Extension (PTT0273-04-026).***

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

16. **Consider approving reimbursement certificate to express official intent to reimburse costs on Pass Through Finance Bond for Sheets & Crossfield in the amount of \$10,512.41 associated with project US 79 Section A (PTT0204-02-027).**

Motion By: Commissioner Precinct 1 Lisa Birkman

Second By: Commissioner Precinct 2 Cynthia Long ***Motion: To approve the reimbursement certificate to express official intent to reimburse costs on Pass Through Finance Bond for Sheets & Crossfield in the amount of \$10,512.41 associated with project US 79 Section A (PTT0204-02-027).***

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 take appropriate action on interlocal agreement with the City of Leander for reconstruction of CR 269.**

Motion By: Commissioner Precinct 1 Lisa Birkman

Second By: Commissioner Precinct 2 Cynthia Long ***Motion: To approve an interlocal agreement with the City of Leander for reconstruction of CR 269.***

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 take appropriate action on participation in the Central Texas Regional Health Coverage Project.**

Executive Director of Integrated Care Collaboration (ICC) Ann Kitchen and Assistant Director of Williamson County and Cities Health District Bride Roberts addressed the Court.

Motion By: Commissioner Precinct 4 Ron Morrison

Second By: Commissioner Precinct 1 Lisa Birkman ***Motion: To remove from the table.***

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

19. **Discuss and consider a professional services agreement between Williamson County and GDS Associates, Inc. for the creation of a report regarding the new 8-Hour Ozone Air Quality Standard and the Attainment Status of Williamson County.**

This item was removed from the agenda.

20. **Discuss and take appropriate action regarding design of a recommended resolution for Williamson County communities and public entities regarding clean air and ozone emission reduction measures.**

Gary Boyd of the Parks Department addressed the Court.

Motion By: Commissioner Precinct 4 Ron Morrison

Second By: County Judge Dan A. Gattis ***Motion: To approve the concept of a recommended resolution for Williamson County communities and public entities regarding clean air and ozone emission reduction measures.***

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. **Discuss and take appropriate action regarding the appointment of members to the Williamson County Historical Commission in accordance with Local Government Code 318.003.**

Motion By: County Judge Dan A. Gattis

Second By: Commissioner Precinct 1 Lisa Birkman ***Motion: To approve the appointment of members on attached list including naming Chris Dyer as temporary Chairman with Bob Brinkman and Charlene Jordan as associate members to the Williamson County Historical Commission until bylaws can be changed in accordance with Local Government Code 318.003.***

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 resolution authorizing and approving the creation of a nonprofit Industrial Development Corporation to act on behalf of Williamson County.**

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 approve a resolution authorizing and approving the creation of a nonprofit Industrial Development Corporation to act on behalf of Williamson County.***

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. **Please consider authorizing an interlocal agreement (ILA) between Harris County Department of Education and Williamson County.**

Purchasing Director Bob Space addressed the Court.

Motion By: Commissioner Precinct 1 Lisa Birkman

Second By: Commissioner Precinct 2 Cynthia Long ***Motion: To authorize an interlocal agreement (ILA) between Harris County Department of Education and Williamson County.***

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. **Consider authorizing advertising and setting date of February 18, 2009 at 3:00 P.M. in the Purchasing Department to receive bids for backup generator maintenance for Williamson County.**

Motion By: Commissioner Precinct 1 Lisa Birkman

Second By: Commissioner Precinct 2 Cynthia Long ***Motion: To authorize advertising and set date of February 18, 2009 at 3:00 P.M. in the Purchasing Department to receive bids for backup generator maintenance for Williamson County.***

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 10:44 A.M. ON TUESDAY, JANUARY 27, 2009.**

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

No action was taken in Executive Session.

26. **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.

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

No action was taken in Executive Session.

28. **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 11:23 P.M. ON TUESDAY, JANUARY 27, 2009.**

- 29. Discuss and take appropriate action on real estate.**

No action was taken.

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

No action was taken.

- 31. Discuss and take appropriate action on County Landfill.**

No action was taken.

- 32. Discuss and take appropriate action concerning deliberation regarding economic development negotiations.**

No action was taken.

- 33. Comments from Commissioners.**

**Judge Gattis** and Public Information Officer Connie Watson reviewed the procedure for county building closings due to predicted impending icy conditions.

**Judge Gattis** stated that he and **Commissioner Morrison** have been working as a committee of the Court with attorneys to make a new contract with Waste Management on the County Landfill. The contract will be put on the agenda next week. The contract will be available for review on the Williamson County website today.

**COMMISSIONERS' COURT ADJOURNED AT 11:25 P.M. ON TUESDAY, JANUARY 27, 2009.**

THE FOREGOING MINUTES had at a Regular Session of Commissioners' Court of Williamson County, Texas, having been read are hereby approved this 3RD day of February, 2009.



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

By: Connie Singleton, Deputy