



**MINUTES OF THE WILLIAMSON COUNTY COMMISSIONERS' COURT MEETING
JULY 19, 2011**

STATE OF TEXAS)(

COUNTY OF WILLIAMSON)(

BE IT REMEMBERED that at 9:38 A.M. on TUESDAY, JULY 19, 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 July 12, 2011 meeting.

Aye: County Judge Dan A. Gattis

Commissioner Precinct 1 Lisa Birkman

Commissioner Precinct 2 Cynthia Long

Commissioner Precinct 3 Valerie Covey

Commissioner Precinct 4 Ron Morrison

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

No one addressed the Court.

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.

Commissioner Birkman abstained in regard to payment of invoices for The Gabriels Funeral Chapel and San Gabriel Parkway (Conflict of Interest Affidavits attached).

Motion By: Commissioner Precinct 4 Ron Morrison

Second By: Commissioner Precinct 3 Valerie Covey

Motion: To authorize the payment of bills totaling \$2,807,606.26 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

Attachments:

07.19.2011 Funding Report

Conflict of Interest Affidavit - Birkman

Conflict of Interest Affidavit 2 - Birkman

Quick Check Report

Wire Transfers

4. **Citizen comments.**

No one addressed the Court.

CONSENT AGENDA

The Consent Agenda includes non-controversial and 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 – 18)

5. **Consider a line item transfer from Miscellaneous to Cell Phone/Pager as requested by the Tax Assessor/Collector.**

Budget Officer Ashlie (Koenig) Blaylock and Legal Advisor to Commissioners' Court Hal Hawes addressed the Court.

This item was pulled from the Agenda.

6. Discuss and approve line item transfer for the purchase of office supplies for the District 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 purchase of office supplies for the District Attorney's office:

<i>from</i>	<i>0100-0440-003900</i>	<i>Publications/periodicals</i>	<i>\$500.00</i>	<i> </i>
<i>to</i>	<i>0100-0440-003100</i>	<i>Office supplies</i>	<i>\$500.00</i>	

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

Motion By: County Judge Dan A. Gattis

Second By: Commissioner Precinct 1 Lisa Birkman

Motion: To approve a line item transfer for the purchase of office supplies for the District Attorney's office, with the budget item (Publications/periodicals) corrected to read 0100-0440-003901:

<i>from</i>	<i>0100-0440-003901</i>	<i>Publications/periodicals</i>	<i>\$500.00</i>	<i> </i>
<i>to</i>	<i>0100-0440-003100</i>	<i>Office supplies</i>	<i>\$500.00</i>	

Aye: County Judge Dan A. Gattis

Commissioner Precinct 1 Lisa Birkman

Commissioner Precinct 3 Valerie Covey

Commissioner Precinct 4 Ron Morrison

Other: Commissioner Precinct 2 Cynthia Long (Absent from the Dais)

7. Discuss and consider approving line item transfer for Technology Services.

Motion By: Commissioner Precinct 3 Valerie Covey

Second By: Commissioner Precinct 1 Lisa Birkman

Motion: To approve a line item transfer for Technology Services:

<i>From</i>	<i>0100-0503-005700</i>	<i>Vehicles</i>	<i>\$2,047.00</i>	<i> </i>
<i>From</i>	<i>0100-0503-004541</i>	<i>Vehicle Repairs and Maintenance</i>	<i>\$1,000.00</i>	<i> </i>
<i>To</i>	<i>0100-0503-003301</i>	<i>Gasoline and Oil</i>	<i>\$3,047.00</i>	

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 Budget Office.

Motion By: Commissioner Precinct 3 Valerie Covey

Second By: Commissioner Precinct 1 Lisa Birkman

Motion: To approve a line item transfer for the Budget Office:

From	0100-0491-004999	Misc.	\$66.73
From	0100-0491-003100	Office Supplies	\$114.27
To	0100-0491-004350	Printed Materials and Binding	\$181.00

Aye: County Judge Dan A. Gattis

Commissioner Precinct 1 Lisa Birkman

Commissioner Precinct 2 Cynthia Long

Commissioner Precinct 3 Valerie Covey

Commissioner Precinct 4 Ron Morrison

9. Discuss and consider approving a line item transfer for the Child Welfare department.

Motion By: Commissioner Precinct 3 Valerie Covey

Second By: Commissioner Precinct 1 Lisa Birkman

Motion: To approve a line item transfer for the Child Welfare department:

From	0100-0645-002080	Random Drug Testing	\$15,000.00
To	0100-0645-003305	Clothing	\$15,000.00

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

Attachments:

Child Welfare Board Mtg 04-2011

10. Discuss and consider approving a line item transfer for JP3

Motion By: Commissioner Precinct 3 Valerie Covey

Second By: Commissioner Precinct 1 Lisa Birkman

Motion: To approve a line item transfer for the Justice of the Peace, Precinct 3:

From	0100-0453-003100	Office Supplies	\$100.00
To	0100-0453-004544	Repairs to Office Equipment	\$100.00

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

11. Discuss and consider approving a line item transfer for the Parks and Recreation Department.

Motion By: Commissioner Precinct 3 Valerie Covey

Second By: Commissioner Precinct 1 Lisa Birkman

Motion: To approve line item transfers for the Parks and Recreation Department:

To	0100-0510-004510	Facility Maint. &	\$2,000.00	
From	0100-0510-004111	Special Events	\$2,000.00	
To	0100-0510-003301	Gasoline	\$4,000.00	
From	0100-0510-004350	Printed Materials	\$2,000.00	
From	0100-0510-004231	Travel	\$1,000.00	
From	0100-0510-003541	Contract Mowing	\$3,500.00	
To	0100-0510-004541	vehicle maint.	\$3,500.00	
From	0100-0510-003670	Use of donations	\$1,000.00	

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

12. Discuss and consider approving a line item transfer for EMS.

Motion By: Commissioner Precinct 3 Valerie Covey

Second By: Commissioner Precinct 1 Lisa Birkman

Motion: To approve a line item transfer for EMS:

From	0100-0540-005700	Vehicles > \$5000	\$38,400.00	
To	0100-0540-004210	Internet/Email Services	\$34,900.00	
To	0100-0540-003010	Computer Equipment < \$5000	\$3,500.00	

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

13. **Consider approving property tax collections for the month of June 2011 for the Williamson County Tax Assessor/Collector.**

Motion By: Commissioner Precinct 3 Valerie Covey

Second By: Commissioner Precinct 1 Lisa Birkman

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

Attachments:

060111-063011 GWI-RFM

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

Motion By: Commissioner Precinct 3 Valerie Covey

Second By: Commissioner Precinct 1 Lisa Birkman

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

Attachments:

Court Refunds Jun 11

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

Senior Director of Infrastructure Bob Daigh addressed the Court.

Motion By: Commissioner Precinct 3 Valerie Covey

Second By: Commissioner Precinct 1 Lisa Birkman

Motion: To authorize the transfer of all of the various equipment items listed, except for the car intended for Facilities, through inter-office transfer, auction, donation, destruction, or trade-in.

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

Attachments:

Asset Transfer Forms

16. **Consider approving donation for National Night Out program from Target in the amount of \$1500.00.**

Motion By: Commissioner Precinct 3 Valerie Covey

Second By: Commissioner Precinct 1 Lisa Birkman

Motion: To approve a donation from Target in the amount of \$1,500.00 for the National Night Out 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

17. **Consider closing the northbound lanes of Liberty Walk from O'Connor Drive to Tonkinese Drive on September 24th, 2011 from 9:00 am until 7:00 pm and consider loaning barricades and signage for the Annual Hairy Man Festival.**

Motion By: Commissioner Precinct 3 Valerie Covey

Second By: Commissioner Precinct 1 Lisa Birkman

Motion To authorize the closing of the northbound lanes of Liberty Walk from O'Connor Drive to Tonkinese Drive on September 24th, 2011 from 9:00 a.m. until 7:00 p.m. and to loan barricades and signage for the Annual Hairy Man Festival.

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

Attachments:

Hairy Man Festival

18. **Discuss and take appropriate action on authorizing the County Judge to execute a deed without warranty to Vista Oaks Municipal Utility District for 0.033 and 0.035 acres of right-of-way. (Pct. 3)**

Motion By: Commissioner Precinct 3 Valerie Covey

Second By: Commissioner Precinct 1 Lisa Birkman

Motion: To authorize the County Judge to execute a deed without warranty to Vista Oaks Municipal Utility District for 0.033 and 0.035 acres of right-of-way (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

Attachments:

Vista Oaks MUD Deed Without Warranty

REGULAR AGENDA

19. **Consider approving a resolution recognizing the Williamson County Purchasing Office for receiving the Achievement of Excellence in Public Procurement Award from the National Purchasing Institute. Standards for receiving this award have been established by the National Purchasing Institute and supported by the following organizations: National Institute of Governmental Purchasing, Texas Public Purchasing Association, California Association of Public Procurement Officers, Florida Association of Public Procurement Officers, National Association of State Procurement Officials, National Association of Educational Procurement, and the Institute of Supply Management. (Notice of Award from NPI is attached)**

Purchasing Director Bob Space addressed the Court. No action was taken.

Attachments:

Procurement Award

20. **Hear presentation and update on Capital Area Housing Finance Corporation.**

This item was pulled from the agenda.

21. **Hear presentation from Williamson County Elections Administrator, Rick Barron and take appropriate action regarding the effects of SB 100 on local May elections.**

The following persons addressed the Court: Williamson County Elections Administrator Rick Barron, Cedar Park City Councilman Tony Dale, Round Rock City Councilman Craig Morgan and Legal Advisor to Commissioners' Court Hal Hawes.

No action was taken.

Attachments:

Elections Jurisdictions
May Election Expense
SB 100

22. Hear July 2011 Construction Summary Report.

Senior Director of Infrastructure Bob Daigh addressed the Court. No action was taken.

Attachments:

July 2011 CSR

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

No action was taken.

24. Consider approving Change Order No. 6 in the amount of \$0.00 for BUS 79 Drainage (Project No. 09WC712), a Road Bond Project in Precinct Four.

Motion By: Commissioner Precinct 4 Ron Morrison

Second By: Commissioner Precinct 1 Lisa Birkman

Motion: To approve Change Order No. 6 in the amount of \$0.00 for Business 79 Drainage (Project No. 09WC712), a Road Bond Project in Precinct 4.

Aye: County Judge Dan A. Gattis

Commissioner Precinct 1 Lisa Birkman

Commissioner Precinct 2 Cynthia Long

Commissioner Precinct 3 Valerie Covey

Commissioner Precinct 4 Ron Morrison

Attachments:

BUS 79 Drainage Change Order 6

25. Consider approving Change Order No. 19 in the amount of \$20,376.08 for US 79 Section 5A (Project No. 08WC619), a Pass Through Financing project in Precinct Four.

Motion By: Commissioner Precinct 4 Ron Morrison

Second By: Commissioner Precinct 1 Lisa Birkman

Motion: To approve Change Order No. 19 in the amount of \$20,376.08 for US 79, Section 5A (Project No. 08WC619), a Pass Through Financing project in Precinct 4.

Aye: County Judge Dan A. Gattis

Commissioner Precinct 1 Lisa Birkman

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

Attachments:

US 79 Section 5A Change Order 19

26. **Consider approving Change Order No. 7 in the amount of \$31,951.08 for RM 2338 Phase II (Project No. 09WC722A), a Pass Through Financing project in Precinct Three.**

Motion By: Commissioner Precinct 4 Ron Morrison

Second By: Commissioner Precinct 1 Lisa Birkman

Motion: To approve Change Order No. 7 in the amount of \$31,951.08 for RM 2338 Phase II (Project No. 09WC722A), a Pass Through Financing project in 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

Attachments:

RM 2338 Phase II Change Order 7

27. **Consider approving Change Order No. 2, in the amount of \$-1126.78 for CR 313 East, Ph. 2, Precinct 3.**

Motion By: Commissioner Precinct 4 Ron Morrison

Second By: Commissioner Precinct 1 Lisa Birkman

Motion: To approve Change Order No. 2 in the amount of \$-1,126.78 for County Road 313 East, Phase 2, 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

Attachments:

CR 313 East Change Order 2

28. **Consider authorizing County Judge to execute a Real Estate Contract with AltonAutowash, Inc. for ROW needed on RM 620. (PARCEL 7)**

Motion By: Commissioner Precinct 4 Ron Morrison

Second By: Commissioner Precinct 1 Lisa Birkman

Motion: To authorize the County Judge to execute a Real Estate Contract with AltonAutowash, Inc. for right-of-way needed on Ranch to Market 620 (PARCEL 7).

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

Attachments:

AltonAutowash Real Estate Contract - RM 620

29. Consider authorizing County Judge to execute a Real Estate Contract with Shumore Joint Venture for ROW needed on Chandler IIIA. (PARCEL 7)

Motion By: Commissioner Precinct 4 Ron Morrison

Second By: Commissioner Precinct 1 Lisa Birkman

Motion: To authorize the County Judge to execute a Real Estate Contract with Shumore Joint Venture for right-of-way needed on Chandler IIIA (PARCEL 7).

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)

Commissioner Morrison abstained from voting on this item (Conflict of interest Affidavit attached).

Attachments:

Conflict of Interest Affidavit - Morrison

Shumore Joint Venture Real Estate Contract - Chandler Road IIIA

30. Consider authorizing the County Judge to execute a Confirmation of Access Easement to the Guy property.

Motion By: Commissioner Precinct 4 Ron Morrison

Second By: Commissioner Precinct 1 Lisa Birkman

Motion: To authorize the County Judge to execute a Confirmation of Access Easement to the Guy property.

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

Attachments:

Guy Property Agreement to Relocate Access Easement

31. **Consider authorizing County Judge to execute a letter agreement with the Nelson Homestead Family Partnership, Ltd. for driveway improvements on FM 1460.**

Motion By: Commissioner Precinct 4 Ron Morrison

Second By: Commissioner Precinct 1 Lisa Birkman

Motion: To authorize the County Judge to execute a letter agreement with the Nelson Homestead Family Partnership, Ltd. for driveway improvements on FM 1460.

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

Attachments:

Nelson Homestead Family Partnership Letter Agreement - FM 1460

32. **Consider authorizing County Judge to execute a letter agreement with Mark and Darla Ekrut for moving expenses on SH 29.**

Motion By: Commissioner Precinct 4 Ron Morrison

Second By: Commissioner Precinct 1 Lisa Birkman

Motion: To authorize the County Judge to execute a letter agreement with Mark and Darla Ekrut for moving expenses on State Highway 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

Attachments:

Ekrut Letter Agreement - SH 29

33. **Consider authorizing County Judge to execute a Right to Enter Property Agreement with Katy Whitis for ROW needed on Ronald Reagan Phase IV. (PARCEL 8.1 and 8.2)**

Motion By: Commissioner Precinct 4 Ron Morrison

Second By: Commissioner Precinct 1 Lisa Birkman

Motion: To authorize the County Judge to execute a Right to Enter Property Agreement with Katy Whitis for right-of-way needed on Ronald Reagan Phase IV (Parcels 8.1 and 8.2).

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

Attachments:

Whitis Right to Enter Property Agreement

34. Consideration and action with respect to Resolution Calling a Public Hearing Regarding Establishment of the Northwoods Road District No. 1.

Motion By: Commissioner Precinct 2 Cynthia Long

Second By: Commissioner Precinct 3 Valerie Covey

Motion: To approve a resolution calling a Public Hearing regarding establishment of the Northwoods Road District No. 1, the Public Hearing to be held at 10:00 a.m. on August 9, 2011 at the Commissioners' Court.

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

Attorneys Charlie Crossfield of Sheets and Crossfield and Jana Edwards of McCall, Parkhurst and Horton addressed the Court.

Attachments:

Resolution for Public Hearing on Northwoods Road District 1

35. Discuss and take appropriate action on the processing of public information requests.

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

No action was taken.

36. Discuss and take appropriate action on extending the Burn Ban in Williamson County for up to an additional ninety days.

Motion By: County Judge Dan A. Gattis

Second By: Commissioner Precinct 2 Cynthia Long

Motion: To extend the Burn Ban in Williamson County for an additional ninety days.

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

Attachments:

Order Prohibiting Outdoor Burning

37. **Discuss and take appropriate action on purchasing and contract approval from CTS for telecommunication equipment for the Parks Administrative Office in the Southwest Regional Park.**

Senior Director of Parks & Recreation Jim Rodgers addressed the Court.

Motion By: Commissioner Precinct 2 Cynthia Long

Second By: Commissioner Precinct 4 Ron Morrison

Motion: To approve a contract with Consolidated Telecom Services (CTS) for telecommunication equipment for the Parks Administrative Office 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

Attachments:

Info contract

Appendix terms

CTS Contract for Parks Administrative Office

38. **Acknowledge and take appropriate action as needed regarding Williamson County Conservation Foundation acquisition of a conservation easement covering an additional portion of Cobb Cavern, an endangered species habitat feature.**

Director of Environmental Programs for the Parks Department Gary Boyd and Legal Advisor to Commissioners' Court Hal Hawes addressed the Court.

No action was taken.

Attachments:

14.9 sketch survey

39. **Discuss and take appropriate action on Determination Letter for mitigation enrollment on a project area for Round Rock Independent School District consisting of 214+ acres located between Avery Ranch Boulevard and SH 45 and known as Pearson Ranch tract.**

Director of Environmental Programs for the Parks Department Gary Boyd and Legal Advisor to Commissioners' Court Hal Hawes addressed the Court.

This item was pulled from the agenda.

Attachments:

determination letter RRISD - Pearson Ranch

40. **Consider authorizing the Fleet Department to have Rene Bates Auctioneers hold online auctions for the sale of surplus County vehicles and heavy equipment on the following dates: August 12th, 2011, November 11th, 2011, February 10th, 2012, May 11th, 2012, and September 10th, 2012. All auctions will close by 5pm CST on these dates.**

Motion By: Commissioner Precinct 1 Lisa Birkman

Second By: Commissioner Precinct 4 Ron Morrison

Motion: To authorize the Fleet Department to have Rene Bates Auctioneers hold online auctions for the sale of surplus County vehicles and heavy equipment on the following dates: August 12th, 2011, November 11th, 2011, February 10th, 2012, May 11th, 2012, and September 10th, 2012. All auctions will close by 5:00 p.m. CST on these dates.

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 authorizing advertising and setting date of August 17, 2011 at 2:00pm in the Purchasing Department to receive proposals for Snack and Beverage Vending Machines for Williamson County, Proposal # 11WCP1009.**

Motion By: Commissioner Precinct 1 Lisa Birkman

Second By: Commissioner Precinct 4 Ron Morrison

Motion: To authorize advertising and set a date of August 17, 2011 at 2:00 p.m. in the Purchasing Department to receive proposals for snack and beverage vending machines for Williamson County, Proposal # 11WCP1009.

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

Attachments:

Vending RFP

42. **Consider authorizing advertising and setting date of August 9, 2011 at 2:00 pm in the Purchasing Department to receive bids for Sheriff's Office Contract Towing Services for the Northwest area - Class A and Class B Tows.**

Motion By: Commissioner Precinct 1 Lisa Birkman

Second By: Commissioner Precinct 4 Ron Morrison

Motion: To authorize advertising and set a date of August 9, 2011 at 2:00 p.m. in the Purchasing Department to receive bids for Sheriff's Office Contract Towing Services for the Northwest area - Class A and Class B Tows.

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

Attachments:

Contract Towing bid package

43. **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 1 Lisa Birkman

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:

0100-0000-367403	Park Donations	\$3,350.00
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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

44. **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 1 Lisa Birkman

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 to acknowledge use of Park Donations:

0100-0510-003670	Use of Donations	\$3,350.00
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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

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

Motion By: Commissioner Precinct 1 Lisa Birkman

Second By: Commissioner Precinct 4 Ron Morrison

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

0100-0000-370515	TDH Monitoring Fees	\$12,000.00
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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

46. **Consider an order declaring an emergency and a grave necessity due to unforeseeable circumstances and approve a budget amendment to acknowledge use of funds for the Sheriff's Office:**

Motion By: Commissioner Precinct 1 Lisa Birkman

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 to acknowledge use of funds for the Sheriff's Office:

0100-0560-001110	Overtime	\$9,691.20
0100-0560-002010	FICA	\$918.00
0100-0560-002020	Retirement	\$1,390.80

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. **Consider an order declaring an emergency and a grave necessity due to unforeseeable circumstances and approve a budget amendment for EMS.**

Motion By: Commissioner Precinct 1 Lisa Birkman

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 EMS:

0100-0000-333220	<i>Payments from other entities</i>	<i>\$3,333.00</i>
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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

48. **Consider an order declaring an emergency and a grave necessity due to unforeseeable circumstances and approve a budget amendment for EMS.**

Motion By: Commissioner Precinct 1 Lisa Birkman

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 EMS:

0100-0540-003001	<i>Small Equipment & Tools</i>	<i>\$3,333.00</i>
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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

49. **Consider an order declaring an emergency and a grave necessity due to unforeseeable circumstances and approve a budget amendment for EMS donation.**

Motion By: Commissioner Precinct 1 Lisa Birkman

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 EMS donation:

0100-0000-367401	<i>EMS Donations</i>	<i>\$50.00</i>
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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

50. **Consider an order declaring an emergency and a grave necessity due to unforeseeable circumstances and approve a budget amendment for EMS donation.**

Motion By: Commissioner Precinct 1 Lisa Birkman

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 EMS donation:

0100-0540-003670	Use of Donations	\$50.00
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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

51. **Consider an order declaring an emergency and a grave necessity due to unforeseeable circumstances and approve a budget amendment for EMS donation.**

Motion By: Commissioner Precinct 1 Lisa Birkman

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 EMS donation:

0100-0000-367401	EMS Donations	\$25.00
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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

52. **Consider an order declaring an emergency and a grave necessity due to unforeseeable circumstances and approve a budget amendment for EMS donation.**

Motion By: Commissioner Precinct 1 Lisa Birkman

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 EMS donation:

0100-0540-003670	Use of Donations	\$25.00
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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

53. **Consider an order declaring an emergency and a grave necessity due to unforeseeable circumstances and approve a budget amendment for EMS donation.**

Motion By: Commissioner Precinct 1 Lisa Birkman

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 EMS donation, with a correction of account number 0100-0000-003674 to 0100-0000367401:

0100-0000-367401	EMS Donations	\$1,750.00
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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

54. **Consider an order declaring an emergency and a grave necessity due to unforeseeable circumstances and approve a budget amendment for EMS donation.**

Motion By: Commissioner Precinct 1 Lisa Birkman

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 EMS donation:

0100-0540-367401	Use of Donations	\$1,750.00
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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 AT 10:48 A.M. ON
TUESDAY, JULY 19, 2011 FOR THE ROAD DISTRICT MEETING
AND EXECUTIVE SESSION.**

- 55. 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 RM 2338 Phase II.**
- b) Discuss proposed acquisition of property for right-of-way for SH 195 0.805 South of Bell County Line to IH 35.**
- c) 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.**
- d) Discuss proposed acquisition of property for right-of-way for O'Connor Boulevard and 620 project.**
- e) Discuss proposed acquisition of property for right-of-way for Ronald Reagan Blvd. Phase II project from FM 3405 to Reagan Blvd.**
- f) Discuss proposed acquisition of property for right-of-way for Ronald Reagan Blvd. Phase III and Phase IV.**
- g) Discuss proposed acquisition of property for proposed SH 29 project.**
- h) Discuss proposed acquisition of property for right-of-way for US 79 Section 3 from East of Hutto to CR 402.**
- i) Discuss proposed acquisition of property for right-of-way for US 79 Section 5A from East of Taylor to Thrall.**
- j) Discuss proposed acquisition of property for right-of-way on Chandler IIIA.**
- k) Discuss proposed acquisition of property for right-of-way on CR 274/San Gabriel Parkway.**
- l) Discuss proposed acquisition of property for right-of-way along Lakeline extension.**
- m) Discuss proposed acquisition of property for right-of-way along Great Oaks extension.**
- n) Discuss proposed acquisition of property for right-of-way along SW By-Pass.**
- o) Discuss proposed acquisition of property for right-of-way along FM 1460.**
- p) Discuss proposed Access Easement on Guy property.**
- q) Discuss proposed acquisition of drainage easements along CR 138.**

No action was taken in Executive Session.

- 56. Discuss economic development issues regarding project Jill. (EXECUTIVE SESSION as per VTCA Gov't Code Section 551.076 Deliberation regarding economic development projects.)**

No action was taken in Executive Session.

- 57. 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) Case No. A11CA403 SS; Ruben Yzquierdo v. Williamson County and the Williamson County Sheriff's Department; In the United States District Court, Western District of Texas, Austin Division
- i) Case No. A11CA 300LY; Michelle Sheffield v. John Doe I, Individually and in his Official Capacity, Williamson County and the Williamson County Sheriff's Department; In the United States District Court, Western District of Texas, Austin Division;
- j) Civil Action No. 11-278; Will Aguilar v. Williamson County, Texas; Daniel Robertson, and Michael Baxter; In the United States District Court, Western District of Texas, Austin Division
- k) Employment related matters.
- l) Other confidential attorney-client matters, including contracts.

No action was taken in Executive Session.

COMMISSIONERS' COURT RECONVENED FROM EXECUTIVE SESSION AT 12:22 P.M. ON TUESDAY, JULY 19, 2011.

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

No action was taken.

- 59. Discuss economic development issues regarding project Jill.**

No action was taken.

- 60. 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) Case No. A11CA403 SS; Ruben Yzquierdo v. Williamson County and the Williamson County Sheriff's Department; In the United States District Court, Western District of Texas, Austin Division

i) Case No. A11CA 300LY; Michelle Sheffield v. John Doe I, Individually and in his Official Capacity, Williamson County and the Williamson County Sheriff's Department; In the United States District Court, Western District of Texas, Austin Division;

j) Civil Action No. 11-278; Will Aguilar v. Williamson County, Texas; Daniel Robertson, and Michael Baxter; In the United States District Court, Western District of Texas, Austin Division

k) Employment related matters.

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

No action was taken.

61. Comments from Commissioners.

There were no comments.

COMMISSIONERS' COURT ADJOURNED AT 12:24 P.M. ON TUESDAY, JULY 19, 2011.

THE FOREGOING MINUTES had at a Regular Session of Commissioners' Court of Williamson County, Texas, having been read are hereby approved this 26th day of July, 2011.

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

By: Black Wehling, Deputy

