



**MINUTES OF THE WILLIAMSON COUNTY COMMISSIONERS' COURT MEETING
NOVEMBER 10, 2015**

STATE OF TEXAS)(
COUNTY OF WILLIAMSON)(

BE IT REMEMBERED that at 9:43 A.M. on **TUESDAY, NOVEMBER 10, 2015**, 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 4 Ron Morrison
County Clerk Nancy E. Rister

Absent: Commissioner Precinct 3 Valerie Covey

Others Present: Hal C. Hawes, General Counsel to Williamson County Commissioners' Court
Stan O. Springerley, Assistant General Counsel to Williamson County Commissioners' Court
Carolyn Deibler, 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 November 3, 2015 meeting.

Aye: County Judge Dan A. Gattis
Commissioner Precinct 1 Lisa Birkman
Commissioner Precinct 4 Ron Morrison
Other: Commissioner Precinct 2 Cynthia Long (Absent from the Dais)
Commissioner Precinct 3 Valerie Covey (Absent)

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

No action was taken on this item.

3. Hear County Auditor concerning invoices, bills, Quick Check Report, wire transfers and electronic payments submitted for payment and take appropriate action including, but not limited to approval for payment provided said items are found by the County Auditor to be legal obligations of the county.

Accounts Payable/Payroll Lead Nathan Zinsmeyer addressed the Court.

Motion by: Commissioner Precinct 1 Lisa Birkman

Second by: Commissioner Precinct 4 Ron Morrison

Motion: To authorize the payment of bills totaling \$5,421,696.46 from the computer printout, Addendum, Wire Transfer, Quick Check Report, and electronic benefit payments 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 4 Ron Morrison

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

Commissioner Precinct 3 Valerie Covey (Absent)

4. Citizen comments.

Mary Ellen Kersch of Georgetown, Mary Clark, Executive Assistant to Commissioner of Precinct #1, and Director of Veterans Services Donna Harrell 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 – 9)

5. Discuss, consider and take appropriate action on a line transfer for Road and Bridge Division.

Motion by: Commissioner Precinct 1 Lisa Birkman

Second by: Commissioner Precinct 4 Ron Morrison

Motion: To approve a line transfer for Road and Bridge Division:

<i>From/To</i>	<i>Acct No.</i>	<i>Description</i>	<i>Amount</i>
<i>From</i>	<i>0200-0210-03597</i>	<i>Roadway Rehab</i>	<i>\$2,500,000.00</i>
<i>To</i>	<i>0200-0210-03599</i>	<i>Roads Const./Maint.</i>	<i>\$2,500,000.00</i>

Aye: County Judge Dan A. Gattis

Commissioner Precinct 1 Lisa Birkman

Commissioner Precinct 2 Cynthia Long

Commissioner Precinct 4 Ron Morrison

Other: Commissioner Precinct 3 Valerie Covey (Absent)

6. Discuss, consider and take any appropriate action regarding approval or ratification of monthly Treasurer's Report(s) on Williamson County Finances for November 2014 through August 2015 pursuant to Tex. Loc. Gov't Code §114.026.

Motion by: Commissioner Precinct 1 Lisa Birkman

Second by: Commissioner Precinct 4 Ron Morrison

Motion: To approve the monthly Treasurer's Report(s) on Williamson County Finances for November 2014 through August 2015; pursuant to Texas Local Government Code § 114.026.

Aye: County Judge Dan A. Gattis

Commissioner Precinct 1 Lisa Birkman

Commissioner Precinct 2 Cynthia Long

Commissioner Precinct 4 Ron Morrison

Other: Commissioner Precinct 3 Valerie Covey (Absent)

7. **Discuss, consider and take appropriate action on authorizing the disposal of various county assets through auction, including (1) Monitor, (1) Desktop, (1) Keyboard, (2) 6Ft Radio Dishes, (2) Motorola Radios, (2) Motorola Tadiran Network, (complete list attached) pursuant to Tex. Local Gov't Code §263.152.**

Motion by: Commissioner Precinct 1 Lisa Birkman

Second by: Commissioner Precinct 4 Ron Morrison

Motion: To authorize the disposal of various county assets through auction, including (1) Monitor, (1) Desktop, (1) Keyboard, (2) 6 foot Radio Dishes, (2) Motorola Radios, and (2) Motorola Tadiran Network (complete list attached); pursuant to Texas Local Government Code § 263.152.

Aye: County Judge Dan A. Gattis

Commissioner Precinct 1 Lisa Birkman

Commissioner Precinct 2 Cynthia Long

Commissioner Precinct 4 Ron Morrison

Other: Commissioner Precinct 3 Valerie Covey (Absent)

8. **Discuss, consider, and take appropriate action on authorizing the disposal of county assets through inter-departmental transfer including, (1) Over head pull down projector screen, (list attached) pursuant to Tex Local Gov't Code §263.152.**

Motion by: Commissioner Precinct 1 Lisa Birkman

Second by: Commissioner Precinct 4 Ron Morrison

Motion: To authorize the disposal of county assets through inter-departmental transfer including (1) Overhead pull down projector screen (list attached); pursuant to Texas Local Government Code § 263.152.

Aye: County Judge Dan A. Gattis

Commissioner Precinct 1 Lisa Birkman

Commissioner Precinct 2 Cynthia Long

Commissioner Precinct 4 Ron Morrison

Other: Commissioner Precinct 3 Valerie Covey (Absent)

9. **Discuss, consider and take appropriate action on approval of revised preliminary plat for the Santa Rita Ranch Ph 1 subdivision - Pct 3.**

Motion by: Commissioner Precinct 1 Lisa Birkman

Second by: Commissioner Precinct 4 Ron Morrison

Motion: To approve revised preliminary plat for the Santa Rita Ranch Phase 1 subdivision - Precinct #3.

Aye: County Judge Dan A. Gattis

Commissioner Precinct 1 Lisa Birkman

Commissioner Precinct 2 Cynthia Long

Commissioner Precinct 4 Ron Morrison

Other: Commissioner Precinct 3 Valerie Covey (Absent)

REGULAR AGENDA

10. **Discuss, consider and take appropriate action on the Department of Infrastructure projects and issues update.**

Senior Director of Infrastructure Bob Daigh invited everyone to the Central Texas Regional Mobility Authority and the Texas Department of Transportation Public Hearing about proposed improvements to address traffic congestions along U.S. Highway 183 between State Highway (SH) 45 North and MoPac on Thursday, November 12, 2015 in the Westwood High School Cafeteria, 12400 Mellow Meadow Drive, in Austin. The event will begin with an open house from 5:00 to 6:00 p.m. where project team members will be available to answer questions and provide information, a technical presentation at 6:00 p.m., and followed by a public comment period. No action was taken on this item.

11. **Discuss, consider, and take appropriate action regarding a TCEQ Agent Authorization Form for the Edwards Aquifer Protection Program associated with the Southwest Bypass Project, a Road Bond Project in Commissioner Pct. 3.**

Senior Director of Infrastructure Bob Daigh addressed the Court.

Motion by: Commissioner Precinct 2 Cynthia Long

Second by: County Judge Dan A. Gattis

Motion: To approve a Texas Commission on Environmental Quality (TCEQ) Agent Authorization Form for the Edwards Aquifer Protection Program associated with the Southwest Bypass Project, a Road Bond Project in Precinct #3.

Aye: County Judge Dan A. Gattis

Commissioner Precinct 1 Lisa Birkman

Commissioner Precinct 2 Cynthia Long

Commissioner Precinct 4 Ron Morrison

Other: Commissioner Precinct 3 Valerie Covey (Absent)

12. **Discuss, consider and take appropriate action on an Agreement for Architectural and Engineering Services between Williamson County, Texas and KA Hickman Architects and Interior Designers, LLC for planning, design, construction administration and other related services for the Williamson County Georgetown Annex Project.**

Senior Director of Infrastructure Bob Daigh addressed the Court.

Motion by: Commissioner Precinct 1 Lisa Birkman

Second by: Commissioner Precinct 4 Ron Morrison

Motion: To approve an Agreement for Architectural and Engineering Services between Williamson County, Texas and KA Hickman Architects and Interior Designers, LLC for planning, design, construction administration and other related services for the Williamson County Georgetown Annex Project.

Aye: County Judge Dan A. Gattis

Commissioner Precinct 1 Lisa Birkman

Commissioner Precinct 2 Cynthia Long

Commissioner Precinct 4 Ron Morrison

Other: Commissioner Precinct 3 Valerie Covey (Absent)

13. **Discuss, consider and take appropriate action on an Agreement for Architectural and Engineering Services between Williamson County, Texas and BLGY, Inc. for planning, design, construction administration and other related services for the Williamson County North Campus Project.**

Senior Director of Infrastructure Bob Daigh addressed the Court.

Motion by: Commissioner Precinct 1 Lisa Birkman

Second by: Commissioner Precinct 4 Ron Morrison

Motion: To approve an Agreement for Architectural and Engineering Services between Williamson County, Texas and BGY, Inc. for planning, design, construction administration and other related services for the Williamson County North Campus Project.

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

14. **Discuss, consider and take appropriate action on an Agreement for Architectural and Engineering Services between Williamson County, Texas and Brinkley Sargent Wiginton Architects, Inc. for planning, design, construction administration and other related services for the Williamson County Sheriff's Office Training Center.**

Senior Director of Infrastructure Bob Daigh addressed the Court.

Motion by: Commissioner Precinct 1 Lisa Birkman

Second by: Commissioner Precinct 4 Ron Morrison

Motion: To approve an Agreement for Architectural and Engineering Services between Williamson County, Texas and Brinkley Sargent Wiginton Architects, Inc. for planning, design, construction administration and other related services for the Williamson County Sheriff's Office Training Center.

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

15. **Discuss, consider, and take appropriate action on execution of a service contract for the installation of cabinets for the Central Maintenance Facility Sign Shop with Cordi Woodworks.**

Senior Director of Infrastructure Bob Daigh addressed the Court.

Motion by: Commissioner Precinct 2 Cynthia Long

Second by: Commissioner Precinct 4 Ron Morrison

Motion: To approve a Service Contract for the installation of cabinets for the Sign Shop.

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

16. **Discuss, consider and take any necessary action in regards to transferring 2013-2015 Cash Ending Reduction Program Funds from finished projects to designated projects in the attached spreadsheet.**

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

Motion by: Commissioner Precinct 1 Lisa Birkman

Second by: Commissioner Precinct 2 Cynthia Long

Motion: To approve transferring 2013-2015 Cash Ending Reduction Program Funds from finished projects to designated projects in the attached spreadsheet.

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

17. **Discuss, consider and take appropriate action regarding execution of Certificates of Approval for Issuance of Tax-Exempt Multifamily Housing Revenue Bonds and General and No Litigation Certificates of Williamson County relating to the Capital Area Housing Finance Corporation's Single Family Mortgage Revenue Bonds (Madison at Dell Ranch Apartments) Series 2015 and Capital Area Housing Finance Corporation's Single Family Mortgage Revenue Bonds (Tuckaway Apartments Project) Series 2015.**

President of Capital Area Housing Finance Corporation Greg Boatright and Executive Director of Capital Area Housing Finance Corporation Jim Shaw addressed the Court.

Motion by: Commissioner Precinct 1 Lisa Birkman

Second by: Commissioner Precinct 2 Cynthia Long

Motion: To approve execution of Certificates of Approval for Issuance of Tax-Exempt Multifamily Housing Revenue Bonds and General and No Litigation Certificates of Williamson County relating to the Capital Area Housing Finance Corporation's Single Family Mortgage Revenue Bonds (Madison at Dell Ranch Apartments) Series 2015 and Capital Area Housing Finance Corporation's Single Family Mortgage Revenue Bonds (Tuckaway Apartments Project) Series 2015.

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

18. **Discuss, consider and take appropriate action on the Parks Department projects and issues update.**

Senior Director of Parks and Recreation Randy Bell addressed the Court. No action was taken on this item.

19. **Discuss, consider and take appropriate action regarding Trail and Access Use Agreement with Parkside at Mayfield Ranch Master Community, Inc. and Williamson County.**

Senior Director of Parks and Recreation Randy Bell addressed the Court.

Motion by: Commissioner Precinct 2 Cynthia Long

Second by: Commissioner Precinct 1 Lisa Birkman

Motion: To approve Trail and Access Use Agreement with Parkside at Mayfield Ranch Master Community, Inc. and Williamson County.

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

20. **Discuss, consider, and take appropriate action regarding Time Warner Business Class Service Agreement between Time Warner Cable Enterprises LLC and Williamson County for E-LAN service at county annex facilities.**

Motion by: Commissioner Precinct 1 Lisa Birkman

Second by: Commissioner Precinct 2 Cynthia Long

Motion: To approve Time Warner Business Class Service Agreement between Time Warner Cable Enterprises LLC and Williamson County for E-LAN service at county annex facilities.

Aye: County Judge Dan A. Gattis

Commissioner Precinct 1 Lisa Birkman

Commissioner Precinct 2 Cynthia Long

Commissioner Precinct 4 Ron Morrison

Other: Commissioner Precinct 3 Valerie Covey (Absent)

21. **Discuss, consider and take appropriate action on presentation on Williamson County Veterans Treatment Court and application to Texas Veterans Commission's 2016-17 Veterans Treatment Court Grant.**

Kathy Pierce, Executive Assistant to Commissioner Precinct #2, Williamson County Specialty Courts Coordinator Sabrina Bentley, Army Veteran Zeb Schoen, and Marine Veteran Charles Curran addressed the Court.

Motion by: Commissioner Precinct 2 Cynthia Long

Second by: Commissioner Precinct 4 Ron Morrison

Motion: To approve application to Texas Veterans Commission's 2016-17 Veterans Treatment Court Grant.

Aye: County Judge Dan A. Gattis

Commissioner Precinct 1 Lisa Birkman

Commissioner Precinct 2 Cynthia Long

Commissioner Precinct 4 Ron Morrison

Other: Commissioner Precinct 3 Valerie Covey (Absent)

22. **Discuss and take appropriate action on a use agreement for the historic Williamson County Jail by Brandcave.**

General Counsel Hal Hawes addressed the Court.

Motion by: Commissioner Precinct 1 Lisa Birkman

Second by: Commissioner Precinct 4 Ron Morrison

Motion: To approve an Authorized User Agreement for the historic Williamson County Jail by Brandcave.

Aye: County Judge Dan A. Gattis

Commissioner Precinct 1 Lisa Birkman

Commissioner Precinct 2 Cynthia Long

Commissioner Precinct 4 Ron Morrison

Other: Commissioner Precinct 3 Valerie Covey (Absent)

23. **Discuss and take appropriate action on a use agreement for the historic Williamson County Jail on Friday, November 13, 2015, by Films From the Range.**

General Counsel Hal Hawes addressed the Court.

Motion by: Commissioner Precinct 1 Lisa Birkman

Second by: Commissioner Precinct 4 Ron Morrison

Motion: To approve an Authorized User Agreement for the historic Williamson County Jail on Friday, November 13, 2015 by Films From the Range.

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

24. **Discuss, consider and take appropriate action on an order declaring an emergency and a grave necessity due to unforeseeable circumstances and approve a budget amendment to acknowledge expenditures from the general fund non-departmental department for jail repairs (Settlement Funds from Settlement Agreement in American Arbitration Association Case No. 70 110 Y 00385; Williamson County, Texas v. FaulknerUSA, Inc, Landmark Organization, LP, et al.).**

Motion by: Commissioner Precinct 1 Lisa Birkman

Second by: Commissioner Precinct 4 Ron Morrison

Motion: To declare an emergency and a grave necessity due to unforeseeable circumstances and approve a budget amendment to acknowledge expenditures from the general fund non-departmental department for jail repairs (Settlement Funds from Settlement Agreement in American Arbitration Association Case No. 70 110 Y 00385; Williamson County, Texas v. FaulknerUSA, Inc, Landmark Organization, LP, et al.):

<i>From/To</i>	<i>Acct No.</i>	<i>Description</i>	<i>Amount</i>
	<i>0100-0409-000777</i>	<i>Transfer to Cap Projects Fund</i>	<i>\$2,758,657.69</i>

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

COMMISSIONERS' COURT RECESSED TO EXECUTIVE SESSION AT 10:40 A.M. ON TUESDAY, NOVEMBER 10, 2015.

25. **Discussion regarding economic development negotiations pursuant to Texas Government Code, Section 551.087:**

- a) **Business prospect(s) that may locate or expand within Williamson County.**
- b) **Discuss Pearson Road District.**
- c) **Discuss North Woods Road District.**
- d) **Discuss Kaufman Loop.**

No action was taken in Executive Session.

26. **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.)**
- A. Real Estate Owned by Third Parties**
- 1. **Preliminary discussions relating to proposed or potential purchase or lease of property owned by third parties**
 - a) **Discuss proposed acquisition of property for right-of-way for SH 195**
 - b) **Discuss proposed acquisition of property for proposed SH 29 project.**
 - c) **Discuss proposed acquisition of property for SW 183 and SH 29 Loop.**
 - d) **Discuss possible acquisition of property with endangered species for mitigation purposes.**
 - e) **Discuss the acquisition of real property: Sneed Loop**
 - f) **Discuss the acquisition of real property: Neenah Blvd.**

- g) Discuss the acquisition of real property: CR 119
- h) Discuss the acquisition of real property: Tradesman Park.
- i) Discuss the acquisition of real property for proposed CR 110 project. (All sections)
- j) Discuss the acquisition of real property: CR 258
- k) Discuss the acquisition of real property: Kruger property exchange (3901 CR 130 Hutto, TX)
- l) Discuss the acquisition of real property: Arterial H.
- m) Discuss the acquisition of real property for County Facilities.
- n) Discuss the acquisition of real property for the Williamson County Expo Center.
- o) Discuss the acquisition of Easement interests on CR 240.
- p) Discuss the acquisition of Easement interests for the Brushy Creek Trail Project.
- q) Discuss the acquisition of real property from Taylor ISD and WILCO Park Foundation for the East Wilco Park Access Road.
- r) Discuss the acquisition of real property from the Andice Cemetery.

B. Property or Real Estate owned by Williamson County

- 1). Preliminary discussions relating to proposed or potential sale or lease of property owned by the County
 - a) Discuss County owned real estate containing underground water rights and interests.
 - b) Discuss proposed sale of real estate on Inner Loop
 - c) Discuss proposed trade of real estate adjacent to Chandler Rd. and CR 130
 - d) Discuss proposed exchange of property with Mr. Kruger
 - e) Discuss real estate at 355 Texas Ave.
 - f) Discuss the proposed sale of portion of county property on Inner Loop opposite Maintenance Building.
 - g) Discuss the proposed sale of portion of county property by Jester Annex
 - h) Discuss the proposed sale of excess right-of-way on Hwy 79 abutting 79 Business Park
 - i) Discuss abandoning row on CR 359

C. Consider intervention in lawsuit regarding de-listing of Bone Cave harvestman.

No action was taken in Executive Session.

- 27. 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) Civil Action No.1:13- CV- 505, Robert Lloyd v. Lisa Birkman, et al., In The United States District Court for the Western District of Texas, Austin Division
 - d) Employee/personnel related matters
 - e) 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.
 - f) 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
 - g) Cause No. 15-0064-C277, Gordon v. Dollahite et al., In The District Court of Williamson County, Texas, 277th District
 - h) County Road 241 utility and Right-of-Way Issues and matters;
 - i) Cause No. D-1-GN-15-000875, Houston v. Bank of America et al., In The District Court of Travis County, Texas, 345th Judicial District
 - j) Civil Action No. 1:15-cv-431; Herman Crisp v. Williamson County, et al.; In the USDC-WD-Austin Division
 - k) Notice of Claim - In Re Jessica Palmer
 - l) Floodplain Regulation Issue
 - m) Carolyn Barnes v. Austin American Statesman, et al.; Cause # D-1-GN-15-002626, in the 353rd Judicial District Court of Travis County, Texas
 - n) Carolyn Barnes, et al. v. Texas Attorney General, et al.; Cause # D-1-GN-15-000877, in the 419th Judicial District Court of Travis County
 - o) Civil Action No. 1:15-cv-00679-RP, OCA-Great Houston and Mallika Das v. State of Texas, et al., In

the United States District Court for the Western District

p) Notice of Claim – In Re Ray Steven Rose

q) Appeal of IRS Proposed Worker Classification Changes and Proposed Tax Adjustments 2011-2013; and Payment of Disputed Employment Taxes Pending Appeal

r) Utility damage claim that occurred on or about 02/19/2014 on CR 488 (Claim # TXPR141360)

s) Claim for overpayment – Timothy Wright

t) Medical subrogation lien settlement offer related to covered person in County's health benefits plan.

u) Potential claims and litigation against Volkswagen and Audi related to Volkswagen and Audi emission control systems on diesel engine vehicles in the period 2009 – 2015

No action was taken in Executive Session.

28. Deliberate the appointment, employment, evaluation, reassignment, duties, discipline and/or dismissal of Williamson County officers, directors, employees and/or positions, including but not limited to conducting deliberation and discussion pertaining to annual reviews of department heads and appointed officials (Executive Session as per Tex. Gov. Code Section 551.074 – Personnel Matters).

No action was taken in Executive Session.

COMMISSIONERS' COURT RECONVENED FROM EXECUTIVE SESSION AT 12:17 P.M. ON TUESDAY, NOVEMBER 10, 2015.

29. Discuss and take appropriate action regarding economic development.

No action was taken on this item.

30. Discuss and take appropriate action regarding real estate.

No action was taken on this item.

31. 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) Civil Action No.1:13- CV- 505, Robert Lloyd v. Lisa Birkman, et al., In The United States District Court for the Western District of Texas, Austin Division

d) Employee/personnel related matters

e) 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.

f) 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

g) Cause No. 15-0064-C277, Gordon v. Dollahite et al., In The District Court of Williamson County, Texas, 277th District

h) County Road 241 utility and Right-of-Way Issues and matters;

i) Cause No. D-1-GN-15-000875, Houston v. Bank of America et al., In The District Court of Travis County, Texas, 345th Judicial District

j) Civil Action No. 1:15-cv-431; Herman Crisp v. Williamson County, et al.; In the USDC-WD-Austin Division

k) Notice of Claim - In Re Jessica Palmer

l) Floodplain Regulation Issue

m) Carolyn Barnes v. Austin American Statesman, et al.; Cause # D-1-GN-15-002626, in the 353rd Judicial District Court of Travis County, Texas

n) Carolyn Barnes, et al. v. Texas Attorney General, et al.; Cause # D-1-GN-15-000877, in the 419th Judicial District Court of Travis County

o) Civil Action No. 1:15-cv-00679-RP, OCA-Great Houston and Mallika Das v. State of Texas, et al., In

the United States District Court for the Western District

p) Notice of Claim – In Re Ray Steven Rose

q) Discuss, consider and take appropriate action regarding possible appeal of IRS Proposed Worker Classification Changes and Proposed Tax Adjustments 2011-2013; and approval of payment of disputed employment taxes pending appeal

r) Utility damage claim that occurred on or about 02/19/2014 on CR 488 (Claim # TXPR141360)

s) Claim for overpayment – Timothy Wright

t) Medical subrogation lien settlement offer related to covered person in County's health benefits plan.

u) Potential claims and litigation against Volkswagen and Audi related to Volkswagen and Audi emission control systems on diesel engine vehicles in the period 2009 – 2015

No action was taken on this item.

32. Discuss, consider and take appropriate action regarding the appointment, employment, evaluation, reassignment, duties, discipline and/or dismissal of Williamson County officers, directors or employees, including but not limited to any necessary action pertaining to conducting annual reviews of department heads and appointed officials.

No action was taken on this item.

33. Discuss, consider and take appropriate action regarding the engagement of the Gardere law firm (Gardere, Wynne, Sewell, LLP) to represent Williamson County on claims against Volkswagen and Audi related to Volkswagen and Audi emission control systems on diesel engine vehicles in the period 2009 – 2015; approval of the Gardere proposal/engagement on representation; 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 Tex. Loc. Gov't Code § 262.024(a)(4).

No action was taken on this item.

34. Comments from Commissioners.

Judge Gattis announced the Commissioners' Court Agenda on Tuesday, November 17, 2015 will include a discussion about water.

COMMISSIONERS' COURT ADJOURNED AT 12:17 P.M. ON TUESDAY, NOVEMBER 10, 2015.

THE FOREGOING MINUTES had at a Regular Session of Commissioners' Court of Williamson County, Texas, having been read are hereby approved this 17th day of November 2015.



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

By: Carolyn Deibler, Deputy