



**MINUTES OF THE WILLIAMSON COUNTY COMMISSIONERS' COURT
MEETING
MARCH 8, 2011**

STATE OF TEXAS)(

COUNTY OF WILLIAMSON)(

BE IT REMEMBERED that at 9:41 A.M. on TUESDAY, MARCH 8, 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
Cynthia Long, Commissioner Precinct 2
Valerie Covey, Commissioner Precinct 3
Ron Morrison, Commissioner Precinct 4
Nancy E. Rister, County Clerk
Absent: Lisa Birkman, Commissioner Precinct 1
Attendees: Hal Hawes, Legal Advisor Commissioner's Court
Black Wehling, Deputy County Clerk

1. Review and approval of minutes.

Motion By: Commissioner Precinct 3 Valerie Covey
Second By: Commissioner Precinct 4 Ron Morrison
Motion: To approve the minutes of the meeting of March 1, 2011.

Aye: County Judge Dan A. Gattis
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.

Motion By: Commissioner Precinct 4 Ron Morrison

Second By: Commissioner Precinct 2 Cynthia Long

Motion: To authorize the payment of bills totaling \$2,928,476.58 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 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 5-8)**

5. **Consider authorizing the transfer of various equipment items through inter-office transfer, auction, donation, or destruction.**

Motion By: Commissioner Precinct 3 Valerie Covey

Second By: Commissioner Precinct 2 Cynthia Long

Motion: To authorize the transfer of various equipment items through inter-office transfer, auction, donation, or destruction.

Aye: County Judge Dan A. Gattis

Commissioner Precinct 2 Cynthia Long

Commissioner Precinct 3 Valerie Covey

Commissioner Precinct 4 Ron Morrison

6. **Discuss and take action on appointment of Barry Thweatt to ESD#5 Board. Mr. Thweatt will replace Lyn Ischy and complete her term of Nov 2009-2011.**

Motion By: Commissioner Precinct 3 Valerie Covey

Second By: Commissioner Precinct 2 Cynthia Long

Motion: To approve the appointment of Barry Thweatt to ESD#5 Board, subject to Judge Gattis' approval after meeting with Mr. Thweatt.

Aye: County Judge Dan A. Gattis

Commissioner Precinct 2 Cynthia Long

Commissioner Precinct 3 Valerie Covey

Commissioner Precinct 4 Ron Morrison

7. **Discuss and take action on the Autism Bike Ride. The ride is April 3, 2011 starting at Berry Spring Park in Georgetown. This has been through the Road Closure Process.**

Motion By: Commissioner Precinct 3 Valerie Covey

Second By: Commissioner Precinct 2 Cynthia Long

Motion: To approve the Autism Bike Ride on April 3, 2011, starting in Berry Springs Park.

Aye: County Judge Dan A. Gattis

Commissioner Precinct 2 Cynthia Long

Commissioner Precinct 3 Valerie Covey

Commissioner Precinct 4 Ron Morrison

8. **Discuss and consider re-approval of preliminary plat for Middle Brook Ranch, Pct. 2.**

Motion By: Commissioner Precinct 3 Valerie Covey

Second By: Commissioner Precinct 2 Cynthia Long

Motion: To re-approve the preliminary plat for Middle Brook Ranch, Pct. 2.

Aye: County Judge Dan A. Gattis

Commissioner Precinct 2 Cynthia Long

Commissioner Precinct 3 Valerie Covey

Commissioner Precinct 4 Ron Morrison

REGULAR AGENDA

9. **Discuss and take appropriate action on resolution making March 14-18, 2011, Flood Safety Awareness Week in Williamson County.**

Emergency Management Manager Jarred Thomas addressed the Court.

Motion By: County Judge Dan A. Gattis

Second By: Commissioner Precinct 2 Cynthia Long

Motion: To approve a resolution making March 14-18, 2011, Flood Safety Awareness Week in Williamson County.

Aye: County Judge Dan A. Gattis

Commissioner Precinct 2 Cynthia Long

Commissioner Precinct 3 Valerie Covey

Commissioner Precinct 4 Ron Morrison

10. **Discuss and take appropriate action on a resolution naming March as Professional Social Work Month in Williamson County.**

Director of Mobile Outreach Team Annie Burwell addressed the Court.

Motion By: Commissioner Precinct 3 Valerie Covey

Second By: County Judge Dan A. Gattis

Motion: To approve a resolution naming March as Professional Social Work Month in Williamson County.

Aye: County Judge Dan A. Gattis

Commissioner Precinct 2 Cynthia Long

Commissioner Precinct 3 Valerie Covey

Commissioner Precinct 4 Ron Morrison

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

No action was taken.

12. Discuss and take appropriate action regarding License Agreement with Grand Republic Construction Fabrication, Inc., Pct. 3.

Motion By: Commissioner Precinct 3 Valerie Covey

Second By: Commissioner Precinct 2 Cynthia Long

Motion: To approve a License Agreement with Grand Republic Construction Fabrication, Inc., for right-of-way work on Ronald Reagan Segment 3 Roadway, Pct. 3.

Aye: County Judge Dan A. Gattis

Commissioner Precinct 2 Cynthia Long

Commissioner Precinct 3 Valerie Covey

Commissioner Precinct 4 Ron Morrison

13. Consider and take appropriate action regarding Ronald Reagan Segment 3 Roadway construction contracts. Such consideration and action may include annulling/rejecting any prior awards, awarding the construction contract to the second lowest and best bidder and/or advertising the contract for rebidding.

This item was removed from the agenda.

14. Discuss and take appropriate action on approval of Interlocal Agreement for street repairs with Williamson County Road & Bridge and the City of Florence, TX

Motion By: Commissioner Precinct 3 Valerie Covey

Second By: Commissioner Precinct 2 Cynthia Long

Motion: To approve an Interlocal Agreement for street repairs between Williamson County Road & Bridge and the City of Florence, Texas

Aye: County Judge Dan A. Gattis

Commissioner Precinct 2 Cynthia Long

Commissioner Precinct 3 Valerie Covey

Commissioner Precinct 4 Ron Morrison

15. Consider authorizing County Judge to execute a Real Estate Contract with Angela E. Irvine, Yvonne Denise Newman and Lawrence Mark Irvine, Co-Trustees of the Irvine Family Trust, for right-of-way needed on Ronald Reagan Blvd. Phase IV. (Parcel 13)

Motion By: Commissioner Precinct 3 Valerie Covey

Second By: Commissioner Precinct 2 Cynthia Long

Motion: To authorize the County Judge to execute a real estate contract with Angela E. Irvine, Yvonne Denise Newman and Lawrence Mark Irvine, Co-Trustees of the Irvine Family Trust, for right-of-way needed on Ronald Reagan Blvd. Phase IV. (Parcel 13)

Aye: County Judge Dan A. Gattis

Commissioner Precinct 2 Cynthia Long

Commissioner Precinct 3 Valerie Covey

Commissioner Precinct 4 Ron Morrison

16. **Consider authorizing County Judge to execute a Real Estate Contract with Agnes Linda Irvine Strong, A/K/A Agnes Linda Strong, a/k/a Linda Strong, Anne Louise Irvine Bradford, a/k/a Anne Louise Bradford, a/k/a Louise Bradford and Yvonne Denise Newman and Lawrence Mark Irvine, Co-Trustees of the Irvine Family Trust, for right-of-way needed on Ronald Reagan Blvd. Phase IV. (Parcel 14)**

Motion By: Commissioner Precinct 3 Valerie Covey

Second By: Commissioner Precinct 2 Cynthia Long

Motion: To authorize the County Judge to execute a real estate contract with Agnes Linda Irvine Strong, A/K/A Agnes Linda Strong, a/k/a Linda Strong, Anne Louise Irvine Bradford, a/k/a Anne Louise Bradford, a/k/a Louise Bradford and Yvonne Denise Newman and Lawrence Mark Irvine, Co-Trustees of the Irvine Family Trust, for right-of-way needed on Ronald Reagan Blvd. Phase IV. (Parcel 14)

Aye: County Judge Dan A. Gattis

Commissioner Precinct 2 Cynthia Long

Commissioner Precinct 3 Valerie Covey

Commissioner Precinct 4 Ron Morrison

17. **Consider authorizing County Judge to execute a Real Estate Contract with Kevin D. Newman, Angela E. Irvine and Yvonne Denise Newman and Lawrence Mark Irvine, individually and as Co-Trustees of the Irvine Family Trust, for right-of-way needed on Ronald Reagan Blvd. Phase IV. (Parcel 15)**

Motion By: Commissioner Precinct 3 Valerie Covey

Second By: Commissioner Precinct 2 Cynthia Long

Motion: To authorize the County Judge to execute a real estate contract with Kevin D. Newman, Angela E. Irvine and Yvonne Denise Newman and Lawrence Mark Irvine, individually and as Co-Trustees of the Irvine Family Trust, for right-of-way needed on Ronald Reagan Blvd. Phase IV. (Parcel 15)

Aye: County Judge Dan A. Gattis

Commissioner Precinct 2 Cynthia Long

Commissioner Precinct 3 Valerie Covey

Commissioner Precinct 4 Ron Morrison

18. **Consider authorizing County Judge to execute a Real Estate Contract with Blue Haven Partners, ltd. for right-of-way needed on CR 245.**

Motion By: Commissioner Precinct 3 Valerie Covey

Second By: Commissioner Precinct 2 Cynthia Long

Motion: To authorize the County Judge to execute a real estate contract with Blue Haven Partners, Ltd. for right-of-way needed on CR 245.

Aye: County Judge Dan A. Gattis

Commissioner Precinct 2 Cynthia Long

Commissioner Precinct 3 Valerie Covey

Commissioner Precinct 4 Ron Morrison

19. **Consider authorizing County Judge to execute a Real Estate Contract with Terry Gibich and Phyllis B. Gibich for right-of-way needed on Chandler Road IIIA. (Parcel 12)**

Motion By: Commissioner Precinct 3 Valerie Covey

Second By: Commissioner Precinct 2 Cynthia Long

Motion: To authorize the County Judge to execute a real estate contract with Terry Gibich and Phyllis B. Gibich for right-of-way needed on Chandler Road IIIA. (Parcel 12)

Aye: County Judge Dan A. Gattis

Commissioner Precinct 2 Cynthia Long

Commissioner Precinct 3 Valerie Covey

Other: Commissioner Precinct 4 Ron Morrison (Abstain)

20. **Discuss and take appropriate action authorizing the County Judge to execute a settlement agreement in 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.**

Motion By: Commissioner Precinct 2 Cynthia Long

Second By: Commissioner Precinct 3 Valerie Covey

Motion: To authorize the County Judge to execute a settlement agreement in Cause No. 10-1166-C277; GTE Southwest Incorporated d/b/a Verizon Southwest vs. Williamson County.

Aye: County Judge Dan A. Gattis

Commissioner Precinct 2 Cynthia Long

Commissioner Precinct 3 Valerie Covey

Commissioner Precinct 4 Ron Morrison

21. **Discuss and take possible action on update from Dan Wegmiller, of Specialized Public Finance Inc., on sale of road bonds.**

Dan Wegmiller of Specialized Public Finance, Inc. addressed the Court.

Motion By: County Judge Dan A. Gattis

Second By: Commissioner Precinct 2 Cynthia Long

Motion: To approve sale, through Specialized Public Finance, Inc., of the remaining portion of road bonds approved in 2006, as long as the debt service ratio for the County does not exceed 17 cents per \$100.00 valuation.

Aye: County Judge Dan A. Gattis

Commissioner Precinct 2 Cynthia Long

Commissioner Precinct 3 Valerie Covey

Commissioner Precinct 4 Ron Morrison

22. **Consider and take appropriate action on a modification to the Inter-Governmental Services Agreement between Immigration Customs and Enforcement and Williamson County whereby funds that remain under the FY10 task order (ended 30 Sept 2010) shall be deobligated.**

Legal Advisor to Commissioners' Court Hal Hawes addressed the Court.

Motion By: Commissioner Precinct 2 Cynthia Long

Second By: Commissioner Precinct 4 Ron Morrison

Motion: To approve a modification to the Inter-Governmental Services Agreement between Immigration Customs and Enforcement and Williamson County whereby funds that remain under the FY10 task order (ended September 30, 2010) shall be "deobligated".

Aye: County Judge Dan A. Gattis

Commissioner Precinct 2 Cynthia Long

Commissioner Precinct 3 Valerie Covey

23. **Discuss and take appropriate action regarding employment of the law firm of Sheets and Crossfield to represent Williamson County in relation to FEMA Flood Insurance and Flood Plain Management matters; and exemption of those attorney services from the competitive bid/proposal requirements of the County Purchasing Act pursuant to the discretionary exemption for personnel or professional services.**

Legal Advisor to the Commissioners' Court Hal Hawes addressed the Court.

Motion By: Commissioner Precinct 3 Valerie Covey

Second By: Commissioner Precinct 4 Ron Morrison

Motion: To approve employment of the law firm of Sheets and Crossfield to represent Williamson County in relation to FEMA Flood Insurance and Flood Plain Management matters; and exemption of those attorney services from the competitive bid/proposal requirements of the County Purchasing Act pursuant to the discretionary exemption for personnel or professional services, subject to a \$10,000.00 cap.

Aye: County Judge Dan A. Gattis

Commissioner Precinct 2 Cynthia Long

Commissioner Precinct 3 Valerie Covey

Commissioner Precinct 4 Ron Morrison

24. **Discuss and take appropriate action regarding employment of the law firm of Allensworth and Porter, L.L.P. to represent Williamson County in relation to all legal matters regarding the Williamson County Justice Center Parking Garage; and exemption of those attorney services from the competitive bid/proposal requirements of the County Purchasing Act pursuant to the discretionary exemption for personnel or professional services.**

Motion By: Commissioner Precinct 3 Valerie Covey

Second By: Commissioner Precinct 2 Cynthia Long

Motion: To approve employment of the law firm of Allensworth and Porter, L.L.P. to represent Williamson County in relation to all legal matters regarding the Williamson County Justice Center Parking Garage; and exemption of those attorney services from the competitive bid/proposal requirements of the County Purchasing Act pursuant to the discretionary exemption for personnel or professional services.

Aye: County Judge Dan A. Gattis

Commissioner Precinct 2 Cynthia Long

Commissioner Precinct 3 Valerie Covey

Commissioner Precinct 4 Ron Morrison

25. **Discuss and take appropriate action on approving the County's long-range strategic plan.**

The following addressed the Court:

Tessa Doehrman, Community Development Representative for P.E.C., Inc.

Williamson County Public Information Officer Connie Watson

Motion By: County Judge Dan A. Gattis

Second By: Commissioner Precinct 3 Valerie Covey

Motion: To approve the County's long-range strategic plan, as presented, with the stipulation that the Court can amend it as needed.

Aye: County Judge Dan A. Gattis

Commissioner Precinct 2 Cynthia Long

Commissioner Precinct 3 Valerie Covey

Commissioner Precinct 4 Ron Morrison

26. Discuss and take appropriate action on resolution supporting funding of the State Hospital System of Care.

Executive Director of Bluebonnet Trails Community Services Andrea Richardson addressed the Court.

Motion By: Commissioner Precinct 3 Valerie Covey

Second By: Commissioner Precinct 2 Cynthia Long

Motion: To approve a resolution supporting funding of the State Hospital System of Care.

Aye: County Judge Dan A. Gattis

Commissioner Precinct 2 Cynthia Long

Commissioner Precinct 3 Valerie Covey

Commissioner Precinct 4 Ron Morrison

27. Discuss and take possilbe action regarding Texas legislative issues and bills that relate to county business.

No action was taken.

28. 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 2 Cynthia Long

Second By: Commissioner Precinct 3 Valerie Covey

Motion: To approve 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	\$140.00	

Aye: County Judge Dan A. Gattis

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 to acknowledge use of Park Donations:

Motion By: Commissioner Precinct 2 Cynthia Long

Second By: Commissioner Precinct 3 Valerie Covey

Motion: To approve 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	\$140.00	

Aye: County Judge Dan A. Gattis

Commissioner Precinct 2 Cynthia Long

Commissioner Precinct 3 Valerie Covey

Commissioner Precinct 4 Ron Morrison

COMMISSIONERS' COURT RECESSED TO ROAD DISTRICT MEETING AT 10:25 A.M. ON TUESDAY, MARCH 8, 2011.

COMMISSIONERS' COURT RECONVENED FROM ROAD DISTRICT MEETING AT 10:27 A.M. ON TUESDAY, MARCH 8, 2011.

COMMISSIONERS' COURT RECESSED TO EXECUTIVE SESSION AT 10:27 A.M. ON TUESDAY, MARCH 8, 2011.

30. 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 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.

31. 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 on CR 245.

No action was taken in Executive Session.

32. 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.

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.), 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 11:52 A.M. ON TUESDAY, MARCH 8, 2011.

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, 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.

36. **Comments from Commissioners.**

There were no comments.

COMMISSIONERS' COURT ADJOURNED AT 11:52 A.M. ON TUESDAY, MARCH 8, 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 March, 2011.



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

By: Black Wehling, Deputy