

**MINUTES OF THE WILLIAMSON COUNTY COMMISSIONERS' COURT  
MEETING  
OCTOBER 13, 2009**

STATE OF TEXAS )(

COUNTY OF WILLIAMSON )(

BE IT REMEMBERED that at 9:36 A.M. on TUESDAY, October 13, 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: Henry Prejean, Chief Civil Litigator  
Marilyn Cavender, Deputy County Clerk

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

Motion By: Commissioner Precinct 3 Valerie Covey

Second By: Commissioner Precinct 1 Lisa Birkman ***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.**

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 authorize the payment of bills totaling \$1,208,466.85 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.

Kenneth Craven of Leander addressed the Court.

**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 - 11)**

5. Discuss and consider approving a line item transfer for the Sheriff's Office.

Motion By: Commissioner Precinct 2 Cynthia Long

Second By: Commissioner Precinct 3 Valerie Covey

**Motion: To approve a line item transfer for the Sheriff's Office:**

<b>From/To</b>	<b>Acct No.</b>	<b>Description</b>	<b>Amount</b>
<b>From</b>	<b>0100-0409-005000</b>	<b>Non Dept/Capital</b>	<b>\$14,500</b>
<b>To</b>	<b>0100-0560-004500</b>	<b>SO/Maint Contracts</b>	<b>\$14,500</b>

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. Consider approving the investment report for August 2009 which was approved by the investment committee on September 30, 2009.

Motion By: Commissioner Precinct 2 Cynthia Long

Second By: Commissioner Precinct 3 Valerie Covey

**Motion: To approve the investment report for August 2009 which was approved by the investment committee on September 30, 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

7. **Acknowledge and enter into the official minutes of the Commissioners' Court that Valerie Covey, County Commissioner, Pct. 3, as a member of the Williamson County Investment Committee, has achieved the requisite ten hours of Public Funds Investment Act training per the requirements of the Williamson County Investment Policy. The certificate was filed in the Treasurer's office.**

Motion By: Commissioner Precinct 2 Cynthia Long

Second By: Commissioner Precinct 3 Valerie Covey

***Motion: To acknowledge and enter into the official minutes of the Commissioners' Court that Valerie Covey, County Commissioner, Pct. 3, as a member of the Williamson County Investment Committee, has achieved the requisite ten hours of Public Funds Investment Act training per the requirements of the Williamson County Investment Policy.***

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 and take appropriate action on authorizing the transfer of various items through inter-office transfer to County departments and/or auction/donation/trade-in and destruction. (Complete list filed with official minutes)**
9. **Consider accepting a donation of \$826.26 for Brushy Creek Regional Trail brochures from REI Round Rock.**
10. **Consider removing the small conference room located at 3151 SE Inner Loop in Georgetown from the list of rooms available to the public for rent.**

Motion By: Commissioner Precinct 2 Cynthia Long

Second By: Commissioner Precinct 3 Valerie Covey

***Motion: To remove the small conference room located at 3151 SE Inner Loop in Georgetown from the list of rooms available to the public for rent.***

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 preliminary plat approval of Brogdon Subdivision, Pct. 4.**

Motion By: Commissioner Precinct 2 Cynthia Long

Second By: Commissioner Precinct 3 Valerie Covey

***Motion: To approve the preliminary plat approval of Brogdon Subdivision.***

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

12. **Recognize the Honorable Judy Schier Hobbs, Williamson County Justice of the Peace Precinct 4, for being awarded "Judge of the Year" by the Texas Justice Court Judges Association.**

Motion By: Commissioner Precinct 4 Ron Morrison

Second By: Commissioner Precinct 2 Cynthia Long

***Motion: To approve a resolution recognizing the Honorable Judy Schier Hobbs, Williamson County Justice of the Peace Precinct 4, for being awarded "Judge of the Year" by the Texas Justice Court Judges Association.***

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

HNTB Project Manager James Klotz addressed the Court.

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

HNTB Project Manager James Klotz addressed the Court.

No action was taken.

15. **Consider a resolution determining the necessity and authorizing the condemnation of certain property interests required for the construction of the US 183 Extension, and take other appropriate action. (Parcel 22-Champion)**

This item was moved to Executive Session.

Motion By: Commissioner Precinct 2 Cynthia Long

Second By: Commissioner Precinct 4 Ron Morrison ***Motion: To approve a resolution determining the necessity and authorizing the condemnation of certain property interests required for the construction of the US 183 Extension. (Parcel 22-Champion)***

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 a resolution determining the necessity and authorizing the condemnation of certain property interests required for the construction of the US 183 Extension, and take other appropriate action. (Parcel 24- Champion, Mason and Craven)

This item was moved to Executive Session.

Motion By: Commissioner Precinct 2 Cynthia Long

Second By: Commissioner Precinct 4 Ron Morrison ***Motion: To approve a resolution determining the necessity and authorizing the condemnation of certain property interests required for the construction of the US 183 Extension. (Parcel 24- Champion, Mason and Craven)***

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 the County Judge to execute an Interlocal Agreement with the City of Leander for the construction, operation and maintenance of the extension of CR 269.

Motion By: Commissioner Precinct 2 Cynthia Long

Second By: Commissioner Precinct 4 Ron Morrison

***Motion: To authorize the County Judge to execute an interlocal agreement with the City of Leander for the construction, operation and maintenance of the extension 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. Consider authorizing County Judge to execute a Real Estate Contract with Alfonso Gonzalez for ROW needed on CR 313.

Motion By: Commissioner Precinct 3 Valerie Covey

Second By: Commissioner Precinct 2 Cynthia Long ***Motion: To authorize the County Judge to execute a real estate contract with Alfonso Gonzalez for ROW needed on CR 313.***

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. Consider authorizing County Judge to execute a Real Estate Contract with Arlin and Catherine Thomsen for ROW needed on RM 2338.

Motion By: Commissioner Precinct 3 Valerie Covey

Second By: Commissioner Precinct 1 Lisa Birkman ***Motion: To authorize the County Judge to execute a real estate contract with Arlin and Catherine Thomsen for ROW needed on RM 2338.***

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. Consider authorizing County Judge to execute a Real Estate Contract with David and Patricia Belt for ROW needed on CR 104.**

Motion By: Commissioner Precinct 3 Valerie Covey

Second By: Commissioner Precinct 1 Lisa Birkman ***Motion: To authorize the County Judge to execute a real estate contract with David and Patricia Belt for ROW needed on CR 104.***

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 consider adoption of Williamson County Long Range Transportation Plan.**

Director of Infrastructure Bob Daigh addressed the Court.

Motion By: Commissioner Precinct 2 Cynthia Long

Second By: Commissioner Precinct 4 Ron Morrison ***Motion: To adopt the Williamson County Long Range Transportation 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

- 22. Discuss Right Of Way Acquisition Project FM 112, Brushy Creek Relief, agreement between Williamson County and TXDOT.**

Director of Infrastructure Bob Daigh addressed the Court.

- 23. Consider and take appropriate action on Participation Agreement for the Williamson County Road Bond Program for mitigation on Wyoming Springs expansion project; this project is in conjunction with the City of Round Rock.**

Gary Boyd of the Parks Department addressed the Court.

Motion By: Commissioner Precinct 1 Lisa Birkman

Second By: Commissioner Precinct 3 Valerie Covey ***Motion: To approve the Williamson County Regional Habitat Conservation Plan Participation Agreement for the Williamson County Road Bond Program for mitigation on the Wyoming Springs expansion 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

- 24. Discuss and take appropriate action regarding Interlocal Agreement between the County and City of Liberty Hill on small community park assistance.**

Motion By: Commissioner Precinct 2 Cynthia Long

Second By: Commissioner Precinct 3 Valerie Covey ***Motion: To approve an interlocal agreement between the County and the City of Liberty Hill on small community park assistance.***

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

Maintenance Supervisor Joe Latteo addressed the Court.

No action was taken.

- 26. Discuss and consider approving the Pooled Vehicle Policy.**

Budget Manager Ashlie Koenig addressed the Court.

No action was taken.

- 27. Discuss and take appropriate action regarding the establishing a local data advisory board in accordance with HB2730, Article 21, Section 21.001, Chapter 60.**

District Attorney John Bradley and County Clerk Nancy Rister addressed the Court.

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 awarding bids received for Bid # 09WC723, CR 214 Phase 2A, Rolling Hills Rd to San Gabriel Ranch Rd, to the lowest and best bidder meeting specifications- FT Woods Construction Services, Inc.**

Motion By: Commissioner Precinct 2 Cynthia Long

Second By: Commissioner Precinct 3 Valerie Covey ***Motion: To award bid for CR 214 Phase 2A (from Rolling Hills Road to San Gabriel Ranch Road) to the lowest and best bidder meeting specifications- FT Woods Construction Services, Inc.***

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 proposals received for Civil Engineering Services for the Williamson County Tax Office (Proposal #09WCRFQ909) to the proposal best meeting specification- Steger Bizzell, with a not to exceed amount of \$6000.00.**

Director of Infrastructure Bob Daigh and Purchasing Director Bob Space addressed the Court.

Motion By: Commissioner Precinct 3 Valerie Covey

Second By: Commissioner Precinct 1 Lisa Birkman ***Motion: To award the proposal for Civil Engineering Services for the Williamson County Tax Office (Proposal #09WCRFQ909) to the proposal best meeting specification- Steger Bizzell, with a not to exceed amount of \$6000.00.***

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

30. **Consider authorizing advertising and setting date of November 4, 2009 at 2:00pm in the Purchasing Department to receive proposals for Williamson County Landfill Monitoring Services.**

Director of Infrastructure Bob Daigh and Purchasing Director Bob Space addressed the Court.

Motion By: Commissioner Precinct 2 Cynthia Long

Second By: Commissioner Precinct 4 Ron Morrison ***Motion: To authorize advertising and setting date of November 4, 2009 at 2:00 pm in the Purchasing Department to receive proposals for Williamson County Landfill Oversight Inspection Services, and to form a committee including Attorney Kerry Russell, Gary Boyd of the Parks Department, Commissioner Cynthia Long, Jonathan Harris of the Purchasing Department, County Judge Dan Gattis and Director of Infrastructure Bob Daigh to evaluate the proposals and make a recommendation to the Court.***

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 Road Base Materials to the low bids meeting specifications:**  
**Killeen Crushed Stone**  
**Superior Stone**  
**RTI Hot Mix**  
**JAG Trucking**  
**Central Crushers**  
**Capital Aggregates (Georgetown)**  
**Texas Crushed Stone**  
**Butler Materials**  
**Capital Aggregates (Manor)**  
**Texas Aggregates (Bastrop)**

Purchasing Director Bob Space addressed the Court.

Motion By: County Judge Dan A. Gattis

Second By: Commissioner Precinct 1 Lisa Birkman ***Motion: To award bids for Road Base Materials to the low bids meeting specifications:***  
***Killeen Crushed Stone***  
***Superior Stone***  
***RTI Hot Mix***  
***JAG Trucking***  
***Central Crushers***  
***Capital Aggregates (Georgetown)***



**Texas Crushed Stone  
Butler Materials  
Captial Aggregates (Manor)  
Texas Aggregates (Bastrop)**

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 on cancelling court and deadline changes for the following dates: November 24th, December 22nd, and December 29th 2009.**

Motion By: Commissioner Precinct 1 Lisa Birkman

Second By: Commissioner Precinct 4 Ron Morrison ***Motion: To cancel court for the following dates: November 24, December 22, and December 29, 2009 and make the appropriate deadline changes.***

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 Emergency Services Department:**

Motion By: Commissioner Precinct 1 Lisa Birkman

Second By: Commissioner Precinct 4 Ron Morrison ***Motion: To declare an emergency and a grave necessity due to unforeseeable circumstances and approve a budget amendment for the Emergency Services Department:***

<i>From/To</i>	<i>Acct No.</i>	<i>Description</i>	<i>Amount</i>	
	0100.0583.000999	Transfer from Grants	\$25,000.00	

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

34. **Consider an order declaring an emergency and a grave necessity due to unforeseeable circumstances and approve a budget amendment for unspent 2009 donation dollars for the Parks Department:**

Motion By: Commissioner Precinct 1 Lisa Birkman

Second By: Commissioner Precinct 4 Ron Morrison ***Motion: To declare an emergency and a grave necessity due to unforeseeable circumstances and approve a budget amendment for unspent 2009 donation dollars for the Parks Department:***

<i>From/To</i>	<i>Acct No.</i>	<i>Description</i>	<i>Amount</i>	
	0100.0510.003670	Use of Donations	\$1,341.45	

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 an order declaring an emergency and a grave necessity due to unforeseeable circumstances and approve a budget amendment for Emergency Services Department:

Motion By: Commissioner Precinct 1 Lisa Birkman

Second By: Commissioner Precinct 4 Ron Morrison ***Motion: To declare an emergency and a grave necessity due to unforeseeable circumstances and approve a budget amendment for the Emergency Services Department:***

<i>From/To</i>	<i>Acct No.</i>	<i>Description</i>	<i>Amount</i>
	<b>0100.0541.005700</b>	<b>New Vehicles</b>	<b>\$15,068.50</b>

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 11:01 A.M. ON TUESDAY, OCTOBER 13, 2009.**

36. Discuss real estate matters (EXECUTIVE SESSION as per VTCA Govt. Code sec. 551.0721 Deliberation Regarding Real Property if deliberation in an open meeting would have a detrimental effect on the position of the governmental body in negotiations with a third person.)

1. Proposed or potential purchase or lease of property by the County:

a) Discuss proposed acquisition of property for right-of-way for US 183 project from 1000 feet south of the San Gabriel River to 1000 feet north of SH 29.

b) Discuss proposed acquisition of property for right-of-way for SH 195 project from the Williamson County/Bell County line to SH 138.

c) Discuss proposed acquisition of property for right-of-way for SH 195 project from IH 35 to proposed Reagan Blvd. intersection.

d) Discuss proposed acquisition of property for right-of-way for O'Connor project .

e) Discuss proposed acquisition of property for right-of-way for RM 2338 Phase 2 project from FM 3405 to Reagan Blvd.

f) Discuss proposed acquisition of property for right-of-way for CR 104 project from SH 29 to Sh 130.

g) Discuss proposed acquisition of property for right-of-way for CR313 project.

No action was taken in Executive Session.

37. Discuss pending or contemplated litigation, settlement matters and other confidential attorney-client legal matters (EXECUTIVE SESSION as per VTCA Govt. Code sec. 551.071 consultation with attorney.)

1. Pending or potential litigation or claims or other confidential attorney-client matters:

a) Green Haven Plat issues

b) Voss v. Williamson County

No action was taken in Executive Session.

**COMMISSIONERS' COURT RECONVENED FROM EXECUTIVE SESSION AT 12:48 P. M. ON TUESDAY, OCTOBER 13, 2009.**

38. Discuss and take appropriate action on real estate.

No action was taken.

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

No action was taken.

40. Comments from Commissioners.

**Commissioner Birkman** reminded the Court that they have a meeting following Commissioners' Court next Tuesday. It was decided that the meeting will be postponed and will be added as an agenda item on the Tuesday, October 27th Commissioners' Court Meeting.

**COMMISSIONERS' COURT ADJOURNED AT 12:51 P.M. ON TUESDAY, OCTOBER 13, 2009.**

THE FOREGOING MINUTES had at a Regular Session of Commissioners' Court of Williamson County, Texas, having been read are hereby approved this 19th day of October, 2009.



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

By: Marilyn Cavender, Deputy