



**MINUTES OF THE WILLIAMSON COUNTY COMMISSIONERS' COURT
MEETING
MARCH 22, 2011**

STATE OF TEXAS)(

COUNTY OF WILLIAMSON)(

BE IT REMEMBERED that at 9:34 A.M. on TUESDAY, MARCH 22, 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 Commissioner's Court
Black Wehling, 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 of the meeting of March 8, 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

2.

Consider noting in minutes any off right-of-way work on any County road done by Road & Bridge Unified System.

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 regard to payment of invoices for The Gabriels Funeral Home and San Gabriel Parkway (Conflict of Interest Affidavits attached).

Motion By: Commissioner Precinct 3 Valerie Covey

Second By: Commissioner Precinct 2 Cynthia Long

Motion: To authorize the payment of bills totaling \$9,131,409.56 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 persons addressed the Court:

County Auditor David Flores

Kurt Johnson, Sr. of Austin

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 -19)

5. **Discuss and consider approving line item transfer for Facilities.**

Motion By: Commissioner Precinct 3 Valerie Covey

Second By: Commissioner Precinct 2 Cynthia Long

Motion: To approve a line item transfer for Facilities:

From	0100-0509-004510	Facility Maint & Repair	\$10,000.00	
To	0100-0509-004512	Kitchen Maint & Repair	\$10,000.00	

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.

Consider approving a line item transfer for the Human Resources Department.

Motion By: Commissioner Precinct 3 Valerie Covey

Second By: Commissioner Precinct 2 Cynthia Long

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

From	0100-0402-004993	Safety Program	\$225.00	
To	0100-0402-003100	Office Supplies	\$225.00	

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. **To discuss and consider approving a line item transfer for Facilities.**

This item was referred to the Regular Agenda.

Robert Daigh, Senior Director of Infrastructure addressed the Court.

Motion By: County Judge Dan A. Gattis

Second By: Commissioner Precinct 4 Ron Morrison

Motion: To approve a line item transfer for Facilities:

From/To	Acct No.	Description	Amount	
From	0100-0409-004419	Non Dept/Property Ins	\$70,000.00	
From	0100-0409-004711	Non Dept/Tax App Dist	\$78,251.00	
From	0100-0409-005000	Non Dept/Cptl Outlay	\$30,121.00	
To	0100-0509-004510	Facilities/Facility Maint/Repa	\$178,372.00	

Aye: County Judge Dan A. Gattis

Commissioner Precinct 1 Lisa Birkman

Commissioner Precinct 2 Cynthia Long

Commissioner Precinct 4 Ron Morrison

Nay: Commissioner Precinct 3 Valerie Covey

8. **Consider approving Justice of the Peace, Pct. #4, February, 2011, monthly report in compliance with code of criminal procedure 103.005(b).**

Motion By: Commissioner Precinct 3 Valerie Covey

Second By: Commissioner Precinct 2 Cynthia Long

Motion: To approve Justice of the Peace, Precinct #4, February, 2011, monthly report in compliance with code of criminal procedure 103.005(b).

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 property tax refunds over \$2,500.00 for the month of February 2011 for the Williamson County Tax Assessor/Collector.**

Motion By: Commissioner Precinct 3 Valerie Covey

Second By: Commissioner Precinct 2 Cynthia Long

Motion: To approve property tax refunds over \$2,500.00 for the month of February, 2011 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

10. Consider approving property tax collections for the month of February 2011 for the Williamson County Tax Assessor/Collector.

Motion By: Commissioner Precinct 3 Valerie Covey

Second By: Commissioner Precinct 2 Cynthia Long

Motion: To approve property tax collections for the month of February, 2011 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

11. Consider waiving Penalty and Interest to customer as requested by the Tax Assessor/Collector.

Motion By: Commissioner Precinct 3 Valerie Covey

Second By: Commissioner Precinct 2 Cynthia Long

Motion: To waive penalty and interest to customer as requested by the 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

12. Consider approving donations to Victim Assistance from Bake Sale Fundraiser in the amount of \$830.50 and Cartridges for Kids (cartridge fundraiser) in the amount of \$8.50.

Motion By: Commissioner Precinct 3 Valerie Covey

Second By: Commissioner Precinct 2 Cynthia Long

Motion: To approve donations to Victim Assistance from Bake Sale Fundraiser in the amount of \$830.50 and Cartridges for Kids (cartridge fundraiser) in the amount of \$8.50.

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.

Consider approving the Treasurer's Report on the Williamson County Finances for February 2011.

Motion By: Commissioner Precinct 3 Valerie Covey

Second By: Commissioner Precinct 2 Cynthia Long

Motion: To approve the Treasurer's Report on the Williamson County Finances for February 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

- 14. Consider accepting \$500.00 donation from Perry Steger of Steger Bizzell for Archeology Day Saturday March 26, 2011 at Berry Springs Park.**

Parks Director Jim Rodgers addressed the Court.

Motion By: Commissioner Precinct 3 Valerie Covey

Second By: Commissioner Precinct 2 Cynthia Long

Motion: To accept a \$500.00 donation from Perry Steger of Steger Bizzell for Archeology Day, Saturday, March 26, 2011 at Berry Springs Park.

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. 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 1 Lisa Birkman

Commissioner Precinct 2 Cynthia Long

Commissioner Precinct 3 Valerie Covey

Commissioner Precinct 4 Ron Morrison

- 16. Consider approval for request of 2011 Spokes N Spurs 7th Annual Bike Event to be held on Saturday, April 2, 2011 in Precinct Two.**

Motion By: Commissioner Precinct 3 Valerie Covey

Second By: Commissioner Precinct 2 Cynthia Long

Motion: To approve a request for 2011 Spokes N Spurs 7th Annual Bike Event to be held on Saturday, April 2, 2011 in Precinct Two.

Aye: County Judge Dan A. Gattis

Commissioner Precinct 1 Lisa Birkman

Commissioner Precinct 2 Cynthia Long

Commissioner Precinct 3 Valerie Covey

17. Discuss and consider final plat approval for Parkside at Mayfield Ranch Section 9, Pct. 3.

Motion By: Commissioner Precinct 3 Valerie Covey

Second By: Commissioner Precinct 2 Cynthia Long

Motion: To approve the final plat for Parkside at Mayfield Ranch Section 9, Precinct 3.

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. Discuss and take appropriate action on Advance Funding Agreement with TxDOT regarding bridge on CR 351 at Donahoe Creek, Pct. 4.

Motion By: Commissioner Precinct 3 Valerie Covey

Second By: Commissioner Precinct 2 Cynthia Long

Motion: To approve the Advance Funding Agreement with TxDOT regarding bridge on CR 351 at Donahoe Creek, 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

19. Discuss and take appropriate action on final plat approval for Green Lane Farms, Pct. 3.

Motion By: Commissioner Precinct 3 Valerie Covey

Second By: Commissioner Precinct 2 Cynthia Long

Motion: To approve the final plat for Green Lane Farms, Precinct 3.

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

20. Discuss and consider taking appropriate action on accepting the resignation of Dale Vannoy, Williamson County Constable Precinct 2.

Dale Vannoy, Constable Precinct 2, addressed the Court.

Motion By: Commissioner Precinct 2 Cynthia Long

Second By: Commissioner Precinct 4 Ron Morrison

Motion: To accept the resignation of Dale Vannoy, Williamson County Constable, Precinct 2.

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 taking appropriate action on filling the vacancy in the office the Williamson County Constable Precinct 2 by appointing Richard Coffman a successor constable to hold the office of Williamson County Constable Precinct 2 until the next general election.

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

Motion By: Commissioner Precinct 2 Cynthia Long

Second By: Commissioner Precinct 4 Ron Morrison

Motion: To approve the appointment of of Richard Coffman as successor constable, filling the vacancy in the office of the Williamson County Constable Precinct 2 until the next general election.

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. **COMMISSIONERS' COURT RECESSED AT 10:20 A.M. ON TUESDAY, MARCH 22, 2011 FOR THE SWEARING IN OF RICHARD COFFMAN.**

23. **COMMISSIONERS' COURT RECONVENED AT 10:26 A.M. ON TUESDAY, MARCH 22, 2011 FROM THE SWEARING IN OF RICHARD COFFMAN.**

24. **Discuss and consider taking appropriate action on accepting bond for the newly appointed Williamson County Constable Precinct 2.**

First Assistant County Auditor Julie Kiley addressed the Court.

Motion By: County Judge Dan A. Gattis

Second By: Commissioner Precinct 2 Cynthia Long

Motion: To accept bond for Richard Coffman, the newly appointed Williamson County Constable Precinct 2.

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 consider taking appropriate action on noting in minutes of the Williamson County Commissioners Court the hiring of employees of the newly appointed Williamson County Constable Precinct 2.**

First Assistant County Auditor Julie Kiley addressed the Court.

Motion By: County Judge Dan A. Gattis

Second By: Commissioner Precinct 2 Cynthia Long

Motion: To note in the minutes of the Williamson County Commissioners Court the hiring of employees of Richard Coffman, the newly appointed Williamson County Constable Precinct 2.

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. Hear report and recommendation of new Agricultural Extension Agent for Williamson County from Donald Kemp, District 8 Extension Administrator from Stephenville.**

Donald Kemp, District 8 Extension Administrator, addressed the Court.

Motion By: County Judge Dan A. Gattis

Second By: Commissioner Precinct 3 Valerie Covey

Motion: To accept the report and recommendation of Dustin Coufal as the new Agricultural Extension Agent for Williamson County from Donald Kemp, District 8 Extension Administrator.

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 approving proclamation for Williamson County Child Fatality Review Team and Williamson County EMS proclaiming April 1, 2011 as April Pools Day in Williamson County.**

EMS Operations Manager Kenny Schnell addressed the Court.

Motion By: Commissioner Precinct 4 Ron Morrison

Second By: Commissioner Precinct 2 Cynthia Long

Motion: To approve a proclamation for Williamson County Child Fatality Review Team and Williamson County EMS proclaiming April 1, 2011 as April Pools Day in Williamson County.

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. Discuss and take appropriate action on Proclamation declaring April 10-16, 2011 as National Crime Victims' Rights Week.**

Shelly James, Director of the Victims' Assistance Unit of the Sheriff's Office addressed the Court.

A ceremony is scheduled at 2:30 p.m. on April 13, 2011, at the Georgetown Community Center.

Motion By: Commissioner Precinct 1 Lisa Birkman

Second By: Commissioner Precinct 2 Cynthia Long

Motion: To approve a Proclamation declaring April 10-16, 2011 as National Crime Victims' Rights Week.

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. Discuss and take appropriate action on road bond program.

Senior Director of Infrastructure Robert Daigh addressed the Court.

No action was taken.

30. Discuss and consider approving Dannenbaum Engineering Company - Austin LLC Supplemental #4 to their US 183 Pass-Through Finance Program Professional Service Agreement (PSA) to allow for the execution of Supplemental #1 to Work Authorization #5.

Senior Director of Infrastructure Robert Daigh addressed the Court

Motion By: Commissioner Precinct 2 Cynthia Long

Second By: Commissioner Precinct 4 Ron Morrison

Motion : To approve Dannenbaum Engineering Company - Austin LLC Supplemental #4 to their US 183 Pass-Through Finance Program Professional Service Agreement (PSA) to allow for the execution of Supplemental #1 to Work Authorization #5.

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. Discuss and consider approving K Friese & Associates, Inc. Supplemental #1 to their CR 101 (US79 to Chandler Rd.) Professional Service Agreement (PSA) to include design services for 2006 Road Bond Program projects on an as needed basis.

Senior Director of Infrastructure Robert Daigh addressed the Court.

Motion By: Commissioner Precinct 4 Ron Morrison

Second By: Commissioner Precinct 2 Cynthia Long

Motion: To approve K. Friese & Associates, Inc. Supplemental #1 to their Professional Service Agreement (PSA) to include design services for 2006 Road Bond Program projects on an as needed basis.

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. **Discuss and consider approving the updated Williamson County Road Bond Program Pre-Qualified Engineer List (RFQ Number: 10WCRFQ1011).**

Senior Director of Infrastructure Robert Daigh addressed the Court.

Motion By: Commissioner Precinct 1 Lisa Birkman

Second By: Commissioner Precinct 2 Cynthia Long

Motion: To approve the updated Williamson County Road Bond Program Pre-Qualified Engineer List (RFQ Number: 10WCRFQ1011).

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

33. **Discuss and consider approving the Judge to sign (in duplicate) and submit the new Texas Department of Transportation (TxDOT) Memorandum of Understanding (MOU) regarding the adoption of the Federally-Approved Disadvantaged Business Enterprise (DBE) program.**

Motion By: Commissioner Precinct 1 Lisa Birkman

Second By: Commissioner Precinct 2 Cynthia Long

Motion: To approve having Judge Gattis sign (in duplicate) and submit the new Texas Department of Transportation (TxDOT) Memorandum of Understanding (MOU) regarding the adoption of the Federally-Approved Disadvantaged Business Enterprise (DBE) 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

34. **Discuss and consider approving Change Order No. 4 in the amount of \$245,605.44 for US 79 Section 3, a Pass Through Financing project in Precinct Four.**

Motion By: Commissioner Precinct 1 Lisa Birkman

Second By: Commissioner Precinct 2 Cynthia Long

Motion: To approve Change Order No. 4 in the amount of \$245,605.44 for US 79 Section 3, a Pass Through Financing project in Precinct Four.

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

35. **Consider authorizing 2006 Road Bond transfer request per recommendation of Mike Weaver, Road Bond Manager: transfer \$1,725,000.00 from P175 (Chandler Road 3A/3B) to P214 (CR 119) \$900,000.00, P216 (CR 101) \$25,000.00 and P240 (CR 108) \$800,000.00.**

Motion By: Commissioner Precinct 1 Lisa Birkman

Second By: Commissioner Precinct 2 Cynthia Long

Motion: To authorize 2006 Road Bond transfer request per recommendation of Mike Weaver, Road Bond Manager: transfer \$1,725,000.00 from Parcel 175 (Chandler Road 3A/3B) to Parcel 214 (CR 119) \$900,000.00, Parcel 216 (CR 101) \$25,000.00 and Parcel 240 (CR 108) \$800,000.00.

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

Senior Director of Infrastructure Robert Daigh addressed the Court.

36. **Consider authorizing 2006 Road Bond transfer per recommendation of Mike Weaver, Road Bond Manager: transfer \$7,000,000.00 from US 79 Drainage 2nd Street (P155) to US 79 2nd Street Roadway Improvements (US 79 West of Taylor to SH95 (P244)) and \$500,000.00 from non departmental (P156) to Area Drainage Study - Forest North (P225).**

Motion By: Commissioner Precinct 1 Lisa Birkman

Second By: Commissioner Precinct 2 Cynthia Long

Motion: To authorize 2006 Road Bond transfer per recommendation of Mike Weaver, Road Bond Manager: transfer \$7,000,000.00 from US 79 Drainage 2nd Street (Parcel 155) to US 79 2nd Street Roadway Improvements (US 79 West of Taylor to SH95 (Parcel 244)) and \$500,000.00 from non departmental (Parcel 156) to Area Drainage Study - Forest North (Parcel 225).

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

37. **Consider a resolution determining the necessity and authorizing the condemnation of certain property interests required for the construction of SH 195, and take appropriate action. (John and Debra Cahill - PARCEL 110)**

Motion By: Commissioner Precinct 1 Lisa Birkman

Second By: Commissioner Precinct 2 Cynthia Long

Motion: To determine the necessity and authorize the condemnation of certain property interests required for the construction of SH 195, and take appropriate action. (John and Debra Cahill - Parcel 110)

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

38. **Consider a resolution determining the necessity and authorizing the condemnation of certain property interests required for the construction of SH 195, and take appropriate action. (Marion K. Shipman - PARCEL 116A)**

Motion By: Commissioner Precinct 1 Lisa Birkman

Second By: Commissioner Precinct 2 Cynthia Long

Motion: To determine the necessity and authorize the condemnation of certain property interests required for the construction of SH 195, and take appropriate action. (Marion K. Shipman - Parcel 116A)

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

39. **Consider a resolution determining the necessity and authorizing the condemnation of certain property interests required for the construction of SH 195, and take appropriate action. (William Slade Sullivan - PARCEL 226/226E)**

Motion By: Commissioner Precinct 1 Lisa Birkman

Second By: Commissioner Precinct 2 Cynthia Long

Motion: To determine the necessity and authorize the condemnation of certain property interests required for the construction of SH 195, and take appropriate action. (William Slade Sullivan - Parcel 226/226E)

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

40. **Consider authorizing County Judge to execute a Development Agreement with Northwoods Avery Ranch LLC regarding the creation of Northwoods Road District No. 1.**

Motion By: Commissioner Precinct 2 Cynthia Long

Second By: Commissioner Precinct 1 Lisa Birkman

Motion: To authorize the County Judge to execute a Development Agreement with Northwoods Avery Ranch LLC regarding the creation of Northwoods Road District No. 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

41. **Discuss and take appropriate action authorizing the County Judge to execute a Mediated Settlement Agreement in Cause No. 10-0773-CC2; The State of Texas v. Land Partnership, No. 1, in County Court No. 2 of Williamson County, Texas.**

Motion By: Commissioner Precinct 2 Cynthia Long

Second By: Commissioner Precinct 3 Valerie Covey

Motion: To authorize the County Judge to execute a Mediated Settlement Agreement in Cause No. 10-0773-CC2; The State of Texas v. Land Partnership, No. 1, in County Court No. 2 of Williamson County, Texas.

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

42. **Discuss and approve the elimination of media type requirement for plats in Section 3.5 and 3.6 of the Subdivision Regulations.**

County Clerk Nancy Rister addressed the Court.

Motion By: Commissioner Precinct 1 Lisa Birkman

Second By: Commissioner Precinct 2 Cynthia Long

Motion: To approve elimination of media type for plats in Section 3.5 and 3.6 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

43. **Discuss and take appropriate action concerning 2% Medicaid payment rate reduction, as impacts the county indigent health care program.**

No action was taken.

44. **Discuss and consider approving the FY 2011 Community Mentoring Program grant resolution.**

Scott Matthew, Director of Juvenile Services, addressed the Court.

Motion By: Commissioner Precinct 1 Lisa Birkman

Second By: Commissioner Precinct 2 Cynthia Long

Motion: To approve the FY 2011 Community Mentoring Program grant resolution.

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

45. **Discuss and take appropriate action regarding appointing a representative for Williamson County on the CARTS Board of Directors.**

Motion By: Commissioner Precinct 2 Cynthia Long

Second By: Commissioner Precinct 4 Ron Morrison

Motion: To appoint Commissioner Birkman to represent Williamson County on the CARTS Board of Directors.

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

46. **Hear update on the Quarry Splash Pad; discuss and take appropriate action on daily use fee, and pavilion reservation fee for the Quarry Splash Pad area in the Southwest Regional Park.**

Parks Director Jim Rodgers addressed the Court.

Motion By: Commissioner Precinct 2 Cynthia Long

Second By: Commissioner Precinct 1 Lisa Birkman

Motion: To approve a daily use fee and pavilion reservation fee for the Quarry Splash Pad area in the Southwest Regional Park.

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

47. **Discuss and take appropriate action on approving purchase of fee collection device for the Quarry Splash Pad area in the Southwest Regional Park.**

Parks Director Jim Rodgers addressed the Court.

Motion By: Commissioner Precinct 2 Cynthia Long

Second By: Commissioner Precinct 1 Lisa Birkman

Motion: To approve the purchase of a fee collection device for the Quarry Splash Pad area in the Southwest Regional Park.

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

48. **Receive presentation on and recognize work on a project at Twin Springs Preserve by the San Gabriel District Lodge of the Order of the Arrow, Tonkawa Chapter (Chapter 99), Boy Scouts of America.**

Gary Boyd of the Parks Department introduced Order of the Arrow members Cayman Ward and Ryan Barnes, who addressed the Court.

No action was taken.

49. **Discuss and take appropriate action on preliminary participation in the Public Safety Technology Program (PSTP) by agencies dispatched by Williamson County Emergency Communications.**

The following addressed the Court:
Richard Semple, Director of GIS / Addressing
Hal Hawes, Legal Advisor to Commissioners' Court
John Sneed, Senior Director of Emergency Services
Julie Kiley, First Assistant County Auditor

No action was taken

50. **Discuss and take appropriate action on Sprint/Nextel Agreement.**

Patrick Cobb, Director of Emergency Operations, addressed the Court.

Motion By: Commissioner Precinct 1 Lisa Birkman
Second By: Commissioner Precinct 3 Valerie Covey
Motion: To approve the Sprint/Nextel contract amendment.

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

51. **Discuss and take possible action on contract negotiations with the City of Taylor for 9-1-1 dispatching services**

Patrick Cobb, Director of Emergency Operations, addressed the Court.

This item was moved to Executive Session. No action was taken.

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

No action was taken.

53. Consider and take appropriate action on the following findings by the Williamson County Commissioners Court in relation to reimbursing Dan A. Gattis for attorneys fees and costs that he incurred, in his personal capacity, in defense of a removal suit filed by Jana Duty in Cause No. 10-1428-C26; The State of Texas ex rel. Jana Duty, County Attorney of Williamson County, Texas vs. Dan A. Gattis, County Judge of Williamson County, Texas, In the 26th District Court, Williamson County, Texas:

- (1) The interests of Williamson County was at stake in the removal suit as opposed to only Dan A. Gattis' personal interest being at stake in the removal suit;
- (2) The removal suit filed by Jana Duty against Dan A. Gattis was unsuccessful as it was ultimately dismissed with prejudice by Order of Dismissal dated January 21, 2011; and
- (3) Williamson County shall reimburse Dan A. Gattis for all attorneys fees and costs incurred by him in the removal suit in the total amount of \$12,860.50.

Motion By: Commissioner Precinct 2 Cynthia Long

Second By: Commissioner Precinct 4 Ron Morrison

Motion: To approve the following findings by the Williamson County Commissioners Court in relation to reimbursing Dan A. Gattis for attorneys fees and costs that he incurred, in his personal capacity, in defense of a removal suit filed by Jana Duty in Cause No. 10-1428-C26; The State of Texas ex rel. Jana Duty, County Attorney of Williamson County, Texas vs. Dan A. Gattis, County Judge of Williamson County, Texas, In the 26th District Court, Williamson County, Texas:

- (1) The interests of Williamson County was at stake in the removal suit as opposed to only Dan A. Gattis' personal interest being at stake in the removal suit;***
- (2) The removal suit filed by Jana Duty against Dan A. Gattis was unsuccessful as it was ultimately dismissed with prejudice by Order of Dismissal dated January 21, 2011; and***
- (3) Williamson County shall reimburse Dan A. Gattis for all attorneys fees and costs incurred by him in the removal suit in the total amount of \$12,860.50.***

Aye: Commissioner Precinct 1 Lisa Birkman

Commissioner Precinct 2 Cynthia Long

Commissioner Precinct 3 Valerie Covey

Commissioner Precinct 4 Ron Morrison

Other: County Judge Dan A. Gattis (Absent from the Dais)

54. Consider approving an agreement with Baker-Aicklen & Associates, Inc to provide additional professional services that were not included in the original scope of services for the Emergency Services Operations Center project. The cost of these additional services will be paid out of this project's budget.

Senior Director of Infrastructure Bob Daigh addressed the Court.

Motion By: Commissioner Precinct 2 Cynthia Long

Second By: Commissioner Precinct 1 Lisa Birkman

Motion: To approve an agreement with Baker-Aicklen & Associates, Inc. to provide additional professional services that were not included in the original scope of services for the Emergency Services Operations Center project. The cost of these additional services will be paid out of this project's budget.

Aye: County Judge Dan A. Gattis

Commissioner Precinct 1 Lisa Birkman

Commissioner Precinct 2 Cynthia Long

Commissioner Precinct 3 Valerie Covey

55. **Consider authorizing advertising and setting date of April 20, 2011 at 3:00pm in the Purchasing Department to receive proposals for ANALYSIS OF IMPEDIMENTS TO FAIR HOUSING CHOICE AND FAIR HOUSING PLAN, proposal # 11WCP1004.**

Motion By: Commissioner Precinct 2 Cynthia Long

Second By: Commissioner Precinct 1 Lisa Birkman

Motion: To approve advertising and setting date of April 20, 2011 at 3:00 p.m. in the Purchasing Department to receive proposals for ANALYSIS OF IMPEDIMENTS TO FAIR HOUSING CHOICE AND FAIR HOUSING PLAN, proposal # 11WCP1004.

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

56. **Consider awarding proposals received for Food Service for the Jail to the lowest and best proposal meeting specifications - Aramark Correctional Services.**

Motion By: Commissioner Precinct 2 Cynthia Long

Second By: Commissioner Precinct 1 Lisa Birkman

Motion: To award proposal received for Food Service for the Jail to the lowest and best proposal meeting specifications - Aramark Correctional 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

57. **Consider approving extending the current contract for Coin Less Inmate Telephone System 11WCAP107 between Securus Technologies and Williamson County Jail to allow for additional time for evaluation of proposals received.**

Motion By: Commissioner Precinct 2 Cynthia Long

Second By: Commissioner Precinct 1 Lisa Birkman

Motion: To approve extending the current contract for Coin Less Inmate Telephone System 11WCAP107 between Securus Technologies and Williamson County Jail to allow for additional time for evaluation of proposals received.

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

58. **Consider authorizing advertising and setting date of April 19, 2011 at 2:00pm in the Purchasing Department to receive proposals for the Bank Depository Contract 11WCP1005 for the Treasurer's Office.**

Motion By: Commissioner Precinct 2 Cynthia Long

Second By: Commissioner Precinct 1 Lisa Birkman

Motion: To authorize advertising and set the date of April 19, 2011 at 2:00 p.m. in the Purchasing Department to receive proposals for the Bank Depository Contract 11WCP1005 for the Treasurer's Office.

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

59. Discuss and consider approving an Inter-Local agreement between the City of Cedar Park and Williamson County.

Motion By: Commissioner Precinct 2 Cynthia Long

Second By: Commissioner Precinct 1 Lisa Birkman

Motion: To approve an Inter-Local agreement between the City of Cedar Park and Williamson County.

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 11:52 A.M. ON TUESDAY, MARCH 22, 2011.**

60. 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.

- 61. 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. 10-0773-CC2; The State of Texas v. Land Partnership No. 1, in the County Court at Law No. 2 of Williamson County, Texas.

No action was taken in Executive Session.

- 62. 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 1:53 P.M. ON TUESDAY, MARCH 22, 2011.

63. Discuss and take appropriate action on real estate.

No action was taken.

64. 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.

65. Comments from Commissioners.

There were no comments.

COMMISSIONERS' COURT ADJOURNED AT 1:35 P.M. ON TUESDAY, MARCH 22, 2011.

THE FOREGOING MINUTES had at a Regular Session of Commissioners' Court of Williamson County, Texas, having been read are hereby approved this 29th day of March, 2011.

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

By: Black Wehling, Deputy