

AGENDA ITEM 34

Discuss and take any appropriate action on jail/courthouse annex expansion.

The members of the court discussed the jail/courthouse expansion project.

No action was taken on this agenda item.

AGENDA ITEM 35

Discuss and take any appropriate action on road bond program.

Commissioner Boatright stated that there is a work session scheduled on the road bond program for Tuesday, March 20, 2001 at 1:30 p.m., and advised the court that everyone needed to get the budget worked out so that everyone would know which projects would be in the budget.

Judge Doerfler stated that he would like some clarification on the role of Pena & Swayze, Inc., in the accounting process.

COMMISSIONERS' COURT ADJOURNED TO EXECUTIVE SESSION AT 10:58 A.M. ON TUESDAY, MARCH 13, 2001.

AGENDA ITEM 36

Discuss litigation: Pricilla Smith v. Williamson County & Gary Griffin (EXECUTIVE SESSION REQUESTED as per VTCA Govt Code sec. 551.071 consultation with attorney)

No action was taken in Executive Session.

AGENDA ITEM 37

Discuss pending litigation: Homer Wright v. Williamson Co. Jail, et al (EXECUTIVE SESSION REQUESTED as per VTCA Govt Code sec. 551.071 consultation with attorney)

No action was taken in Executive Session.

AGENDA ITEM 38

Discuss pending litigation: Germaine Mineconzo vs. Wells Fargo Home Mortgage, Inc., David Blakely, Judge Patricia Ott, and Constable Gary Griffin (EXECUTIVE SESSION REQUESTED as per VTCA Govt Code sec. 551.071 consultation with attorney)

No action was taken in Executive Session.

AGENDA ITEM 39

Discuss land exchange agreement on our property adjacent to Candle Factory: (EXECUTIVE SESSION REQUESTED as per VTCA Govt Code sec. 551.072 relating to real property).

COMMISSIONERS' COURT RECONVENED FROM EXECUTIVE SESSION AT 11:20 A.M. ON TUESDAY, MARCH 13, 2001.

AGENDA ITEM 40

Discuss and take any appropriate action on litigation: Pricilla Smith v. Williamson County & Gary Griffin.

Moved: **Commissioner Heiligenstein**

Seconded: **Commissioner Boatright**

Motion: To authorize payment of the bill.

Vote: **4 - 0**

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R. Mark Dietz
Melissa G. Dietz

J. Lee Jarrard, Jr.
Douglas G. Cornwell

February 26, 2001

The Hon. John Doerfler
Williamson County Judge
Williamson County Courthouse
710 Main Street, 2nd Floor
Georgetown, Texas 78626

Re: Cause No. A-00-CA-255-SS; *Priscilla Smith v. Williamson County & Gary Griffin*,
in his official and individual capacity; In the United States District Court for the
Western District of Texas, Austin Division

Dear Judge Doerfler:

As you may remember I was appointed to represent Gary Griffin in the above-referenced lawsuit. I represent Gary in his individual capacity. Mike Davis represented the County. That lawsuit against Gary was dismissed on December 1, 2000. The dismissal was based upon procedural irregularities which would not have precluded refileing. However, since nothing has occurred over the last ninety days it is our belief Priscilla Smith will not proceed with her claims against either Griffin or the County.

Prior to suit and our appointment, Gary sought individual legal representation from the firm of Kelly, Hart & Hallman, P.C. He brought this to my attention during my representation asking assistance in seeking reimbursement for these funds. I advised him that the rate being charged was well in excess of the amount I charge the County and that it would not be appropriate to seek reimbursement during the pendency of the litigation. The law firm has recalculated their billings at the rate of \$135.00 per hour and Gary submitted that to me again requesting that I assist in helping him seek reimbursement from the County (see attached billing). The work and advice given by the firm prior to suit was beneficial and prevented Gary from making statements or taking actions which could have exposed him or the County to liability. I will leave the determination of whether or not he is entitled to reimbursement to the Commissioners Court.

Please do not hesitate to contact me should you need further information.

Sincerely yours,


R. Mark Dietz

AGENDA ITEM 41

Discuss and take any appropriate action on pending litigation: Homer Wright v. Williamson Co. Jail, et al.

Moved: **Commissioner Boatright**

Seconded: **Commissioner Limmer**

Motion: To retain Dietz & Associates.

Vote: 4 - 0

AGENDA ITEM 42

Discuss and take appropriate action on pending litigation: Germaine Mineconzo v. Wells Fargo Home Mortgage, Inc., David Blakely, Judge Patricia Ott, and Constable Gary Griffin.

Moved: **Commissioner Boatright**

Seconded: **Judge Doerfler**

Motion: To retain Dietz & Associates.

Vote: 4 - 0

AGENDA ITEM 43

Discuss and take any appropriate action on agreement regarding exchange of Candle Factory land.

Moved: **Commissioner Boatright**

Seconded: **Commissioner Limmer**

Motion: To approve the agreement and authorize Judge Doerfler to sign it.

Vote: 4 - 0

< Attachment >