

MINUTES OF THE WILLIAMSON COUNTY COMMISSIONERS' COURT MEETING FEBRUARY 9, 2010

STATE OF TEXAS)(

COUNTY OF WILLIAMSON)(

BE IT REMEMBERED that at 9:45 A.M. on TUESDAY, FEBRUARY 9, 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 4 Ron Morrison

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.

Senior 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 Utility Request for Precinct #3:***

Schroeder Construction Company, Ltd. - Placement of a 2" service line at 325 Parkside Parkway, will be cutting the existing sidewalk in the right of way.

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 3 Valerie Covey ***Motion: To authorize the payment of bills totaling \$3,704,810.43 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 citizen 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 - 11)

5. **Consider and take appropriate action regarding authorizing 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	0100-0509-003011	Computer Software <\$5000	\$1,078.38	
To	0100-0509-003010	Computer Equipment <\$5000	\$1,078.38	

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 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	0100-0492-004210	Internet/Email Svc	\$2,500.00	
To	0100-0492-004209	Cellular Phone/Pager	\$2,500.00	

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 property tax collections for the month of December 2009 for the Williamson County Tax Assessor/Collector.

Motion By: Commissioner Precinct 3 Valerie Covey

Second By: Commissioner Precinct 1 Lisa Birkman ***Motion: To approve property tax collections for the month of December 2009 for the Williamson County Tax Assessor/Collector.***

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 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 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

9. Consider approving donation to Victim Assistance from Williamson Central Appraisal District employees (donation) in the amount of \$100.

Motion By: Commissioner Precinct 3 Valerie Covey

Second By: Commissioner Precinct 1 Lisa Birkman ***Motion: To approve donation to Victim Assistance from Williamson Central Appraisal District employees (donation) in the amount of \$100.***

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. Discuss and consider approving a cash deposit of \$100 to be held in a new checking account to administer recording fees due the County by the IRS to record tax lien notices.

Motion By: Commissioner Precinct 3 Valerie Covey

Second By: Commissioner Precinct 1 Lisa Birkman ***Motion: To approve a cash deposit of \$100 to be held in a new checking account to administer recording fees due the County by the IRS to record tax lien notices.***

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 for Randall Subdivision, Pct. #4.

Motion By: Commissioner Precinct 3 Valerie Covey

Second By: Commissioner Precinct 1 Lisa Birkman ***Motion: To approve preliminary plat for Randall Subdivision, Pct. #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

REGULAR AGENDA

12. Hear and take appropriate action on a resolution honoring Charles Montgomery of the Florence Volunteer Fire Department.

Charles Montgomery of Florence addressed the Court.

Motion By: Commissioner Precinct 3 Valerie Covey

Second By: Commissioner Precinct 2 Cynthia Long ***Motion: To approve a resolution honoring Charles Montgomery of the Florence Volunteer Fire 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

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

No action was taken.

14. Discuss and consider approving Dannenbaum Engineering Co. Supplemental #3 to US 183 (Riva Ridge Dr. to SH 29) pass through program Professional Service Agreement (PSA) to allow for the execution of Work Authorization #5 for construction phase services.

Senior Director of Infrastructure Bob Daigh addressed the Court.

Motion By: Commissioner Precinct 2 Cynthia Long

Second By: Commissioner Precinct 4 Ron Morrison ***Motion: To approve Dannenbaum Engineering Co. Supplemental #3 to US 183 (Riva Ridge Dr. to SH 29) pass through program Professional Service Agreement (PSA) to allow for the execution of Work Authorization #5 for construction phase services.***

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 approving Jacobs Carter Burgess Supplemental #6 to their US 79, sect. 5A pass through program Professional Service Agreement (PSA) to allow for the execution of Supplemental #1 to Work Authorization #5 construction phase services.**

Senior Director of Infrastructure Bob Daigh addressed the Court.

Motion By: Commissioner Precinct 4 Ron Morrison

Second By: Commissioner Precinct 2 Cynthia Long ***Motion: To approve Jacobs Carter Burgess Supplemental #6 to their US 79, sect. 5A pass through program Professional Service Agreement (PSA) to allow for the execution of Supplemental #1 to Work Authorization #5 construction phase services.***

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 Possession and Use agreement with Donald P. Mcevoy, trustee of the Helen Brown Mcevoy Family Trust, Todd Bennette Brown and Mary Lou Brown regarding right-of-way on SH 195. (P4-11)**

Motion By: Commissioner Precinct 2 Cynthia Long

Second By: Commissioner Precinct 3 Valerie Covey ***Motion: To authorize the County Judge to execute a Possession and Use agreement with Donald P. Mcevoy, trustee of the Helen Brown Mcevoy Family Trust, Todd Bennette Brown and Mary Lou Brown regarding right-of-way on SH 195. (P4-11)***

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 the Presbyterian Church for right-of-way needed on CR 104. (P1)**

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 the Presbyterian Church for right-of-way needed on CR 104. (P1)***

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 Possession and Use agreement with Mark Mason regarding right-of-way on US 183. (P21)**

Motion By: Commissioner Precinct 2 Cynthia Long

Second By: Commissioner Precinct 3 Valerie Covey ***Motion: To authorize the County Judge to execute a Possession and Use agreement with Mark Mason regarding right-of-way on US 183. (P21)***

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 the County Judge to execute a post closing agreement with Manor Business Center, Ltd. regarding right-of-way on US 183. (P8)**

Attorney Charlie Crossfield addressed the Court.

Motion By: Commissioner Precinct 2 Cynthia Long

Second By: Commissioner Precinct 1 Lisa Birkman ***Motion: To authorize the County Judge to execute a post closing agreement with Manor Business Center, Ltd. regarding right-of-way on US 183. (P8)***

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 a closing agreement with Somerset Hills, Ltd. regarding right-of-way on Parmer. (P13)**

Motion By: Commissioner Precinct 2 Cynthia Long

Second By: Commissioner Precinct 3 Valerie Covey ***Motion: To authorize the County Judge to execute a closing agreement with Somerset Hills, Ltd. regarding right-of-way on Parmer. (P13)***

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 and take appropriate action regarding the procurement of a consultant to assist in performing a County facilities needs assessment.**

Senior Director of Infrastructure Bob Daigh addressed the Court.

Motion By: County Judge Dan A. Gattis

Second By: Commissioner Precinct 3 Valerie Covey ***Motion: To instruct Senior Director of Infrastructure Bob Daigh to coordinate a study using facility and other available staff to determine the needs assessment, the number of employees and estimated growth, and report back 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

22. Receive landfill oversight update and take appropriate action regarding over-site contract.

Senior Director of Infrastructure Bob Daigh addressed the Court.

No action was taken.

23. 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.

24. Discuss and take appropriate action regarding proposed revisions to the courthouse rental policy.

Director of the Williamson County Historical Museum Chris Dyer addressed the Court.

Motion By: Commissioner Precinct 1 Lisa Birkman

Second By: Commissioner Precinct 3 Valerie Covey ***Motion: To approve the proposed revisions to the courthouse rental 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

25. Consider authorizing advertising and setting date of March 2, 2010 at 2:00 P.M. in the Purchasing Department to receive qualifications for psychiatric medical services for the Williamson County Jail, RFQ # 10WCRFQ1003.

Purchasing Director Bob Space and Chief Tony Marshall of the Sheriff's Office addressed the Court.

Motion By: Commissioner Precinct 1 Lisa Birkman

Second By: Commissioner Precinct 2 Cynthia Long ***Motion: To authorize advertising and set date of March 2, 2010 at 2:00 P.M. in the Purchasing Department to receive qualifications for psychiatric medical services for the Williamson County Jail, RFQ # 10WCRFQ1003.***

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. Consider authorizing advertising and setting date of March 02, 2010 at 2:00 P.M. in the Purchasing Department to receive bids for the following URS contracts: asphalt mixes, asphalt cement, cut back asphalt and asphalt emulsions.

Motion By: Commissioner Precinct 1 Lisa Birkman

Second By: Commissioner Precinct 2 Cynthia Long ***Motion: To authorize advertising and set a date of March 02, 2010 at 2:00 P.M. in the Purchasing Department to receive bids for the following URS contracts: asphalt mixes, asphalt cement, cut back asphalt and asphalt emulsions.***

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. Consider an order declaring an emergency and a grave necessity due to unforeseeable circumstances and approve a budget amendment for Victim's Assistance donations.

Motion By: Commissioner Precinct 1 Lisa Birkman

Second By: Commissioner Precinct 2 Cynthia Long

Motion: To approve an order declaring an emergency and a grave necessity due to unforeseeable circumstances and approve a budget amendment for Victim's Assistance donations:

From/To	Acct No.	Description	Amount	
	0100-0000-367400	Donations	\$100.00	

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

28. Consider an order declaring an emergency and a grave necessity due to unforeseeable circumstances and approve a budget amendment for the use of Victim's Assistance donations.

Motion By: Commissioner Precinct 1 Lisa Birkman

Second By: Commissioner Precinct 2 Cynthia Long

Motion: To approve an order declaring an emergency and a grave necessity due to unforeseeable circumstances and approve a budget amendment for the use of Victim's Assistance donations:

From/To	Acct No.	Description	Amount	
	0100-0560-003671	Victim's Asst. Donations	\$100.00	

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

29. Consider an order declaring an emergency and a grave necessity due to unforeseeable circumstances and approve a budget amendment for Park Donations.

Motion By: Commissioner Precinct 1 Lisa Birkman

Second By: Commissioner Precinct 2 Cynthia Long

Motion: To approve an order declaring an emergency and a grave necessity due to unforeseeable circumstances and approve a budget amendment for Park Donations:

From/To	Acct No.	Description	Amount	

	0100-0000-367403	Park Donations	\$890.74
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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 an order declaring an emergency and a grave necessity due to unforeseeable circumstances and approve a budget amendment to acknowledge use of Park Donations.

Motion By: Commissioner Precinct 1 Lisa Birkman

Second By: Commissioner Precinct 2 Cynthia Long

Motion: To approve an order declaring an emergency and a grave necessity due to unforeseeable circumstances and approve a budget amendment to acknowledge use of Park Donations:

From/To	Acct No.	Description	Amount
	0100-0510-003670	Use of Donations	\$890.74

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 an order declaring an emergency and a grave necessity due to unforeseeable circumstances and approve a budget amendment to acknowledge additional revenues from the Texas Municipal Police Association (TMPA) Incentive Award for the Impaired Driver Mobilization Program. Commissioners' Court accepted the award on February 2nd, 2010.

First Assistant County Auditor Julie Kiley addressed the Court.

Motion By: Commissioner Precinct 1 Lisa Birkman

Second By: Commissioner Precinct 2 Cynthia Long

Motion: To approve an order declaring an emergency and a grave necessity due to unforeseeable circumstances and approve a budget amendment to acknowledge additional revenues from the Texas Municipal Police Association (TMPA) Incentive Award for the Impaired Driver Mobilization Program:

From/To	Acct No.	Description	Amount
	0100-0000-333220	Payments From Other Entities	\$4,000.00

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

32. Consider an order declaring an emergency and a grave necessity due to unforeseeable circumstances and approve a budget amendment for the use of the Texas Municipal Police Association (TMPA) Incentive Award for the Impaired Driver Mobilization Program approved in Commissioners' Court on February 2, 2010.

Motion By: Commissioner Precinct 1 Lisa Birkman

Second By: Commissioner Precinct 2 Cynthia Long

Motion: To approve an order declaring an emergency and a grave necessity due to unforeseeable circumstances and approve a budget amendment for the use of the Texas Municipal Police Association (TMPA) Incentive Award for the Impaired Driver Mobilization Program approved in Commissioners' Court on February 2, 2010:

From/To	Acct No.	Description	Amount	
	0100-0554-005700	Vehicles > \$5,000	\$4,000.00	

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

COMMISSIONERS' COURT RECESSED TO EXECUTIVE SESSION AT 10:27 A.M. ON TUESDAY, FEBRUARY 9, 2010.

33. 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.

h) Discuss proposed acquisition of property for right-of-way on Haybarn Lane.

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 11:54 A.M. ON
TUESDAY, FEBRUARY 9, 2010.**

35. Discuss and take appropriate action on real estate.

No action was taken.

36. Discuss and take appropriate action on personnel.

No action was taken.

37. Comments from Commissioners.

Judge Gattis recognized that 26th District Judge Billy Ray Stubblefield was appointed as presiding judge of the Third Administrative Judicial Region.

**COMMISSIONERS' COURT ADJOURNED AT 11:55 A.M. ON TUESDAY,
FEBRUARY 9, 2010.**

THE FOREGOING MINUTES had at a Regular Session of Commissioners' Court of Williamson County, Texas, having been read are hereby approved this 16th day of February, 2010.



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

By: Connie Singleton, Deputy