**1. APPROVAL OF MINUTES**: Approval of the minutes from the January 14th, 2013, Potter County Commissioners’ Court meeting.

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MOTION was made by Judge Ware: I approve.

SECOND was made by Commissioner Kelly.

AYES: Commissioners Kelly, Murguia, Church, Vaughn and Judge Ware.

NOES: None.

Motion carried by 5-0 vote.

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**2. BUDGET AMENDMENTS**: To consider and act upon the approval of budget amendments for the 2012-2013 budget year. [Hood]

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Morice Jackson, Constable #2, gave explanation to Commissioners’ Court.

MOTION was made by Commissioner Vaughn: I so move.

SECOND was made by Commissioner Church.

AYES: Commissioners Kelly, Murguia, Church, Vaughn and Judge Ware.

NOES: None.

Motion carried by 5-0 vote. See Documentation

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**3. VOUCHERS**: To consider and act upon the approval of the payment of vouchers processed by the County Auditor’s office for the period of January 10th, 2013, through January 23rd, 2013. [Hood]

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Commissioner Murguia, Judge Pro Tem, referenced Vouchers checks No. 146317-146579 and wire #137-145 in the amount of $2,095,798.04.

MOTION was made by Commissioner Kelly: I so move.

SECOND for discussion was made by Commissioner Murguia.

AYES: Commissioners Kelly, Murguia, Church, Vaughn and Judge Ware.

NOES: None.

Motion carried by 5-0 vote. See Documentation

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**4. TAX REFUNDS**: To consider and act upon refunds of over-payment of taxes. [Aylor]

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MOTION was made by Commissioner Church: I move we approve the refunds for over-payment of taxes.

SECOND was made by Commissioner Vaughn.

AYES: Commissioners Kelly, Murguia, Church, Vaughn and Judge Ware.

NOES: None.

Motion carried by 5-0 vote. See Documentation

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**5. INSURANCE REPORT**: To recognize the insurance report. [Holland]

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Kay Holland, Human Resources Director, gave an update to Commissioners’ Court.

Insurance Report so recognized. See Documentation

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**6. TREASURER’S OFFICE:** To recognize the following:

a. Treasurer’s Monthly Report

b. Quarterly Investment Report. [Jennings]

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Leann Jennings, Treasurer, gave an update to Commissioners’ Court.

Treasurer’s Report and Quarterly Investment Report so recognized.

See Documentation

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**7. COUNTY CLERK:** To recognize the completion of the required 20 hours of continuing education for 2012 as prescribed in Section 51.605 of the Texas Government Code. [Smith]

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Completion of continuing education hours for Julie Smith, County Clerk, so recognized.

See Documentation

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**8. DISTRICT CLERK:** To recognize the completion of statutory hours as required by Section 51.605 of the Texas Government Code. [Woodburn]

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Completion of continuing education hours for Caroline Woodburn, District Clerk, so recognized.

See Documentation

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**9. COMMISSIONER-PRECINCT 3**: To recognize Certificates of Course Completion in Open Meetings Act and Public Information Act. [Church]

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Certificate of course completion so recognized. See Documentation

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**10. SALARY GRIEVANCE COMMITTEE**: To consider and act upon the drawing of nine (9) members and nine (9) alternates for the Salary Grievance Committee for 2013, and recognize those drawn to serve. [Smith]

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Eighteen names were drawn and recognized by Commissioners’ Court - nine names to serve as members and nine names to serve as alternates as follows:

Members: Alternates:

Linda Autry Kirk Hill

Barbara Raffkind Landrum Medlock

Billy Carter Tonya Detten

Tim Edwards Mitch Creel

Carol Thomas Cherry Sanchez

Deon Coffman Danny Valverde

Cynthia Cunningham Kathy Parsons

Mike Hefner Bobby Collins

Terry Carver Eulis Marie Nelson

MOTION was made by Judge Ware: I approve.

SECOND was made by Commissioner Kelly.

AYES: Commissioners Kelly, Murguia, Church, Vaughn and Judge Ware.

NOES: None.

Motion carried by 5-0 vote.

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**11. AMENDED DEPARTMENTAL COMMISSIONER APPOINTMENTS**: To consider and act upon the appointment of Commissioner Murguia to the AgriLife-Extension Department.

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MOTION was made by Commissioner Church: I so move.

SECOND was made by Commissioner Vaughn.

AYES: Commissioners Kelly, Church, Vaughn and Judge Ware.

NOES: None.

ABSTAIN: Commissioner Murguia.

Motion carried by 4-0-1 vote.

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**12. SHERIFF’S OFFICE-BUSHLAND ISD-CONTRACT:** To consider and act upon the Contract with the Potter County Sheriff’s Office and Bushland ISD for a School Resource Officer. [Thomas]

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MOTION was made by Commissioner Church: I would move that we accept this contract.

SECOND was made by Judge Ware.

AYES: Commissioners Kelly, Murguia, Church, Vaughn and Judge Ware.

NOES: None.

Motion carried by 5-0 vote. See Documentation

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**13. TRAVEL POLICY-POTTER COUNTY EMPLOYEE HANDBOOK**: To consider and act upon proposed revisions to the County’s Travel Policy. [Ware, Murguia, Hood, Kemp]

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MOTION was made by Commissioner Vaughn: I move that we act upon the travel policy to change the per diem to $12 for breakfast, $12 for lunch, $17 for dinner, with exclusion of tips.

SECOND was made by Commissioner Kelly.

AYES: Commissioners Kelly, Murguia, Church, and Vaughn.

NOES: Judge Ware.

Motion carried by 4-1 vote.

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**14**. **UTILITY EASEMENT-SOUTHWESTERN PUBLIC SERVICE (SPS)-BIVINS STADIUM SOUTH PARKING LOT**: To consider and act upon granting a utility easement to SPS on the Tri-State Fairgrounds to allow AISD to upgrade power service to an elevator located at Bivins Stadium, [Kemp]

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Passed. No action taken.

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**15. WRECKER SERVICES FOR NONCONSENT TOWING:**

a. To hear a report on the status of nonconsent towing services.

b. To authorize the Sheriff to act on behalf of the county to modify, terminate, or replace existing contracts or agreements regarding towing services. [Kemp]

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1. A report on the status of non-consent towing services was given by Dave Kemp, Assistant County Attorney and Sheriff Thomas.

David Ferrel, T-Miller Wrecker Service, spoke before Commissioners’ Court.

1. Passed. No action taken. See Documentation

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**16. ELEVATOR MAINTENANCE CONTRACT:** To consider and act upon awarding an elevator maintenance contract to ThyssenKrupp Elevators for three years beginning February 1, 2013 and ending January 31, 2016. Contract terms and pricing as per TCPN Contract #R4679. [Head, Harder]

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MOTION was made by Commissioner Church: I move we accept the contract with Thyssen Krupp for elevator service for three years.

SECOND was made by Judge Ware.

AYES: Commissioners Kelly, Murguia, Church, Vaughn and Judge Ware.

NOES: None.

Motion carried by 5-0 vote. See Documentation

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**17. EQUIPMENT PURCHASE:** To consider and act upon Elections Administration purchasing a HP Color Laserjet Copier/Printer from CDWG in the amount of $7,558.56. Will replace their current broken color copier/printer (PC#16500). Funds to be reimbursed by Chapter 19 state funds and printer to be purchased from DIR State Contract #DIR-SDD-1364. [Mathes, Harder]

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Knoxie Mathes, Elections Administrator, gave explanation to Commissioners’ Court.

MOTION was made by Commissioner Kelly: I so move.

SECOND was made by Commissioner Vaughn.

AYES: Commissioners Kelly, Murguia, Church, Vaughn and Judge Ware.

NOES: None.

Motion carried by 5-0 vote. See Documentation

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**18. VEHICLE TRANSFER:** To consider and act upon transferring a 2008 Ford Crown Victoria (PC#18441) to the Purchasing Department to replace a 2002 Crown Victoria (PC#15827). [Page]

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Sharon Page, Purchasing Agent, gave explanation to Commissioners’ Court.

MOTION was made by Commissioner Church:I make a motion to approve thetransfer of theCrown Victoria to replace the 2002.

SECOND was made by Judge Ware.

AYES: Commissioners Kelly, Murguia, Church, Vaughn and Judge Ware.

NOES: None.

Motion carried by 5-0 vote.

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**19. POTTER COUNTY PROJECTS:** To hear a report on various Potter County Projects and to take any action necessary. [Head]

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Projects report was given by Mike Head, Facilities Maintenance Director.

Shawn Gill, Information Technology, gave update to Commissioners’ Court.

MOTION was made by Commissioner Kelly: I would make a motion to replace this tower as soon as possible, and in the event that the project amount exceeds $50,000, then declare a discretionary exemption to preserve public property **-** money to come from Contingency Fund.

SECOND was made by Judge Ware.

AYES: Commissioners Kelly, Murguia, Church, Vaughn and Judge Ware.

NOES: None.

Motion carried by 5-0 vote.

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**20. EMPLOYMENT ITEMS**: To consider and act upon the following employment items:

**A. FACILITIES MAINTENANCE:** The employment of Candy G. McCrary, Custodian I, effective 2/1/2013.

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MOTION was made by Commissioner Kelly: I so move.

SECOND was made by Judge Ware.

AYES: Commissioners Kelly, Murguia, Church, Vaughn and Judge Ware.

NOES: None.

Motion carried by 5-0 vote. See Documentation

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**21. EXECUTIVE SESSION-REAL PROPERTY-BIVINS STADIUM PARKING LOTS:**

a. To hold an executive session to deliberate the purchase, exchange, or value of real property where deliberation in open meeting would have a detrimental effect on the position of the County in negotiations with a third person, pursuant to Section 551.072, Tex. Gov. Code.

b. To take any action appropriate after the executive session. [Kemp]

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Commissioners’ Court went into Executive Session at 10:25 a.m. and returned to Open Session at 11:13 a.m. No action was taken in Executive Session.

No action taken on item. See Documentation

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**22. JAIL REPORT**: To hear a report on the Potter County Detention Center and to take any action necessary.

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Jail population of 503 was given by Commissioner Murguia, Judge Pro Tem.

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**23. COUNTY INSURANCE ITEMS**: To consider and act upon any insurance claims, accidents, etc. against the county.

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No Insurance items were presented.

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**24.** **EXECUTIVE SESSION**: To hold an executive session, if necessary, on the above agenda items as allowed by Chapter 551, Texas Government Code.

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No additional Executive Session was held.

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**25. AGENDA ITEMS**: To receive agenda items for the next Commissioners’ Court.

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No agenda items were presented.

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Commissioner Murguia, Judge Pro Tem, adjourned the Potter County Commissioner=s Court until 9:00 a.m., Monday, February 11, 2013, in the Potter County Commissioners= Courtroom at 500 S. Fillmore, Room 106, Amarillo, Texas.

I attest that the above proceedings are the true and correct notes/minutes taken in my capacity as ex-official for the Commissioners’ Court of Potter County.

Signed this the 28th day of January, 2013.

Julie Smith, Potter County Clerk

By: \_Stephnie Menke , Deputy