



**MINUTES OF THE WILLIAMSON COUNTY COMMISSIONERS' COURT MEETING
DECEMBER 1, 2015**

STATE OF TEXAS)(
COUNTY OF WILLIAMSON)(

BE IT REMEMBERED that at 9:41 A.M. on **TUESDAY, DECEMBER 1, 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 3 Valerie Covey
County Clerk Nancy E. Rister

Absent: Commissioner Precinct 4 Ron Morrison

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 3 Valerie Covey

Second by: Commissioner Precinct 1 Lisa Birkman

Motion: To approve the Minutes of the November 17, 2015 meeting.

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 (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 3 Valerie Covey

Second by: Commissioner Precinct 1 Lisa Birkman

Motion: To authorize the payment of bills totaling \$2,305,223.73 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 2 Cynthia Long

Commissioner Precinct 3 Valerie Covey

Other: Commissioner Precinct 4 Ron Morrison (Absent)

4. Citizen comments.

Tammie Filla of Georgetown, Tom Mowdy of Taylor, Walter Kemp of Round Rock, Jim Dillon of Liberty Hill, District Extension Administrator with Texas A&M Agrilife Extension Service for District 8 Donald Kelm, and Williamson County Agriculture & Natural Resources County Extension Agent Cooper Terrill 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 – 16)

5. Discuss, consider, and take appropriate action on a line item transfer for Emergency Services.

Motion by: Commissioner Precinct 3 Valerie Covey

Second by: Commissioner Precinct 2 Cynthia Long

Motion: To approve a line item transfer for Emergency Services:

<i>From/To</i>	<i>Acct No.</i>	<i>Description</i>	<i>Amount</i>
<i>To:</i>	<i>0100-0583-000777</i>	<i>Capital Projects</i>	<i>\$23,278.00</i>
<i>From</i>	<i>0100-0583-000507</i>	<i>Transfer to RCS</i>	<i>\$23,278.00</i>

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 (Absent)

6. Please discuss, consider and take appropriate action with regard to a line item transfer for the District Attorney's 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:

<i>From/To</i>	<i>Acct No.</i>	<i>Description</i>	<i>Amount</i>
<i>From</i>	<i>0408-0698-005740</i>	<i>Computers</i>	<i>\$4,299.76</i>
<i>To</i>	<i>0408-0698-003006</i>	<i>Office Equipment</i>	<i>\$4,299.76</i>

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 (Absent)

7. Discuss, consider and take appropriate action on a line item transfer for the District Attorney.

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:

<i>From/To</i>	<i>Acct No.</i>	<i>Description</i>	<i>Amount</i>
<i>From</i>	<i>0100-0409-004998</i>	<i>Non Dept/Contingencies</i>	<i>\$18,065.15</i>
<i>To</i>	<i>0100-0440-001101</i>	<i>DA/Part time 20-30</i>	<i>\$14,996.80</i>
<i>To</i>	<i>0100-0440-002010</i>	<i>DA/FICA</i>	<i>\$1,147.26</i>
<i>To</i>	<i>0100-0440-002020</i>	<i>DA/Retirement</i>	<i>\$1,921.09</i>

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 (Absent)

8. Discuss, consider and take appropriate action to authorize the resale of property held in trust by the County of Williamson, Texas.

Motion by: Commissioner Precinct 3 Valerie Covey

Second by: Commissioner Precinct 2 Cynthia Long

Motion: To authorize the resale of property held in trust 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
Other: Commissioner Precinct 4 Ron Morrison (Absent)

9. Discuss, consider and take appropriate action on approving property tax collections for the month of October 2015 for the Williamson County Tax Assessor/Collector.

Motion by: Commissioner Precinct 3 Valerie Covey

Second by: Commissioner Precinct 2 Cynthia Long

Motion: To approve property tax collections for the month of October 2015 for the Williamson County Tax Assessor/Collector.

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 (Absent)

10. Discuss, consider and take appropriate action on approving property tax refunds over \$2,500.00 for the month of October 2015 for the Williamson County Tax Assessor/Collector.

Motion by: Commissioner Precinct 3 Valerie Covey

Second by: Commissioner Precinct 2 Cynthia Long

Motion: To approve property tax refunds over \$2,500.00 for the month of October 2015 for the Williamson County Tax Assessor/Collector.

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 (Absent)

11. Discuss, consider and take appropriate action to approve Justice of the Peace, Pct. 4, October 2015 Monthly Report in compliance with Code of Crim. Proc. § 103.005.

Motion by: Commissioner Precinct 3 Valerie Covey
Second by: Commissioner Precinct 2 Cynthia Long
Motion: To approve Justice of the Peace Precinct #4 October 2015 Monthly Report in compliance with Code of Criminal Procedure § 103.005.

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 (Absent)

12. Discuss, consider and take appropriate action on authorizing the disposal of various county assets through destruction, including (2) Large boxes of Used Khaki pants/shirts, (1) Box of used Shower Shoes, (1) Broken Mattress, (1) Broken Shower Seat, (complete list attached) pursuant to Tex. Local Gov't Code §263.152.

Motion by: Commissioner Precinct 3 Valerie Covey
Second by: Commissioner Precinct 2 Cynthia Long
Motion: To authorize the disposal of various county assets through destruction, including (2) Large boxes of Used Khaki pants/shirts, (1) Box of used Shower Shoes, (1) Broken Mattress, (1) Broken Shower Seat (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 3 Valerie Covey
Other: Commissioner Precinct 4 Ron Morrison (Absent)

13. Discuss, consider, and take appropriate action on authorizing the disposal of various County assets through interdepartmental transfer, including (4) Computer Monitors, (1) Desktop Computer, and (1) Printer, (complete list attached) pursuant to the Tex. Local Gov't Code §263.152.

Motion by: Commissioner Precinct 3 Valerie Covey
Second by: Commissioner Precinct 2 Cynthia Long
Motion: To authorize the disposal of various County assets through interdepartmental transfer, including (4) Computer Monitors, (1) Desktop Computer, and (1) Printer (complete list attached); pursuant to the Texas Local Government Code § 263.152.

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 (Absent)

14. Discuss, consider and take appropriate action on authorizing the disposal of various County Assets through auction, including, (8) Various Printers, (3) Docking Stations, (12) Monitor (multiple sizes), (44) Various Styles Office Chairs, (7) Laptop Power Cords, (1) Laptop Bag, (3) Laptops, (6) Keyboards, (2) Mouse, (16) Misc. Cubicle Pieces, (1) Rolling Table, (1) Filing Shelf, (1) Box Various Office Supplies, (1) GBC Bates Electronic Punch & Staple, (4) 4-Drawer Filing Cabinets, (4) 2-Drawer File Cabinets, (2) 3-Drawer File Cabinets, (3) Desks, (3) TV's39;s, (1) Calculator, (1) CD Radio, (2) Phones, (1) Cassette Recorder, (2) Boxes Micro Cassettes, (5) APC Backups, (4) Computer Internal Power Source, (1) Mini Fridge, (1) Height Board, (1) Quartet Glass Display Case, (1) Small Water Cooler, (1) Shredder, (1) DVD/CD Copier, (1) Mac book Pro, (see complete list) pursuant to Tex. Local Gov't Code.

Motion by: Commissioner Precinct 3 Valerie Covey

Second by: Commissioner Precinct 2 Cynthia Long

Motion: To authorize the disposal of various County Assets through auction, including, (8) Various Printers, (3) Docking Stations, (12) Monitor (multiple sizes), (44) Various Styles Office Chairs, (7) Laptop Power Cords, (1) Laptop Bag, (3) Laptops, (6) Keyboards, (2) Mouse, (16) Misc. Cubicle Pieces, (1) Rolling Table, (1) Filing Shelf, (1) Box Various Office Supplies, (1) GBC Bates Electronic Punch & Staple, (4) 4-Drawer Filing Cabinets, (4) 2-Drawer File Cabinets, (2) 3-Drawer File Cabinets, (3) Desks, (3) TV's39;s, (1) Calculator, (1) CD Radio, (2) Phones, (1) Cassette Recorder, (2) Boxes Micro Cassettes, (5) APC Backups, (4) Computer Internal Power Source, (1) Mini Fridge, (1) Height Board, (1) Quartet Glass Display Case, (1) Small Water Cooler, (1) Shredder, (1) DVD/CD Copier, (1) Mac book Pro (see complete list); pursuant to 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

Other: Commissioner Precinct 4 Ron Morrison (Absent)

15. Discuss, consider and take appropriate action on approval of the replat of Lot 1 of Teravista Com 24 subdivision - Pct 3.

Motion by: Commissioner Precinct 3 Valerie Covey

Second by: Commissioner Precinct 2 Cynthia Long

Motion: To approve replat of Lot 1 of Teravista Com 24 subdivision - Precinct #3.

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 (Absent)

16. Discuss, consider and take appropriate action on approval of the preliminary plat for the Santa Rita Ranch Northwest Ph 1 subdivision - Pct 2.

Motion by: Commissioner Precinct 3 Valerie Covey

Second by: Commissioner Precinct 2 Cynthia Long

Motion: To approve preliminary plat for the Santa Rita Ranch Northwest Phase 1 subdivision - Precinct #2.

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 (Absent)

REGULAR AGENDA

17. **Discuss, consider and take appropriate action on proclaiming December 8th, 2015 as "Tree of Angel Day" in Williamson County.**

District Attorney Victim Assistance Coordinator Gayla Schwab addressed the Court.

Motion by: Commissioner Precinct 1 Lisa Birkman

Second by: Commissioner Precinct 2 Cynthia Long

Motion: To proclaim Tuesday, December 8, 2015 as "Tree of Angel Day" in Williamson County.

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 (Absent)

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

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

19. **Discuss, consider, and take appropriate action regarding Change Order No. 9 in the amount of -\$29,838.19 for County Road 170, a Road Bond Project in Commissioner Pct. 4.**

Senior Director of Infrastructure Bob Daigh addressed the Court.

Motion by: Commissioner Precinct 3 Valerie Covey

Second by: Commissioner Precinct 1 Lisa Birkman

Motion: To approve Change Order No. 9 in the amount of -\$29,838.19 for County Road 170, 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 (Absent)

20. **Discuss, consider, and take appropriate action regarding Change Order No. 16 in the amount of \$32,111.53 for IH 35 NBFR, a Pass Through Financing Project in Commissioner Pct.3.**

Senior Director of Infrastructure Bob Daigh addressed the Court.

Motion by: Commissioner Precinct 3 Valerie Covey

Second by: Commissioner Precinct 1 Lisa Birkman

Motion: To approve Change Order No. 16 in the amount of \$32,111.53 for Interstate Highway (IH) 35 North Bound Frontage Road (NBFR), a Pass Through Financing Project in Precinct #3.

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 (Absent)

21. **Discuss, consider, and take any appropriate action regarding an Antiquities Permit Application to the Texas Historical Commission required as part of the Due Diligence Environmental Investigations on the Southwest Bypass (Driveways) Project.**

Motion by: Commissioner Precinct 3 Valerie Covey

Second by: Commissioner Precinct 1 Lisa Birkman

Motion: To approve an Antiquities Permit Application to the Texas Historical Commission required as part of the Due Diligence Environmental Investigations on the Southwest Bypass (Driveways) Project.

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 (Absent)

22. **Discuss, consider and take appropriate action on the transfer of 2006 Road Bond funds per recommendation of Mike Weaver, Road Bond Manager to move \$1,069,000.00 from Non-Departmental (P156) to CR 170 (P213) in the amount of \$34,000.00, to Pearson Ranch Road (P221) in the amount of \$35,000.00, and to CR 111 in the amount of \$1,000,000.00.**

Motion by: Commissioner Precinct 3 Valerie Covey

Second by: Commissioner Precinct 1 Lisa Birkman

Motion: To transfer 2006 Road Bond funds per recommendation of Road Bond Manager Mike Weaver in the amount of \$1,069,000.00 from Non-Departmental (P156) to County Road (CR) 170 (P213) in the amount of \$34,000.00, to Pearson Ranch Road (P221) in the amount of \$35,000.00, and to CR 111 in the amount of \$1,000,000.00.

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 (Absent)

23. **Discuss, consider, and take appropriate action on permanent storm sewer and drainage easement, and temporary construction easement through Champion Park.**

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

Motion by: Commissioner Precinct 1 Lisa Birkman

Second by: Commissioner Precinct 2 Cynthia Long

Motion: To approve a permanent Storm Sewer and Drainage Easement and a Temporary Construction Easement through Champion Park.

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 (Absent)

24. **Discuss and take appropriate action on a Letter Agreement with Leschber Investments, LP for a drainage easement needed on CR 199.**

Motion by: Commissioner Precinct 1 Lisa Birkman

Second by: Commissioner Precinct 2 Cynthia Long

Motion: To approve a Letter Agreement with Leschber Investments, LP for a drainage easement needed on County Road (CR) 199.

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 (Absent)

25. Discuss and take appropriate action on a Letter Agreement with Rebecca Borgne, Roxana Teichelman and Tim Teichelman for a Drainage Easement needed on CR 199.

Motion by: Commissioner Precinct 1 Lisa Birkman

Second by: Commissioner Precinct 2 Cynthia Long

Motion: To approve a Letter Agreement with Rebecca Borgne, Roxana Teichelman, and Tim Teichelman for a Drainage Easement needed on County Road (CR) 199.

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 (Absent)

26. Consider a resolution determining the necessity and authorizing the use of eminent domain to condemn (0.541 acres) required for the construction of CR 110 South, and take appropriate action. (Parker/Parcel 22)

This item was moved to Executive Session where no action was taken. After reconvening from Executive Session, the Court took action on this item.

Motion by: Commissioner Precinct 1 Lisa Birkman

Second by: Commissioner Precinct 2 Cynthia Long

Motion: To authorize the use of the power of eminent domain to acquire 0.541 acres from Mike and Karen Parker for the construction of County Road (CR) 110 South. (Parker/Parcel 22)

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 (Absent)

27. Discuss and take appropriate action on a Real Estate Contract with Journey of Faith United Methodist Church for ROW needed on CR 110 South. (PARCEL 32S)

Motion by: Commissioner Precinct 3 Valerie Covey

Second by: Commissioner Precinct 1 Lisa Birkman

Motion: To approve a Real Estate Contract with Journey of Faith United Methodist Church for Right-of-Way (ROW) needed on County Road (CR) 110 South. (PARCEL 32S)

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 (Absent)

28. **Discuss accepting the donation of a Water Quality/Detention Pond on Avery Ranch Blvd. and take appropriate action.**

This item was pulled from the Agenda.

29. **Discuss accepting a Dedication Deed from James W. Wade, Jack L. Wade, Janice L. Babbitt and Patricia Ann Wade Gutierrez for Busby Lane Right of Way.**

Motion by: Commissioner Precinct 3 Valerie Covey

Second by: Commissioner Precinct 1 Lisa Birkman

Motion: To accept a Dedication Deed from James W. Wade, Jack L. Wade, Janice L. Babbitt, and Patricia Ann Wade Gutierrez for Busby Lane Right-of-Way.

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 (Absent)

30. **Discuss, consider and take appropriate action on an Amendment No. 1 to Agreement for Architectural and Engineering Services between Williamson County, Texas and Jackson & Ryan Architects, Inc. for Additional Services to be performed in relation to the development of a construction phasing plan for the reconstruction and expansion of the Williamson County Regional Animal Shelter.**

Director of Williamson County Animal Shelter Cheryl Schneider addressed the Court.

Motion by: Commissioner Precinct 3 Valerie Covey

Second by: Commissioner Precinct 1 Lisa Birkman

Motion: To approve Amendment No. 1 to the Agreement for Architectural and Engineering Services between Williamson County, Texas and Jackson & Ryan Architects, Inc. for Additional Services to be performed in relation to the development of a construction phasing plan for the reconstruction and expansion of the Williamson County Regional Animal Shelter.

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 (Absent)

31. **Discuss, consider and take appropriate action on an Amendment to the Plan Loan Procedures for Refinancing between Nationwide and Williamson County, Texas in relation to the Nationwide Retirement Solutions Government 457(b) Plan Loan Procedures.**

General Counsel Hal Hawes addressed the Court.

Motion by: County Judge Dan A. Gattis

Second by: Commissioner Precinct 1 Lisa Birkman

Motion: To approve an Amendment to the Plan Loan Procedures for Refinancing between Nationwide and Williamson County, Texas in relation to the Nationwide Retirement Solutions Government 457(b) Plan Loan Procedures.

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 (Absent)

32. **Discuss, consider and take appropriate action regarding proposed Williamson County landfill hours of operation for 2015 Christmas and New Year's Eve holidays.**

Senior Director of Infrastructure Bob Daigh addressed the Court.

Motion by: Commissioner Precinct 1 Lisa Birkman

Second by: Commissioner Precinct 3 Valerie Covey

Motion: To approve holiday hours for the Williamson County Landfill by Waste Management to: Christmas Eve, Thursday, December 24, 2015 - 7:00 a.m. to 12:00 noon and New Year's Eve, Thursday, December 31, 2015 - 7:00 a.m. to 12:00 noon.

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 (Absent)

33. **Discuss and take appropriate action to amend the 2015-2016 Budget Order.**

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

34. **Discuss, consider and take appropriate action regarding the engagement of the Texas Public Policy Foundation's Center for the American Future to represent Williamson County in federal district court litigation to seek delisting of the Bone Cave Harvestman from the Endangered Species Act and related claims; 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); and authorize the County Judge to execute an engagement agreement and conflict of interest waiver relating to such representation.**

This item was moved to Executive Session where no action was taken. After reconvening from Executive Session, the Court took action on this item.

Motion by: Commissioner Precinct 3 Valerie Covey

Second by: Commissioner Precinct 2 Cynthia Long

Motion: To approve the engagement of the Texas Public Policy Foundation's Center for the American Future to represent Williamson County in federal district court litigation to seek delisting of the Bone Cave Harvestman from the Endangered Species Act and related claims; 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 Texas Local Government Code § 262.024(a)(4); and authorize the County Judge to execute an Engagement Agreement and Waiver of Conflict relating to such representation.

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 (Absent)

35. **Discuss, consider, and take appropriate action on authorizing extension of Benefits Broker Consultant Services Bid/Proposal #14RFP00203.**

Motion by: Commissioner Precinct 1 Lisa Birkman

Second by: County Judge Dan A. Gattis

Motion: To authorize an extension of Benefits Broker Consultant Services Bid/Proposal #14RFP00203.

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 (Absent)

36. **Discuss, consider, and take appropriate action on exempting ESRI, Inc. from the competitive bidding or proposal requirements established by Section 262.024 (a) (7) of the Texas Local Government Code, as the sole source provider of the software maintenance for our GIS software that is proprietary and supported only by Environmental Systems Research Institute (ESRI).**

General Counsel Hal Hawes addressed the Court.

Motion by: Commissioner Precinct 2 Cynthia Long

Second by: Commissioner Precinct 1 Lisa Birkman

Motion: To exempt ESRI, Inc. from the competitive bidding or proposal requirements established by Section 262.024 (a) (7) of the Texas Local Government Code, as the sole source provider of the software maintenance for our GIS software that is proprietary and supported only by Environmental Systems Research Institute (ESRI).

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 (Absent)

37. **Discuss, consider, and take appropriate action on authorizing Purchasing Agent to advertise and receive qualifications for Professional Engineering Design Services for Repair of San Gabriel Ranch Road, RFQ # 1511-030.**

This item was moved to Executive Session where no action was taken. After reconvening from Executive Session, the Court took action on this item.

Motion by: Commissioner Precinct 2 Cynthia Long

Second by: Commissioner Precinct 3 Valerie Covey

Motion: To authorize Purchasing Agent to advertise and receive qualifications for Professional Engineering Design Services for Repair of San Gabriel Ranch Road, Request for Qualifications (RFQ) #1511-030.

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 (Absent)

38. **Discuss, consider, and take appropriate action on authorizing Purchasing Agent to award Geotechnical Engineering for Williamson County North Campus Facilities, RFQ# 1507-012 to Balcones Geotechnical PLLC, the firm determined to be most qualified after evaluation of responses and approve execution of contract.**

Motion by: Commissioner Precinct 1 Lisa Birkman

Second by: Commissioner Precinct 2 Cynthia Long

Motion: To authorize Purchasing Agent to award Geotechnical Engineering for Williamson County North Campus Facilities, Request for Qualifications (RFQ) #1507-012 to the firm determined to be most qualified after evaluation of responses - Balcones Geotechnical PLLC; and approve execution of contract.

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 (Absent)

39. **Discuss, consider, and take appropriate action on authorizing Purchasing Agent to award Geotechnical Engineering for Williamson County Georgetown Annex, RFQ #1507-013 to Balcones Geotechnical PLLC, the firm determined to be most qualified after evaluation of responses and approve execution of contract.**

Motion by: Commissioner Precinct 1 Lisa Birkman

Second by: Commissioner Precinct 2 Cynthia Long

Motion: To authorize Purchasing Agent to award Geotechnical Engineering for Williamson County Georgetown Annex, Request for Qualifications (RFQ) #1507-013 to the firm determined to be most qualified after evaluation of responses - Balcones Geotechnical PLLC; and approve execution of contract.

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 (Absent)

40. **Discuss, consider, and take appropriate action on authorizing Purchasing Agent to award Construction Material Testing-Inspection for Williamson County Taylor EXPO Center, RFQ #1507-015 to the firm determined to be most qualified after evaluation of responses and approve execution of contract--Alliance Geotechnical Group of Austin Inc.**

Motion by: Commissioner Precinct 1 Lisa Birkman

Second by: Commissioner Precinct 2 Cynthia Long

Motion: To authorize Purchasing Agent to award Construction Material Testing-Inspection for Williamson County Taylor EXPO Center, Request for Qualifications (RFQ) #1507-015 to the firm determined to be most qualified after evaluation of responses - Alliance Geotechnical Group of Austin, Inc.; and approve execution of contract.

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 (Absent)

41. **Discuss, consider and take appropriate action on awarding bids received for IH 35 Northbound Frontage Road Driveway, Bid #1510-019 to the lowest and best bidder – Smith Contracting.**

Motion by: Commissioner Precinct 1 Lisa Birkman

Second by: Commissioner Precinct 2 Cynthia Long

Motion: To award bids received for Interstate Highway (IH) 35 Northbound Frontage Road Driveway, Bid #1510-019 to the lowest and best bidder – Smith Contracting.

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 (Absent)

42. **Discuss, consider, and take appropriate action on authorizing Purchasing Agent to advertise and receive qualifications for Professional Architect-Engineering Design Services for the Williamson County Health Department Renovation, RFQ #1511-028.**

Motion by: Commissioner Precinct 1 Lisa Birkman

Second by: Commissioner Precinct 2 Cynthia Long

Motion: To authorize Purchasing Agent to advertise and receive qualifications for Professional Architect-Engineering Design Services for the Williamson County Health Department Renovation, Request for Qualifications (RFQ) #1511-028.

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 (Absent)

43. **Discuss and take action to approve renewal of Subscription Services Agreement with Mo'mix Solutions, Inc. for the support and maintenance of the Performance Center and Transparency Website.**

Motion by: Commissioner Precinct 1 Lisa Birkman

Second by: Commissioner Precinct 2 Cynthia Long

Motion: To approve renewal of Subscription Services Agreement with Mo'mix Solutions, Inc. for the support and maintenance of the Performance Center and Transparency Website.

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 (Absent)

44. **Discuss, consider, and take appropriate action on authorizing Purchasing Agent to award Geotechnical Engineering for Williamson County Sheriff's Office Training Center, RFQ #1507-014 to Balcones Geotechnical PLLC, the firm determined to be most qualified after evaluation of responses and approve execution of a contract.**

Motion by: Commissioner Precinct 1 Lisa Birkman

Second by: Commissioner Precinct 2 Cynthia Long

Motion: To authorize Purchasing Agent to award Geotechnical Engineering for Williamson County Sheriff's Office Training Center, Request for Qualifications (RFQ) #1507-014 to the firm determined to be most qualified after evaluation of responses - Balcones Geotechnical PLLC; and approve execution of a contract.

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 (Absent)

45. **Discuss, consider, and take appropriate action on exempting SYN-TECH/FUELMaster from the competitive bidding or proposal requirements established by Section 262.024 (a) (7) of the Texas Local Government Code, as the sole source provider of the fuel system management software and hardware used to track and dispense fuel to county vehicles.**

Motion by: Commissioner Precinct 1 Lisa Birkman

Second by: Commissioner Precinct 2 Cynthia Long

Motion: To exempt SYN-TECH/FUELMaster from the competitive bidding or proposal requirements established by Section 262.024 (a) (7) of the Texas Local Government Code, as the sole source provider of the fuel system management software and hardware used to track and dispense fuel to county vehicles.

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 (Absent)

46. **Discuss, consider and approve the Motorola statement of work contract for the Granger tower simulcast completion and the tower network internet protocol conversion.**

Manager of Wireless Communications Catherine Roberts addressed the Court.

Motion by: Commissioner Precinct 1 Lisa Birkman

Second by: Commissioner Precinct 2 Cynthia Long

Motion: To approve the Motorola Statement of Work Contract and the Williamson County Addendum for the Granger tower simulcast completion and the tower network internet protocol conversion.

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 (Absent)

47. **Discuss, consider and approve Department of Information Resources Contract from Verizon Wireless for provision of wireless air services for the Wireless Communications Department.**

Motion by: Commissioner Precinct 2 Cynthia Long

Second by: Commissioner Precinct 1 Lisa Birkman

Motion: To approve Department of Information Resources Contract from Verizon Wireless for provision of wireless air services for the Wireless Communications Department.

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 (Absent)

COMMISSIONERS' COURT RECESSED TO EXECUTIVE SESSION AT 10:22 A.M. ON TUESDAY, DECEMBER 1, 2015.

48. 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.

49. 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.
 - s) Discuss accepting the donation of a Water Quality/Detention Pond on Avery Ranch Blvd.
 - t) Discuss accepting donations of ROW for Busby Lane.

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
 - j) Discuss possible sale of 183 A excess right of way

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

No action was taken in Executive Session.

50. 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
 - v.) Discuss proposed acquisition of property for SW 183 and SH 29 Loop

No action was taken in Executive Session.

51. 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 12:34 P.M. ON TUESDAY, DECEMBER 1, 2015.

52. Discuss and take appropriate action regarding economic development.

No action was taken on this item.

53. Discuss and take appropriate action regarding real estate.

No action was taken on this item.

54. 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
 - v.) Discuss proposed acquisition of property for SW 183 and SH 29 Loop

No action was taken on this item.

55. 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.

56. Comments from Commissioners.

Judge Gattis congratulated Williamson County Agriculture and Natural Resources County Extension Agent Cooper Terrill.

COMMISSIONERS' COURT ADJOURNED AT 12:37 P.M. ON TUESDAY, DECEMBER 1, 2015.

THE FOREGOING MINUTES had at a Regular Session of Commissioners' Court of Williamson County, Texas, having been read are hereby approved this 10th day of December 2015.



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

By: Carolyn Deibler, Deputy