



**MINUTES OF THE WILLIAMSON COUNTY COMMISSIONERS' COURT MEETING
NOVEMBER 1, 2011**

STATE OF TEXAS)(

COUNTY OF WILLIAMSON)(

BE IT REMEMBERED that at 9:32 A.M. on **TUESDAY, NOVEMBER 1, 2011**, a **REGULAR SESSION** of the Commissioners' Court of Williamson County, Texas, was held with the following being present, to-wit:

Present: Lisa Birkman, Commissioner Precinct 1
Cynthia Long, Commissioner Precinct 2
Valerie Covey, Commissioner Precinct 3
Ron Morrison, Commissioner Precinct 4
Absent: Dan A. Gattis, County Judge
Nancy E. Rister, County Clerk
Others Present: Black Wehling, Deputy County Clerk
Hal Hawes, Legal Advisor to Commissioner's Court
Marilyn Cavender, Executive Assistant County Clerk

1. Review and approval of minutes.

Motion By: Commissioner Precinct 2 Cynthia Long
Second By: Commissioner Precinct 3 Valerie Covey
Motion: To approve the minutes of the October 25, 2011 meeting.

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)

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

No action was taken on this item.

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 San Gabriel Parkway and The Gabriels Funeral Chapel (Conflict of Interest Affidavits attached).

Motion By: Commissioner Precinct 3 Valerie Covey

Second By: Commissioner Precinct 4 Ron Morrison

Motion: To authorize the payment of bills totaling \$2,917,249.85 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: 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)

4. **Citizen comments.**

Jim Dillon of Liberty Hill and Mike Hallmark of Florence 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 – 11)

5. **Discuss and consider approving a line item transfer for JP 4.**

Motion By: Commissioner Precinct 3 Valerie Covey

Second By: Commissioner Precinct 4 Ron Morrison

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

<i>From</i>	<i>0100-0454-001100</i>	<i>Salaries</i>	<i>\$1,121.12</i>	☐	☐
<i>To</i>	<i>0100-0454-001107</i>	<i>Temp Labor</i>	<i>\$1,121.12</i>	☐	☐

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)

6. **To discuss and consider approving a line item transfer for the Elections Department.**

Motion By: Commissioner Precinct 3 Valerie Covey

Second By: Commissioner Precinct 4 Ron Morrison

Motion: To approve a line item transfer for the Elections Department:

<i>From</i>	<i>0100-0492-004251</i>	<i>Election Supplies</i>	<i>\$290.51</i>	☐	☐
<i>To</i>	<i>0100-0492-004414</i>	<i>Vehicle Insurance</i>	<i>\$290.51</i>	☐	☐

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)

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

Motion By: Commissioner Precinct 3 Valerie Covey

Second By: Commissioner Precinct 4 Ron Morrison

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

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)

8. **Discuss and consider approving increase of change funds for Taylor Tax office to \$500.00. Change funds for Cedar Park and Round Rock Tax office locations to \$900.00.**

Motion By: Commissioner Precinct 3 Valerie Covey

Second By: Commissioner Precinct 4 Ron Morrison

Motion: To approve increases of change funds for the Taylor Tax office to \$500.00 and change funds for the Cedar Park and Round Rock Tax office locations to \$900.00.

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)

9. **Discuss and consider granting a variance to the 25' building setback line according to the Williamson County Subdivision Regulations, Section 8, Building Setbacks, for Sendero Springs, Section 6, Block A, Lot 23, Pct. 3.**

Motion By: Commissioner Precinct 3 Valerie Covey

Second By: Commissioner Precinct 4 Ron Morrison

Motion: To grant a variance to the 25' building setback line according to the Williamson County Subdivision Regulations, Section 8, Building Setbacks, for Sendero Springs, Section 6, Block A, Lot 23; Precinct #3.

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)

10. **Take appropriate action on Determination Letter for Chisholm Trail Special Utility District to enroll a project tract for water line relocation along CR 228 in the Williamson County Regional Habitat Conservation Plan (RHCP). Authorize the County Judge or his designee to sign Participation Agreement that will follow from this Determination Letter.**

Motion By: Commissioner Precinct 3 Valerie Covey

Second By: Commissioner Precinct 4 Ron Morrison

Motion: To accept the Determination Letter for Chisholm Trail Special Utility District to enroll a project tract for water line relocation along County Road 228 in the Williamson County Regional Habitat Conservation Plan (RHCP) and to authorize the County Judge or his designee to sign the Participation Agreement.

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)

11. **Take appropriate action on Determination Letter for Highland Six Twenty Residential Ltd and Highland 620 Land Investment Ltd., AKA Highland Horizon Phase III, to enroll a 63.732 acre tract south of RM 620 at Great Oaks Blvd. as described by metes and bounds, in the Williamson County Regional Habitat Conservation Plan (RHCP). Authorize county judge or designee to sign Participation Agreement.**

Motion By: Commissioner Precinct 3 Valerie Covey

Second By: Commissioner Precinct 4 Ron Morrison

Motion: To accept the Determination Letter for Highland Six Twenty Residential, Ltd. and Highland 620 Land Investment, Ltd., AKA Highland Horizon Phase III, to enroll a 63.732 acre tract south of Ranch to Market 620 at Great Oaks Boulevard as described by metes and bounds in the Williamson County Regional Habitat Conservation Plan (RHCP) and to authorize the County Judge or designee to sign the Participation Agreement.

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)

REGULAR AGENDA

12. **Discuss and take appropriate action regarding a Resolution declaring the week of October 31 to November 5, 2011, to be Williamson County Courthouse Centennial Celebration Week in honor of the 100 years of service the courthouse has provided to Williamson County citizens.**

Public Information Officer Connie Watson and Executive Director of the Williamson Museum Mickie Ross addressed the Court.

Motion By: Commissioner Precinct 3 Valerie Covey

Second By: Commissioner Precinct 4 Ron Morrison

Motion: To approve a Resolution declaring the week of October 31 to November 5, 2011, to be Williamson County Courthouse Centennial Celebration Week in honor of the 100 years of service the courthouse has provided to Williamson County citizens.

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)

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

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

14. **Consider approving Change Order No. 3 in the amount of -\$89,324.55 for Second Street Improvements, a Road Bond Project in Precinct Four.**

Senior Director of Infrastructure Bob Daigh addressed the Court.

Motion By: Commissioner Precinct 4 Ron Morrison

Second By: Commissioner Precinct 2 Cynthia Long

Motion: To approve Change Order No. 3 in the amount of -\$89,324.55 for Second Street Improvements, a Road Bond Project in Precinct #4.

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)

15. **Consider approving Change Order No. 4 in the amount of \$99,145.75 for Second Street Improvements, a Road Bond Project in Precinct Four.**

Senior Director of Infrastructure Bob Daigh addressed the Court.

Motion By: Commissioner Precinct 4 Ron Morrison

Second By: Commissioner Precinct 2 Cynthia Long

Motion: To approve Change Order No. 4 in the amount of \$99,145.75 for Second Street Improvements, a Road Bond Project in Precinct #4.

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)

16. **Report on Emergency Services Operations Center building project; Change Order #7 in the amount of \$1691.00 for a State of Texas required Combined Heat and Power feasibility report.**

Motion By: Commissioner Precinct 3 Valerie Covey

Second By: Commissioner Precinct 2 Cynthia Long

Motion: To acknowledge the Report on Emergency Services Operations Center building project; Change Order #7 in the amount of \$1,691.00 for a State of Texas required Combined Heat and Power Feasibility Report.

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)

17. **Report on Emergency Services Operations Center building project; Change Order #8 in the amount of \$4821.00 for the water tank redesign and relocation.**

Motion By: Commissioner Precinct 3 Valerie Covey

Second By: Commissioner Precinct 2 Cynthia Long

Motion: To acknowledge the Report on Emergency Services Operations Center building project; Change Order #8 in the amount of \$4,821.00 for the water tank redesign and relocation.

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)

18. **Consider a resolution determining the necessity and authorizing the use of eminent domain to condemn certain property interests required for the construction of SH 195, and take appropriate action. (John B. Schneider/Parcel 109A)**

Attorney Charles Crossfield of Sheets and Crossfield addressed the Court.

Motion By: Commissioner Precinct 3 Valerie Covey

Second By: Commissioner Precinct 2 Cynthia Long

Motion: To authorize the use of the power of eminent domain to acquire Parcel 109A, 2.018 acres from John B. Schneider for the widening of State Highway 195.

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)

19. **Consider a resolution determining the necessity and authorizing the use of eminent domain to condemn certain property interests required for the construction of SH 195, and take appropriate action. (Wilford Schneider/Parcel 109B)**

Attorney Charles Crossfield of Sheets and Crossfield addressed the Court.

20. **Consider a resolution determining the necessity and authorizing the use of eminent domain to condemn certain property interests required for the construction of SH 195, and take appropriate action. (Jansi Johnson/Parcel 109C)**

Attorney Charles Crossfield of Sheets and Crossfield addressed the Court.

Motion By: Commissioner Precinct 3 Valerie Covey

Second By: Commissioner Precinct 2 Cynthia Long

Motion: To authorize the use of the power of eminent domain to acquire Parcel 109C, 10.824 acres from Jansi Johnson for the widening of State Highway 195.

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)

21. **Consider a resolution determining the necessity and authorizing the use of eminent domain to condemn certain property interests required for the construction of SH 195, and take appropriate action. (Schneider/Parcel 109)**

Attorney Charles Crossfield of Sheets and Crossfield addressed the Court.

Motion By: Commissioner Precinct 3 Valerie Covey

Second By: Commissioner Precinct 2 Cynthia Long

Motion: To authorize the use of the power of eminent domain to acquire Parcel 109, 0.733 acres from Wilford Schneider for the widening of State Highway 195.

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)

22. Consider authorizing County Judge to execute a letter agreement with Jeffrey Ridings for a Drainage Easement needed on CR 138. (PARCEL 1E)

Motion By: Commissioner Precinct 3 Valerie Covey

Second By: Commissioner Precinct 4 Ron Morrison

Motion: To authorize Commissioner Birkman to execute a letter agreement with Jeffrey Ridings for a Drainage Easement needed on County Road 138 (Parcel 1E).

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)

23. Consider authorizing the acquisition of a communications tower located on County Road 327 in Granger, Texas from Jimmy Zimmerhanzel.

Motion By: Commissioner Precinct 4 Ron Morrison

Second By: Commissioner Precinct 2 Cynthia Long

Motion: To authorize the acquisition of a communications tower located on County Road 327 in Granger, Texas from Jimmy Zimmerhanzel .

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)

24. Consider authorizing County Judge to execute a Letter Agreement with the Winters/Butler Partnership for a waterline extension on San Gabriel Parkway (formerly CR 274).

Commissioner Birkman abstained from voting on this item (Conflict of Interest Affidavit attached).

Motion By: Commissioner Precinct 2 Cynthia Long

Second By: Commissioner Precinct 4 Ron Morrison

Motion: To authorize Commissioner Birkman to execute a Letter Agreement with the Winters/Butler Partnership for a waterline extension on San Gabriel Parkway (formerly County Road 274).

Aye: Commissioner Precinct 2 Cynthia Long

Commissioner Precinct 3 Valerie Covey

Commissioner Precinct 4 Ron Morrison

Other: County Judge Dan A. Gattis (Absent)

Commissioner Precinct 1 Lisa Birkman (Abstain)

- 25. Consider authorizing the County Judge to execute a Land Lease with Jerry and Carolyn Hawes for property on Tower Road approximately 1.6 miles east of FM 258, Georgetown, Texas.**

Commissioner Birkman noted for the record that since Legal Advisor Hal Hawes is related to the property owners in this item, Attorney Charles Crossfield handled the negotiations.

Motion By: Commissioner Precinct 4 Ron Morrison

Second By: Commissioner Precinct 2 Cynthia Long

Motion: To authorize Commissioner Birkman to execute a Land Lease with Jerry and Carolyn Hawes for property on Tower Road, approximately 1.6 miles east of Farm to Market Road 258, Georgetown, Texas.

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)

- 26. Consider authorizing the County Judge to execute a Land Lease with Terry Morrow, Diana Babicki and John Babicki for property located on CR 327 in Granger, Texas.**

Motion By: Commissioner Precinct 4 Ron Morrison

Second By: Commissioner Precinct 2 Cynthia Long

Motion: To authorize Commissioner Birkman to execute a Land Lease with Terry Morrow, Diana Babicki and John Babicki for property located on County Road 327 in Granger, Texas.

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)

27. **Consider authorizing the County Judge to execute a Real Estate Contract with Lee Roy and Marie Knauth for ROW needed on SH 195. (Parcel 209)**

Motion By: Commissioner Precinct 3 Valerie Covey

Second By: Commissioner Precinct 2 Cynthia Long

Motion: To authorize Commissioner Birkman to execute a Real Estate Contract with Lee Roy and Marie Knauth for right-of-way needed on State Highway 195 (Parcel 209).

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)

28. **Consider authorizing the County Judge to execute a Real Estate Contract with Francisco and Maria Romero for ROW needed on SH 195. (Parcel 210)**

Motion By: Commissioner Precinct 3 Valerie Covey

Second By: Commissioner Precinct 2 Cynthia Long

Motion: To authorize Commissioner Birkman to execute a Real Estate Contract with Francisco and Maria Romero for right-of-way needed on State Highway 195 (Parcel 210).

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)

29. **Discuss and take appropriate action on interlocal agreement for law enforcement services between Williamson County and Williamson-Travis Counties Municipal Utility District No. 1.**

Motion By: Commissioner Precinct 2 Cynthia Long

Second By: Commissioner Precinct 4 Ron Morrison

Motion: To approve the Interlocal Agreement for Law Enforcement Services between Williamson County and Williamson-Travis Counties Municipal Utility District No. 1.

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)

30. **Consider and take appropriate action on the acceptance of the FY11 Emergency Management Performance Grant.**

Manager of Emergency Management Jarred Thomas addressed the Court.

Motion By: Commissioner Precinct 2 Cynthia Long

Second By: Commissioner Precinct 3 Valerie Covey

Motion: To accept the FY2011 Emergency Management Performance Grant and to authorize Commissioner Birkman to sign it.

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)

31. Consider and take appropriate action regarding the approval of the CAPCOG Emergency Notification System agreement for FY12.

Manager of Emergency Management Jarred Thomas addressed the Court.

Motion By: Commissioner Precinct 2 Cynthia Long

Second By: Commissioner Precinct 4 Ron Morrison

Motion: To approve the Capital Area Council of Governments (CAPCOG) Emergency Notification System agreement for FY2012 and to authorize Commissioner Birkman to sign it.

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)

32. To discuss and take appropriate action to relocate Constable Pct. 4 office and the East side Sheriff's Office.

Director of Facilities Gary Wilson addressed the Court.

Motion By: Commissioner Precinct 4 Ron Morrison

Second By: Commissioner Precinct 2 Cynthia Long

Motion: To approve the relocation of Precinct #4 Constable's office to the Taylor Annex and the East Side Sheriff's Office to 2501 Mallard Lane.

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)

33. **Discuss and consider approving up to a \$5.00 court cost to establish a case manager fund to assist with truancy cases for the Justice of the Peace Office in Pct. #2**

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

Motion By: Commissioner Precinct 2 Cynthia Long

Second By: Commissioner Precinct 3 Valerie Covey

Motion: To approve a court cost of up to \$5.00 to establish a Case Manager Fund to assist with truancy cases for the Justice of the Peace Office in Precinct #2.

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)

34. **Authorize Tax-Assessor Collector to execute a Release of Lien for all properties located in the Northeast Round Rock Road District #1 and authorize County Judge to execute any and all documents required to dissolve the Northeast Round Rock Road District #1.**

First Assistant County Auditor Julie Kiley and Attorney Charles Crosssfield of Sheets and Crossfield addressed the Court.

Motion By: Commissioner Precinct 3 Valerie Covey

Second By: Commissioner Precinct 2 Cynthia Long

Motion: To authorize the Tax Assessor/Collector to execute a Release of Lien for all properties located in the Northeast Round Rock Road District #1 and to authorize Commissioner Birkman to execute any and all documents required to dissolve the Northeast Round Rock Road District #1.

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)

35. **Discuss and take action to approve a Resolution Authorizing the County Judge to Execute Certificates Expressing Official Intent to Reimburse Costs of Projects.**

First Assistant County Auditor Julie Kiley addressed the Court.

Motion By: Commissioner Precinct 3 Valerie Covey

Second By: Commissioner Precinct 2 Cynthia Long

Motion: To approve a resolution and authorize Commissioner Birkman to sign the Resolution that authorizes the County Judge to execute Certificates Expressing Official Intent to Reimburse Costs of Projects.

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)

- 36. Consider approving the purchasing cooperative interlocal agreement between Williamson County and Wayne County, Indiana for the purchase and sale of voting machinery.**

Elections Administrator Rick Barron and Legal Advisor to the Commissioners' Court Hal Hawes addressed the Court.

Motion By: Commissioner Precinct 3 Valerie Covey

Second By: Commissioner Precinct 4 Ron Morrison

Motion: To approve the Purchasing Cooperative Interlocal Agreement between Williamson County and Wayne County, Indiana for the purchase and sale of voting machinery.

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)

- 37. Consider authorizing advertising and setting date of November 22, 2011 at 3:00pm in the Purchasing Department to receive bids for MSA SCBA Air Packs for Williamson County Hazardous Response Team, bid number 12IFB00002.**

HAZMAT (Hazardous Materials) Coordinator Marty Herrin addressed the Court.

Motion By: Commissioner Precinct 3 Valerie Covey

Second By: Commissioner Precinct 2 Cynthia Long

Motion: To authorize advertising and set the date of November 22, 2011 at 3:00 p.m. in the Purchasing Department to receive bids for MSA Self-Contained Breathing Apparatus (SCBA) Air Packs for Williamson County Hazardous Response Team; Bid Number 12IFB00002.

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)

38. Discuss and take appropriate action regarding employment of the law firm of Bickerstaff, Heath, Delgado, Acosta LLP at the request of the Williamson County Court of Law Judges: The Honorable Suzanne Brooks, Honorable Tim Wright, Honorable Doug Arnold to represent the named County Court at Law Judges in relation to all legal matters regarding Cause No. 06-453-C277 and Cause 03-06-0060-CV On Review from the Third Court of Appeals and No. 10-0671 In The Supreme Court of Texas; Kerry Heckman et al. v. Williamson County, et al; and exemption of those attorney services from the competitive bid/proposal requirements of the County Purchasing Act pursuant to the discretionary exemption for personnel or professional services.

Legal Advisor to the Commissioners' Court Hal Hawes and Attorney C. Robert Heath of Bickerstaff, Heath, Delgado, Acosta LLP addressed the Court.

Motion By: Commissioner Precinct 2 Cynthia Long

Second By: Commissioner Precinct 4 Ron Morrison

Motion: To approve employment of the law firm of Bickerstaff, Heath, Delgado, Acosta LLP at the request of the Williamson County Court at Law Judges the Honorable Suzanne Brooks, the Honorable Tim Wright and the Honorable Doug Arnold to represent the named County Court at Law Judges in relation to all legal matters regarding Cause No. 06-453-C277 and Cause No. 03-06-0060-CV on review from the Third Court of Appeals and Cause No. 10-0671 in the Supreme Court of Texas; Kerry Heckman, et al. v. Williamson County, et al., to exempt those attorney services from the competitive bid/proposal requirements of the County Purchasing Act pursuant to the discretionary exemption for personal or professional services, to note that the motion to withdraw Michael P. Davis from counsel was made at the County Court at Law Judges' request and to authorize Commissioner Birkman to sign the Engagement Letter.

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)

COMMISSIONERS' COURT RECESSED TO EXECUTIVE SESSION AT 10:06 A.M. ON TUESDAY, NOVEMBER 1, 2011.

39. Discuss real estate matters (EXECUTIVE SESSION as per VTCA Govt. Code sec. 551.0721 Deliberation Regarding Real Estate Property if deliberation in an open meeting would have a detrimental effect on the position of the governmental body in negotiations with third person.)
1. Proposed or potential purchase or lease of property by the County:
 - a) Discuss proposed acquisition of property for right-of-way for 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 on Chandler IIIA.

i) Discuss proposed acquisition of property for right-of-way along Lakeline extension.

j) Discuss proposed acquisition of drainage easements along CR 138.

k) Discuss proposed acquisition of property for right-of-way along CR 170.

l) Discuss proposed acquisition and/or sale of property for Arterial H.

m) Discuss potential sale of real property on Williams Drive.

n) Discuss proposed acquisition of property for right-of-way for San Gabriel Parkway.

o) Discuss proposed Land Leases and Bill of Sale on property for communications towers.

No action was taken in Executive Session

40. 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 and certain matters related to county defense issues in which the duty of the attorney to the governmental body within the attorney/client relationship clearly conflicts with Chapter 551 of the Texas Government Code.

m) Civil Action No. 1:11-cv-907, Sarah Doe et al. v. Jerald Neveleff et al., In the United States District Court for the Western District of Texas Austin Division.

No action was taken in Executive Session.

COMMISSIONERS' COURT RECONVENED FROM EXECUTIVE SESSION AT 11:14 A.M. ON TUESDAY, NOVEMBER 1, 2011.

41. Discuss and take appropriate action on real estate.

No action was taken on this item.

42. 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 and certain matters related to county defense issues in which the duty of the attorney to the governmental body within the attorney/client relationship clearly conflicts with Chapter 551 of the Texas Government Code.

m) Civil Action No. 1:11-cv-907, Sarah Doe et al. v. Jerald Neveleff et al., In the United States District Court for the Western District of Texas Austin Division.

No action was taken on this item.

43. Comments from Commissioners.

Commissioner Birkman noted funeral services for Sergeant Paul Riviera, who was killed in action in Afghanistan, are scheduled for tomorrow. She asked that we keep his family in our prayers.

COMMISSIONERS' COURT ADJOURNED AT 11:19 A.M. ON TUESDAY, NOVEMBER 1, 2011.

THE FOREGOING MINUTES had at a Regular Session of Commissioners' Court of Williamson County, Texas, having been read are hereby approved this 8th day of November, 2011.



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

By: Black Wehling, Deputy