



**MINUTES OF THE COUNTY COMMISSIONERS' COURT MEETING  
February 7, 2012**

**STATE OF TEXAS )(**  
**COUNTY OF WILLIAMSON )(**

**BE IT REMEMBERED** that at 9:38 A.M. on TUESDAY, February 7, 2012 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  
County Clerk Nancy E. Rister

Others Present: Hal Hawes, Legal Advisor to 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 January 31, 2012 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 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 regards to payment of an invoice for San Gabriel Parkway (Conflict of Interest Affidavit attached).

Motion by Commissioner Precinct 4 Ron Morrison

Second by Commissioner Precinct 3 Valerie Covey

***Motion: To authorize the payment of bills totaling \$2,346,663.05 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 – 12 )

5. **To discuss and consider approving a line item transfer for Justice of the Peace Pct. 1.**

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 #1.***

<b><i>From</i></b>	<b><i>0100-0451-001100</i></b>	<b><i>Full Time Position</i></b>	<b><i>\$ 4,642.44</i></b>	<input type="checkbox"/>	<input type="checkbox"/>
<b><i>To:</i></b>	<b><i>0100-0451-001107</i></b>	<b><i>Temp. Position</i></b>	<b><i>\$ 4,642.44</i></b>	<input type="checkbox"/>	<input type="checkbox"/>

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 WCEMS.**

Motion by Commissioner Precinct 3 Valerie Covey

Second by Commissioner Precinct 1 Lisa Birkman

***Motion: To approve a line item transfer for Williamson County Emergency Medical Services (EMS):***

<b><i>From</i></b>	<b><i>0100-0540-005700</i></b>	<b><i>Vehicles &gt; \$5000</i></b>	<b><i>\$174.08</i></b>	<input type="checkbox"/>	<input type="checkbox"/>
<b><i>To</i></b>	<b><i>0100-0540-004610</i></b>	<b><i>Rent</i></b>	<b><i>\$174.08</i></b>		

Aye: County Judge Dan A. Gattis

Commissioner Precinct 1 Lisa Birkman

Commissioner Precinct 2 Cynthia Long

Commissioner Precinct 3 Valerie Covey

Commissioner Precinct 4 Ron Morrison

**7. Discuss and consider approving a line item transfer for the Jail.**

Motion by Commissioner Precinct 3 Valerie Covey

Second by Commissioner Precinct 1 Lisa Birkman

***Motion: To approve a line item transfer for the Jail:***

<b><i>From</i></b>	<b><i>0100-0409-004998</i></b>	<b><i>Non Dept/Contingencies</i></b>	<b><i>\$2,003.06</i></b>	<input type="checkbox"/>	<input type="checkbox"/>
<b><i>To</i></b>	<b><i>0100-0570-004510</i></b>	<b><i>Jail/Facility Maint</i></b>	<b><i>\$2,003.06</i></b>		

Aye: County Judge Dan A. Gattis

Commissioner Precinct 1 Lisa Birkman

Commissioner Precinct 2 Cynthia Long

Commissioner Precinct 3 Valerie Covey

Commissioner Precinct 4 Ron Morrison

**8. Discuss and consider approving Precinct 1 Constables 2011 Racial profiling report.**

Motion by Commissioner Precinct 3 Valerie Covey

Second by Commissioner Precinct 1 Lisa Birkman

***Motion: To approve the Precinct #1 Constable's 2011 Racial Profiling Report.***

Aye: County Judge Dan A. Gattis

Commissioner Precinct 1 Lisa Birkman

Commissioner Precinct 2 Cynthia Long

Commissioner Precinct 3 Valerie Covey

Commissioner Precinct 4 Ron Morrison

**9. Consider approving the Treasurer's Report on the Williamson County Finances for December 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 December 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

- 10. Consider approving the investment report for October through December 2011 and the Quarter ending December 31, 2011 which was approved by the investment committee on January 26, 2012.**

Motion by Commissioner Precinct 3 Valerie Covey

Second by Commissioner Precinct 1 Lisa Birkman

***Motion: To approve the investment report for October through December 2011 and the Quarter ending December 31, 2011 which was approved by the investment committee on January 26, 2012.***

Aye: County Judge Dan A. Gattis

Commissioner Precinct 1 Lisa Birkman

Commissioner Precinct 2 Cynthia Long

Commissioner Precinct 3 Valerie Covey

Commissioner Precinct 4 Ron Morrison

- 11. Consider approving Justice of the Peace 4, January 2012, 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, January 2012 monthly report in compliance with code of criminal procedure 103.005(b).***

Aye: County Judge Dan A. Gattis

Commissioner Precinct 1 Lisa Birkman

Commissioner Precinct 2 Cynthia Long

Commissioner Precinct 3 Valerie Covey

Commissioner Precinct 4 Ron Morrison

- 12. Consider authorizing the transfer of various equipment items through inter-office transfer, auction, donation, 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

## **REGULAR AGENDA**

13. **Discuss and take appropriate action regarding a Resolution honoring Mike Fox, upon his retirement, for 18 years of service to the citizens of Williamson County, Texas.**

Motion by Commissioner Precinct 4 Ron Morrison  
Second by Commissioner Precinct 1 Lisa Birkman  
***Motion: To approve a Resolution honoring Mike Fox upon his retirement for 18 years of service to the citizens of Williamson County.***

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

14. **To discuss and take appropriate action on the Department of Infrastructures projects and issues update.**

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

15. **Discuss and consider approving Steger Bizzell Professional Service Agreement (PSA) for the CR 111 (FM1460-SH130) Road Bond Project.**

Senior Director of Infrastructure Bob Daigh addressed the Court.

Motion by Commissioner Precinct 3 Valerie Covey  
Second by Commissioner Precinct 4 Ron Morrison  
***Motion: To approve the Steger Bizzell Professional Service Agreement (PSA) for the County Road 111 (Farm to Market 1460 - State Highway 130) Road Bond Project.***

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 (Abstain)

16. **Discuss and consider approving Diamond Surveying, Inc. Professional Service Agreement (PSA) for on-call surveying services.**

Senior Director of Infrastructure Bob Daigh addressed the Court.

Motion by Commissioner Precinct 3 Valerie Covey

Second by Commissioner Precinct 4 Ron Morrison

***Motion: To approve the Diamond Surveying, Incorporated Professional Service Agreement (PSA) for on-call surveying services.***

Aye: County Judge Dan A. Gattis

Commissioner Precinct 1 Lisa Birkman

Commissioner Precinct 2 Cynthia Long

Commissioner Precinct 3 Valerie Covey

Commissioner Precinct 4 Ron Morrison

17. **Consider approving Change Order No. 37 in the amount of \$23,118.52 for US 183, a Pass Through Financing Project in Precinct Two.**

Senior Director of Infrastructure Bob Daigh addressed the Court.

Motion by Commissioner Precinct 2 Cynthia Long

Second by Commissioner Precinct 3 Valerie Covey

***Motion: To approve Change Order #37 in the amount of \$23,118.52 for U. S. Highway 183, a Pass-Through Financing Project in 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

18. **Consider approving Change Order No. 38 in the amount of \$291,200.20 for US 183, a Pass Through Financing Project in Precinct Two.**

Senior Director of Infrastructure Bob Daigh addressed the Court.

Motion by Commissioner Precinct 2 Cynthia Long

Second by Commissioner Precinct 3 Valerie Covey

***Motion: To approve Change Order #38 in the amount of \$291,200.20 for U. S. Highway 183, a Pass-Through Financing Project in 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

19. **Consideration and action with respect to "Order Authorizing the Issuance of Williamson County, Texas Limited Tax Refunding Bonds; Levying an Ad Valorem Tax in Support of the Bonds; Approving a Paying Agent/Registrar Agreement, an Official Statement, an Escrow Agreement; Establishing the Procedures for Selling and Delivering One or More Series of the Bonds; and Authorizing Other Matters Relating to the Bonds.**

First Assistant County Auditor Julie Kiley and Attorney Carol Polumbo of McCall, Parkhurst & Horton addressed the Court.

Motion by Commissioner Precinct 3 Valerie Covey

Second by Commissioner Precinct 1 Lisa Birkman

***Motion: To approve an "Order Authorizing the Issuance of Williamson County, Texas Limited Tax Refunding Bonds; Levying an Ad Valorem Tax in Support of the Bonds; Approving a Paying Agent/Registrar Agreement, an Official Statement, an Escrow Agreement; Establishing the Procedures for Selling and Delivering One or More Series of the Bonds and Authorizing Other Matters Relating to the Bonds".***

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. **Review and consider a public sale of property at a delinquent tax sale by the County of Williamson, Texas.**

Motion by Commissioner Precinct 1 Lisa Birkman

Second by Commissioner Precinct 4 Ron Morrison

***Motion: To approve a public sale of property at a delinquent tax sale by the County of Williamson, Texas.***

Aye: County Judge Dan A. Gattis

Commissioner Precinct 1 Lisa Birkman

Commissioner Precinct 2 Cynthia Long

Commissioner Precinct 3 Valerie Covey

Commissioner Precinct 4 Ron Morrison

21. **Discuss and take appropriate action regarding a Resolution nominating a candidate to fill a vacancy on the Williamson County Central Appraisal District Board of Directors.**

Tax Assessor and Collector Deborah Hunt addressed the Court. No action was taken on this item.

22. **Discuss and take appropriate action on appointment of the Board of Directors of Emergency Services District #11.**

Motion by Commissioner Precinct 2 Cynthia Long

Second by Commissioner Precinct 3 Valerie Covey

***Motion: To approve the appointments of Carlos R. Garza, Thomas W. Griffiths II, Evelyn Brengle, Mitzi Jones and Doris Rapp to the Board of Directors of Emergency Services District #11, their terms of service to be determined at a later date.***

Aye: County Judge Dan A. Gattis

Commissioner Precinct 1 Lisa Birkman

Commissioner Precinct 2 Cynthia Long

Commissioner Precinct 3 Valerie Covey

Commissioner Precinct 4 Ron Morrison

**23. Discuss and take appropriate action on appointment of the Board of Directors for Emergency Services District #12.**

Motion by Commissioner Precinct 2 Cynthia Long

Second by Commissioner Precinct 3 Valerie Covey

***Motion: To approve the appointments of Daniel W. Martillotti, Kurt Michael Prossner, Anthony (Tony) Clark and Michael Airhart to the Board of Directors for Emergency Services District #12, their terms of service to be determined at a later date and a fifth Board member to be nominated at a later date.***

Aye: County Judge Dan A. Gattis

Commissioner Precinct 1 Lisa Birkman

Commissioner Precinct 2 Cynthia Long

Commissioner Precinct 3 Valerie Covey

Commissioner Precinct 4 Ron Morrison

**24. Discuss and take appropriate action regarding employment of the law firm of Chamberlain, Hrdlicka, White, Williams & Aughtry to represent Williamson County, Williamson County Sheriff's Office and the Williamson County Sheriff in relation to Civil Action No. A12CV0062LY; Kevin Jones v. Williamson County Sheriff's Office; In the United States District Court for the Western District of Texas, Austin Division; and exemption of these services from the competitive bid/proposal requirements of the County Purchasing Act pursuant to the discretionary exemption for personal or professional services, as set forth under Section 262.024(a)(4) of the Texas Local Government Code.**

Motion by Commissioner Precinct 2 Cynthia Long

Second by County Judge Dan A. Gattis

***Motion: At the recommendation of the County Sheriff, to approve the employment of the law firm of Chamberlain, Hrdlicka, White, Williams & Aughtry to represent Williamson County, the Williamson County Sheriff's Office and the Williamson County Sheriff in relation to Civil Action No. A12CV0062LY; Kevin Jones v. Williamson County Sheriff's Office in the United States District Court for the Western District of Texas, Austin Division and exemption of these services from the competitive bid/proposal requirements of the County Purchasing Act pursuant to the discretionary exemption for personal or professional services, as set forth under Section***



**262.024(a)(4) 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

- 25. Consider authorizing advertising and setting date of February 28, 2012 at 2:00PM in the Purchasing Department to receive bids for Flex Base bid # 12IFB00012 for Road and Bridge.**

Motion by Commissioner Precinct 1 Lisa Birkman

Second by Commissioner Precinct 3 Valerie Covey

***Motion: To authorize advertising and set the date of February 28, 2012 at 2:00 p.m. in the Purchasing Department to receive bids for Flex Base (bid # 12IFB00012) for Road and Bridge.***

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

- 26. Consider authorizing advertising and setting date of March 6, 2012 at 10:00 AM in the Purchasing Department to receive bids for Brushy Creek Regional Trail Improvements, Bid number 12IFB00009.**

Motion by Commissioner Precinct 1 Lisa Birkman

Second by Commissioner Precinct 3 Valerie Covey

***Motion: To authorize advertising and set the date of March 6, 2012 at 10:00 a.m. in the Purchasing Department to receive bids for Brushy Creek Regional Trail Improvements; Bid # 12IFB00009.***

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 advertising and setting date of March 6, 2012 at 2:00 PM in the Purchasing Department to receive bids for Lease of Residential Property at 9769 State Highway 29 West, Georgetown, Texas, Bid number 12IFB00015.**

Motion by Commissioner Precinct 1 Lisa Birkman

Second by Commissioner Precinct 3 Valerie Covey

***Motion: To authorize advertising and set the date of March 6, 2012 at 2:00 p.m. in the Purchasing Department to receive bids for Lease of Residential Property at 9769 State Highway 29 West, Georgetown, Texas; Bid # 12IFB00015.***

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 advertising and setting date of February 28, 2012 at 10:00 am in the Purchasing Department to receive bids for Backup Generator Maintenance for Williamson County.**

Motion by Commissioner Precinct 1 Lisa Birkman

Second by Commissioner Precinct 3 Valerie Covey

***Motion: To authorize advertisement and set a date for Bid # 12IFB00014; Backup Generator Maintenance for Williamson County***

Aye: County Judge Dan A. Gattis

Commissioner Precinct 1 Lisa Birkman

Commissioner Precinct 2 Cynthia Long

Commissioner Precinct 3 Valerie Covey

Commissioner Precinct 4 Ron Morrison

- 29. Discuss and considering exempting Election Systems & Software from the competitive bidding or proposal requirements established by Section 262.023 of the Texas Local Government Code as a sole source provider to the County in relation to the procurement of ES&S iVotronic proprietary component parts, ES&S iVotronic software and firmware and related services pursuant to the discretionary exemptions under Section 262.024(a)(7)(A)&(D) of the Texas Local Government Code (items for which competition is precluded because of the existence of patents, copyrights, secret processes, or monopolies; and captive replacement parts or components for equipment).**

Motion by Commissioner Precinct 1 Lisa Birkman

Second by Commissioner Precinct 3 Valerie Covey

***Motion: To exempt Election Systems & Software, LLC from the competitive bidding or proposal requirements established by Section 262.023 of the Texas Local Government Code as a sole source provider to the County in relation to the procurement of ES&S iVotronic proprietary component parts, ES&S iVotronic software and firmware and related services pursuant to the discretionary exemptions under Section 262.024(a)(7)(A)&(D) of the Texas Local Government Code (items for which competition is precluded because of the existence of patents, copyrights, secret processes, or monopolies; and captive replacement parts or components for equipment).***

Aye: County Judge Dan A. Gattis

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

30. **Consider an order declaring an emergency and a grave necessity due to unforeseeable circumstances and approve a budget amendment to acknowledge additional revenues for the Debt Service Fund.**

First Assistant County Auditor Julie Kiley addressed the Court.

Motion by Commissioner Precinct 1 Lisa Birkman

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 to acknowledge additional revenues for the Debt Service Fund:***

0600-0000-370400	Proceeds fm Bond/Co Issuances	\$36,565,000.00
0600-0000-370401	Premium fm Bond/Co Issuances	\$5,987,142.75

Aye: County Judge Dan A. Gattis

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

31. **Consider an order declaring an emergency and a grave necessity due to unforeseeable circumstances and approve a budget amendment to acknowledge additional expenditures for the Debt Service Fund.**

First Assistant County Auditor Julie Kiley addressed the Court.

Motion by Commissioner Precinct 1 Lisa Birkman

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 to acknowledge additional expenditures for the Debt Service Fund:***

0600-0600-004098	Pyemt to Refunding Escrow Agent	\$42,121,230.44
0600-0600-004099	Bond Issuance Costs	\$439,429.10
0600-0600-006631	'11 LTD Tax Refunding - Int	\$234,471.94

Aye: County Judge Dan A. Gattis

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

**32. Discuss and Consider approving a line item transfer for the Debt Service Fund.**

First Assistant County Auditor Julie Kiley addressed the Court.

Motion by Commissioner Precinct 1 Lisa Birkman

Second by Commissioner Precinct 3 Valerie Covey

***Motion: To approve the following line item transfers for the Debt Service Fund:***

<b><i>From:</i></b>	<b><i>0600-0600-006615</i></b>	<b><i>Series 2004-Interest Payment</i></b>	<b><i>\$1,063,750.75</i></b>	<b><i>  </i></b>
<b><i>From:</i></b>	<b><i>0600-0600-006616</i></b>	<b><i>Series 2004A-Interest Payment</i></b>	<b><i>\$287,500.25</i></b>	<b><i>  </i></b>
<b><i>From:</i></b>	<b><i>0600-0600-006620</i></b>	<b><i>Ser 2006 Pass-Thru Toll-Int</i></b>	<b><i>\$455,288.00</i></b>	<b><i>  </i></b>
<b><i>To:</i></b>	<b><i>0600-0600-006231</i></b>	<b><i>'11 LTD Tax Refunding Prin</i></b>	<b><i>\$620,000.00</i></b>	<b><i>  </i></b>
<b><i>To:</i></b>	<b><i>0600-0600-006631</i></b>	<b><i>'11 LTD Tax Refunding Int</i></b>	<b><i>\$949,167.64</i></b>	<b><i>  </i></b>
<b><i>To:</i></b>	<b><i>0600-0600-006632</i></b>	<b><i>'11 Pass-Thru Toll Int</i></b>	<b><i>\$237,371.36</i></b>	<b><i>  </i></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

**33. 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 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 Park Donations:***

<b><i>0100-0000-367403</i></b>	<b><i>Park Donations</i></b>	<b><i>\$509.76</i></b>	<b><i>  </i></b>
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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

**34. 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 3 Valerie Covey

***Motion: To approve an order declaring an emergency and a grave necessity due to unforeseeable circumstances and approve a budget amendment to acknowledge use of Park Donations:***

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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

**35. Discuss and take appropriate action on setting Election dates for 2012.**

Kay Eastes of the Elections Department addressed the Court. No action was taken on this item.

**COMMISSIONERS' COURT RECESSED TO A ROAD DISTRICT MEETING AT 10:05 A.M. ON TUESDAY, FEBRUARY 7, 2012.**

**COMMISSIONERS' COURT RECONVENED FROM THE ROAD DISTRICT MEETING AT 10:15 A.M. ON TUESDAY, FEBRUARY 7, 2012.**

**COMMISSIONERS' COURT RECESSED TO EXECUTIVE SESSION AT 10:23 A.M. ON TUESDAY, FEBRUARY 7, 2012.**

**36. 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 SH 195 0.805 South of Bell County Line to IH 35.**
  - b) 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.**
  - c) Discuss proposed acquisition of property for right-of-way for O'Connor Boulevard and 620 projects.**
  - d) Discuss proposed acquisition of property for right-of-way for Ronald Reagan Blvd. Phase II project from FM 3405 to Reagan Blvd.**
  - e) Discuss proposed acquisition of property for right-of-way for Ronald Reagan Blvd. Phase III and Phase IV.**
  - f) Discuss proposed acquisition of property for proposed SH 29 project.**
  - g) Discuss proposed acquisition of property for right-of-way along Lakeline extension.**
  - h) Discuss proposed acquisition of property for right-of-way along CR 170.**
  - i) Discuss proposed acquisition and/or sale of property for Arterial H.**

No action was taken in Executive Session.

**37. Discuss and deliberate economic development matters pursuant to Section 551.087, Texas Government Code (Deliberation Regarding Economic Development Negotiations), including the following:**

- a) "Project Apollo."**

No action was taken in Executive Session.

- 38. Discuss pending or contemplated litigation, settlement matters and other confidential attorney-client legal matters (EXECUTIVE SESSION as per VTCA Govt. Code sec. 551.071 consultation with attorney.), including the following:**

- a) Litigation or claims or potential litigation or claims against the County or by the County.**
- b) Status Update-Pending Cases or Claims;**
- c) Cause No. 06-453-C277; Kerry Heckman et al. v. Williamson County, et al., In the District Court of Williamson County, Texas, 277th Judicial District**
- d) 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**
- e) 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**
- f) 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;**
- g) 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**
- h) Employment related matters.**
- i) 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.**
- j) 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**
- k) Mortgage Electronic Recording Systems (MERS) litigation.**
- l) Simmons Claim**
- m) Legal matters regarding the Williamson County Justice Center Parking Garage**
- n) Civil Action No. A12CV0062LY; Kevin Jones v. Williamson County Sheriff's Office; 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 11:54 P.M. ON TUESDAY, FEBRUARY 7, 2012.**

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

No action was taken on this item.

40. Discuss and take appropriate action on matters relating to economic development.

No action was taken on this item.

41. Discuss and take appropriate action on pending or contemplated litigation, settlement matters and other confidential attorney-client legal matters, including the following:

- a) Litigation or claims or potential litigation or claims against the County or by the County.
- b) Status Update-Pending Cases or Claims;
- c) Cause No. 06-453-C277; Kerry Heckman et al. v. Williamson County, et al., In the District Court of Williamson County, Texas, 277th Judicial District
- d) 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
- e) 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
- f) 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;
- g) 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
- h) Employment related matters.
- i) 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.
- j) 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
- k) Mortgage Electronic Recording Systems (MERS) litigation.
- l) Simmons Claim
- m) Legal matters regarding the Williamson County Justice Center Parking Garage
- n) Civil Action No. A12CV0062LY; Kevin Jones v. Williamson County Sheriff's Office; In the United States District Court for the Western District of Texas, Austin Division.

Motion by Commissioner Precinct 4 Ron Morrison

Second by Commissioner Precinct 2 Cynthia Long

***Motion: To approve the Tolling Agreement regarding the Simmons Claim and to authorize the County Judge to execute the Agreement.***

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

**42. Financial Planning Workshop - Employee Compensation**

Senior Director of Human Resources Lisa Zirkle addressed the Court.

**COMMISSIONERS' COURT ADJOURNED AT 1:02 P.M. ON  
TUESDAY, FEBRUARY 7, 2012.**

**THE FOREGOING MINUTES had at a Regular Session of Commissioners' Court of  
Williamson County, Texas, having been read are hereby approved this 14th day of  
February, 2012.**



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

**By: Black Wehling, Deputy**