MINUTES OF THE WILLIAMSON COUNTY COMMISSIONERS' COURT MEETING MARCH 10, 2009

STATE OF TEXAS)(

COUNTY OF WILLIAMSON)(

BE IT REMEMBERED that at 9:38 A.M. on TUESDAY, MARCH 10, 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 1 Lisa Birkman

Second By: Commissioner Precinct 3 Valerie Covey *Motion: To approve the minutes of the last meeting.*

Aye: County Judge Dan A. Gattis

Commissioner Precinct 1 Lisa Birkman Commissioner Precinct 3 Valerie Covey Commissioner Precinct 4 Ron Morrison

Other: Commissioner Precinct 2 Cynthia Long (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: Commissioner Precinct 3 Valerie Covey

Second By: Commissioner Precinct 1 Lisa Birkman *Motion: To note in the minutes off right-of-way work:*

Brushy Creek M.U.D. - Permission to enter Brushy Creek M.U.D. property north of Behern's Ranch to clear brush for a walking path. (Pct. #3 - GB)

To note in minutes utility request for Precinct 3: The City of Jarrell - CR 303 - Road cut for 21" waste water line.

Aye: County Judge Dan A. Gattis

Commissioner Precinct 1 Lisa Birkman Commissioner Precinct 3 Valerie Covey Commissioner Precinct 4 Ron Morrison Other: Commissioner Precinct 2 Cynthia Long (Absent from the Dais)

 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.

Commissioner Birkman abstained from voting on two invoices for Gabriels Funeral Chapel. (Conflict of Interest Affidavit attached)

Motion By: Commissioner Precinct 4 Ron Morrison

Second By: Commissioner Precinct 3 Valerie Covey *Motion: To authorize the payment of bills totaling \$1,443,509.93 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 3 Valerie Covey Commissioner Precinct 4 Ron Morrison

Other: Commissioner Precinct 2 Cynthia Long (Absent from the Dais)

4. Citizen comments.

The following citizens addressed the Court:
Jim Dillon and Patrick Harlow of Liberty Hill
Attorney Harvey Allen of McCreary, Veselka, Bragg & Allen
Kurt Johnson Sr. of Hutto
Joanne Land of Round Rock representing Habitat for Humanity
Jennifer Edwards of United Way of Williamson County
Debbie Hoffman of Habitat for Humanity of Williamson County

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

Motion By: Commissioner Precinct 3 Valerie Covey

Second By: Commissioner Precinct 1 Lisa Birkman *Motion: To approve a line item transfer for Fleet:*

From	0882-0882-003523	Parts	\$1,900.00
То	0882-0882-004510	Facility Maintenance & Repairs	\$1,900.00

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 the Human Resources Department.

Motion By: Commissioner Precinct 3 Valerie Covey Second By: Commissioner Precinct 1 Lisa Birkman

Motion: To approve a line item transfer for the Human Resources Department:

From	0100-0402-004500	Maintenance Contracts	\$750.00
То	0100-0402-004212	Postage	\$750.00

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 and entering into the official minutes Commissioner Covey's Certificate of Completion of the Continuing Education Provisions of Article 81.0025 of the Texas Local Government Code.

Motion By: Commissioner Precinct 3 Valerie Covey

Second By: Commissioner Precinct 1 Lisa Birkman *Motion: To enter into the official minutes*Commissioner Covey's Certificate of Completion of the Continuing Education Provisions of

Article 81.0025 of the Texas Local Government Code.

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

8. Consider recognizing and noting in the minutes that Commissioner Ron Morrison successfully completed the 2008 Commissioner Statutory Continuing Education requirement.

Motion By: Commissioner Precinct 3 Valerie Covey

Second By: Commissioner Precinct 1 Lisa Birkman *Motion: To note in the minutes that Commissioner Ron Morrison successfully completed the 2008 Commissioner Statutory Continuing Education requirement.*

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

9. Consider and take appropriate action on authorizing the transfer of vehicles and equipment from various departments to auction, donation, 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 vehicles* and equipment from various departments to auction, donation, 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

10. Consider and take appropriate action on authorizing the transfer of items through inter-office transfer to another department and the transfer of various items 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 items* through inter-office transfer to another department and the transfer of various items 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

11. Discuss and consider approval of License Agreement between Star Ranch Community, Inc. and Williamson County portions of the right-of-way of Gattis School Road, Hutto, Texas, Pct. #4.

Motion By: Commissioner Precinct 3 Valerie Covey

Second By: Commissioner Precinct 1 Lisa Birkman *Motion: To approve a License Agreement* between Star Ranch Community, Inc. and Williamson County portions of the right-of-way of Gattis School Road, Hutto, Texas, Pct. #4.

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

12. Discuss and consider approving amending plat of: overall preliminary plat of Sonterra West, Pct. #3.

Motion By: Commissioner Precinct 3 Valerie Covey

Second By: Commissioner Precinct 1 Lisa Birkman *Motion: To approve amending preliminary plat of Sonterra West, Pct. #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

REGULAR AGENDA

13. Introduction of Mullin & Lonergan Associates, consultants working on the Community Development Block Grant Program Five Year Consolidated Plan.

The following addressed the Court:
Grants Coordinator Sally Bardwell
Eric Fulmer, Chairman Housing and Community Development

14. Hear the presentation, discuss and take appropriate action on the automation of the Road Closure Process.

Terri Countess, Executive Assistant to Commissioner Precinct 3 addressed the Court.

Motion By: Commissioner Precinct 3 Valerie Covey

Second By: Commissioner Precinct 2 Cynthia Long *Motion: To approve the automation of the Road Closure Process.*

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. Discuss and take appropriate action on road bond program.

Richard Ridings of HNTB addressed the Court.

16. Consider approving change order no. 3 for CR 111/Westinghouse Rd. (WilCO Project No. 08WC608) in Precinct #1.

Richard Ridings of HNTB addressed the Court.

Motion By: Commissioner Precinct 1 Lisa Birkman

Second By: Commissioner Precinct 4 Ron Morrison *Motion: To approve change order no. 3 for CR 111/Westinghouse Rd. (WilCO Project No. 08WC608) in Precinct #1.*

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. Consider authorizing project budget transfer request of 2006 Road Bond monies per recommendation of Mike Weaver, Road Bond Manager: to move \$270,000.00 from P156 Non-Departmental to P176 Limmer Loop Phase 1C.

Richard Ridings of HNTB addressed the Court.

Motion By: Commissioner Precinct 1 Lisa Birkman

Second By: Commissioner Precinct 4 Ron Morrison *Motion: To authorize project budget transfer* request of 2006 Road Bond monies per recommendation of Mike Weaver, Road Bond Manager: to move \$270,000.00 from P156 Non-Departmental to P176 Limmer Loop Phase 1C.

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 authorizing project budget transfer of 2006 Road Bond monies per recommendation of Mike Weaver, Road Bond Manager: \$2,500,000.00 from P156 Non-Departmental to P195 FM 1460 (Old Settler's Boulevard to University).

Motion By: Commissioner Precinct 1 Lisa Birkman

Second By: Commissioner Precinct 4 Ron Morrison *Motion: To authorize project budget transfer* of 2006 Road Bond monies per recommendation of Mike Weaver, Road Bond Manager: \$2,500,000.00 from P156 Non-Departmental to P195 FM 1460 (Old Settler's Boulevard to University).

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 allowing the residents of Country View Estates to amend the subdivision's plat to allow the conversion of Will Smith Drive and Will Smith Circle, which were dedicated in the original plat but never accepted as public roads, into private easements that will be owned and maintained in perpetuity by the Homeowner's Association, and disclaiming any right, title, or interest that the County might have in ever adding these private roads to the county road system.

The following addressed the Court:
Robin Duncan, President of Country View Estates Home Owners Association
County Engineer Joe England
General Counsel Dale Rye
Engineer Jose Gil
Aaron Thomison, Country View Estates Developer

This item was moved to Executive Session.

No action was taken.

20. Discuss and take appropriate action on recommendations for Public Assistance funding.

The following addressed the Court: Kathy Grimes, Executive Assistant to Commissioner of Precinct 2 Sally Bardwell, Grants Coordinator

21. Discuss and approve the funding contract between Williamson County and Capital Area Rural Transportation System (CARTS).

The following addressed the Court:

David Marsh, Capital Area Rural Transportation System (CARTS) General Manager Kathy Grimes, Executive Assistant to Commissioner of Precinct 2

Motion By: Commissioner Precinct 3 Valerie Covey

Second By: Commissioner Precinct 1 Lisa Birkman *Motion: To approve the funding contract between Williamson County and Capital Area Rural Transportation System (CARTS).*

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 appropriate action regarding final 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 Parks Department Dan Wittliff of GDS Associates

Motion By: Commissioner Precinct 1 Lisa Birkman

Second By: Commissioner Precinct 3 Valerie Covey *Motion: To approve final draft report: result of findings regarding proposed inclusion of Williamson County with Travis County in Austin-Round Rock non-attainment area with changes on page 5 and 54 noted.*

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 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.

Grants Coordinator Sally Bardwell addressed the Court.

Motion By: County Judge Dan A. Gattis

Second By: Commissioner Precinct 1 Lisa Birkman *Motion: To instruct Sally Bardwell to* coordinate the applications of the County non profits for funding from the Neighborhood Stabilization Program allocated through the Texas Department of Housing and Community Affairs.

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 regarding community room and conference room rentals.

Mary Clark, Executive Assistant to the Commissioner Precinct 1 and Maintenance Supervisor Joe Latteo addressed the Court.

No action was taken.

25. Consider setting date for a public hearing for adoption of assessment order for the Clearwater Ranch Public Improvement District.

Executive Assistant to Commissioner of Precinct 2 Kathy Grimes addressed the Court.

Motion By: Commissioner Precinct 2 Cynthia Long

Second By: Commissioner Precinct 1 Lisa Birkman *Motion: To set the date of April 21st at 10:00*A.M for a public hearing for adoption of assessment order for the Clearwater Ranch Public Improvement District.

Aye: County Judge Dan A. Gattis

Commissioner Precinct 1 Lisa Birkman Commissioner Precinct 2 Cynthia Long Commissioner Precinct 3 Valerie Covey

Other: Commissioner Precinct 4 Ron Morrison (Absent from the Dais)

26. In accordance with Section 152.014 of the Local Government Code, select public members (9) and alternates (27) for the salary grievance committee.

Budget Manager Ashlie Koenig and General Counsel Dale Rye addressed the Court.

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

Motion: To select public members for the salary grievance committee, in accordance with Section 152.014 of the Local Government Code:

Public Members (9):

Jay Moldenhour Charlene Nelson
Matthew Powell Charles Aguillon
Craig Zimmerhanzel Sheila Berry
Dave Kinnaman Martha St Clair

Carmen Tydings

Alternates (27):

Wayne Collins Marsha Farney Jeral Jones Allen Keith Eliseo Elizondo Marianne Reap Alfredo Delgado Roger Jones Gary Miller Susan Roche Bob Vantil Fred Dupy Jerry Frankeny Karla Bevers Joe French William Mikulcak Carol Tenevck Tracy Henson Jana Rooke Romadene Mohel Scott Morris Joanne Lard Gary Guthrie Ken Ludwig Joe Nazier Janie Veach Len Lester

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. Consider approving the Waiver of Penalty and Interest to customers 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 customers 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

28. Consider authorizing advertising and setting date of April 8, 2009 at 2 P.M. in the Purchasing Department to receive qualifications for Architectural Team Services for the design of renovations to the Williamson County Tax Assessor/Collector offices located at 904 S. Main, Georgetown, TX.

Motion By: Commissioner Precinct 1 Lisa Birkman

Second By: Commissioner Precinct 4 Ron Morrison *Motion: To authorize advertising and set date* of April 8, 2009 at 2 P.M. in the Purchasing Department to receive qualifications for Architectural Team Services for the design of renovations to the Williamson County Tax Assessor/Collector offices located at 904 S. Main, Georgetown, TX.

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 awarding bids received for traffic signal maintenance for Williamson County (Bid #09WC709) to the lowest and best bidder - Patriot Signals, Inc.

Motion By: Commissioner Precinct 1 Lisa Birkman

Second By: Commissioner Precinct 4 Ron Morrison *Motion: To award to the lowest and best bidder - Patriot Signals, Inc. for traffic signal maintenance for Williamson County (Bid #09WC709).*

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

30. Discuss the purchase of VoteSafe License from Votec Corporation for the pollbook software.

Elections Administrator Rick Barron addressed the Court.

Motion By: County Judge Dan A. Gattis

Second By: Commissioner Precinct 3 Valerie Covey *Motion: To approve the purchase of VoteSafe License from Votec Corporation for the pollbook software with \$40,000 to be funded by the Secretary of State.*

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. Consider awarding bids received for Backup Generator Maintenance for Williamson County to best and lowest bid meeting specifications to Allegiance Power Systems.

Motion By: Commissioner Precinct 1 Lisa Birkman

Second By: Commissioner Precinct 4 Ron Morrison *Motion: To award best and lowest bid meeting specifications for backup generator maintenance for Williamson County to Allegiance Power 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

32. 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	\$387.53

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 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	\$387.53	

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 12:20 P.M. ON TUESDAY, MARCH 10, 2009.

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

No action was 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 was taken in Executive Session.

36. 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 1:07 P.M. ON TUESDAY, MARCH 10, 2009.

37. Discuss and take appropriate action on real estate.

Motion By: Commissioner Precinct 4 Ron Morrison

Second By: Commissioner Precinct 2 Cynthia Long *Motion: To authorize County Judge to execute contract with Fuessel to acquire 0.826 acres for Hwy 79 widening (Parcel 35).*

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

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

No action was taken.

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

No action was taken.

40. Comments from Commissioners.

Commissioner Long said there were approximately 600 people at the Brushy Creek Regional Trail opening last weekend.

Commissioner Morrison thanked **Commissioner Birkman** for helping him out with his fund raiser at the Round Rock Senior Citizen's Foundation Daffodil Days Auction this past Saturday.

COMMISSIONERS' COURT ADJOURNED AT 1:09 P.M. ON TUESDAY, MARCH 10, 2009.

THE FOREGOING MINUTES had at a Regular Session of Commissioner	rs' Court of Williamson	County, ⁻	Texas
having been read are hereby approved this 17th day of March, 2009.			

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

By: Connie Singleton, Deputy