

**MINUTES OF THE WILLIAMSON COUNTY COMMISSIONERS' COURT  
MEETING  
JULY 28, 2009**

STATE OF TEXAS )(

COUNTY OF WILLIAMSON )(

**BE IT REMEMBERED** that at 9:34 A.M. on TUESDAY, JULY 28, 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  
Valerie Covey, Commissioner Precinct 3  
Ron Morrison, Commissioner Precinct 4  
Nancy E. Rister, County Clerk  
Absent: Cynthia Long, Commissioner Precinct 2  
Attendees: Dale Rye, County Attorney General Counsel  
Connie Singleton, Deputy County Clerk

**1. Review and approval of minutes.**

Motion By: Commissioner Precinct 1 Lisa Birkman

Second By: Commissioner Precinct 3 Valerie Covey ***Motion: To approve the minutes of the previous meeting with correction of spelling of the name "Granberry" on Budget Hearing Meeting on July 27, 2009.***

Aye: County Judge Dan A. Gattis  
Commissioner Precinct 1 Lisa Birkman  
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 3 Valerie Covey

Second By: Commissioner Precinct 4 Ron Morrison ***To note in the minutes off right-of-way work: Precinct 4: CR 108 - John Avery property, permission for a temporary by-pass during culvert work.***

***To note in the minutes utility requests:***

***Precinct 1: Tommy Harral Construction Inc. - Morris Rd. - trench cut 2' wide for sanitary sewer.***

***Precinct 3: Verizon S.W. - CR 150 - buried communication.***

***Precinct 4: Noack Water Supply Corporation - CR 470 - 2" waterline.***

Aye: County Judge Dan A. Gattis

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

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.**

Donna Baker Accounts Payable/Payroll Manager addressed the Court.

Motion By: Commissioner Precinct 1 Lisa Birkman

Second By: Commissioner Precinct 3 Valerie Covey ***Motion: To authorize the payment of bills totaling \$3,978,675.15 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

4. **Citizen comments.**

The following addressed the Court:

Susan Wukasch of Georgetown  
Milton Jordan of Georgetown  
Jane Van Praag of Bartlett  
Allene Booth-Judson of Georgetown  
Laura Martin of Austin  
Lauren Martin of Austin  
Peter Dana of Georgetown  
Richard Wade of San Antonio  
Scott Schneider of Georgetown  
Jeremiah Lugo of Georgetown  
David Currey of Austin  
Molly Richter of Georgetown  
Jose Orta of Taylor  
Kenneth Koyn of Austin  
Courtney Galbraith of Georgetown  
Sherry Dana of Georgetown  
Kurt Johnson Sr. of Austin  
Derek Johnson of Canada  
Mary Ellen Kersch of Georgetown

#### **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. **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	0882-0882-003524	Sublets	\$2,400.00	
To	0882-0882-004510	Facility Maintenance/Repair	\$2,400.00	

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

**6. Discuss and consider approving a line item transfer for Debt Service.**

Motion By: Commissioner Precinct 3 Valerie Covey

Second By: Commissioner Precinct 1 Lisa Birkman

**Motion: To approve a line item transfer for Debt Service:**

From	0600-0600-006625	'08 Ltd Tax Notes - Int	\$15,000.04	
To	0600-0600-006225	'08 Ltd Tax Notes - Prin	\$15,000.00	
To	0600-0600-006620	Ser 2006 Pass-Thru Toll-Int	\$0.02	
To	0600-0600-006624	'07 Ltd Park Bonds - Int	\$0.02	

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

**7. Discuss and take appropriate action on a line item transfer for County Jail.**

Motion By: Commissioner Precinct 3 Valerie Covey

Second By: Commissioner Precinct 1 Lisa Birkman

**Motion: To approve a line item transfer for County Jail:**

From	0100-0570-005000	Capital Outlay>\$5000	\$1,200.00	
To	0100-0570-004211	Telephone Service	\$1,200.00	

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

**8. Consider appointing Patricia Blake to serve on the ESD Board #9.**

Motion By: Commissioner Precinct 3 Valerie Covey

Second By: Commissioner Precinct 1 Lisa Birkman **Motion: To approve appointing Patricia Blake to serve on the ESD Board #9.**

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

**9. Consider approving the Treasurer's Report on the Williamson County Finances for June 2009.**

Motion By: Commissioner Precinct 3 Valerie Covey

Second By: Commissioner Precinct 1 Lisa Birkman ***Motion: To approve the Treasurer's Report on the Williamson County Finances for June 2009.***

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

10. **Discuss and take action on the Morningside Meadows Home Owners Association request for road closure to the entrance of Rock Chalk Court to celebrate National Night Out on August 4, 2009 beginning at 5:00 P.M.**

Motion By: Commissioner Precinct 3 Valerie Covey

Second By: Commissioner Precinct 1 Lisa Birkman ***Motion: To approve the Morningside Meadows Home Owners Association request for road closure to the entrance of Rock Chalk Court to celebrate National Night Out on August 4, 2009 beginning at 5:00 P.M.***

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

11. **Consider and take appropriate action on authorizing the transfer of various items through inter-office transfer to County departments and/or 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 various items through inter-office transfer to County departments and/or auction/donation/destruction.***

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

12. **Consider accepting a donation of \$100 for a memorial tree for Mr. Dennis P. Irwin of Cedar Park.**

Motion By: Commissioner Precinct 3 Valerie Covey

Second By: Commissioner Precinct 1 Lisa Birkman ***Motion: To approve accepting a donation of \$100 for a memorial tree for Mr. Dennis P. Irwin of Cedar Park.***

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

13. **Discuss and consider final plat approval for Klepzig Subdivision, Pct. #3.**

Motion By: Commissioner Precinct 3 Valerie Covey

Second By: Commissioner Precinct 1 Lisa Birkman ***Motion: To approve the final plat for Klepzig Subdivision, Pct. #3.***

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

Commissioner Precinct 3 Valerie Covey

Commissioner Precinct 4 Ron Morrison

## REGULAR AGENDA

14. **Consider approving a resolution to honor John Willingham's retirement after 16 years of service to Williamson County.**

Director of Human Resources John Willingham addressed the Court.

Motion By: County Judge Dan A. Gattis

Second By: Commissioner Precinct 1 Lisa Birkman ***Motion: To approve a resolution to honor John Willingham's retirement after 16 years of service to Williamson County.***

Aye: County Judge Dan A. Gattis

Commissioner Precinct 1 Lisa Birkman

Commissioner Precinct 3 Valerie Covey

Commissioner Precinct 4 Ron Morrison

15. **Recognition of Williamson County EMS new members' successful completion of training academy.**

Emergency Medical Services Operation Manager Kenny Schnell and Captain Terri King of EMS addressed the Court.

Motion By: Commissioner Precinct 1 Lisa Birkman

Second By: Commissioner Precinct 3 Valerie Covey ***Motion: To recognize Williamson County EMS new members: Kevin Felty, Jeff Fishel, Joel Miller, Juliana Roberts, Michele Robinson, Jeremy Whitehead and Elizabeth Young who successfully completed the training academy.***

Aye: County Judge Dan A. Gattis

Commissioner Precinct 1 Lisa Birkman

Commissioner Precinct 3 Valerie Covey

Commissioner Precinct 4 Ron Morrison

## COMMISSIONERS' COURT RECESSED AT 10:49 A.M. AND RECONVENED AT 11:00 A.M.

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

Richard Ridings of HNTB addressed the Court.

No action was taken.

17. **Consider approving Change Order No. 2 in the amount of \$79,075 for US 79 Section 5A (Wilco Project No. 08WC619), a Pass Through Financing Project in Precinct #4.**

Richard Ridings of HNTB addressed the Court.

Motion By: Commissioner Precinct 4 Ron Morrison

Second By: Commissioner Precinct 3 Valerie Covey ***Motion: To approve Change Order No. 2 in the amount of \$79,075 for US 79 Section 5A (Wilco Project No. 08WC619), a Pass Through Financing Project in Precinct #4.***

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

18. **Discuss and take action regarding the Jester Williamson County Annex and the Public Safety Building in Round Rock and other matters related thereto.**

Building Projects Manager Gary Wilson addressed the Court.

No action was taken.

19. **Request approval for a Tobacco Compliance grant that was awarded to Precinct #4 Constable Office for \$7,300. This covers the period from September 1, 2009 through August 31, 2010.**

This item was removed from the agenda.

20. **Discuss and take appropriate action on the appointment of the Election Day Judges and Alternate Judges to serve in county wide elections for a term of two years beginning on August 1, 2009.**

Kay Eastes of Elections addressed the Court.

Motion By: Commissioner Precinct 3 Valerie Covey

Second By: Commissioner Precinct 1 Lisa Birkman ***Motion: To approve the appointment of the Election Day Judges and Alternate Judges to serve in county wide elections for a term of two years beginning on August 1, 2009.***

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

21. **Discuss and take appropriate action on the appointment of the Manager, Tabulation Supervisor, presiding Judge and alternate Judge, for the Central Counting Station established for the Constitutional Amendments and Special Elections held on November 3, 2009.**

Motion By: Commissioner Precinct 1 Lisa Birkman

Second By: Commissioner Precinct 3 Valerie Covey ***Motions: To approve the appointment of the Manager, Tabulation Supervisor, presiding Judge and alternate Judge, for the Central Counting Station established for the Constitutional Amendments and Special Elections held on November 3, 2009.***

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

22. **Consider confirming the appointment of James Ward as Deputy Constable for Pct. #3.**

Motion By: Commissioner Precinct 3 Valerie Covey

Second By: Commissioner Precinct 1 Lisa Birkman ***Motion: To confirm the appointment of James Ward as Deputy Constable for Pct. #3.***

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

**23. Discuss and take appropriate action on appointment to the ESD #4 Board of Directors.**

Motion By: County Judge Dan A. Gattis

Second By: Commissioner Precinct 3 Valerie Covey ***Motion: To approve appointment of Emory Martin to the ESD #4 Board of Directors.***

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

**24. Request consent from Commissioners' Court to allow for the collection of a \$5.00 fee to maintain a district court records archive. This request is made pursuant to S.B. No. 1685, and if approved will become effective October 1, 2009.**

District Clerk Lisa David and First Assistant County Auditor Julie Kiley addressed the Court.

Motion By: Commissioner Precinct 1 Lisa Birkman

Second By: Commissioner Precinct 3 Valerie Covey ***Motion: To approve the collection of a \$5.00 fee to maintain a district court records archive pursuant to S.B. No. 1685 to be effective October 1, 2009.***

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

**25. Discuss and consider adopting salaries and other compensation for Elected Officials, authorize publication of notice as well as written notice to each Elected Official of his/her salary and other compensation to be included in the 2009-2010 budget.**

The following addressed the Court:  
First Assistant County Auditor Julie Kiley  
General Counsel Dale Rye  
Tax Assessor and Collector Deborah Hunt  
Associate Director of Human Resources Lisa Zirkle

Motion By: Commissioner Precinct 1 Lisa Birkman

Second By: Commissioner Precinct 3 Valerie Covey ***Motion: To approve adopting salaries (no increase) and other compensation for Elected Officials, authorize publication of notice as well as written notice to each Elected Official of his/her salary and other compensation to be included in the 2009-2010 budget as amended.***

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

26. **Consider authorizing advertising and setting date for Public Hearing on the 2009-2010 County Budget for August 25th, 2009.**

Motion By: Commissioner Precinct 3 Valerie Covey

Second By: Commissioner Precinct 1 Lisa Birkman ***Motion: To authorize advertising and set date for Public Hearing on the 2009-2010 County Budget for August 25th, 2009 at 10:00 A.M.***

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

27. **Discuss and consider approving proposed 2009-2010 Tobacco Fund Budget.**

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

No action was taken.

28. **Consider authorizing advertising and setting date of August 19, 2009 at 11:30 A.M. in the Purchasing Department to receive proposals for commissary services for the Williamson County Jail, proposal #10WCAP103.**

Motion By: Commissioner Precinct 3 Valerie Covey

Second By: Commissioner Precinct 4 Ron Morrison ***Motion: To authorize advertising and set date of August 19, 2009 at 11:30 A.M. in the Purchasing Department to receive proposals for commissary services for the Williamson County Jail, proposal #10WCAP103.***

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

29. **Consider authorizing advertising and setting date of Tuesday, August 18, 2009 at 11:00 A.M. in the Purchasing Department to receive qualifications for civil engineering services for renovations to the Williamson County Tax Assessor/Collector Offices, RFQ# 09WCRFQ909.**

Motion By: Commissioner Precinct 3 Valerie Covey

Second By: Commissioner Precinct 4 Ron Morrison ***Motion: To authorize advertising and set date of Tuesday, August 18, 2009 at 11:00 A.M. in the Purchasing Department to receive qualifications for civil engineering services for renovations to the Williamson County Tax Assessor/Collector Offices, RFQ# 09WCRFQ909.***

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

30. **Discuss and take appropriate action on the 2009/2010 Budget Order.**

The following addressed the Court:  
First Assistant County Auditor Julie Kiley  
Accounts Payable/Payroll Manager Donna Baker  
General Counsel Dale Rye  
County Auditor David Flores  
Budget Manager Ashlie Koenig  
Director of Human Resources John Willingham

No action was taken.

**COMMISSIONERS' COURT ADJOURNED TO EXECUTIVE SESSION AT 12:37 P.M. ON TUESDAY, JULY 28, 2009.**

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

No action was taken in Executive Session.

32. **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.

33. **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.

34. **Discuss personnel issues (EXECUTIVE SESSION as per VTCA Govt. Code sec. 551.074 matters concerning personnel.**

No action was taken in Executive Session.

**COMMISSIONERS' COURT RECONVENED FROM EXECUTIVE SESSION AT 1:24 P.M. ON TUESDAY, JULY 28, 2009.**

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

Motion By: Commissioner Precinct 4 Ron Morrison

Second By: Commissioner Precinct 3 Valerie Covey ***Motion: To approve conveying parcel 44 on Hwy 79 containing .171 acres to Mr. W. Fireworks at the original price paid of \$37,000.***

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

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

No action was taken.

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

No action was taken.

38. **Discuss and take appropriate action concerning personnel issues.**

No action was taken.

39. **Comments from Commissioners.**

**Commissioner Birkman** stated that in regards to the T. Don Hutto Agreement, she asked Jose Orta of LULAC a couple of weeks ago for a written summary of items that are not in the current agreement. The County's attorneys said that some of these items are already in the agreement. When she receives the summary she will review it.

40. Recess until 1:00 P.M. for Post Recommendation Budget Workshops from 1:00 P.M. to 4:00 P.M.

No action was taken.

## **COMMISSIONERS' COURT ADJOURNED AT 1:27 P.M. ON TUESDAY, JULY 28, 2009.**

THE FOREGOING MINUTES had at a Regular Session of Commissioners' Court of Williamson County, Texas, having been read are hereby approved this 4th day of August, 2009.



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

By: Connie Singleton, Deputy