



**MINUTES OF THE WILLIAMSON COUNTY COMMISSIONERS' COURT MEETING
OCTOBER 30, 2012**

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

BE IT REMEMBERED that at 9:41 A.M. on **TUESDAY, OCTOBER 30, 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 Commissioners' Court
Carolyn Deibler, Deputy County Clerk

1. Review and approval of minutes.

Motion by: Commissioner Precinct 1 Lisa Birkman

Second by: Commissioner Precinct 3 Valerie Covey

Motion: To approve the Minutes of the October 23, 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.

Motion by: Commissioner Precinct 3 Valerie Covey

Second by: Commissioner Precinct 4 Ron Morrison

Motion: To authorize the payment of bills totaling \$4,985,842.97 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.**

General (Retired) Charles (Chuck) Graham of Georgetown and Jim Dillon of Liberty Hill addressed the Court.

CONSENT AGENDA

The Consent Agenda includes routine items that the Court may act on with one single vote. The Judge or a Commissioner may pull any item from the Consent Agenda in order that the Court discuss and act upon it individually as part of the Regular Agenda. (Items 5 - 10)

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

Motion by: Commissioner Precinct 3 Valerie Covey

Second by: Commissioner Precinct 2 Cynthia Long

Motion: To approve a line item transfer for the District Attorney's Office for the purchase of an investigator vehicle:

<i>From/To</i>	<i>Acct No.</i>	<i>Description</i>	<i>Amount</i>
<i>From</i>	<i>0408-0698-005740</i>	<i>Computers >\$5,000</i>	<i>\$1,214.75</i>
<i>To</i>	<i>0408-0698-005700</i>	<i>Vehicles >\$5,000</i>	<i>\$1,214.75</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 take action on Budget Line Item Transfer for Juvenile Services.

Motion by: Commissioner Precinct 3 Valerie Covey

Second by: Commissioner Precinct 2 Cynthia Long

Motion: To approve a Budget Line Item Transfer for Juvenile Services, with a correction of the "To"account number from 100-0576-001107 to 0100-0576-001107 and the "From" account number from 100-9576-001102 to 0100-9576-001102 :

From/To	Acct No.	Description	Amount
From	0100-0576-001107	Temp/Seasonal	\$5,000.00
To	0100-0576-001102	P/T Salaries <20 Hrs/Wk	\$5,000.00

Aye: County Judge Dan A. Gattis

Commissioner Precinct 1 Lisa Birkman

Commissioner Precinct 2 Cynthia Long

Commissioner Precinct 3 Valerie Covey

Commissioner Precinct 4 Ron Morrison

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 2 Cynthia Long

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

8. Consider approving the Treasurer's Report on the Williamson County Finances for September 2012.

Motion by: Commissioner Precinct 3 Valerie Covey

Second by: Commissioner Precinct 2 Cynthia Long

Motion: To approve the Treasurer's Report on the Williamson County Finances for September 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

9. **Consider acknowledging advertising and setting date of November 27, 2012 at 2:30 PM in the Purchasing Department to receive Competitive Sealed Proposals for Training Center for Williamson County Sheriff's Office, Proposal #13RFP00109.**

Purchasing Director Bob Space addressed the Court.

Motion by: Commissioner Precinct 3 Valerie Covey

Second by: Commissioner Precinct 2 Cynthia Long

Motion: To acknowledge advertising and set the date of November 27, 2012 at 2:30 PM in the Purchasing Department to receive Competitive Sealed Proposals for the Training Center for the Williamson County Sheriff's Office, Proposal #13RFP00109.

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 reappointment of County Judge Dan Gattis and Commissioner Cynthia Long to the CAPCOG Executive Committee.**

Motion by: Commissioner Precinct 3 Valerie Covey

Second by: Commissioner Precinct 2 Cynthia Long

Motion: To approve the reappointment of County Judge Dan Gattis and Commissioner Cynthia Long to the Capital Area Council of Governments (CAPCOG) Executive Committee.

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

11. **Discuss and take appropriate action on proclamation naming the month of November 2012 as "Pancreatic Cancer Awareness Month" in Williamson County.**

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

Motion by: Commissioner Precinct 2 Cynthia Long

Second by: Commissioner Precinct 3 Valerie Covey

Motion: To approve a proclamation naming the month of November 2012 as "Pancreatic Cancer Awareness Month" in 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

12. Discuss and consider cancelling Commissioners Court on Tuesday, November 27th, 2012.

Motion by: County Judge Dan A. Gattis

Second by: Commissioner Precinct 4 Ron Morrison

Motion: To cancel Commissioners' Court on Tuesday, November 27, 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

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

No action was taken on this item.

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

No action was taken on this item.

15. Discuss and consider preliminary plat approval of Clearwater Ranch, Pct. 2.

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 the preliminary plat for Clearwater Ranch, Precinct #2; contingent on the County Engineer's approval.

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 approving Change Order No. 3 in the amount of \$111,703.50 for Chandler Road Phase 3A, a Road Bond Project in Precinct Four.

Senior Director of Infrastructure Bob Daigh addressed the Court.

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

Motion by: Commissioner Precinct 2 Cynthia Long

Second by: Commissioner Precinct 3 Valerie Covey

Motion: To approve Change Order No. 3 in the amount of \$111,703.50 for Chandler Road Phase 3A, a Road Bond Project in Precinct #4.

Aye: County Judge Dan A. Gattis

Commissioner Precinct 1 Lisa Birkman

Commissioner Precinct 2 Cynthia Long

Commissioner Precinct 3 Valerie Covey

Other: Commissioner Precinct 4 Ron Morrison (Abstain)

- 17. Discuss and take appropriate action for establishing the Central Counting Station and appointment of officers to serve at the Central Counting Station in connection with the November 6, 2012, Joint General and Special Elections.**

Elections Administrator Rick Barron addressed the Court.

Motion by: Commissioner Precinct 2 Cynthia Long

Second by: Commissioner Precinct 3 Valerie Covey

Motion: To authorize the County Judge to execute an Order establishing the Central Counting Station and appoint officers to serve at the Joint General and Special Elections Central Counting Station on November 6, 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

- 18. Discuss and take appropriate action on the acceptance of FY12 Homeland Security Grant in the amount of \$19,500.00.**

Senior Director of Emergency Services John Sneed addressed the Court.

Motion by: Commissioner Precinct 2 Cynthia Long

Second by: Commissioner Precinct 4 Ron Morrison

Motion: To accept the Fiscal Year 2012 Homeland Security Grant in the amount of \$19,500.00.

Aye: County Judge Dan A. Gattis

Commissioner Precinct 1 Lisa Birkman

Commissioner Precinct 2 Cynthia Long

Commissioner Precinct 3 Valerie Covey

Commissioner Precinct 4 Ron Morrison

19. **Discuss and take appropriate action on the FY12 Emergency Management Performance Grant Award in the amount of \$64,378.08.**

Senior Director of Emergency Services John Sneed addressed the Court.

Motion by: Commissioner Precinct 2 Cynthia Long

Second by: Commissioner Precinct 1 Lisa Birkman

Motion: To approve the Fiscal Year 2012 Emergency Management Performance Grant Award in the amount of \$64,378.08.

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. **Discuss and take appropriate action regarding renewal of annual contract for Texas Remote Birth Database access for County Clerk.**

County Clerk Nancy Rister addressed the Court.

Motion by: Commissioner Precinct 1 Lisa Birkman

Second by: Commissioner Precinct 3 Valerie Covey

Motion: To approve the renewal of the annual contract with the State of Texas birth database for remote access for the County Clerk.

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 on First Amendment to Interlocal Agreement between the City of Cedar Park and Williamson County for the construction of various transportation projects within the City.**

Senior Engineering Associate for the City of Cedar Park Alan Green, Attorney Charles Crossfield of Sheets and Crossfield, and Legal Advisor to the Commissioners' Court Hal Hawes addressed the Court.

Motion by: Commissioner Precinct 2 Cynthia Long

Second by: Commissioner Precinct 3 Valerie Covey

Motion: To authorize the County Judge to execute the First Amendment to Interlocal Agreement between the City of Cedar Park and Williamson County for the construction of various transportation projects within the City; with the addition that within 20 days after receipt of written notice from the City, that bids for Ranch to Market (RM) 1431/Parmer Continuous Flow Intersection

(CFI) Project have been received, but prior to contract award, the County will deposit \$1,000,000 into a fund to be established and administered by the City for the RM 1431/Parmer CFI Project.

The Motion and Second were Withdrawn.

Motion by: Commissioner Precinct 2 Cynthia Long

Second by: Commissioner Precinct 3 Valerie Covey

Motion: To agree to participate with the City of Cedar Park to design and construct a Continuous Flow Intersection (CFI) at the Parmer/Ranch to Market (RM) 1431 intersection; and within 20 days after receipt of written notice from the City that bids for RM 1431/Parmer CFI Project have been received, but prior to contract award, the County will deposit \$1,000,000 into a fund to be established and administered by the City for the RM 1431/Parmer CFI Project.

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

- 22. Discuss and take appropriate action regarding moving the position of Environmental Program Coordinator from under the Parks Department and costed to the Conservation Fund to the Department of Infrastructure in the General Fund and make any and all necessary changes to the County budget to do so.**

This item was pulled from the Agenda.

- 23. Discuss and take appropriate action regarding moving the position of Air Grant Project Admin. from under the Parks Department to the Department of Infrastructure in the General Fund and make any and all necessary changes to the County budget to do so.**

This item was Pulled from the Agenda.

- 24. Consider authorizing advertising and setting date of November 27, 2012 at 3:30 PM in the Purchasing Department to receive proposals for Consultant for Texas Indigent Defense Commission for Williamson County, RFP #13RFP00110.**

Purchasing Director Bob Space addressed the Court.

Motion by: Commissioner Precinct 1 Lisa Birkman

Second by: Commissioner Precinct 2 Cynthia Long

Motion: To authorize advertising and set the date of November 27, 2012 at 3:30 PM in the Purchasing Department to receive proposals for the Consultant for Texas Indigent Defense Commission for Williamson County, RFP #13RFP00110.

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. Discuss and consider approval of Amendment 7 to Techshare Resource Sharing Addendum for Common Integrated Justice System (CIJS) Court Administration System for payment to the Texas Conference of Urban Counties of \$395,427 for fiscal year 2013.**

Motion by: Commissioner Precinct 1 Lisa Birkman

Second by: Commissioner Precinct 2 Cynthia Long

Motion: To approve Amendment 7 to the Techshare Resource Sharing Addendum for the Common Integrated Justice System (CIJS) Court Administration System for payment to the Texas Conference of Urban Counties of \$395,427.00 for the Fiscal Year 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

- 26. Consider awarding bids received for Fog Seal for Williamson County Road and Bridge, Bid #13IFB00113 to the lowest and best bidder – Big Tex Paving Inc.**

Motion by: Commissioner Precinct 1 Lisa Birkman

Second by: Commissioner Precinct 2 Cynthia Long

Motion: To award Bid #13IFB00113, Fog Seal for Williamson County Road and Bridge, to the lowest and best bidder – Big Tex Paving, Inc.

Aye: County Judge Dan A. Gattis

Commissioner Precinct 1 Lisa Birkman

Commissioner Precinct 2 Cynthia Long

Commissioner Precinct 3 Valerie Covey

Commissioner Precinct 4 Ron Morrison

- 27. Consider awarding bids received for Bid #13IFB00104 Fuel for Williamson County to the lowest and best bid meeting specifications, Triple S Fuel.**

Motion by: Commissioner Precinct 1 Lisa Birkman

Second by: Commissioner Precinct 2 Cynthia Long

Motion: To award Bid #13IFB00104, Fuel for Williamson County, to the lowest and best bid meeting specifications - Triple S Fuel.

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 awarding bids received for Bid #13IFB00103 OEM (Original Equipment Manufacturer) Ford Replacement parts to the lowest and best bid meeting specifications, Leif Johnson Ford.**

Motion by: Commissioner Precinct 1 Lisa Birkman

Second by: Commissioner Precinct 2 Cynthia Long

Motion: To award Bid #13IFB00103, OEM (Original Equipment Manufacturer) Ford Replacement Parts, to the lowest and best bid meeting specifications - Leif Johnson Ford.

Aye: County Judge Dan A. Gattis

Commissioner Precinct 1 Lisa Birkman

Commissioner Precinct 2 Cynthia Long

Commissioner Precinct 3 Valerie Covey

Commissioner Precinct 4 Ron Morrison

- 29. Consider awarding bids received for Bid #13IFB00106 Roadside Chemicals and Herbicides to the best bid meeting specifications, Crop Production Services.**

Motion by: Commissioner Precinct 1 Lisa Birkman

Second by: Commissioner Precinct 2 Cynthia Long

Motion: To award Bid #13IFB00106, Roadside Chemicals and Herbicides, to the best bid meeting specifications - Crop Production 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

- 30. Consider authorizing advertising and setting date of November 29, 2012 at 3:00 PM in the Purchasing Department to receive bids for Crack Sealing Services for Williamson County Road and Bridge, Bid #13IFB00114.**

Motion by: Commissioner Precinct 1 Lisa Birkman

Second by: Commissioner Precinct 2 Cynthia Long

Motion: To authorize advertising and set the date of November 29, 2012 at 3:00 PM in the Purchasing Department to receive bids for Crack Sealing Services for Williamson County Road and Bridge, Bid #13IFB00114.

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 revenues for the HazMat department.**

Motion by: Commissioner Precinct 1 Lisa Birkman

Second by: Commissioner Precinct 2 Cynthia Long

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 Hazardous Materials (HazMat)

Department:

<i>From/To</i>	<i>Acct No.</i>	<i>Description</i>	<i>Amount</i>
	<i>0100-0000-342801</i>	<i>HazMat Training Fees</i>	<i>\$16,000.00</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

32. **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 HazMat department.**

Motion by: Commissioner Precinct 1 Lisa Birkman

Second by: Commissioner Precinct 2 Cynthia Long

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 Hazardous Materials (HazMat)

Department:

<i>From/To</i>	<i>Acct No.</i>	<i>Description</i>	<i>Amount</i>
	<i>0100-0542-004228</i>	<i>HazMat Training Program</i>	<i>\$16,000.00</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

33. **Discuss and take appropriate action on Medicaid 1115 Waiver, including but not limited to Uncompensated Care (UC) and Delivery System Reform Incentive Payment Program (DSRIP) projects.**

No action was taken on this item.

COMMISSIONERS' COURT RECESSED TO EXECUTIVE SESSION AT 10:35 A.M. ON TUESDAY, OCTOBER 30, 2012.

- 34. Discuss and deliberate economic development matters pursuant to Section 551.087, Texas Government Code (Deliberation Regarding Economic Development Negotiations), including the following:**
- a) acute care hospital in City of Round Rock with Round Rock RE Holdings, LLC.**

No action was taken in Executive Session.

- 35. Discuss real estate matters (EXECUTIVE SESSION as per VTCA Govt. Code sec. 551.072 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.**
 - j) Discuss proposed acquisition of property for right-of-way for the Pond Springs Rd. project.**
 - k) Discuss proposed acquisition of property for right-of-way for future parkland in Precinct 2.**
 - l) Discuss proposed acquisition of property for right-of-way for Neenah Dr.**
 - m) Discuss proposed acquisition of property for right-of-way for Pearson Blvd.**
 - n) Discuss proposed acquisition of property for right-of-way for FM 1460.**

No action was taken in Executive Session.

- 36. 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) Legal matters regarding the Williamson County Justice Center Parking Garage
 - m) 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.
 - n) Civil Action No. 1:12-CV-190-LY; Steven Hester v. Williamson County; In the United States District Court for the Western District of Texas, Austin Division.
 - o) Cause No. 12-0721-C277; W. Paul Reed et al. v. Williamson County et al.; In the District Court of Williamson County, Texas; 277th District Court
 - p) Civil Action No. A12CV00543; Kevin Jones v. Williamson County and Williamson County Sheriff's Office; In the United States District Court for the Western District of Texas, Austin Division.
 - q) Tillerson Claim - Release of Claims agreement.

No action was taken in Executive Session.

COMMISSIONERS' COURT RECONVENED FROM EXECUTIVE SESSION AT 11:35 A.M. ON TUESDAY, OCTOBER 30, 2012.

- 37. Discuss and take appropriate action on economic development matters.**

No action was taken on this item.

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

No action was taken on this item.

39. 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) Legal matters regarding the Williamson County Justice Center Parking Garage
 - m) 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.
 - n) Civil Action No. 1:12-CV-190-LY; Steven Hester v. Williamson County; In the United States District Court for the Western District of Texas, Austin Division.
 - o) Cause No. 12-0721-C277; W. Paul Reed et al. v. Williamson County et al.; In the District Court of Williamson County, Texas; 277th District Court
 - p) Civil Action No. A12CV00543; Kevin Jones v. Williamson County and Williamson County Sheriff's Office; In the United States District Court for the Western District of Texas, Austin Division.
 - q) Tillerson Claim - Release of Claims agreement.

Motion by: Commissioner Precinct 1 Lisa Birkman

Second by: Commissioner Precinct 2 Cynthia Long

Motion: To approve the Release Agreement regarding the Tillerson claim; and approve execution of the agreement by the Emergency Medical Services (EMS) Director.

Aye: County Judge Dan A. Gattis

Commissioner Precinct 1 Lisa Birkman

Commissioner Precinct 2 Cynthia Long

Commissioner Precinct 3 Valerie Covey

Commissioner Precinct 4 Ron Morrison

40. Discuss and take action on the Capital Improvements Program to include policy and project adoption.

County Auditor David Flores, First Assistant County Auditor Julie Kiley, Budget Officer Ashlie Blaylock, Senior Director of Infrastructure Bob Daigh, Senior Director of Technology Services Jay Schade, Wireless Communications Manager Catherine Roberts, and Senior Director of Emergency Services John Sneed addressed the Court.

Motion by: Commissioner Precinct 2 Cynthia Long

Second by: Commissioner Precinct 1 Lisa Birkman

Motion: To approve the amended fiscal year's capital projects plan in order to spend down some of the cash reserve as outlined for a total of \$7,328,668.

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. Comments from Commissioners.

Commissioner Birkman requested that Agenda items be limited for next Tuesday, November 6th due to the fact that it is also the Presidential/General Election.

COMMISSIONERS' COURT ADJOURNED AT 1:21 P.M. ON TUESDAY, OCTOBER 30, 2012.

THE FOREGOING MINUTES had at a Regular Session of Commissioners' Court of Williamson County, Texas, having been read are hereby approved this 6th day of November 2012.



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

By: Carolyn Deibler, Deputy