

MINUTES OF THE WILLIAMSON COUNTY COMMISSIONERS' COURT MEETING AUGUST 25, 2009

STATE OF TEXAS)(

COUNTY OF WILLIAMSON)(

BE IT REMEMBERED that at 9:42 A.M. on TUESDAY, AUGUST 25, 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. Review and approval of minutes.

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.

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.

Donna Baker Accounts Payable/Payroll Manager addressed the Court.

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

Motion By: Commissioner Precinct 2 Cynthia Long

Second By: Commissioner Precinct 4 Ron Morrison ***Motion: To authorize the payment of bills totaling \$1,844,952.38 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
 Melissa Cole of Williamson County & Cities Health Department
 Pat Robbins, Nutritionist with Wesleyan
 David Young with National Association for Chronic Disease Directors
 URS Road Administrator Greg Bergeron

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 - 15)

5. Discuss and consider approving a line item transfer for Veterans Services.

Motion By: Commissioner Precinct 3 Valerie Covey
 Second By: Commissioner Precinct 4 Ron Morrison
Motion: To approve a line item transfer for Veterans Services:

From	0100-0405-003011	Computer Software <\$5000	\$1,191.40	
To	0100-0405-003010	Computer Equipment <\$5000	\$1,191.40	

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 Commissioner Pct. #2.

Motion By: Commissioner Precinct 3 Valerie Covey
 Second By: Commissioner Precinct 4 Ron Morrison
Motion: To approve a line item transfer for Commissioner Pct. #2 (with change of adding acct # 0100-0212-004212 - Postage \$22.99 and change acct # 0100-0212-004999 from \$500.00 to \$477.01):

From	0100-0212-004212	Postage	\$22.99	
From	0100-0212-003115	Computer Supplies	\$200.00	
From	0100-0212-003120	Printer Supplies	\$200.00	
From	0100-0212-004999	Miscellaneous	\$477.01	
To	0100-0212-003010	Computer Equipment<\$5000	\$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

7. Discuss and consider approving a line item transfer for the County Judge's Office.

Motion By: Commissioner Precinct 3 Valerie Covey

Second By: Commissioner Precinct 4 Ron Morrison

Motion: To approve a line item transfer for the County Judge's Office:

From	0100-0400-004210	Cty Judge/Internet/Email Svc.	\$439.12	
To	0100-0400-003005	Cty Judge/Office Furniture<\$5000	\$439.12	

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 URS.

Motion By: Commissioner Precinct 3 Valerie Covey

Second By: Commissioner Precinct 4 Ron Morrison

Motion: To approve a line item transfer for URS (with change of acct # 0200-0210-004534 to 0200-0210-004531):

From	0200-0210-004531	Brushy Crk Maint	\$4,500.00	
From	0200-0210-004991	Landfill	\$10,000.00	
From	0200-0210-005400	Bridges	\$50,000.00	
To	0200-0210-004541	Vehicle Repairs	\$66,500.00	
From	0200-0210-005200	Right of Way	\$2,000.00	

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 Constable Pct. #1.

This item was removed from the agenda.

10. Discuss and consider approving a line item transfer for Constable Pct. #1.

Motion By: Commissioner Precinct 3 Valerie Covey

Second By: Commissioner Precinct 4 Ron Morrison

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

From	0100-0551-005700	Vehicles>\$5000	\$430.81	
To	0100-0551-004541	Vehicles Repair/Maintenance	\$430.81	

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 Human Resources.

Motion By: Commissioner Precinct 3 Valerie Covey

Second By: Commissioner Precinct 4 Ron Morrison

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

From	0100-0402-004500	Maintenance Contracts	\$400.00	
To	0100-0402-004993	Safety Program	\$400.00	

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. Consider a line item transfer for District Attorney's Office.

Motion By: Commissioner Precinct 3 Valerie Covey

Second By: Commissioner Precinct 4 Ron Morrison

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

From	0100-0440-004350	Printed Materials & Binding	\$161.00	
To	0100-0440-004212	Postage	\$161.00	

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. Consider approving property tax refunds over \$2,500 for July 2009.

Motion By: Commissioner Precinct 3 Valerie Covey

Second By: Commissioner Precinct 4 Ron Morrison ***Motion: To approve property tax refunds over \$2,500 for July 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

14. Discuss and take action on the road closure request for the annual Resolution Run through the Brushy Creek neighborhood. This request has been through the road closure request process and all reviewers approved this event.

Motion By: Commissioner Precinct 3 Valerie Covey

Second By: Commissioner Precinct 4 Ron Morrison ***Motion: To approve the road closure request for the annual Resolution Run through the Brushy Creek neighborhood.***

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 and take appropriate action on authorizing the transfer of various items through inter-office transfer to auction/donation/destruction and the transfer/donation of a Defense Technology 37mm Launcher to the Leander Police Department. (Complete list filed with official minutes)**

First Assistant County Auditor Julie Kiley addressed the Court.

Motion By: Commissioner Precinct 3 Valerie Covey

Second By: Commissioner Precinct 4 Ron Morrison ***Motion: To authorize the transfer of various items through inter-office transfer to auction/donation/destruction and the transfer/donation of a Defense Technology 37mm Launcher to the Leander Police Department.***

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

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

Richard Ridings of HNTB and Mike Weaver of Prime Strategies addressed the Court.

No action was taken.

17. **Discuss and consider approving a resolution to support the expansion of the gap section of SH 195 from 3.4 miles south of SH 138 to 5.254 miles south of SH 138 and to authorize the County Judge to submit a TIGER (Transportation Investment Generating Economic Recovery) application to the U.S. Department of Transportation to secure construction funding for the gap section of SH 195 from 3.4 miles south of SH 138 to 5.254 miles south of SH 138.**

Mike Weaver of Prime Strategies addressed the Court.

Motion By: Commissioner Precinct 3 Valerie Covey

Second By: Commissioner Precinct 2 Cynthia Long ***Motion: To approve a resolution to support the expansion of the gap section of SH 195 from 3.4 miles south of SH 138 to 5.254 miles south of SH 138 and to authorize the County Judge to submit a TIGER (Transportation Investment Generating Economic Recovery) application to the U.S. Department of Transportation to secure construction funding for the gap section of SH 195 from 3.4 miles south of SH 138 to 5.254 miles south of SH 138.***

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 HDR Engineering, Inc. Professional Service Agreement (PSA) to provide Construction Engineering and Inspection (CEI) services on the US 183 pass through finance project.**

Mike Weaver of Prime Strategies addressed the Court.

Motion By: Commissioner Precinct 2 Cynthia Long

Second By: Commissioner Precinct 3 Valerie Covey ***Motion: To approve HDR Engineering, Inc. Professional Service Agreement (PSA) to provide Construction Engineering and Inspection (CEI) services on the US 183 pass through finance project.***

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 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.

20. **10:12 A.M. Commissioners' Court recessed for Public Hearing on the 2009-2010 County Budget.**

The following addressed the Court:

Victor Marek of Schwertner

Jim Dillon of Liberty Hill

10:21 A.M. Public Hearing was closed and Commissioners' Court reconvened.

21. **Discuss and consider adoption of the 2009-2010 County Budget.**

The following addressed the Court:

Budget Officer Ashlie Koenig

Anita Martinez with Williamson County & Cities Health Department

First Assistant County Auditor Julie Kiley

General Counsel Dale Rye

URS Road Administrator Greg Bergeron

Motion By: County Judge Dan A. Gattis

Second By: Commissioner Precinct 2 Cynthia Long ***Motion: To approve the adoption of the 2009-2010 County Budget General Fund in the amount of \$121,893,207, which included four additional items to the proposed budget totaling \$386,186.***

The motion was amended, as reflected below, to include \$676,892.13 of reductions for an amended budget of \$121,216,314.77.

Aye: County Judge Dan A. Gattis

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

**COMMISSIONERS' COURT RECESSED AT 12:28 P.M. ON
TUESDAY, AUGUST 25, 2009**

**COMMISSIONERS' COURT RECONVENED AT 12:45 P.M. ON
TUESDAY, AUGUST 25, 2009.**

22. **Consider authorizing the County Auditor to transfer sufficient monies from cash ending balance of fiscal year 2008-2009 to balance County Budget for 2009-2010.**

Motion By: County Judge Dan A. Gattis

Second By: Commissioner Precinct 2 Cynthia Long ***Motion: To authorize the County Auditor to transfer sufficient monies from cash ending balance of fiscal year 2008-2009 to balance County Budget for 2009-2010.***

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 take appropriate action regarding setting FY2010 885 Fund Budget, FY2010 Employer Contribution Rate & 11/1/09 Employee Insurance Rates.**

The following addressed the Court:
Associate Director of Human Resources Lisa Zirkle
Jared Moss with McQueary, Henry, Bowles, Troy (MHBT)
Emergency Operations Director John Sneed
ITS Director Jay Schade

Motion By: Commissioner Precinct 2 Cynthia Long

Second By: Commissioner Precinct 1 Lisa Birkman ***Motion: To approve the committee recommended plan design for FY2010 885 Fund Budget, FY2010 Employer Contribution Rate & 11/1/09 Employee Insurance Rates as presented last week.***

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. **1:52 P.M. Commissioners' Court recessed for a public hearing on plan for funding the preservation and restoration of the County Clerk's Records Archives for 2009-2010.**

County Clerk Nancy Rister addressed the Court.

1:56 P.M. Public hearing was closed and Commissioners' Court was reconvened.

25. **Discuss and take appropriate action on the plan for funding the preservation and restoration of the County Clerk's Records Archives for 2009-2010.**

Motion By: Commissioner Precinct 3 Valerie Covey

Second By: Commissioner Precinct 1 Lisa Birkman ***Motion: To approve the plan for funding the preservation and restoration of the County Clerk's Records Archives for 2009-2010.***

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 Contract Amendment 2 to the Inter-Governmental Cooperative Reimbursement Agreement between Texas Commission on Environmental Quality (TCEQ) and Williamson County (AKA Local Initiative Projects contract).**

Parks Director Jim Rodgers addressed the Court.

Motion By: Commissioner Precinct 1 Lisa Birkman

Second By: Commissioner Precinct 4 Ron Morrison ***Motion: To approve the Contract Amendment 2 to the Inter-Governmental Cooperative Reimbursement Agreement between Texas Commission on Environmental Quality (TCEQ) and Williamson County (AKA Local Initiative Projects contract).***

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. **1:56 P.M. Commissioners' Court recessed to hold a public hearing on plan for funding the preservation and restoration of the District Clerk's Records Archives for 2009-2010.**

Budget Officer Ashlie Koenig, First Assistant County Auditor Julie Kiley and County Attorney General Counsel Dale Rye addressed the Court.

1:58 P.M. Public hearing was closed and Commissioners' Court reconvened.

28. **Discuss and take appropriate action on the plan for funding the preservation and restoration of the District Clerk's Records Archives for 2009-2010.**

Motion By: Commissioner Precinct 1 Lisa Birkman

Second By: Commissioner Precinct 3 Valerie Covey ***Motion: To approve the plan for funding the preservation and restoration of the District Clerk's Records Archives for 2009-2010.***

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. **Discuss and adopt a proposed tax rate for 2009/10 of 0.4999.**

The following addressed the Court:
Tax Assessor and Collector Deborah Hunt
County Attorney General Counsel Dale Rye
County Auditor David Flores
First Assistant County Auditor Julie Kiley
Budget Officer Ashlie Koenig

Motion By: County Judge Dan A. Gattis

Motion: To adopt a proposed tax rate for 2009/10 of 0.4999.

The motion died for a lack of second.

30. Discuss and adopt 2009/10 tax rate for FY 2010.

Motion By: Commissioner Precinct 2 Cynthia Long

Second By: Commissioner Precinct 4 Ron Morrison ***Motion: To approve adopting tax rate of .489999 for FY2010. This rate will raise more money for maintenance and operations than last year's rate because of new construction.***

Aye: County Judge Dan A. Gattis

Commissioner Precinct 2 Cynthia Long

Commissioner Precinct 4 Ron Morrison

Nay: Commissioner Precinct 1 Lisa Birkman

Commissioner Precinct 3 Valerie Covey

31. Consider approving request to continue to provide selected optional, i.e. non-mandated, medical services to qualifying clients of WilCo Care, the county indigent health care program.

Assistant Director of Williamson County and Cities Health District Bride Roberts addressed the Court.

Motion By: Commissioner Precinct 2 Cynthia Long

Second By: Commissioner Precinct 1 Lisa Birkman ***Motion: To approve a request to continue to provide selected optional, i.e. non-mandated, medical services to qualifying clients of WilCo Care, the county indigent health care program.***

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 request to approve enhanced payments for primary care services to qualifying WilCo Care patients.

The following addressed the Court:

Assistant Director of Williamson County and Cities Health District Bride Roberts
Chairman of the Board for Lone Star Circle of Care Jack Hunnicutt
Chief Medical Officer for Lone Star Circle of Care Dr. Scott Nicklebur
First Assistant County Auditor Julie Kiley
General Counsel Dale Rye

Motion By: Commissioner Precinct 3 Valerie Covey

Second By: Commissioner Precinct 1 Lisa Birkman ***Motion: To approve enhanced payments for primary care services to qualifying WilCo Care patients at a rate of \$70 for primary care office visits and \$124 or \$137 for complex office visits with the provision that the County and Lone Star Circle of Care continue to collaborate.***

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 awarding bids received for Bid # 09WC720, US 183, Riva Ridge Dr to SH29, to the lowest and best bidder meeting specifications.**

Mike Weaver of Prime Strategies addressed the Court.

Motion By: Commissioner Precinct 2 Cynthia Long

Second By: Commissioner Precinct 1 Lisa Birkman ***Motion: To approve awarding to the lowest and best bidder meeting specifications for Bid # 09WC720, US 183, Riva Ridge Dr. to SH 29 to Dan Williams Company.***

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

No action was taken.

COMMISSIONERS' COURT ADJOURNED TO EXECUTIVE SESSION AT 2:02 P.M. ON TUESDAY, AUGUST 25, 2009.

- 35. Discuss real estate (EXECUTIVE SESSION as per VTCA Govt. Code sec. 551.0721 Deliberation Regarding Real Property.)**

No action was taken in Executive Session.

- 36. Discuss pending or contemplated litigation (EXECUTIVE SESSION as per VTCA Govt. Code 551.071 Consultation With Attorney.)**

No action was taken in Executive Session.

- 37. 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.

- 38. 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 2:42 P.M. ON TUESDAY, AUGUST 25, 2009.

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

No action was taken.

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

No action was taken.

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

No action was taken.

- 42. Discuss and take appropriate action concerning personnel issues.**

No action was taken.

- 43. Comments from Commissioners.**

Commissioner Birkman noted that Brushy Creek has issued mandatory water rationing which means no park watering. She requested that Parks Director Jim Rodgers report back to the Court on the effects of the water rationing on the parks at the next meeting.

COMMISSIONERS' COURT ADJOURNED AT 2:43 P.M. ON TUESDAY, AUGUST 25, 2009.

THE FOREGOING MINUTES had at a Regular Session of Commissioners' Court of Williamson County, Texas, having been read are hereby approved this 1st day of September, 2009.

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

By: Connie Singleton, Deputy