



## MINUTES OF THE WILLIAMSON COUNTY COMMISSIONERS' COURT MEETING MAY 10, 2011

STATE OF TEXAS )(

COUNTY OF WILLIAMSON )(

BE IT REMEMBERED that at 9:43 A.M. on TUESDAY, MAY 10, 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 1 Lisa Birkman

Second By: Commissioner Precinct 4 Ron Morrison

***Motion: To approve the minutes of the May 3rd and 9th meetings.***

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, Wire Transfers and Electronic Payments 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 1 Lisa Birkman

Second By: Commissioner Precinct 3 Valerie Covey

**Motion: To authorize the payment of bills totaling \$2,415,698.99 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 - 14)

5. Discuss and consider approving a line item transfer for the Tax Assessor/Collector.

Motion By: Commissioner Precinct 3 Valerie Covey

Second By: Commissioner Precinct 1 Lisa Birkman

**Motion: To approve a line item transfer for the Tax Assessor/Collector:**

<b>From</b>	<b>0100-0499-003120</b>	<b>Printer Supplies</b>	<b>\$962.44</b>	
<b>To</b>	<b>0100-0499-004621</b>	<b>Copier Rentals and Supplies</b>	<b>\$962.44</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

6. Discuss and consider approving a line item transfer for Infrastructure Department.

The amount of the transfer was changed from \$245.00 to \$454.00.

Motion By: Commissioner Precinct 3 Valerie Covey

Second By: Commissioner Precinct 1 Lisa Birkman

**Motion: To approve a line item transfer for Infrastructure Department:**

<b>FROM</b>	<b>0100-0509-004210</b>	<b>Internet/Email Svs</b>	<b>\$454.00</b>	
<b>TO</b>	<b>0100-0215-004210</b>	<b>Internet/Email Svs</b>	<b>\$454.00</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

**7. Discuss and consider approving a line item transfer for the County Attorney's Office:**

Motion By: Commissioner Precinct 3 Valerie Covey

Second By: Commissioner Precinct 1 Lisa Birkman

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

<b>From</b>	<b>0100-0475-004902</b>	<b>Co Atty Leg Supp</b>	<b>\$2,017.96</b>	
<b>To</b>	<b>0100-0475-004621</b>	<b>Copier Rental &amp; Supplies</b>	<b>\$2,017.96</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

**8. Discuss and consider approving a line item transfer for the County Clerk's Records Management Fund.**

Motion By: Commissioner Precinct 3 Valerie Covey

Second By: Commissioner Precinct 1 Lisa Birkman

**Motion: To approve a line item transfer for the County Clerk's Records Management Fund:**

<b>From</b>	<b>0385-0385-003011</b>	<b>Computer Software &lt;\$5,000</b>	<b>\$229.20</b>	
<b>From</b>	<b>0385-0385-004544</b>	<b>Repairs to Office Equipment</b>	<b>\$586.38</b>	
<b>From</b>	<b>0385-0385-004550</b>	<b>Imaging &amp; Microfilming</b>	<b>\$1,664.38</b>	
<b>To</b>	<b>0385-0385-003010</b>	<b>Computer Equipment &lt;\$5,000</b>	<b>\$2,479.96</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. Discuss and consider approving a line item transfer for the County Attorney's Office:**

This item was moved from the Consent Agenda to the Regular Agenda.

Dee Hobbs of the County Attorney's Office and First Assistant County Auditor Julie Kiley addressed the Court.

No action was taken.

**10. 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 1 Lisa Birkman

***Motion: To waive penalty and interest to a 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

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

Motion By: Commissioner Precinct 3 Valerie Covey

Second By: Commissioner Precinct 1 Lisa Birkman

***Motion: To approve Justice of the Peace #4, April, 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

12. **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 1 Lisa Birkman

***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

13. **Discuss and consider accepting an anonymous donation of 30 Temporal Artery Thermometer for use by WCEMS.**

Motion By: Commissioner Precinct 3 Valerie Covey

Second By: Commissioner Precinct 1 Lisa Birkman

***Motion: To accept an anonymous donation of 30 Temporal Artery Thermometers for use by Williamson County EMS.***

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 final approval for Sendero Springs, Section 6, Pct. 3.**

Motion By: Commissioner Precinct 3 Valerie Covey

Second By: Commissioner Precinct 1 Lisa Birkman

***Motion: To grant final approval for Sendero Springs, Section 6, 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**

- 15. Discuss and take appropriate action on a Proclamation declaring May as National Drug Court Month in Williamson County, Texas.**

County Court at Law #2 Judge Tim Wright and Director of the Community Supervision and Corrections Department Marty Griffith addressed the Court.

Motion By: Commissioner Precinct 1 Lisa Birkman

Second By: Commissioner Precinct 3 Valerie Covey

***Motion: To approve a Proclamation declaring May as National Drug Court Month in 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

- 16. Discuss and take appropriate action on road bond program.**

Senior Director of Infrastructure Robert Daigh addressed the Court.

No action was taken.

- 17. Consider approving Change Order Number 17 in the amount of \$28,718.40 for US 183, a Pass Through Financing Project in Precinct Two.**

Motion By: Commissioner Precinct 1 Lisa Birkman

Second By: Commissioner Precinct 3 Valerie Covey

***Motion: To approve Change Order Number 17 in the amount of \$28,718.40 for US 183, a Pass-Through Financing Project in Precinct Two.***

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.

- 18. Consider approving Change Order No. 17 in the amount of \$86,291.48 for Williams Drive, a Road Bond Construction Project in Precinct Three.**

Motion By: Commissioner Precinct 1 Lisa Birkman

Second By: Commissioner Precinct 3 Valerie Covey

***Motion: To approve Change Order No. 17 in the amount of \$86,291.48 for Williams Drive, a Road Bond Construction Project in Precinct Three.***

Aye: County Judge Dan A. Gattis

Commissioner Precinct 1 Lisa Birkman

Commissioner Precinct 2 Cynthia Long

Commissioner Precinct 3 Valerie Covey

Commissioner Precinct 4 Ron Morrison

19. **Consider authorizing the County Judge to execute a real estate contract with Richard B. Bean and Henrietta T. Bean for the purchase of right of way needed for the construction and expansion of SH 29.**

Motion By: Commissioner Precinct 1 Lisa Birkman

Second By: Commissioner Precinct 3 Valerie Covey

***Motion: To authorize the County Judge to execute a real estate contract with Richard B. Bean and Henrietta T. Bean for the purchase of right-of-way needed for the construction and expansion of SH 29.***

Aye: County Judge Dan A. Gattis

Commissioner Precinct 1 Lisa Birkman

Commissioner Precinct 2 Cynthia Long

Commissioner Precinct 3 Valerie Covey

Commissioner Precinct 4 Ron Morrison

20. **Consider authorizing the County Judge to execute a real estate contract with L. Kotrla Property, L.L.C. and E. Kotrla Property, L.L.C. for the purchase of right of way needed for the construction and expansion of Chandler IIIA. (Parcel 20)**

Motion By: Commissioner Precinct 1 Lisa Birkman

Second By: Commissioner Precinct 3 Valerie Covey

***Motion: To authorize the County Judge to execute a real estate contract with L. Kotrla Property, L.L.C. and E. Kotrla Property, L.L.C. for the purchase of right-of-way needed for the construction and expansion of Chandler IIIA. (Parcel 20)***

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 authorizing the County Judge to execute a real estate contract with Gladys Townsend, Sherri Moldenhour, Brenda Teggeman, Byron Townsend and Michael Townsend for the purchase of right of way needed for the construction and expansion of Chandler IIIA. (Parcels 19, 21 and 22)**

**Commissioner Morrison** abstained from voting on this item. Conflict of Interest Affidavit attached.

Motion By: Commissioner Precinct 1 Lisa Birkman

Second By: Commissioner Precinct 3 Valerie Covey

***Motion: To authorize the County Judge to execute a real estate contract with Gladys Townsend, Sherri Moldenhour, Brenda Teggeman, Byron Townsend and Michael Townsend for the purchase of right-of-way needed for the construction and expansion of Chandler IIIA. (Parcels 19, 21 and 22)***

Aye: County Judge Dan A. Gattis  
Commissioner Precinct 1 Lisa Birkman  
Commissioner Precinct 2 Cynthia Long  
Commissioner Precinct 3 Valerie Covey  
Other: Commissioner Precinct 4 Ron Morrison (Abstain)

22. **Consider authorizing the County Judge to execute a Possession & Use Agreement with W. Charles Schneider, a/k/a Willford Charles Schneider, Individually and as Trustee of the WCS Heritage Trust, Janis K. Johnson, Individually and as Trustee of the JKJ Heritage Trust and John B. Schneider, Individually and as Trustee of the JBS Heritage Trust for the purchase of utility easements needed for the construction and expansion of SH 195 Segment 4. (Parcel 109/CTSUD & PEC)**

Motion By: Commissioner Precinct 1 Lisa Birkman

Second By: Commissioner Precinct 3 Valerie Covey

***Motion: To authorize the County Judge to execute a Possession & Use Agreement with W. Charles Schneider, a/k/a Willford Charles Schneider, Individually and as Trustee of the WCS Heritage Trust, Janis K. Johnson, Individually and as Trustee of the JKJ Heritage Trust and John B. Schneider, Individually and as Trustee of the JBS Heritage Trust for the purchase of utility easements needed for the construction and expansion of SH 195 Segment 4. (Parcel 109/CTSUD & PEC)***

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

23. **Consider authorizing the County Judge to execute a Possession & Use Agreement with John B. Schneider, Individually and as Trustee of the JBS Heritage Trust for the purchase of utility easements needed for the construction and expansion of SH 195 Segment 4. (Parcel 109A/CTSUD & PEC)**

Motion By: Commissioner Precinct 1 Lisa Birkman

Second By: Commissioner Precinct 3 Valerie Covey

***Motion: To authorize the County Judge to execute a Possession & Use Agreement with John B. Schneider, Individually and as Trustee of the JBS Heritage Trust for the purchase of utility easements needed for the construction and expansion of SH 195 Segment 4. (Parcel 109A/CTSUD & PEC)***

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

24. **Consider authorizing the County Judge to execute a Possession & Use Agreement with Willford C. Schneider, Individually and as Trustee of the WCS Heritage Trust for the purchase of utility easements needed for the construction and expansion of SH 195 Segment 4. (Parcel 109B/CTSUD & PEC)**

Motion By: Commissioner Precinct 1 Lisa Birkman

Second By: Commissioner Precinct 3 Valerie Covey

***Motion: To authorize the County Judge to execute a Possession & Use Agreement with Willford C. Schneider, Individually and as Trustee of the WCS Heritage Trust for the purchase of utility easements needed for the construction and expansion of SH 195 Segment 4. (Parcel 109B/CTSUD & PEC)***

Aye: County Judge Dan A. Gattis

Commissioner Precinct 1 Lisa Birkman

Commissioner Precinct 2 Cynthia Long

Commissioner Precinct 3 Valerie Covey

Commissioner Precinct 4 Ron Morrison

25. **Consider authorizing the County Judge to execute a Possession & Use Agreement with Janis K. Johnson, Individually and as Trustee of the JKJ Heritage Trust for the purchase of utility easements needed for the construction and expansion of SH 195 Segment 4. (Parcel 109C/CTSUD & PEC)**

Motion By: Commissioner Precinct 1 Lisa Birkman

Second By: Commissioner Precinct 3 Valerie Covey

***Motion: To authorize the County Judge to execute a Possession & Use Agreement with Janis K. Johnson, Individually and as Trustee of the JKJ Heritage Trust for the purchase of utility easements needed for the construction and expansion of SH 195 Segment 4. (Parcel 109C/CTSUD & PEC)***

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. **Discuss and take appropriate action on the recommended FY11 Community Development Block Grant allocation.**

Grants Coordinator Sally Bardwell addressed the Court.

Motion By: Commissioner Precinct 4 Ron Morrison

Second By: Commissioner Precinct 3 Valerie Covey

***Motion: To approve the recommended FY11 Community Development Block Grant allocation.***

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. **Discuss and take appropriate action on adopting an Order approving a Policy For Establishing a Records Management Program for the Non-Elected Offices of Williamson County; Designating the Senior Office Manager for Williamson County Information Technology Services as Williamson County's Records Management Officer; and Declaring the Adoption of Records Control Schedules GR and EL for the records of the Non-Elected Offices of Williamson County.**

ITS Director Jay Schade addressed the Court.

Motion By: Commissioner Precinct 1 Lisa Birkman



Second By: Commissioner Precinct 3 Valerie Covey

***Motion: To adopt an order approving a policy for establishing a Records Management Program for the non-elected offices of Williamson County; designating the Senior Office Manager for Williamson County Information Technology Services as Williamson County's Records Management Officer; and Declaring the Adoption of Records Control Schedules GR and EL for the records of the non-elected offices of 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. Consider approving Change Order #1 for the Quarry Splash Pad in the amount of \$28,015.70.**

Parks Director Jim Rodgers addressed the Court.

Motion By: Commissioner Precinct 2 Cynthia Long

Second By: Commissioner Precinct 4 Ron Morrison

***Motion: To approve Change Order #1 for the Quarry Splash Pad in the amount of \$28,015.70.***

Aye: County Judge Dan A. Gattis

Commissioner Precinct 1 Lisa Birkman

Commissioner Precinct 2 Cynthia Long

Commissioner Precinct 3 Valerie Covey

Commissioner Precinct 4 Ron Morrison

**29. Consider awarding contract to Baker Aicklen for LANDSCAPE ARCHITECTURAL SERVICES FOR WILLIAMSON COUNTY BYERS TRACT PARK RFQ NUMBER: 11WCRFQ1002. The not-to-exceed cost for this project is \$65,000.**

Parks Director Jim Rodgers addressed the Court.

Motion By: Commissioner Precinct 4 Ron Morrison

Second By: Commissioner Precinct 3 Valerie Covey

***Motion: To award a contract to Baker-Aicklen for landscape architectural services for Williamson County Byers Tract Park; RFQ number 11WCRFQ1002.***

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. Discuss and take appropriate action on Determination Letter for mitigation enrollment on 39 acres at Georgetown Municipal Airport for a project to improve runway approach for Runway 36 consisting of tree and brush removal and slope grading to Federal Aviation Administration standards.**

Director of Environmental Programs Gary Boyd addressed the Court.

Motion By: Commissioner Precinct 1 Lisa Birkman

Second By: Commissioner Precinct 3 Valerie Covey

***Motion: To approve a Determination Letter for mitigation enrollment on 39 acres at Georgetown Municipal Airport for a project to improve runway approach for Runway 36, consisting of tree and brush removal and slope grading to Federal Aviation Administration standards.***

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 take appropriate action on a Local Prosecuting Authority Agreement between Williamson County and the Texas Health and Human Services Commission.**

Legal Advisor to the Commissioners' Court Hal Hawes and First Assistant County Auditor Julie Kiley addressed the Court.

Motion By: County Judge Dan A. Gattis

Second By: Commissioner Precinct 1 Lisa Birkman

***Motion: To approve a Local Prosecuting Authority Agreement between Williamson County and the Texas Health and Human Services Commission.***

Aye: County Judge Dan A. Gattis

Commissioner Precinct 1 Lisa Birkman

Commissioner Precinct 2 Cynthia Long

Commissioner Precinct 3 Valerie Covey

Commissioner Precinct 4 Ron Morrison

**32. Consider approving the purchasing cooperative interlocal agreement between Williamson County and the City of Leander.**

Motion By: Commissioner Precinct 3 Valerie Covey

Second By: Commissioner Precinct 2 Cynthia Long

***Motion: To approve the purchasing cooperative inter-local agreement between Williamson County and the City of Leander.***

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. Hear update on possible creation of Emergency Service District (ESD) within the City of Cedar Park ETJ.**

Attorney Charles Crossfield of Sheets and Crossfield addressed the Court.

No action was taken.

**34. Discuss and consider approving the 2011-2012 DFPS contract**

Budget Officer Ashlie Koenig and First Assistant County Auditor Julie Kiley addressed the Court.

No action was taken.

- 35. Consider approving an agreement with Parsons Commercial Roofing, Inc to provide construction services for the Williamson County Museum, with costs of \$39,951.00. The contractor is a Buy Board vendor.**

This item was pulled from the agenda.

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

No action was taken.

- 37. Consider awarding bid received for 2011 Seal Coat Project, Phase I- South of FM 1431, bid# 11WC904, to the lowest and best bidder- APAC-Texas, Inc.**

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 award bid received for 2011 Seal Coat Project, Phase I- South of FM 1431, bid# 11WC904, to the lowest and best bidder- APAC-Texas, Inc.***

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 awarding bids received for FM 1660 at CR 128 (Landfill Road), bid# 11WC913, to the lowest and best bidder- Aaron Concrete Contractors, LP.**

Motion By: Commissioner Precinct 2 Cynthia Long

Second By: Commissioner Precinct 4 Ron Morrison

***Motion: To award bids received for FM 1660 at CR 128 (Landfill Road), bid# 11WC913, to the lowest and best bidder- Aaron Concrete Contractors, LP.***

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 declaring an emergency and approving a budget amendment to acknowledge additional expenditures for Non Departmental**

Budget Officer Ashlie Koenig and First Assistant County Auditor Julie Kiley addressed the Court.

Motion By: Commissioner Precinct 1 Lisa Birkman

Second By: County Judge Dan A. Gattis

***Motion: To declare an emergency and approve a budget amendment to acknowledge additional expenditures for Non-Departmental:***

<input type="checkbox"/>	0100-0409-004999	Non Dept/Misc	\$77,000.00
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Aye: County Judge Dan A. Gattis

Commissioner Precinct 1 Lisa Birkman

Commissioner Precinct 2 Cynthia Long

Commissioner Precinct 3 Valerie Covey

Commissioner Precinct 4 Ron Morrison

40. **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 3 Valerie Covey

Second By: Commissioner Precinct 4 Ron Morrison

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

<input type="checkbox"/>	0100-0000-367403	Park Donations	\$100.00
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Aye: County Judge Dan A. Gattis

Commissioner Precinct 1 Lisa Birkman

Commissioner Precinct 2 Cynthia Long

Commissioner Precinct 3 Valerie Covey

Commissioner Precinct 4 Ron Morrison

41. **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 3 Valerie Covey

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 Park Donations:***

<input type="checkbox"/>	0100-0510-003670	Use of Donations	\$100.00
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Aye: County Judge Dan A. Gattis

Commissioner Precinct 1 Lisa Birkman

Commissioner Precinct 2 Cynthia Long

Commissioner Precinct 3 Valerie Covey

Commissioner Precinct 4 Ron Morrison

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

Motion By: Commissioner Precinct 3 Valerie Covey

Second By: Commissioner Precinct 4 Ron Morrison

***Motion: To declare an emergency and a grave necessity due to unforeseeable circumstances and approve a budget amendment for Victim's Assistance Donations:***

<input type="checkbox"/>	0100-0000-367400	Donations	\$89.00
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Aye: County Judge Dan A. Gattis

Commissioner Precinct 1 Lisa Birkman

Commissioner Precinct 2 Cynthia Long  
Commissioner Precinct 3 Valerie Covey  
Commissioner Precinct 4 Ron Morrison

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

Motion By: Commissioner Precinct 3 Valerie Covey

Second By: Commissioner Precinct 4 Ron Morrison

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

0100-0560-003671	V. A. Donations	\$89.00
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Aye: County Judge Dan A. Gattis

Commissioner Precinct 1 Lisa Birkman

Commissioner Precinct 2 Cynthia Long

Commissioner Precinct 3 Valerie Covey

Commissioner Precinct 4 Ron Morrison

## **COMMISSIONERS' COURT RECESSED TO EXECUTIVE SESSION AT 11:02 A.M. ON TUESDAY, MAY 10, 2011.**

44. **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.

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.

- 45.** 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) Attorney Grievance filed with the Office of Chief Disciplinary Counsel of the State Bar of Texas against Jana L. Duty-Hunsicker- Grievance File No. A0021113619;
- d) Civil Action No. 1:10-CV-00693-LY; Robert James Henry v. City of Taylor et al.; In the United States District Court for the Western District of Texas;
- e) 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
- f) 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.
- g) Civil Action 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
- h) Civil Action 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
- i) Employment related matters.
- j) Other confidential attorney-client matters, including contracts.

No action was taken in Executive Session.

## **COMMISSIONERS' COURT RECONVENED FROM EXECUTIVE SESSION AT 11:50 A.M. ON TUESDAY, MAY 10, 2011.**

- 46.** Discuss and take appropriate action on real estate.

No action was taken.

- 47.** 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) Attorney Grievance filed with the Office of Chief Disciplinary Counsel of the State Bar of Texas against Jana L. Duty-Hunsicker- Grievance File No. A0021113619;
- d) Civil Action No. 1:10-CV-00693-LY; Robert James Henry v. City of Taylor et al.; In the United States District Court for the Western District of Texas;
- e) 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
- f) 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.

g) Civil Action 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

h) Civil Action 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

i) Employment related matters.

j) Other confidential attorney-client matters, including contracts.

No action was taken.

**48. Comments from Commissioners.**

There were no comments.

## **COMMISSIONERS' COURT ADJOURNED AT 11:51 A.M. ON TUESDAY, MAY 10, 2011.**

THE FOREGOING MINUTES had at a Regular Session of Commissioners' Court of Williamson County, Texas, having been read are hereby approved this 17th day of May, 2011.



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

By: Black Wehling, Deputy