

**MINUTES OF THE WILLIAMSON COUNTY COMMISSIONERS' COURT
MEETING
FEBRUARY 15, 2011**

STATE OF TEXAS)(

COUNTY OF WILLIAMSON)(

BE IT REMEMBERED that at 9:43 A.M. on TUESDAY, FEBRUARY 15, 2011, 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, Legal Advisor Commissioners' Court
Connie Singleton, 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 regular 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.

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 \$1,517,874.76 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 - 6)

5. Discuss and consider approving a line item transfer for Human Resources.

Motion By: Commissioner Precinct 3 Valerie Covey

Second By: Commissioner Precinct 4 Ron Morrison

Motion: To approve a line item transfer for Human Resources:

From	0100-0402-001101	P/T Salaries 20-30 hrs/wk	\$3,240.00	
To	0100-0402-001107	Temporary Labor/Seasonal Help	\$3,240.00	

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 JP #4.

Motion By: Commissioner Precinct 3 Valerie Covey

Second By: Commissioner Precinct 4 Ron Morrison

Motion: To approve a line item transfer for Justice of the Peace Precinct #4:

From	0100-0454-001100	Salaries	\$1,015.63	
To	0100-0454-001107	Temporary Labor	\$1,015.63	

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

7. **Hear the February 2011 Construction Summary Report for Road Bond and Pass Through Construction Projects.**

Senior Director of Infrastructure Bob Daigh addressed the Court.

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

No action was taken.

9. **Discuss and take appropriate action regarding an interlocal agreement with the City of Georgetown regarding the Southwest Bypass.**

Senior Director of Infrastructure Bob Daigh addressed the Court.

Motion By: Commissioner Precinct 3 Valerie Covey

Second By: Commissioner Precinct 4 Ron Morrison ***Motion: To approve an interlocal agreement with the City of Georgetown regarding the Southwest Bypass.***

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 authorizing the County Judge to execute a deed from Williamson County to the State of Texas transferring certain right of way required for construction of the US 183 extension project, and take other appropriate action.**

The following addressed the Court:
Senior Director of Infrastructure Bob Daigh
Attorney Charlie Crossfield

No action was taken.

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. **Consider authorizing the County Judge to execute an interlocal agreement with the City of Round Rock regarding improvements to and annexation of University Boulevard.**

Senior Director of Infrastructure Bob Daigh addressed the Court.

Motion By: Commissioner Precinct 4 Ron Morrison

Second By: Commissioner Precinct 1 Lisa Birkman ***Motion: To authorize the County Judge to execute an interlocal agreement with the City of Round Rock regarding improvements to and annexation of University Boulevard.***

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. Discuss and consider and a proclamation for a memorial tree honoring the memory of Corporal Tevan Nguyen.

Motion By: Commissioner Precinct 4 Ron Morrison

Second By: Commissioner Precinct 3 Valerie Covey ***Motion: To approve a proclamation for a memorial tree honoring the memory of Corporal Tevan Nguyen of the US Marine Corps.***

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 consider approving a stipend for MOT.

Motion By: Commissioner Precinct 1 Lisa Birkman

Second By: Commissioner Precinct 3 Valerie Covey

Motion: To approve a stipend for the Mobile Outreach Team:

From/To	Acct No.	Description	Amount	
From	0100-0583-000507	Transfer to RCS	\$1,384.00	
To	0100-0341-002010	Fica	\$89.00.00	
To	0100-0341-001100	F/T Salaries	\$1,160.00	
To	0100-0341-002020	Retirement	\$135.00	

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

14. Discuss and consider appointing Bill Brown to fill the currently vacant position on the ESD Board #3 to fill a term expiring December 31, 2013.

Motion By: Commissioner Precinct 4 Ron Morrison

Second By: Commissioner Precinct 1 Lisa Birkman ***Motion: To approve the appointment of Bill Brown to fill the currently vacant position on the Emergency Services District #3 Board to fill a term expiring December 31, 2013.***

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 reappointment of James H. (Jim) Mills and Robert L. (Bob) Bennett, Jr. to the Central Texas Regional Mobility Authority (CTRMA).

Motion By: Commissioner Precinct 4 Ron Morrison

Second By: Commissioner Precinct 1 Lisa Birkman ***Motion: To approve the reappointment of James H. (Jim) Mills and Robert L. (Bob) Bennett, Jr. to the Central Texas Regional Mobility Authority (CTRMA).***

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 emergency assistance for Williamson Burnet Counties Opportunities (WBCO).

Commissioners' Court Legal Advisor Hal Hawes addressed the Court.

No action was taken.

17. Discuss and take possible action regarding Texas legislative issues and bills that relate to county business.

No action was taken.

18. Discuss and take appropriate action on Burn Ban.

No action was taken.

19. Consider awarding bids received for Bid #11WC910, for the Byers Tract seedling planting, tree removal, and sign installation services, to the lowest and best bidder- KC Commercial, LLC.

The following addressed the Court:
Senior Director of Parks & Recreation Jim Rodgers
Senior Director of Infrastructure Bob Daigh

Motion By: Commissioner Precinct 1 Lisa Birkman

Second By: Commissioner Precinct 4 Ron Morrison ***Motion: To award Bid #11WC910 for the Byers Tract seedling planting, tree removal, and sign installation services to KC Commercial, LLC. with the change of removing the fencing portion of the bid.***

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 advertising and setting date of March 15, 2011 at 3:00 P.M. in the Purchasing Department to initially receive proposals for suitable properties for conserving endangered species and providing open space, proposal #11WCP1003.

Motion By: Commissioner Precinct 1 Lisa Birkman

Second By: Commissioner Precinct 4 Ron Morrison ***Motion: To authorize advertising and set date of March 15, 2011 at 3:00 P.M. in the Purchasing Department to initially receive proposals for suitable properties for conserving endangered species and providing open space, proposal #11WCP1003.***

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 an order declaring an emergency and a grave necessity due to unforeseeable circumstances and approve a budget amendment for the Sheriff's Office.

Motion By: Commissioner Precinct 1 Lisa Birkman

Second By: Commissioner Precinct 4 Ron Morrison

Motion: To approve an order declaring an emergency and a grave necessity due to unforeseeable circumstances and approve a budget amendment for the Sheriff's Office:

From/To	Acct No.	Description	Amount	
	0100-0000-370515	US Marshal/ICE Svc Rev	\$12,000.00	

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

22. Consider an order declaring an emergency and a grave necessity due to unforeseeable circumstances and approve a budget amendment to acknowledge use of Sheriff's Office revenue.

Motion By: Commissioner Precinct 1 Lisa Birkman

Second By: Commissioner Precinct 4 Ron Morrison

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 Sheriff's Office revenue:

From/To	Acct No.	Description	Amount	
	0100-0560-001110	Overtime	\$9,102.60	
	0100-0560-002010	FICA	\$918.00	
	0100-0560-002020	Retirement	\$1,379.40	
	0100-0560-002050	Worker's Comp	\$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

COMMISSIONERS' COURT RECESSED TO THE ROAD DISTRICT MEETING AT 10:22 A.M. AND RECONVENED AT 10:24 A.M AND RECESSED TO EXECUTIVE SESSION AT 10:24 A.M. ON TUESDAY, FEBRUARY 15, 2011.

- 23. 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 SH 195 0.805 South of Bell County Line to IH 35.**
- b) Discuss proposed acquisition of property for right-of-way for O'Connor Boulevard and 620 project.**
- c) Discuss proposed acquisition of property for right-of-way for Ronald Reagan Blvd. Phase II project from FM 3405 to Reagan Blvd.**
- d) Discuss proposed acquisition of property for right-of-way for Ronald Reagan Blvd. Phase III and Phase IV.**
- e) Discuss proposed acquisition of property for proposed SH 29 Safety Improvement project.**
- f) Discuss proposed acquisition of property for right-of-way along Lakeline extension.**
- g) Discuss proposed acquisition of property for right-of-way along SW By-Pass.**
- h) Discuss proposed acquisition of property for right-of-way along Pearson and Neenah.**
- i) Discuss proposed Northwoods Road District.**
- j) Discuss conveyance of University Boulevard right-of-way.**
- k) Discuss proposed acquisition of property for right-of-way for US 79 Section 3 from East of Hutto to CR 402.**
- l) Discuss proposed realignment project along FM 1660.**
- m) Discuss proposed acquisition of property for right-of-way along Pond Springs Road.**
- n) Discuss proposed acquisition of property for right-of-way along Chandler III A.**
- o) 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.**

No action was taken in Executive Session.

- 24. 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.), including the following:**

- a) Cause No. 10-1166-C277; GTE Southwest Incorporated d/b/a Verizon Southwest vs. Williamson County, in the District Court of Williamson County, Texas, 277th Judicial District.**

No action was taken in Executive Session.

25. 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.), including the following:
- a) Litigation or claims or potential litigation or claims against the County or by the County.
 - b) Status Update-Pending Cases or Claims.
 - c) Cause No. 06-453-C277; Kerry Heckman et al. v. Williamson County, et al., In the District Court of Williamson County, Texas, 277th Judicial District.
 - d) Cause No. 10-1107-C368; Jana Duty, County Attorney of Williamson County, Texas vs. Dan A. Gattis, County Judge of Williamson County, Lisa Birkman, Cynthia Long, Valerie Covey, and Ron Morrison County Commissioners, David Flores, County Auditor, and Ashlie Koenig, Budget Officer; In the District Court, Williamson County, Texas, 368th Judicial District.
 - e) Cause No. 1:10-cv-869-LY; Heather Clark, David Claxton & David M. Compton v. Williamson County; In the United States District Court for the Western District of Texas, Austin Division
 - f) Cause No. 1:10-cv-905; Kimberly Lee & Sharon McGuyer v. Williamson County; In the United States District Court for the Western District of Texas, Austin Division.
 - g) Employment related matters.
 - h) Other confidential attorney-client matters, including contracts.

No action was taken in Executive Session.

COMMISSIONERS' COURT RECONVENED FROM EXECUTIVE SESSION AT 12:20 P.M. ON TUESDAY, FEBRUARY 15, 2011.

26. Discuss and take appropriate action on real estate.

No action was taken.

27. Discuss and take appropriate action on pending or contemplated litigation, settlement matters and other confidential attorney-client legal matters, including the following:

a) Litigation or claims or potential litigation or claims against the County or by the County.

b) Status Update-Pending Cases or Claims

- c) Cause No. 06-453-C277; Kerry Heckman et al. v. Williamson County, et al., In the District Court of Williamson County, Texas, 277th Judicial District
- d) Cause No. 10-1107-C368; Jana Duty, County Attorney of Williamson County, Texas vs. Dan A. Gattis, County Judge of Williamson County, Lisa Birkman, Cynthia Long, Valerie Covey, and Ron Morrison County Commissioners, David Flores, County Auditor, and Ashlie Koenig, Budget Officer; In the District Court, Williamson County, Texas, 368th Judicial District.
- e) Cause No. 1:10-cv-869-LY; Heather Clark, David Claxton & David M. Compton v. Williamson County; In the United States District Court for the Western District of Texas, Austin Division
- f) Cause No. 1:10-cv-905; Kimberly Lee & Sharon McGuyer v. Williamson County; In the United States District Court for the Western District of Texas, Austin Division
- g) Employment related matters.
- h) Other confidential attorney-client matters, including contracts.

No action was taken.

28. Comments from Commissioners.

There were no comments from Commissioners.

**COMMISSIONERS' COURT ADJOURNED AT 12:20 P.M. ON TUESDAY,
FEBRUARY 15, 2011.**

THE FOREGOING MINUTES had at a Regular Session of Commissioners' Court of Williamson County, Texas, having been read are hereby approved this 22nd day of February, 2011.



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

By: Connie Singleton, Deputy