



**MINUTES OF THE COUNTY COMMISSIONERS' COURT MEETING
DECEMBER 13, 2011**

STATE OF TEXAS)(

COUNTY OF WILLIAMSON)(

BE IT REMEMBERED that at 9:39 A.M. on TUESDAY, DECEMBER 13, 2011 a REGULAR SESSION of the Commissioners' Court of Williamson County, Texas, was held with the following being present, to-wit:

Present: 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

Absent: County Clerk Nancy E. Rister

Others Present: Hal Hawes, Legal Advisor to Commissioner's Court
Black Wehling, Deputy County Clerk
Carolyn Deibler, Deputy County Clerk
Marilyn Cavender, Executive Assistant County Clerk

1. Review and approval of minutes.

Motion by Commissioner Precinct 4 Ron Morrison
Second by Commissioner Precinct 3 Valerie Covey
Motion: To approve the Minutes of the meeting of December 6, 2011.

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

2. Consider noting in minutes any off right-of-way work on any County road done by Road & Bridge 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 and **Commissioner Birkman** abstained in regards to a bill for The Gabriels Funeral Chapel (Conflict of Interest Affidavit attached).

Motion by Commissioner Precinct 3 Valerie Covey

Second by Commissioner Precinct 4 Ron Morrison

Motion: To authorize the payment of bills totaling \$2,232,193.70 from the computer printout, Addendum, Wire Transfer, and 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 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 – 17)

5. **Discuss and consider approving a line item transfer for the District Attorneys office.**

Motion by Commissioner Precinct 3 Valerie Covey

Second by Commissioner Precinct 1 Lisa Birkman

Motion: To approve a line item transfer for the District Attorney's office with the following changes: the account number from 0100-0440-003006 to 0100-0440-003100 and the account description from Office Equipment < \$5,000 to Office Supplies as noted below:

<i>From</i>	<i>0100-0440-003005</i>	<i>Office Furniture <\$5,000</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

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

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 #4:

<i>From</i>	<i>0100-0454-001100</i>	<i>Salaries</i>	<i>\$931.84</i>	☐	☐
<i>To</i>	<i>0100-0454-001107</i>	<i>Temp Labor</i>	<i>\$931.84</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

7. Discuss and consider approving a line item transfer for Commissioner Precinct Two.

Motion by Commissioner Precinct 3 Valerie Covey

Second by Commissioner Precinct 1 Lisa Birkman

Motion: To approve a line item transfer for the Commissioner, Precinct #2:

<i>From</i>	<i>0100-0212-003115</i>	<i>Computer Supplies</i>	<i>\$50.00</i>	☐	☐
<i>To</i>	<i>0100-0212-003120</i>	<i>Printer Supplies</i>	<i>\$50.00</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 County Clerk'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 Clerk's office:

<i>From</i>	<i>0385-0385-004544</i>	<i>Repairs to Office Equipment</i>	<i>\$72.00</i>	☐	☐
<i>To</i>	<i>0385-0385-003010</i>	<i>Computer Equipment under 5000</i>	<i>\$72.00</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

9. Discuss and consider approving a line item transfer for Constable Precinct Two.

Motion by Commissioner Precinct 3 Valerie Covey

Second by Commissioner Precinct 1 Lisa Birkman

Motion: To approve a line item transfer for the Constable, Precinct #2:

To	0100-0552-004414	Vehicle Insurance	\$1,115.00	
From	0100-0552-005700	New Vehicles	\$1,115.00	

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

10. Discuss and take appropriate action on approving the 2011 Williamson County Investment Policy, as amended, and entering said policy into the official minutes of the Williamson County Commissioners Court.

Motion by Commissioner Precinct 3 Valerie Covey

Second by Commissioner Precinct 1 Lisa Birkman

Motion: To approve the amended 2011 Williamson County Investment Policy and enter said policy into the Commissioners' Court Minutes.

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 the Treasurer's Report on the Williamson County Finances for October 2011.

Motion by Commissioner Precinct 3 Valerie Covey

Second by Commissioner Precinct 1 Lisa Birkman

Motion: To approve the Treasurer's Report on the Williamson County Finances for October 2011.

Aye: County Judge Dan A. Gattis

Commissioner Precinct 1 Lisa Birkman

Commissioner Precinct 2 Cynthia Long

Commissioner Precinct 3 Valerie Covey

Commissioner Precinct 4 Ron Morrison

12. **Acknowledge and enter into the official minutes of the Commissioners Court, that the Williamson County CSCD (Adult Probation) has filed its FY11 Statement of Financial Position with the Court. This is in pursuant to Section 140.004 of the Texas Local Government Code.**

Motion by Commissioner Precinct 3 Valerie Covey

Second by Commissioner Precinct 1 Lisa Birkman

Motion: To acknowledge and enter into the Commissioners' Court Minutes that the Williamson County Community Supervision and Corrections Department (CSCD) (Adult Probation) has filed their Fiscal Year 2011 Statement of Financial Position with the Court, pursuant to Section 140.004 of the Texas Local Government Code.

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 Justice of the Peace #4, November 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 the Justice of the Peace, Precinct #4, November 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

14. **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 1 Lisa Birkman

Motion: To authorize the transfer of various equipment items 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

15. **Discuss and take action on the appointment of Lewis King to replace Lisa McBride on the ESD 6 Board. He will serve the remainder of the term for Lisa McBride which ends January 2012. Then his new term will be January 2012 to January 2014.**

Motion by Commissioner Precinct 3 Valerie Covey

Second by Commissioner Precinct 1 Lisa Birkman

Motion: To approve the appointment of Lewis King to replace Lisa McBride on the Emergency Services District (ESD) #6 Board, to serve the remainder of Lisa McBride's current term (January 2012) and the new term from January 2012 to January 2014.

Aye: County Judge Dan A. Gattis

Commissioner Precinct 1 Lisa Birkman

Commissioner Precinct 2 Cynthia Long

Commissioner Precinct 3 Valerie Covey

Commissioner Precinct 4 Ron Morrison

16. **Consider appointing David Drell to serve on the Emergency Service District Number Two for a two year term to begin on Jan. 1, 2012 and expire on Dec. 31, 2013.**

Motion by Commissioner Precinct 3 Valerie Covey

Second by Commissioner Precinct 1 Lisa Birkman

Motion: To appoint David Drell to serve on the Emergency Service District (ESD) #2 Board for a two-year term to begin on January 1, 2012 and expire on December 31, 2013.

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. **Discuss and consider approval of preliminary plat for Seward Industrial Park - Pct. 2.**

Motion by Commissioner Precinct 3 Valerie Covey

Second by Commissioner Precinct 1 Lisa Birkman

Motion: To approve the preliminary plat for Seward Industrial Park - Precinct #2.

Aye: County Judge Dan A. Gattis

Commissioner Precinct 1 Lisa Birkman

Commissioner Precinct 2 Cynthia Long

Commissioner Precinct 3 Valerie Covey

Commissioner Precinct 4 Ron Morrison

REGULAR AGENDA

18. Discuss and take appropriate action on Park Director position.

Senior Director of Human Resources Lisa Zirkle and Interim Parks Director Randy Bell addressed the Court.

Motion by Commissioner Precinct 2 Cynthia Long

Second by County Judge Dan A. Gattis

Motion: To hire Randy Bell as Parks Director at the level of DH3 Step 4.

Aye: County Judge Dan A. Gattis

Commissioner Precinct 1 Lisa Birkman

Commissioner Precinct 2 Cynthia Long

Commissioner Precinct 3 Valerie Covey

Commissioner Precinct 4 Ron Morrison

19. Hear presentation by Baker-Aicklen & Associates and Luck Design Team, and take appropriate action on the Conceptual Park Master Plan for Blackland Heritage County Park.

Interim Parks Director Randy Bell and Director of Planning and Landscape Architecture Tim Bargainer of Baker-Aicklen & Associates addressed the Court.

Motion by Commissioner Precinct 4 Ron Morrison

Second by Commissioner Precinct 2 Cynthia Long

Motion: To approve the Conceptual Park Master Plan for Blackland Heritage County 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

20. Consider approving Change Order #2 for the Quarry Splash Pad in the amount of \$12,809.35.

Motion by Commissioner Precinct 2 Cynthia Long

Second by Commissioner Precinct 1 Lisa Birkman

Motion: To approve Change Order #2 for the Quarry Splash Pad in the amount of \$12,809.35.

Aye: County Judge Dan A. Gattis

Commissioner Precinct 1 Lisa Birkman

Commissioner Precinct 2 Cynthia Long

Commissioner Precinct 3 Valerie Covey

Commissioner Precinct 4 Ron Morrison

- 21. Discuss and consider presentation from Linda Watson, president/chief executive officer of the Capital Metropolitan Transportation Authority.**

Williamson County Representative to the Capital Metropolitan Transportation Authority Board Norm Chafetz and Capital Metropolitan Transportation Authority President/CEO Linda Watson addressed the Court. No action was taken on this item.

- 22. Hear presentation on Propane Conversion and Fueling Station project.**

Executive Assistant Commissioner of Precinct #2 Kathy Pierce, Mike Fox of Fleet Services, Senior Director of Infrastructure Bob Daigh and Constable of Precinct #2 Rick Coffman addressed the Court.

- 23. "Williamson County Radio Communications System Long-Term Infrastructure Plan" Presentation.**

Senior Director of Emergency Services John Sneed and Wireless Communications Manager Catherine Roberts addressed the Court.

- 24. Acknowledge the receipt of the Certificate of Achievement in Financial Reporting for Fiscal Year 2010 and the Award for Outstanding Achievement in Popular Annual Financial Reporting for Fiscal Year 2010 from the Government Finance Officers Association.**

First Assistant County Auditor Julie Kiley addressed the Court. No action was taken on this item.

COMMISSIONERS' COURT RECESSED FOR A BREAK AT 11:54 P.M. ON TUESDAY, DECEMBER 13, 2011.

COMMISSIONERS' COURT RECONVENED FROM A BREAK AT 12:03 P.M. ON TUESDAY, DECEMBER 13, 2011.

- 25. To discuss and take appropriate action on the Department of Infrastructure's projects and issues update.**

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

- 26. Consider authorizing 2006 Road Bond Transfer request per Mike Weaver, Road Bond Manager to allocate \$10,269,529.00 from Unallocated Non Departmental (P156) to the following projects: \$250,000.00 Smyers Access Road (P249), \$2,000,000.00 CR 138 (P179), \$3,000,000.00 CR 170 (P213), \$5,000,000.00 RM 620 (P167) and \$19,529.00 to Ronald Reagan Phase 2. In addition, transfer \$19,329.00 from Travel Demand Model (P185) to Unallocated Non Departmental (P156) and upon transfer Travel Demand Model will be closed.**

Motion by Commissioner Precinct 3 Valerie Covey

Second by Commissioner Precinct 1 Lisa Birkman

Motion: To authorize the 2006 Road Bond Transfer request from Road Bond Manager Mike Weaver to allocate \$10,269,529.00 from Unallocated Non-Departmental (Parcel 156) to the following projects: \$250,000.00 to Smyers Access Road (Parcel 249), \$2,000,000.00 to County Road 138 (Parcel 179), \$3,000,000.00 to County Road 170 (Parcel 213), \$5,000,000.00 to Ranch to Market 620 (Parcel 167) and \$19,529.00 to Ronald Reagan Phase 2; transfer \$19,329.00 from Travel Demand Model (Parcel 185) to Unallocated Non Departmental (Parcel 156) and upon transfer Travel Demand Model will be closed.

Aye: County Judge Dan A. Gattis

Commissioner Precinct 1 Lisa Birkman

Commissioner Precinct 2 Cynthia Long

Commissioner Precinct 3 Valerie Covey

Commissioner Precinct 4 Ron Morrison

27. **Consider authorizing 2007 GO Park Bond transfer request per recommendation of Randy Bell, Interim Park's Director to move \$75,000.00 from Southwest Regional Park (P15) to Southwest Splash Pad (P215).**

Interim Parks Director Randy Bell addressed the Court.

Motion by Commissioner Precinct 2 Cynthia Long

Second by Commissioner Precinct 1 Lisa Birkman

Motion: To authorize the 2007 GO Park Bond transfer of \$75,000.00 from Southwest Regional Park (Parcel 15) to Southwest Splash Pad (Parcel 215).

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 authorizing County Judge to execute a Possession and Use Agreement with HENDERSON CLEVELAND INTERESTS, LTD. regarding right-of-way for RM 620 road improvements.**

Attorney Charles Crossfield of Sheets and Crossfield addressed the Court. No vote was taken on the initial motion.

Motion by Commissioner Precinct 3 Valerie Covey

Second by Commissioner Precinct 1 Lisa Birkman

Motion: To authorize the County Judge to execute a Possession and Use Agreement with Henderson Cleveland Interests, LTD. regarding right-of-way for Ranch to Market 620 road improvements.

29. **Consider a resolution determining the necessity and authorizing the use of eminent domain to condemn 2.53 acres required for the construction of Ronald Reagan Blvd Phase IV, and take appropriate action. (Myrna Pierce/Parcel 7)**

Attorney Charles Crossfield of Sheets and Crossfield addressed the Court. No vote was taken on the initial motion.

Motion by Commissioner Precinct 3 Valerie Covey

Second by Commissioner Precinct 1 Lisa Birkman

Motion: To authorize the use of the power of eminent domain to acquire 2.53 acres for the construction of Ronald Reagan Boulevard Phase IV right-of-way from Myrna Pierce in Parcel 7.

30. Consider a resolution determining the necessity and authorizing the use of eminent domain to condemn 8.24 acres required for the construction of Ronald Reagan Blvd Phase IV, and take appropriate action. (Howard K. Pierce and Myrna Ruth Pierce/Parcel 9)

Attorney Charles Crossfield of Sheets and Crossfield addressed the Court. No vote was taken on the initial motion.

Motion by Commissioner Precinct 3 Valerie Covey

Second by Commissioner Precinct 1 Lisa Birkman

Motion: To authorize the use of the power of eminent domain to acquire 8.24 acres for the construction of Ronald Reagan Boulevard Phase IV right-of-way from Howard K. Pierce and Myrna Ruth Pierce in Parcel 9.

31. Consider a resolution determining the necessity and authorizing the use of eminent domain to condemn 2.02 acres required for the construction of Ronald Reagan Blvd Phase IV, and take appropriate action. (Howard K. Pierce and Myrna Ruth Pierce/Parcel 10)

Attorney Charles Crossfield of Sheets and Crossfield addressed the Court. No vote was taken on the initial motion.

Motion by Commissioner Precinct 3 Valerie Covey

Second by Commissioner Precinct 1 Lisa Birkman

Motion: To authorize the use of the power of eminent domain to acquire 2.02 acres for the construction of Ronald Reagan Boulevard Phase IV right-of-way from Howard K. Pierce and Myrna Ruth Pierce in Parcel 10.

32. Consider authorizing County Judge to execute a Real Estate Contract with DEL WEBB TEXAS LIMITED PARTNERSHIP for ROW needed on SH 195. (PARCEL 106)

Attorney Charles Crossfield of Sheets and Crossfield addressed the Court. No vote was taken on the initial motion.

Motion by Commissioner Precinct 3 Valerie Covey

Second by Commissioner Precinct 1 Lisa Birkman

Motion: To authorize the County Judge to execute a Real Estate Contract with Del Webb Texas, Limited Partnership for the right-of-way (ROW) needed on State Highway 195 (Parcel 106).

33. **Discuss and take appropriate action to approve a letter of intent to convey + or -5 acres of land to the Taylor Parks Foundation for an indoor recreation facility. This action replaces letter dated January 20,2010 (attached).**

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

34. **Discuss and take appropriate action on an Order Prohibiting Restricted Fireworks.**

Senior Director of Emergency Services John Sneed addressed the Court. No action was taken on this item.

35. **Discuss and take appropriate action on a County Burn Ban.**

Legal Advisor to the Commissioners' Court Hal Hawes and Senior Director of Emergency Services John Sneed addressed the Court.

Motion by County Judge Dan A. Gattis

Second by Commissioner Precinct 4 Ron Morrison

Motion: To lift the Burn Ban until the January 10, 2012 Court session, when it will be reconsidered.

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

36. **Discuss and take appropriate action on a Professional Services Agreement between Williamson County and Dr. Adam Barta for medical services to be performed at the Williamson County Jail; and exemption of those services from the competitive bid/proposal requirements of the County Purchasing Act pursuant to the discretionary exemption for personal or professional services.**

Sheriff James Wilson addressed the Court.

Motion by Commissioner Precinct 2 Cynthia Long

Second by Commissioner Precinct 3 Valerie Covey

Motion: To approve a Professional Services Agreement between Williamson County and Dr. Adam Barta for medical services to be performed at the Williamson County Jail and exemption of those services from the competitive bid/proposal requirements of the County Purchasing Act pursuant to the discretionary exemption for personal or professional services.

Aye: Commissioner Precinct 1 Lisa Birkman

Commissioner Precinct 2 Cynthia Long

Commissioner Precinct 3 Valerie Covey

Commissioner Precinct 4 Ron Morrison

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

37. **Discuss and take appropriate action on a Farm Lease Extension Agreement between Williamson County and Dennis Johnson, Nadine Johnson and Jerry W. Roznovak.**

Motion by Commissioner Precinct 4 Ron Morrison

Second by Commissioner Precinct 2 Cynthia Long

Motion: To approve a Farm Lease Extension Agreement between Williamson County and Dennis Johnson, Nadine Johnson and Jerry W. Roznovak.

Aye: Commissioner Precinct 1 Lisa Birkman

Commissioner Precinct 2 Cynthia Long

Commissioner Precinct 3 Valerie Covey

Commissioner Precinct 4 Ron Morrison

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

38. **Discuss and take appropriate action on a Farm Lease Extension Agreement between Williamson County and John W. Noren.**

Motion by Commissioner Precinct 4 Ron Morrison

Second by Commissioner Precinct 2 Cynthia Long

Motion: To approve a Farm Lease Extension Agreement between Williamson County and John W. Noren.

Aye: Commissioner Precinct 1 Lisa Birkman

Commissioner Precinct 2 Cynthia Long

Commissioner Precinct 3 Valerie Covey

Commissioner Precinct 4 Ron Morrison

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

39. **Discuss and take appropriate action on appointments to the Emergency Services District #4 Board of Directors.**

Kathy Pierce, Executive Assistant to Commissioner of Precinct 2, addressed the Court.

40. **Discuss and take appropriate action on the 2011 Redistricting.**

Attorney Trey Trainor of Bierne, Maynard & Parsons addressed the Court.

Motion by Commissioner Precinct 1 Lisa Birkman

Second by Commissioner Precinct 2 Cynthia Long

Motion: To authorize the County Judge to sign and execute the order for pre-clearance for the previously approved precincts and maps.

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 a resolution adopting changes to the Commissioner, Constable, and Justice of the Peace Precincts as part of the 2011 Redistricting process, and take appropriate action.**

No action was taken on this item.

42. ***Consider a resolution adopting changes to the Voter Tabulation Districts as part of the 2011 Redistricting process, and take appropriate action.***

No action was taken on this item.

43. **Consider authorizing the Purchasing Department to have GovDeals hold an online auction for the sale of various County surplus properties with the auction to close by 5:00 PM CST Wednesday, January 18, 2012.**

Motion by Commissioner Precinct 2 Cynthia Long

Second by Commissioner Precinct 3 Valerie Covey

Motion: To authorize the Purchasing Department to have GovDeals hold an online auction for the sale of various County surplus properties, with the auction to close by 5:00 p.m. CST on Wednesday, January 18, 2012.

Aye: Commissioner Precinct 1 Lisa Birkman
Commissioner Precinct 2 Cynthia Long
Commissioner Precinct 3 Valerie Covey
Commissioner Precinct 4 Ron Morrison

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

44. **Consider awarding bids received for MSA SCBA Air Packs for Williamson County Hazardous Response Team, 12IFB00002 to the lowest and best bidder - Casco Industries.**

Motion by Commissioner Precinct 2 Cynthia Long

Second by Commissioner Precinct 3 Valerie Covey

Motion: To award bids received for Mine Safety Appliances (MSA) Self-Contained Breathing Apparatus (SCBA) Air Packs for Williamson County Hazardous Response Team, Bid #12IFB00002, to the lowest and best bidder - Casco Industries.

Aye: Commissioner Precinct 1 Lisa Birkman
Commissioner Precinct 2 Cynthia Long
Commissioner Precinct 3 Valerie Covey
Commissioner Precinct 4 Ron Morrison

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

45. **Consider authorizing advertising and setting date of January 26, 2012 at 3:00 PM in the Purchasing Department to receive proposals for Williamson County Haz Mat Billing Services bid #12RFP00003.**

EMS HazMat Manager Marty Herrin 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 authorize advertising and set the date of January 26, 2012 at 3:00 p.m. in the Purchasing Department to receive proposals for Williamson County Hazardous Materials (Haz Mat) Billing Services; Bid #12RFP00003.

Aye: Commissioner Precinct 1 Lisa Birkman
Commissioner Precinct 2 Cynthia Long
Commissioner Precinct 3 Valerie Covey
Commissioner Precinct 4 Ron Morrison

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

46. **Consider awarding bid received for Rubber Asphalt Crack Sealer to the low bid meeting specifications: Craftco Texas Inc. (Bid #12IFB0003).**

Motion by Commissioner Precinct 2 Cynthia Long

Second by Commissioner Precinct 3 Valerie Covey

Motion To award bid received for Rubber Asphalt Crack Sealer to the low bid meeting specifications: Crafcot Texas, Incorporated; Bid #12IFB0003.

Aye: 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 a donation for the propane tanks at the JB & Hallie Jester Williamson County annex grand opening:**

Motion by Commissioner Precinct 2 Cynthia Long

Second by Commissioner Precinct 3 Valerie Covey

Motion: To declare an emergency and a grave necessity due to unforeseeable circumstances and approve a budget amendment for a donation for the propane tanks at the J. B. & Hallie Jester Williamson County Annex grand opening:

0100-0000-367400	Donations	\$150.00
------------------	-----------	----------

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 from the Dais)

48. **Consider an order declaring an emergency and a grave necessity due to unforeseeable circumstances and approve a budget amendment to acknowledge use of donations for the propane tanks at the JB & Hallie Jester Williamson County annex grand opening:**

Motion by Commissioner Precinct 2 Cynthia Long

Second by Commissioner Precinct 3 Valerie Covey

Motion: To declare an emergency and a grave necessity due to unforeseeable circumstances and approve a budget amendment to acknowledge use of donations for the propane tanks at the J. B. & Hallie Jester Williamson County Annex grand opening:

0100-0211-003670	Use of Donations	\$150.00
-------------------------	-------------------------	-----------------

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 from the Dais)

49. **Consider an order declaring an emergency and a grave necessity due to unforeseeable circumstances and approve a budget amendment for unspent 2011 donation dollars for the EMS Department:**

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 declare an emergency and a grave necessity due to unforeseeable circumstances and approve a budget amendment for unspent 2011 donation dollars for the Emergency Medical Services (EMS) Department, with a correction of the dollar amount from \$2,205.77 to \$2,705.77:

0100-0540-003670	Use of Donations	\$2,705.77
-------------------------	-------------------------	-------------------

Aye: Commissioner Precinct 1 Lisa Birkman

Commissioner Precinct 2 Cynthia Long

Commissioner Precinct 3 Valerie Covey

Commissioner Precinct 4 Ron Morrison

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

50. **Consider an order declaring an emergency and a grave necessity due to unforeseeable circumstances and approve a budget amendment for unspent 2011 donation dollars for the Parks Department:**

Motion by Commissioner Precinct 2 Cynthia Long

Second by Commissioner Precinct 3 Valerie Covey

Motion: To declare an emergency and a grave necessity due to unforeseeable circumstances and approve a budget amendment for unspent 2011 donation dollars for the Parks Department:

0100-0510-003670	Use of Donations	\$10,824.25
------------------	------------------	-------------

Aye: Commissioner Precinct 1 Lisa Birkman

Commissioner Precinct 2 Cynthia Long

Commissioner Precinct 3 Valerie Covey

Commissioner Precinct 4 Ron Morrison

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

51. Consider an order declaring an emergency and a grave necessity due to unforeseeable circumstances and approve a budget amendment for Park Donations:

Motion by Commissioner Precinct 2 Cynthia Long

Second by Commissioner Precinct 3 Valerie Covey

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

0100-0000-367403	Park Donations	\$380.00
------------------	----------------	----------

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 from the Dais)

52. Consider an order declaring an emergency and a grave necessity due to unforeseeable circumstances and approve a budget amendment to acknowledge use of Park Donations:

Motion by Commissioner Precinct 2 Cynthia Long

Second by Commissioner Precinct 3 Valerie Covey

Motion: To 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	\$380.00
------------------	------------------	----------

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 from the Dais)

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

Motion by Commissioner Precinct 2 Cynthia Long

Second by Commissioner Precinct 3 Valerie Covey

Motion: To declare an emergency and a grave necessity due to unforeseeable circumstances and approve a budget amendment for Emergency Medical Services (EMS) Donations:

0100-0000-367401	EMS Donations	\$35.00	
------------------	---------------	---------	--

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 from the Dais)

54. Consider an order declaring an emergency and a grave necessity due to unforeseeable circumstances and approve a budget amendment to acknowledge use of EMS Donations:

Motion by Commissioner Precinct 2 Cynthia Long

Second by Commissioner Precinct 3 Valerie Covey

Motion: To declare an emergency and a grave necessity due to unforeseeable circumstances and approve a budget amendment to acknowledge use of Emergency Medical Services (EMS) Donations:

0100-0540-003670	Use of Donations	\$35.00	
------------------	------------------	---------	--

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 from the Dais)

55. Consider an order declaring an emergency and a grave necessity due to unforeseeable circumstances and approve a budget amendment for Juvenile Services.

Motion by Commissioner Precinct 2 Cynthia Long

Second by Commissioner Precinct 3 Valerie Covey

Motion: To approve an order declaring an emergency and a grave necessity due to unforeseeable circumstances and approve a budget amendment for Juvenile Services:

0100-0576-004103	GISD Residential Services	\$42,846.00	
------------------	---------------------------	-------------	--

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 from the Dais)

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

Motion by Commissioner Precinct 2 Cynthia Long

Second by Commissioner Precinct 3 Valerie Covey

Motion: To approve an order declaring an emergency and a grave necessity due to unforeseeable circumstances and approve a budget amendment for various departments:

0100-0475-004229	County Atty/St Law Enforc Trng	\$1,277.61
0100-0551-004229	Const 1/St Law Enforc Trng	\$6,297.68
0100-0552-004229	Const 2/St Law Enforc Trng	\$4,315.45
0100-0553-004229	Const 3/St Law Enforc Trng	\$2,100.71
0100-0554-004229	Const 4/St Law Enforc Trng	\$2,587.28
0100-0560-004229	SO/St Law Enforc Trng	\$27,165.17
0100-0570-004229	Co Jail/St Law Enforc Trng	\$25,809.75

Aye: Commissioner Precinct 1 Lisa Birkman

Commissioner Precinct 2 Cynthia Long

Commissioner Precinct 3 Valerie Covey

Commissioner Precinct 4 Ron Morrison

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

57. **Authorize County Judge to execute an Advance Funding Agreement #1 with TxDOT regarding O'Connor/SH 45 intersection funding.**

Senior Director of Infrastructure Bob Daigh and First Assistant County Auditor Julie Kiley addressed the Court.

Motion by Commissioner Precinct 1 Lisa Birkman

Second by Commissioner Precinct 2 Cynthia Long

Motion: To authorize the County Judge to execute Advance Funding Agreement Amendment #1 with the Texas Department of Transportation (TxDOT) regarding the O'Connor/State Highway 45 intersection funding.

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 12:35 P.M.
ON TUESDAY, DECEMBER 13, 2011.**

- 58. 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.

- 59. 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) 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**
 - e) 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**
 - f) 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

g) 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;

h) 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

i) Employment related matters.

j) 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.

k) 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

l) Mortgage Electronic Recording Systems (MERS) litigation.

No action was taken in Executive Session.

COMMISSIONERS' COURT RECONVENED FROM EXECUTIVE SESSION AT 12:38 P.M. ON TUESDAY, DECEMBER 13, 2011.

60. Discuss and take appropriate action on real estate.

No action was taken on this item.

61. 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) 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

e) 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

f) 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

g) 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;

h) 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

i) Employment related matters.

j) 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.

k) 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

l) Mortgage Electronic Recording Systems (MERS) litigation.

No action was taken on this item.

62. Comments from Commissioners.

Judge Gattis noted the following about the upcoming meeting schedule for the Court:

- there is no long-term financial planning presentation scheduled for today's meeting, but these presentations will resume in January 2012
- the Court will meet on Tuesday, December 20, 2011
- the Court will not meet on Tuesday, December 27, 2011 or Tuesday, January 3, 2012
- there may be a need to hold a special session to consider redistricting issues before the January 10, 2012 regular meeting.

Commissioner Birkman recognized the Round Rock Chamber of Commerce Leadership Class, which was present at the Court session.

COMMISSIONERS' COURT ADJOURNED AT 12:38 P.M. ON TUESDAY, DECEMBER 13, 2011.

THE FOREGOING MINUTES had at a Regular Session of Commissioners' Court of Williamson County, Texas, having been read are hereby approved this 20th day of December 2011.



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

By: Black Wehling, Deputy