

**MINUTES OF THE WILLIAMSON COUNTY COMMISSIONERS' COURT  
MEETING  
SEPTEMBER 21, 2010**

STATE OF TEXAS )(

COUNTY OF WILLIAMSON )(

**BE IT REMEMBERED** that at 9:41 A.M. on TUESDAY, SEPTEMBER 21, 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: Hal Hawes, Assistant County Attorney  
Connie Singleton, Deputy County Clerk

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

Motion By: Commissioner Precinct 4 Ron Morrison

Second By: Commissioner Precinct 2 Cynthia Long ***Motion: To approve the minutes from 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.

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.**

Accounts Payable/Payroll Manager Donna Baker addressed the Court.

**Commissioner Birkman** abstained in regards to payment of an invoice for San Gabriel Parkway.  
(Conflict of Interest Affidavit attached)

Motion By: Commissioner Precinct 3 Valerie Covey

Second By: Commissioner Precinct 4 Ron Morrison **Motion: To authorize the payment of bills totaling \$2,245,924.38 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:

Executive Director for Clean Air Force of Central Texas Deanna Altenhoff

Greg Windham of Georgetown

Jim Dillon of Liberty Hill

**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 SO.**

Motion By: Commissioner Precinct 4 Ron Morrison

Second By: Commissioner Precinct 1 Lisa Birkman

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

From	0100-0560-005700	Vehicles>\$5000	\$16,779.60	
To	0100-0560-004541	Vehicle Repairs/Maintenance	\$16,779.60	

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 Ag Ext Office.**

Motion By: Commissioner Precinct 4 Ron Morrison

Second By: Commissioner Precinct 1 Lisa Birkman

**Motion: To approve a line item transfer for the Agricultural Extension Office:**

From	0100-0665-004621	Ext Office/Copier Rental Supplies	\$200.00	
To	0100-0665-003301	Ext Off/Gasoline, Oil	\$200.00	
From	0100-0665-004621	Ext Off/Copier Rental Supplies	\$300.00	
To	0100-0665-003100	Ext Off/Office Supplies	\$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. Discuss and consider a line item transfer for Commissioner Precinct #2.**

Motion By: Commissioner Precinct 4 Ron Morrison

Second By: Commissioner Precinct 1 Lisa Birkman

***Motion: To approve a line item transfer for Commissioner Precinct #2:***

From	0100-0212-004999	Miscellaneous	\$500.00	
From	0100-0212-003115	Computer Supplies	\$117.66	
To	0100-0212-003010	Computer Equipment < \$5000	\$617.66	

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 the County Attorney's Office.**

Motion By: Commissioner Precinct 4 Ron Morrison

Second By: Commissioner Precinct 1 Lisa Birkman

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

To	0100-0475-004231	Travel	\$750.00	
From	0100-0475-004932	Trial Expenses	\$750.00	

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 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 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 appointing Matthew Kirke Phillips to ESD Board #2 to serve the unexpired term of Brenda Kaiser through 12/31/10, and to reappoint him to serve a two year term beginning 1/1/11.**

Motion By: Commissioner Precinct 4 Ron Morrison

Second By: Commissioner Precinct 1 Lisa Birkman ***Motion: To appoint Matthew Kirke Phillips to Emergency Services District Board #2 to serve the unexpired term of Brenda Kaiser through 12/31/10, and reappoint him to serve a two year term beginning 1/1/11.***

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

11. **Discuss and take appropriate action regarding an order declaring, continuing/renewing or terminating a local state of disaster (Disaster Declaration) for Williamson County in regards to recent flooding. (in accordance with Texas Government Code 418.108)**

Motion By: Commissioner Precinct 1 Lisa Birkman

Second By: Commissioner Precinct 3 Valerie Covey ***Motion: To approve an order continuing/renewing for 2 more weeks a local state of disaster (Disaster Declaration) for Williamson County (in accordance with Texas Government Code 418.108) in regards to recent flooding.***

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 presentation from Dan Wegmiller of Specialized Public Finance and David Flores, County Auditor, in regards to possible refunding opportunity for the County Debt Program.**

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

Senior Director of Infrastructure Bob Daigh addressed the Court.

No action was taken.

14. **Consider approving Change Order No. 11 in the amount of \$36,608.76 for US 79 Section 5B, a Pass Through project in Precinct #4.**

Senior Director of Infrastructure Bob Daigh addressed the Court.

Motion By: Commissioner Precinct 1 Lisa Birkman

Second By: Commissioner Precinct 2 Cynthia Long ***Motion: To approve Change Order No. 11 in the amount of \$36,608.76 for US 79 Section 5B, a Pass Through project in Precinct #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

15. **Discuss and take appropriate action on Change Order No. 11 in the amount of \$36,608.76 for US 79 Section 5B, a Pass Through project in Precinct #4.**

Motion By: Commissioner Precinct 1 Lisa Birkman

Second By: Commissioner Precinct 2 Cynthia Long ***Motion: To approve Texas Department of Transportation (TxDOT) Advance Funding Agreement for Williamson County 1566-01-012 for the construction of intersection improvements on FM 1660 at CR 128 (Landfill Road).***

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. **Discuss and take appropriate action on resolution for TxDOT Advance Funding Agreement Williamson County 1566-01-012 for the construction of intersection improvements on FM 1660 at CR 128 (Landfill Road).**

Motion By: Commissioner Precinct 1 Lisa Birkman

Second By: Commissioner Precinct 2 Cynthia Long ***Motion: To approve a resolution for Texas Department of Transportation (TxDOT) Advance Funding Agreement with Williamson County 1566-01-012 for the construction of intersection improvements on FM 1660 at CR 128 (Landfill Road).***

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 CCIM I Partnership for right-of-way needed on SH 195. (P121)**

Motion By: Commissioner Precinct 1 Lisa Birkman

Second By: Commissioner Precinct 2 Cynthia Long ***Motion: To authorize the County Judge to execute a real estate contract with (Certified Commercial Investment Member) CCIM I Partnership for right-of-way needed on SH 195. (P121)***

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 James Newton Adkins, Jr., Brian Howard Adkins and David Joe Adkins for right-of-way needed on SH 195. (P112A)**

Motion By: Commissioner Precinct 1 Lisa Birkman

Second By: Commissioner Precinct 2 Cynthia Long ***Motion: To authorize the County Judge to execute a real estate contract with James Newton Adkins, Jr., Brian Howard Adkins and David Joe Adkins for right-of-way needed on SH 195. (P112A)***

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. Review and take appropriate action on amendment procedures to the pre-qualified engineers list.**

The following addressed the Court:  
Senior Director of Infrastructure Bob Daigh  
Purchasing Director Bob Space

No action was taken.

**20. Discuss and take appropriate action regarding improvements to the Central Maintenance Facility to facilitate the reorganization of Road & Bridge.**

Senior Director of Infrastructure Bob Daigh and Budget Officer Ashlie Koenig addressed the Court.

Motion By: County Judge Dan A. Gattis

Second By: Commissioner Precinct 1 Lisa Birkman ***Motion: To approve improvements to the Central Maintenance Facility to facilitate the reorganization of Road & Bridge.***

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 approving a resolution for Texans Feeding Texans Grant.**

Motion By: Commissioner Precinct 2 Cynthia Long

Second By: Commissioner Precinct 1 Lisa Birkman ***Motion: To approve a resolution for Texans Feeding Texans Grant.***

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 and take appropriate action regarding hiring of outside counsel.**

This item moved to Executive Session.

No action was taken.

**23. Discuss and take appropriate action regarding Letter of Agreement with Bickerstaff Heath Delgado Acosta LLP.**

Motion By: County Judge Dan A. Gattis

Second By: Commissioner Precinct 2 Cynthia Long ***Motion: To approve a Letter of Agreement with Bickerstaff Heath Delgado Acosta LLP.***

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 10:36 A.M. AND RECONVENED AT 11:55 A.M. ON TUESDAY,  
SEPTEMBER 21, 2010.**

**24. Discuss and take appropriate action regarding 2010-2011 Budget Order.**

Motion By: Commissioner Precinct 1 Lisa Birkman

Second By: Commissioner Precinct 2 Cynthia Long ***Motion: To approve the 2010-2011 Budget Order as revised.***

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 appropriate action regarding performance evaluation of Department Heads/Personnel who serve under the Commissioners' Court.**

This item was moved to Executive Session.

Motion By: Commissioner Precinct 1 Lisa Birkman

Second By: Commissioner Precinct 3 Valerie Covey ***Motion: To delegate the County Judge to conduct the personnel evaluation and reviews for the Directors of the following: Emergency Services, Technology Services, Infrastructure Services, Parks & Recreation, Human Resources, Purchasing Agent and the Budget Officer. Furthermore, to delegate to the Elections Commission the personnel evaluation of the Elections Administrator and delegate the Animal Shelter Director's evaluation to Judge Gattis and Commissioner Covey (who serves on the Board of the Animal Shelter).***

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 accepting donation of a portrait painting of Commissioner Harrell to be hung in the Harrell Room at the J.B. & Hallie Jester, Williamson County Annex in Round Rock, TX.**

Mary Clark, Executive Assistant to the Commissioner Precinct 1 addressed the Court.

Motion By: Commissioner Precinct 1 Lisa Birkman

Second By: Commissioner Precinct 3 Valerie Covey ***Motion: To approve accepting donation of a portrait painting of Commissioner Harrell to be hung in the Harrell Room at the J.B. & Hallie Jester, Williamson County Annex in Round Rock.***

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 authorizing, advertising and setting date of October 20, 2010 at 10:00 A.M. in the Purchasing Department to receive bids for Chandler Road Phase IIIA, bid number 10WC822.**

Motion By: Commissioner Precinct 1 Lisa Birkman

Second By: Commissioner Precinct 4 Ron Morrison ***Motion: To authorize advertising and set date of October 20, 2010 at 10:00 A.M. in the Purchasing Department to receive bids for Chandler Road Phase IIIA, bid number 10WC822.***

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 Janitorial Services to the lowest and best bid with overall criteria considered - Villeda Building Service, LLC.**

The following addressed the Court:

Purchasing Director Bob Space

Alia Villeda from Villeda Building Service

Senior Director of Infrastructure Bob Daigh

Motion By: Commissioner Precinct 2 Cynthia Long

Second By: Commissioner Precinct 1 Lisa Birkman ***Motion: To award the Janitorial Services contract to Villeda Building Service, LLC.***

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. **To discuss and approve changes to the minutes from the August 31st meeting regarding agenda item #26 budget amendments.**

Motion By: County Judge Dan A. Gattis

Second By: Commissioner Precinct 2 Cynthia Long ***Motion: To amend the minutes of August 31, 2010 to clarify the motion to amend the budget on Item #26 to read "Judge Gattis moved to reduce the General Fund budget for FY 2010-2011 recommendations by \$41,334."***

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. **To discuss and take appropriate action on the revision of Section 3.10 and 3.11 of the Subdivision Regulations.**

County Clerk Nancy Rister addressed the Court.

Motion By: Commissioner Precinct 2 Cynthia Long



Second By: Commissioner Precinct 1 Lisa Birkman ***Motion: To approve the revision of Section 3.5 (changed from 3.10) and 3.6 (changed from 3.11) of the Subdivision Regulations.***

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 ROAD DISTRICT MEETING AT 12:14 P.M. AND RECONVENED AT 12:16 P.M.**

**COMMISSIONERS' COURT RECESSED TO EXECUTIVE SESSION AT 12:16 P.M. ON TUESDAY, SEPTEMBER 21, 2010.**

31. Discuss real estate matters (EXECUTIVE SESSION as per VTCA Govt. Code sec. 551.072 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 a third person.)

No action was taken in Executive Session.

**COMMISSIONERS' COURT RECONVENED FROM EXECUTIVE SESSION AT 1:05 P.M. ON TUESDAY, SEPTEMBER 21, 2010.**

32. Discuss and take appropriate action on real estate.

No action was taken.

33. Comments from Commissioners.

There were no comments.

34. 1:34 P.M. Hear report from Elections.

Elections Administrator Rick Barron and Technical Reviewer Stephen Berger addressed the Court.

**COMMISSIONERS' COURT ADJOURNED AT 1:34 P.M. ON TUESDAY, SEPTEMBER 21, 2010.**

THE FOREGOING MINUTES had at a Regular Session of Commissioners' Court of Williamson County, Texas, having been read are hereby approved this 28th day of September, 2010.

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

By: Connie Singleton, Deputy

