

**MINUTES OF THE WILLIAMSON COUNTY COMMISSIONERS' COURT
MEETING
MARCH 3, 2009**

STATE OF TEXAS)(

COUNTY OF WILLIAMSON)(

BE IT REMEMBERED that at 9:41 A.M. on TUESDAY, MARCH 3, 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 4 Ron Morrison

Second By: Commissioner Precinct 1 Lisa Birkman ***Motion: To approve the minutes of the last meeting, with change on Commissioner Morrison's comment on Item 51 - from Hutto City Manager to Taylor City Manager.***

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 McKittrick addressed the Court.

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

Motion By: Commissioner Precinct 3 Valerie Covey

Second By: Commissioner Precinct 4 Ron Morrison ***Motion: To authorize the payment of bills totaling \$3,820,505.36 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:
Representative of LULAC 4721, Jose Orta of Taylor
CEO of Texas Disposal Systems, Bob Gregory of Austin
Mike Fowler of Hutto
Jane Van Praag of Bartlett
Jim Dillon of Liberty Hill
Jerry and Deann Tidwell of Georgetown
Jeff Maurice of Hutto Citizens Group
Patrick Harlow and J. T. Cox of Liberty Hill
Dr. Orlynn Evans of Hutto

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 - 7)

5. Discuss and consider approving a line item transfer for Constable Precinct #1.

Motion By: Commissioner Precinct 3 Valerie Covey

Second By: Commissioner Precinct 1 Lisa Birkman

Motion: To approve a line item transfer for Constable Precinct #1:

From	0100-0551-003010	Computer Equipment <\$5,000	\$1,000.00	
To	0100-0551-003100	Office Supplies	\$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 URS.

Motion By: Commissioner Precinct 3 Valerie Covey

Second By: Commissioner Precinct 1 Lisa Birkman

Motion: To approve a line item transfer for URS:

To	0200-0210-004549	Signal Light Maintenance	\$10,000.00	
From	0200-0210-005700	Vehicles>\$5000	\$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

7. **Consider and take appropriate action on authorizing the transfer of various items including vehicles and heavy duty equipment to auction, donation or destruction.**
(Complete list filed with official minutes)

Motion By: Commissioner Precinct 3 Valerie Covey

Second By: Commissioner Precinct 1 Lisa Birkman ***Motion: To authorize the transfer of various items including vehicles and heavy duty equipment to auction, donation or destruction.***

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

8. **Discuss and take appropriate action on 2009 Williamson County Landfill Operation Agreement with Waste Management of Texas, Inc. (an executive session for consultation with attorneys may also be required in connection with this and the next agenda item).**

No action was taken.

9. **Discuss and take appropriate action on adopting an Order of the Commissioners Court making certain findings of fact, authorizing the 2009 Williamson County Landfill Operation Agreement, and directing the County Judge to execute the agreement after it has been signed by Waste Management of Texas, Inc.**

Motion By: County Judge Dan A. Gattis

Second By: Commissioner Precinct 2 Cynthia Long ***Motion: To adopt the Order of the Commissioners Court and approve the contract for the 2009 Williamson County Landfill Operation Agreement.***

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 RECESSED AT 10:37 P.M. ON
TUESDAY, MARCH 3, 2009.**

**COMMISSIONERS' COURT RECONVENED AT 10:47 P.M. ON
TUESDAY, MARCH 3, 2009.**

10. **Hear First Lady's Treasures Award Presentation from Chris Dyer.**

The following addressed the Court:
Director of the Williamson County Historical Museum Chris Dyer
Tourism Director and Main Street Manager Shelly Hargrove

11. Hear the March 2009 Monthly Construction Summary Report for Road Bond and Pass Through Financing Projects.

The following addressed the Court:
Mike Weaver of Prime Strategies
County Auditor David Flores
First Assistant County Auditor Julie Kiley
Dan Wegmiller of Specialized Public Finance Services
Richard Ridings of HNTB

12. Consider authorizing project budget transfer request of 2006 Road Bond monies per recommendation of Mike Weaver, Road Bond Manager to move a total amount of \$577,345.50 P180 Right of Way Project distributed to the following projects: P157 (CR111/Westinghouse Rd) \$284,801.50, P175 (Chandler Road) \$230,281.00 and P176 (Limmer Loop) \$62,263.00 with accordance to right of way expenditures that occurred between September 1, 2008 to December 31, 2008.

Mike Weaver of Prime Strategies addressed the Court.

Motion By: Commissioner Precinct 1 Lisa Birkman

Second By: Commissioner Precinct 2 Cynthia Long ***Motion: To authorize project budget transfer request of 2006 Road Bond monies per recommendation of Mike Weaver, Road Bond Manager to move a total amount of \$577,345.50 P180 Right of Way Project distributed to the following projects: P157 (CR111/Westinghouse Rd) \$284,801.50, P175 (Chandler Road) \$230,281.00 and P176 (Limmer Loop) \$62,263.00 with accordance to right of way expenditures that occurred between September 1, 2008 to December 31, 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

13. Consider a resolution determining the necessity and authorizing condemnation of certain property interests required for the Highway 79 construction project, and take other appropriate action. (Covert-parcel 28)

This item was moved to Executive Session.

Motion By: Commissioner Precinct 1 Lisa Birkman

Second By: Commissioner Precinct 4 Ron Morrison ***Motion: To approve a resolution determining the necessity of and authorize condemnation of certain property interests required for the Highway 79 construction project, and take other appropriate action. (Covert-parcel 28)***

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

14. **Consider a resolution determining the necessity and authorizing condemnation of certain property interests required for the Highway 79 construction project, and take other appropriate action (Covert-Parcel 29 Parts 1-3).**

This item was moved to Executive Session.

Motion By: Commissioner Precinct 1 Lisa Birkman

Second By: Commissioner Precinct 4 Ron Morrison ***Motion: To approve a resolution determining the necessity and authorize condemnation of certain property interests required for the Highway 79 construction project, and take other appropriate action (Covert-Parcel 29 Parts 1-3).***

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

15. **Hear presentation on current status and future direction of Odyssey Justice Information System Project.**

The following addressed the Court:

ITS Director Jay Schade

Director of Accounts for Tyler Technologies, Linda Low

District Clerk Lisa David

County Clerk Nancy Rister

Otis Coufal of ITS

16. **Hear presentation from the Crisis Intervention Team (CIT) and Mobile Outreach Team (MOT).**

The following addressed the Court:

Mobile Outreach Team Manager Annie Burwell

Lieutenant Mike Sorenson of the Sheriff's Office

County Sheriff James R. Wilson

17. **Discuss and consider approving an interlocal agreement between the City of Austin and Williamson County regarding Pond Springs Road.**

Motion By: Commissioner Precinct 1 Lisa Birkman

Second By: Commissioner Precinct 2 Cynthia Long ***Motion: To approve an interlocal agreement between the City of Austin and Williamson County regarding Pond Springs Road.***

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. **Consider setting a date for a public hearing to change the name of E. Bowman Rd., beginning at the end of the Round Rock city limit and ending at North A. W. Grimes Blvd., to Tiger Trail.**

Motion By: Commissioner Precinct 4 Ron Morrison

Second By: Commissioner Precinct 3 Valerie Covey ***Motion: To set the date of March 17th at 10:00 A.M for a public hearing to change the name of E. Bowman Rd., beginning at the end of the Round Rock city limit and ending at North A. W. Grimes Blvd., to Tiger Trail.***

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 take appropriate action on Work Authorization Request (styled WCCF #1) for SWCA Environmental Consultants for activities related to implementation of the county's Regional Habitat Conservation Plan.**

Gary Boyd of the Parks Department addressed the Court.

Motion By: Commissioner Precinct 1 Lisa Birkman

Second By: Commissioner Precinct 2 Cynthia Long ***Motion: To approve Work Authorization Request (styled WCCF #1) for SWCA Environmental Consultants for activities related to implementation of the county's Regional Habitat Conservation Plan.***

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. **Discuss and take appropriate action regarding initial draft report: result of findings regarding proposed inclusion of Williamson County with Travis County in Austin-Round Rock non-attainment area.**

The following addressed the Court:
Gary Boyd of the Parks Department
Dan Wittliff of GDS Associates

No action was taken.

21. **Discuss and take action on resolution in regards to the Juvenile Accountability Block Grant.**

Scott Matthew of Juvenile Services addressed the Court.

Motion By: Commissioner Precinct 1 Lisa Birkman

Second By: Commissioner Precinct 3 Valerie Covey ***Motion: To approve a resolution in regards to the Juvenile Accountability Block 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

22. **Discuss and take action on Judge Ricardo Garcia Facility Interlocal Cooperation Agreement for out of county residential services.**

Scott Matthew of Juvenile Services addressed the Court.

Motion By: Commissioner Precinct 1 Lisa Birkman

Second By: Commissioner Precinct 3 Valerie Covey ***Motion: To approve the Judge Ricardo Garcia Facility Interlocal Cooperation Agreement for out of county residential services.***

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 consider adoption of resolution regarding non-emergency curfew.

Lieutenant Mike Gleason of the Sheriff's Office addressed the Court.

Motion By: Commissioner Precinct 1 Lisa Birkman

Second By: Commissioner Precinct 2 Cynthia Long ***Motion: To approve the adoption of a resolution regarding non-emergency curfew.***

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 consider approving Casco Industries, Inc. invoice #058408 for EMS.

Motion By: Commissioner Precinct 2 Cynthia Long

Second By: Commissioner Precinct 3 Valerie Covey ***Motion: To approve Casco Industries, Inc. invoice #058408 for EMS.***

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 approving payment of invoice from Safeguard Business Systems.

Auditor Kurt Showalter and Lieutenant James Carmona of the Sheriff's Office addressed the Court.

Motion By: Commissioner Precinct 2 Cynthia Long

Second By: Commissioner Precinct 1 Lisa Birkman ***Motion: To approve payment of invoice from Safeguard Business Systems.***

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 take appropriate action on training agreement between Sheriff's Office and Texas Commission on Law Enforcement Officer Standards and Education (TCLEOSE).**

Lieutenant James Carmona of the Sheriff's Office addressed the Court.

Motion By: County Judge Dan A. Gattis

Second By: Commissioner Precinct 2 Cynthia Long ***Motion: To approve training agreement between Sheriff's Office and Texas Commission on Law Enforcement Officer Standards and Education (TCLEOSE).***

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 take appropriate action on retaining Mike Davis to assist the County Attorney's Office during an employment transition.**

Motion By: Commissioner Precinct 1 Lisa Birkman

Second By: Commissioner Precinct 4 Ron Morrison ***Motion: To approve retaining outside counsel to assist the County Attorney's office during an employment transition for a period of 60 days beginning today. (If the transition goes beyond 60 days, it will come before the Court again.)***

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. **Discuss how Williamson County should proceed with the use of funds from the Neighborhood Stabilization Program allocated through the Texas Department of Housing and Community Affairs.**

This item was removed from the agenda.

29. **Discuss and consider approving a contract with the Children's Advocacy Center for 2008-2009.**

Executive Director of the Children's Advocacy Center, Brenda Staples addressed the Court.

Motion By: Commissioner Precinct 3 Valerie Covey

Second By: Commissioner Precinct 1 Lisa Birkman ***Motion: To approve contract with the Children's Advocacy Center for 2008-2009.***

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 funding for CARTS.**

Deputy General Manager for CARTS, Pearl Jackson addressed the Court.

No action was taken.

31. Discuss and take appropriate action regarding entering into a Staff Contribution Agreement between Williamson County and the Williamson County Child Welfare Board.

Motion By: Commissioner Precinct 2 Cynthia Long

Second By: Commissioner Precinct 1 Lisa Birkman ***Motion: To approve entering into a Staff Contribution Agreement between Williamson County and the Williamson County Child Welfare 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

32. Discuss and take appropriate action regarding appointing Valerie S. Zimmerman as Assistant County Veteran's Service Officer.

Motion By: County Judge Dan A. Gattis

Second By: Commissioner Precinct 4 Ron Morrison ***Motion: To appoint Valerie S. Zimmerman as Assistant County Veteran's Service Officer.***

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. Consider authorizing advertising and setting date of Wednesday, March 25, 2009 at 11:00 A.M. in the Purchasing Department to receive bids for SE Inner Loop @ FM 1460 road construction project, (Bid# 09WC708).

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 advertising and set the date of Wednesday, March 25, 2009 at 11:00 A.M. in the Purchasing Department to receive bids for SE Inner Loop @ FM 1460 road construction project (Bid# 09WC708).***

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. Discuss and consider increasing Greg Bergeron's purchase order approval for URS projects to \$10,000.

First Assistant County Auditor Julie Kiley addressed the Court.

Motion By: Commissioner Precinct 3 Valerie Covey

Second By: County Judge Dan A. Gattis ***Motion: To approve increasing Greg Bergeron's purchase order approval for URS projects to \$10,000.***

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 declaring an emergency and approving a budget amendment to acknowledge additional expenditures for the District Clerk's Office.**

Motion By: Commissioner Precinct 1 Lisa Birkman

Second By: Commissioner Precinct 4 Ron Morrison

Motion: To declare an emergency and approve a budget amendment to acknowledge additional expenditures for the District Clerk's Office:

From/To	Acct No.	Description	Amount	
	0386-0386-001107	DC Rec Mgt/Temp Labor	\$6,150.00	
	0386-0386-002010	DC Rec Mgt/FICA	\$471.00	

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

COMMISSIONERS' COURT ADJOURNED TO EXECUTIVE SESSION AT 1:07 P.M. ON TUESDAY, MARCH 3, 2009.

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 2:06 P.M. ON TUESDAY, MARCH 3, 2009.

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 Birkman announced that on Saturday, March 7th there will be a ribbon-cutting to open the Brushy Creek Regional Trail Phase III at 10:00 A.M. She announced that on May 9th at Champion Park they will celebrate Dinosaur Day and a tree will be dedicated to the park's designer, Julie Basset, who succumbed to cancer recently.

Commissioner Long said the trail will also be opening at noon in her precinct in Cedar Park.

COMMISSIONERS' COURT ADJOURNED AT 2:16 P.M. ON TUESDAY, MARCH 3, 2009.

THE FOREGOING MINUTES had at a Regular Session of Commissioners' Court of Williamson County, Texas, having been read are hereby approved this 10th day of March, 2009.



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

By: Connie Singleton, Deputy