

**MINUTES OF THE WILLIAMSON COUNTY COMMISSIONERS' COURT
MEETING
JANUARY 19, 2010**

STATE OF TEXAS)(

COUNTY OF WILLIAMSON)(

BE IT REMEMBERED that at 9:39 A.M. on TUESDAY, JANUARY 19, 2010, 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 2 Cynthia Long
Second By: Commissioner Precinct 3 Valerie Covey ***Motion: To approve minutes of last Tuesday's meetings.***

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.

Motion By: Commissioner Precinct 4 Ron Morrison
Second By: Commissioner Precinct 2 Cynthia Long ***Motion: To note in the minutes off right-of-way work:
Precinct #4: Larry Leschber property on CR 199 - Drainage work - building a concrete retaining wall for proper drainage of water.***

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.

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

Motion By: Commissioner Precinct 4 Ron Morrison

Second By: Commissioner Precinct 2 Cynthia Long ***Motion: To authorize the payment of bills totaling \$12,036,710.06 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.**

There were no citizens comments.

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 Facilities.**

Motion By: Commissioner Precinct 3 Valerie Covey

Second By: Commissioner Precinct 1 Lisa Birkman

Motion: To approve a line item transfer for Facilities:

From	0100-0409-005000	Non Dept/Capital Outlay>\$5000	\$82,000.00	
To	0100-0509-004510	Facilities/Facility Maint/Repairs	\$82,000.00	

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

6. **Discuss and consider approving a line item transfer for the Infrastructure department.**

Motion By: Commissioner Precinct 3 Valerie Covey

Second By: Commissioner Precinct 1 Lisa Birkman

Motion: To approve a line item transfer for the Infrastructure department:

From	0100-0409-005000	Non Dept/Capital Outlay>\$5000	\$140,660.15	
To	0100-0215-001100	Infrastructure/Full-time Salary	\$111,991.76	
To	0100-0215-002010	Infrastructure/FICA	\$8,567.55	
To	0100-0215-002020	Infrastructure/Retirement	\$12,767.64	
To	0100-0215-002030	Infrastructure/Insurance	\$7,033.20	
To	0100-0215-002050	Infrastructure/Workers Comp	\$300.00	

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 a line item transfer for the Elections department.

Motion By: Commissioner Precinct 3 Valerie Covey

Second By: Commissioner Precinct 1 Lisa Birkman

Motion: To approve a line item transfer for the Elections department:

From	0100-0492-004251	Election Supplies	\$2,000.00	
To	0100-0492-004541	Vehicle Repairs & Maint	\$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

8. Discuss and consider approving a line item transfer for Arbitrage services.

Motion By: Commissioner Precinct 3 Valerie Covey

Second By: Commissioner Precinct 1 Lisa Birkman

Motion: To approve a line item transfer for Arbitrage services:

From	0600-0600-006626	'09 Ltd Park Bonds - Int	\$300.00	
To	0600-0600-003309	Arbitrage Payment	\$300.00	

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. Consider and take appropriate action on authorizing the transfer of various items including two vehicles through inter-office transfer 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 various items including two vehicles through inter-office transfer 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 approving the Investment Report for November and December 2009 which was approved by the Investment Committee on January 11, 2010.**

Motion By: Commissioner Precinct 3 Valerie Covey

Second By: Commissioner Precinct 1 Lisa Birkman ***Motion: To approve the Investment Report for November and December 2009 which was approved by the Investment Committee on January 11, 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

11. **Acknowledge and enter into the official minutes of the Commissioners' Court that David U. Flores, County Auditor, 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.**

Motion By: Commissioner Precinct 3 Valerie Covey

Second By: Commissioner Precinct 1 Lisa Birkman ***Motion: To acknowledge and enter into the official minutes of the Commissioners' Court that David U. Flores, County Auditor, 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

12. **Acknowledge and enter into the official minutes of the Commissioners' Court that Dan Gattis, County Judge, 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.**

Motion By: Commissioner Precinct 3 Valerie Covey

Second By: Commissioner Precinct 1 Lisa Birkman ***Motion: To acknowledge and enter into the official minutes of the Commissioners' Court that Dan Gattis, County Judge, 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

13. **Discuss and take action on the re-appointments of Steffan Gerlica, Ashley Reeves and Bill Gravel to the board of ESD #5 for a two year term beginning January 1, 2010.**

Motion By: Commissioner Precinct 3 Valerie Covey

Second By: Commissioner Precinct 1 Lisa Birkman ***Motion: To approve the re-appointments of Steffan Gerlica, Ashley Reeves and Bill Gravell to the board of ESD #5 for a two year term beginning January 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

14. **Discuss and take action on the re-appointments of Harold Jackson, Steele Zinser and Tina Geiselbrecht to the board of ESD #7 for a two year term beginning January 1, 2010.**

Motion By: Commissioner Precinct 3 Valerie Covey

Second By: Commissioner Precinct 1 Lisa Birkman ***Motion: To approve the re-appointments of Harold Jackson, Steele Zinser and Tina Geiselbrecht to the board of ESD #7 for a two year term beginning January 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

15. **Discuss and consider preliminary plat approval for Teravista Section 6, Pct. #1.**

Motion By: Commissioner Precinct 3 Valerie Covey

Second By: Commissioner Precinct 1 Lisa Birkman ***Motion: To approve the preliminary plat for Teravista Section 6, Pct. #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

REGULAR AGENDA

16. **Hear the January 2010 Construction Summary Report for Road Bond and Pass Through Financing projects.**

Senior Director of Infrastructure Bob Daigh addressed the Court.

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

Senior Director of Infrastructure Bob Daigh addressed the Court.

No action was taken.

18. **Consider authorizing the County Judge to execute a real estate contract with Wayhart Ltd. Partnership for right-of-way needed on SH 29. (P14)**

Motion By: Commissioner Precinct 2 Cynthia Long

Second By: Commissioner Precinct 4 Ron Morrison ***Motion: To authorize the County Judge to execute a real estate contract with Wayhart Ltd. Partnership for right-of-way needed on SH 29. (P14)***

Aye: County Judge Dan A. Gattis

Commissioner Precinct 2 Cynthia Long

Commissioner Precinct 3 Valerie Covey

Commissioner Precinct 4 Ron Morrison

Nay: Commissioner Precinct 1 Lisa Birkman

19. Consider authorizing the County Judge to execute a real estate contract with Manor Business Center for right-of-way needed on US 183. (P8)

Motion By: Commissioner Precinct 2 Cynthia Long

Second By: Commissioner Precinct 4 Ron Morrison ***Motion: To authorize the County Judge to execute a real estate contract with Manor Business Center for right-of-way needed on US 183. (P8)***

Aye: County Judge Dan A. Gattis

Commissioner Precinct 2 Cynthia Long

Commissioner Precinct 3 Valerie Covey

Commissioner Precinct 4 Ron Morrison

Nay: Commissioner Precinct 1 Lisa Birkman

20. Discuss and consider approving Brown & Gay Engineers, Inc. Professional Service Agreement (PSA) for on-call engineering services on the 2006 Road Bond Program.

Senior Director of Infrastructure Bob Daigh addressed the Court.

Motion By: Commissioner Precinct 1 Lisa Birkman

Second By: Commissioner Precinct 3 Valerie Covey ***Motion: To approve Brown & Gay Engineers, Inc. Professional Service Agreement (PSA) for on-call engineering services on the 2006 Road Bond 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

21. 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.

22. Consider modifying the previously approved lease extension agreement for the office of Commissioner Precinct #1.

Motion By: Commissioner Precinct 1 Lisa Birkman

Second By: Commissioner Precinct 3 Valerie Covey ***Motion: To approve modifying the previously approved lease extension agreement for the office of Commissioner 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

23. Discuss and take appropriate action on renewing the lease of cattle-grazing land located east of Jonah to Waterstone Ranch Management.

Senior Director of Parks & Recreation Jim Rodgers addressed the Court.

Motion By: Commissioner Precinct 4 Ron Morrison

Second By: Commissioner Precinct 1 Lisa Birkman ***Motion: To approve renewing the lease of cattle-grazing land located east of Jonah to Waterstone Ranch Management.***

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 upcoming deployment of the Aviation Brigade.

25. Discuss and take action on the Household Collection event that was held by Waste Management on October 10, 2009 at the Unified Road System.

Motion By: Commissioner Precinct 4 Ron Morrison

Second By: Commissioner Precinct 1 Lisa Birkman ***Motion: To approve payment of the County's portion of the bill for this event in the amount of \$22,981.96.***

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 adopting Freeport Tax Exemption.

The following addressed the Court:
Controller for TECO-Westinghouse Yoichi Sato
Burt Cullum of Acoustical Resources, Inc.

Motion By: Commissioner Precinct 2 Cynthia Long

Second By: Commissioner Precinct 4 Ron Morrison ***Motion: To authorize the County Judge to execute agreements and approve the adoption of the Freeport Tax Exemption.***

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. **Discuss and take appropriate action to approve the Radio Equipment Transfer of Title document between Williamson County and the City of Cedar Park for the IP console equipment acquired through a Community Oriented Policing Services (COPS) funded Interoperable Communications Technology Program grant awarded on September 2, 2005 to the City of Austin.**

First Assistant County Auditor Julie Kiley addressed the Court.

Motion By: Commissioner Precinct 2 Cynthia Long

Second By: Commissioner Precinct 4 Ron Morrison ***Motion: To approve the Radio Equipment Transfer of Title document between Williamson County and the City of Cedar Park for the IP console equipment acquired through a Community Oriented Policing Services (COPS) funded Interoperable Communications Technology Program grant awarded on September 2, 2005 to the City of Austin.***

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 re-awarding existing contract for backup generator maintenance to Allegiance Power Systems, Inc. for contract period beginning March 10, 2010 through March 09, 2011.**

Purchasing Director Bob Space and Maintenance Supervisor Joe Latteo addressed the Court.

Motion By: Commissioner Precinct 2 Cynthia Long

Second By: Commissioner Precinct 3 Valerie Covey ***Motion: To approve re-awarding existing contract for backup generator maintenance to Allegiance Power Systems, Inc. for contract period beginning March 10, 2010 through March 09, 2011.***

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 designating various companies as Sole Source Provider for software maintenance and support. (complete list attached)**

Purchasing Director Bob Space addressed the Court.

Motion By: Commissioner Precinct 2 Cynthia Long

Second By: Commissioner Precinct 4 Ron Morrison ***Motion: To designate the various companies as Sole Source Provider for software maintenance and support from the attached list of vendors.***

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 awarding proposals received to lease approximately 162.7 acres of agricultural land near Hutto, Proposal # 10WCP903 to the overall best proposal meeting specifications - John W. Noren.

Motion By: Commissioner Precinct 1 Lisa Birkman

Second By: Commissioner Precinct 4 Ron Morrison *Motion: To approve awarding a lease of approximately 162.7 acres of agricultural land near Hutto to John W. Noren.*

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 proposals received to lease approximately 212 acres of agricultural land near Hutto, Proposal #10WCP902 to the overall best proposal meeting specifications - Jerry W. Roznovak.

Motion By: Commissioner Precinct 1 Lisa Birkman

Second By: Commissioner Precinct 4 Ron Morrison *Motion: To approve a lease of approximately 212 acres of agricultural land near Hutto to Jerry W. Roznovak.*

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 ROAD DISTRICT MEETING AT 10:20 A.M. ON TUESDAY, JANUARY 19, 2010.

COMMISSIONERS' COURT RECONVENED FROM ROAD DISTRICT MEETING AT 10:21 A.M. ON TUESDAY JANUARY 19, 2010.

COMMISSIONERS' COURT ADJOURNED TO EXECUTIVE SESSION AT 10:21 A.M. ON TUESDAY, JANUARY 19, 2010.

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 of lease of property by the County:

a) Discuss proposed acquisition of property for right-of-way for RM 2338 Phase II.

b) Discuss proposed acquisition of property for right-of-way for SH 195 0.805 south of Bell County Line to IH 35.

c) Discuss proposed acquisition of property for right-of-way for US 183 Extension from 1,000 feet south of San Gabriel to 1,000 feet north of SH 29.

- d) Discuss proposed acquisition of property for right-of-way for CR 104 project.
- e) Discuss proposed acquisition of property for right-of-way for O'Connor Boulevard and 620 project.
- f) Discuss proposed acquisition of property for right-of-way for Ronald Reagan Blvd. Phase III and Phase IV.
- g) Discuss proposed acquisition of property for proposed SH 29 project.

No action was taken in Executive Session.

33. 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.)

Litigation or claims or potential litigation or claims against the County or by the County, legal aspects of contracts and other confidential attorney-client legal matters

(discussion and possible action)

- Employment matter

No action was taken in Executive Session.

COMMISSIONERS' COURT RECONVENED FROM EXECUTIVE SESSION AT 11:31 A.M. ON TUESDAY, JANUARY 19, 2010.

34. Discuss and take appropriate action on real estate.

No action was taken.

35. Discuss and take appropriate action on pending or contemplated litigation, settlement matters and other confidential attorney-client legal matters.

No action was taken.

36. Comments from Commissioners.

Judge Gattis recognized the Leadership Class from Round Rock.

Commissioner Covey announced that the traffic light on Woodlake at Ford Elementary School in Georgetown will be off between 9:00 A.M. and 4:00 P.M. today to move the light back. She noted that anyone who would like to be on the mailing list for these kind of notifications should contact her office.

COMMISSIONERS' COURT ADJOURNED AT 11:43 A.M. ON TUESDAY, JANUARY 19, 2010.

THE FOREGOING MINUTES had at a Regular Session of Commissioners' Court of Williamson County, Texas, having been read are hereby approved this 26th day of January, 2010.



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

By: Connie Singleton, Deputy