

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

STATE OF TEXAS)(

COUNTY OF WILLIAMSON)(

BE IT REMEMBERED that at 9:38 A.M. on TUESDAY, NOVEMBER 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: Henry Prejean, Chief Civil Litigator
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 review and approve the minutes of 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.

Director of Infrastructure Bob Daigh addressed the Court.

Motion By: Commissioner Precinct 3 Valerie Covey

Second By: Commissioner Precinct 2 Cynthia Long ***To note in the minutes off right-of-way work: Precinct 3 - Joe Valdez property 2201 CR 234 - Working at the corner of Live Oak and CR 234 cutting out dead trees along fence line for site distance.***

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

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 4 Ron Morrison

Second By: Commissioner Precinct 1 Lisa Birkman ***Motion: To authorize the payment of bills totaling \$2,637,936.66 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.**

Jim Dillon of Liberty Hill 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. Consider and take appropriate action on authorizing the transfer of various items including a vehicle to auction/donation/destruction. (Complete list filed with official minutes.)

Motion By: Commissioner Precinct 4 Ron Morrison

Second By: Commissioner Precinct 1 Lisa Birkman ***Motion: To authorize the transfer of various items including a vehicle 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

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

Motion By: Commissioner Precinct 4 Ron Morrison

Second By: Commissioner Precinct 1 Lisa Birkman

Motion: To approve a line item transfer for Elections:

From/To	Acct No.	Description	Amount	
From	0100-0492-004251	Election Supplies	\$600.00	
To	0100-0492-004610	Rent	\$600.00	

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. **Acknowledge and enter into the official minutes of the Commissioners' Court that Deborah Hunt, Tax Assessor/Collector, 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 4 Ron Morrison

Second By: Commissioner Precinct 1 Lisa Birkman ***Motion: To acknowledge and enter into the official minutes of the Commissioners' Court that Deborah Hunt, Tax Assessor/Collector, 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.***

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 approving the Treasurer's report on the Williamson County Finances for September 2009.**

Motion By: Commissioner Precinct 4 Ron Morrison

Second By: Commissioner Precinct 1 Lisa Birkman ***Motion: To approve the Treasurer's report on the Williamson County Finances for September 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

9. **Consider approving the investment report for September 2009 which was approved by the investment committee on October 28, 2009.**

Motion By: Commissioner Precinct 4 Ron Morrison

Second By: Commissioner Precinct 1 Lisa Birkman ***Motion: To approve the investment report for September 2009 which was approved by the investment committee on October 28, 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

10. **Consider and take appropriate action on authorizing the trade-in of four Harley Davidson motorcycles and the transfer of various items including a vehicle through inter-office transfer to County departments and/or auction/donation/destruction. (Complete list filed with official minutes)**

Motion By: Commissioner Precinct 4 Ron Morrison

Second By: Commissioner Precinct 1 Lisa Birkman ***Motion: To authorize the trade-in of four Harley Davidson motorcycles and the transfer of various items including a vehicle 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 2 Cynthia Long
Commissioner Precinct 3 Valerie Covey
Commissioner Precinct 4 Ron Morrison

11. Discuss and consider approving a line item transfer for Emergency Management and HazMat.

Motion By: Commissioner Precinct 4 Ron Morrison

Second By: Commissioner Precinct 1 Lisa Birkman

Motion: To approve a line item transfer for Emergency Management and HazMat:

From/To	Acct No.	Description	Amount
From	0100-0409-002050	Non Dept/Work Comp	\$2,300.00
To	0100-0541-002050	Emerg Mgmt/Work Comp	\$1,900.00
To	0100-0542-002050	HazMat/Work Comp	\$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

REGULAR AGENDA

12. Discuss and take appropriate action on road bond program.

No action was taken.

13. Consider a resolution determining the necessity and authorizing the condemnation of certain property interests required for the construction of US 183, and take appropriate action. (Giddens, P17)

This item was moved to next week's Agenda.

14. Consider a resolution determining the necessity and authorizing the condemnation of certain property interests required for the construction of US 183, and take appropriate action. (Mason P19)

Motion By: Commissioner Precinct 2 Cynthia Long

Second By: Commissioner Precinct 3 Valerie Covey ***Motion: To approve a resolution determining the necessity and authorizing the condemnation of certain property interests required for the construction of US 183. (Mason P19)***

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 a resolution determining the necessity and authorizing the condemnation of certain property interests required for the construction of US 183, and take appropriate action. (Mason P16)

Motion By: Commissioner Precinct 2 Cynthia Long

Second By: Commissioner Precinct 3 Valerie Covey ***Motion: To approve a resolution determining the necessity and authorizing the condemnation of certain property interests required for the construction of US 183. (Mason P16)***

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 authorizing the County Judge to execute a real estate contract with Michelle Lynn Bell Dube and Travis A. Dube for right-of-way needed on RM 2338. (Parcel 4)

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 Michelle Lynn Bell Dube and Travis A. Dube for right-of-way needed on RM 2338. (Parcel 4)***

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 a real estate contract with Tom Wilkinson and William Henderson for right-of-way needed on RM 2338 (P15).

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 Tom Wilkinson and William Henderson for right-of-way needed on RM 2338. (P15)***

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 the County Judge to execute a real estate contract with Capitol Aggregates, Ltd. for right-of-way on US 183 (Parcel 5).

Motion By: Commissioner Precinct 2 Cynthia Long

Second By: Commissioner Precinct 3 Valerie Covey ***Motion: To authorize the County Judge to execute a real estate contract with Capitol Aggregates, Ltd. for right-of-way on US 183. (Parcel 5)***

Aye: County Judge Dan A. Gattis
Commissioner Precinct 1 Lisa Birkman
Commissioner Precinct 2 Cynthia Long
Commissioner Precinct 3 Valerie Covey

19. **Consider authorizing the County Judge to execute a real estate contract with James R. Armstrong and Shannon F. Armstrong for right-of-way on RM 2338 (Parcel 13).**

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 James R. Armstrong and Shannon F. Armstrong for right-of-way on RM 2338. (Parcel 13)***

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 the County Judge to execute an amendment to Pond Springs Road Interlocal Cooperation Agreement with the City of Austin and Williamson County.**

Director of Infrastructure Bob Daigh addressed the Court.

Motion By: Commissioner Precinct 1 Lisa Birkman

Second By: Commissioner Precinct 3 Valerie Covey ***Motion: To authorize the County Judge to execute an amendment to Pond Springs Road Interlocal Cooperation Agreement with the City of Austin and Williamson County.***

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. **Consider accepting a donation of \$100 for memorial tree planting in memory of Vernon Ira Matthews Cantwell, Jr., from the Georgetown Running Club.**

Parks Director Jim Rodgers addressed the Court.

Motion By: Commissioner Precinct 3 Valerie Covey

Second By: Commissioner Precinct 1 Lisa Birkman ***Motion: To accept a donation of \$100 for memorial tree planting in memory of Vernon Ira Matthews Cantwell, Jr., from the Georgetown Running Club.***

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 & take action on cookie drive for troops for Veterans Day.**

Commissioner Covey reminded the Court of the Cookie Drive for the Combat Aviation Brigade stationed at Fort Hood. To sign up to participate, notify Commissioner Covey's office now and before Monday, November 10th bring a dozen cookies or brownies with a personal note. The cookies will be delivered on November 11th, Veterans Day.

No action was taken.

23. Discuss and take appropriate action on small cities park request for the community of Walburg.

Parks Director Jim Rodgers addressed the Court.

Motion By: Commissioner Precinct 3 Valerie Covey

Second By: Commissioner Precinct 1 Lisa Birkman ***Motion: To approve the small cities park request for the community of Walburg.***

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 approve a contract with Texas State Library for microfilm services for archival and disaster backup purposes.

Motion By: Commissioner Precinct 2 Cynthia Long

Second By: Commissioner Precinct 1 Lisa Birkman ***Motion: To approve a contract with Texas State Library for microfilm services for archival and disaster backup purposes.***

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 appointing David Gardner to the board of ESD #2 for the unexpired term of Kevin Castello which ends Dec. 31, 2009 and for a new two year term beginning Jan. 1, 2010.

Motion By: Commissioner Precinct 1 Lisa Birkman

Second By: Commissioner Precinct 3 Valerie Covey ***Motion: To appoint David Gardner to the board of ESD #2 for the unexpired term of Kevin Castello which ends Dec. 31, 2009 and for a new two year term beginning Jan. 1, 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 possible action regarding recruitment and appointment of Emergency Services District Commissioners.

No action was taken.

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

No action was taken.

28. **Discuss and take appropriate action on Master Software License and Professional Services Agreement, Amendment #1 between Tyler Technologies and the Texas Conference of Urban Counties.**

ITS Director Jay Schade addressed the Court.

Motion By: Commissioner Precinct 2 Cynthia Long

Second By: Commissioner Precinct 4 Ron Morrison ***Motion: To approve a Master Software License and Professional Services Agreement, Amendment #1 between Tyler Technologies and the Texas Conference of Urban Counties.***

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 authorizing the County Judge to execute a real estate contract with Dwight and Arlethia Benford for right-of-way needed on RM 2338. (P31, Part 1).**

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 Dwight and Arlethia Benford for right-of-way needed on RM 2338. (P31, Part 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

30. **Consider authorizing the County Judge to execute a real estate contract with Dwight and Arlethia Benford for right of way needed on RM 2338. (P31, Part 2).**

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 Dwight and Arlethia Benford for right of way needed on RM 2338. (P31, Part 2)***

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 authorizing the County Judge to execute a real estate contract with Dwight and Arlethia Benford for right of way needed on RM 2338. (P31, Part 3).**

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 Dwight and Arlethia Benford for right of way needed on RM 2338. (P31, Part 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

COMMISSIONERS' COURT ADJOURNED TO EXECUTIVE SESSION AT 10:10 A.M. ON TUESDAY, NOVEMBER 3, 2009.

32. Discuss real estate matters (EXECUTIVE SESSION as per VTCA Govt. Code sec. 551.0721 Deliberation Regarding Real Estate Property if deliberation in an open meeting would have a detrimental effect on the position of the governmental body in negotiations with 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 to 1000 feet north of SH 29.

b) Discuss proposed acquisition of property for right-of-way for RM 2338 project from 0.3 miles north of proposed Ronald W. Reagan Blvd. to FM 3405.

c) Discuss proposed acquisition of property for right-of-way for SH 195 project from 0.805 miles south Bell County line to IH 35.

d) Discuss proposed acquisition of property for right-of-way for SH 29.

No action was taken in Executive Session.

COMMISSIONERS' COURT RECONVENED FROM EXECUTIVE SESSION AT 10:34 A.M. ON TUESDAY, NOVEMBER 3, 2009.

33. Discuss and take appropriate action on real estate.

No action was taken.

34. Comments from Commissioners.

Commissioner Birkman thanked everyone for attending the County Update meeting at Brushy Creek Community Center; there was a standing room only crowd. She wished her parents a happy 54th Wedding Anniversary.

COMMISSIONERS' COURT ADJOURNED AT 10:35 A.M. ON TUESDAY, NOVEMBER 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 November, 2009.



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

By: Connie Singleton, Deputy