**1. APPROVAL OF MINUTES**: Approval of the minutes from the February 27th, 2013, Potter County Commissioners’ Court meeting.

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MOTION was made by Commissioner Murguia: I make a motion that we accept the minutes as presented.

SECOND was made by Commissioner Kelly.

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

NOES: None.

Motion carried by 4-0 vote.

Judge Ware was not present for this item.

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**2. BUDGET AMENDMENTS:** To consider and act upon budget amendments for the current fiscal year. [Hood]

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Darryl Wertz, Constable Pct. 1, gave an explanation for request to Commissioners’ Court.

MOTION was made by Commissioner Vaughn: I move that the amendment for the Constable 1 be approved as noted.

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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**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 February 21st, 2013, through March 6th, 2013. [Hood]

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Commissioner Church, Judge Pro Tem, referenced Vouchers checks Nos. 147239-147449 and wire #160-175 in the total amount of $5,235,069.54.

MOTION was made by Commissioner Vaughn: I move to approve.

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

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Insurance Report so recognized. See Documentation

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**5. SHERIFF’S OFFICE ANNUAL REPORT FOR 2012**: To recognize the annual report for the year 2012 from the Sheriff’s Office. [Thomas]

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Sheriff Thomas presented report to Commissioners’ Court.

Sheriff’s Office Annual Report for 2012 so recognized.

See Documentation

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**6. POTTER/RANDALL APPRAISAL DISTRICT-BOARD OF DIRECTORS**: To consider and act upon the appointment of Rusty Roush as a replacement for Frank Todd, a Potter County Board Member for the remainder of the term which ends on December, 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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**7. COURT MASTER-** To consider and act upon moving the court master from the 1st floor of the District Court’s building to the 6th floor of the County courthouse and to take any action necessary. [Fowler]

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Jeremy Fowler, Associate Judge,presented request to Commissioners’ Court.

MOTION was made by Judge Ware: I approve.

SECOND was made by Commissioner Vaughn.

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

NOES: None.

Motion carried by 5-0 vote.

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**8. FIRE-RESCUE REPLACEMENT TRUCK**: To consider and act upon replacing PC#18768, 2008 Ford F-550 fire truck damaged by fire. Cab and chassis to be purchased from Caldwell Country Ford for $38,986.00 with additional costs to Dayco for transfer of equipment. [Lake, Page]

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Chief Richard Lake, Fire Rescue, gave explanation to Commissioners’ Court.

MOTION was made by Commissioner Murguia: I make a motion that we approve replacing PC#18768 that was damaged by fire to replace it with a bid from Caldwell Country and also the Dayco Fire Equipment, funds to come from the Claims Line Item.

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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**9. COURTHOUSE SECURITY FUND:** To consider and act upon approving the expenditure of $315.00 to purchase two (2) wand handheld metal detectors for JP#1. Funding to come from Courthouse Security Fund. [Horn, Page]

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Correction to Funding: Expenditure will come out of the Justice Court Security Fund instead of the Courthouse Security Fund.

MOTION was made by Judge Ware: I approve.

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.

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**10. OUTDOOR BURNING-RENEWAL OF RESTRICTIONS**: To consider and act upon renewing the current burn ban order expiring March 23, 2013 for a period not to exceed 90 days. [Kemp]

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Chief Richard Lake, Fire Rescue, gave explanation to Commissioners’ Court.

MOTION was made by Commissioner Vaughn: I move to receive the recommendation by the Chief to adopt the resolution to extend 90 days past March 23rd, and with the recommendation from the County Judge to resend if needed.

SECOND 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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**11. RED RIVER HEALTH FACILITIES DEVELOPMENT CORPORATION RETIREMENT FACILITY REVENUE BONDS:** To consent to the financing proposal of Red River Health Facilities Development Corporation, as required by Chapter 221, Texas Health and Safety Code. [Kemp]

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MOTION was made by Commissioner Vaughn: I move to approve.

SECOND was made by Judge Ware.

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

NOES: None.

ABSTAIN: Commissioner Murguia.

Motion carried by 4-0-1 vote. See Documentation

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**12. RESOLUTION-RESTRICTION OF SYNTHETIC DRUGS**: To consider and act upon passing a resolution urging state and federal authorities to adopt measures to control the distribution and sale of synthetic marijuana and similar drugs. [Murguia]

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LaViza Matthews, Impact Futures Director, presented an explanation to Commissioners’ Court.

MOTION was made by Commissioner Kelly: I recommend that we pass this resolution.

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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**13. RESTRICTIONS ON SMOKING ON COUNTY PROPERTY**: To consider and act upon issuing notice to county personnel regarding smoking restrictions, and to take other action necessary. [Kemp]

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Passed.

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**14. COUNTY CLERK**: To receive and hear a report on Tyler Technologies Eagle Recording software purchase implemented in the County Clerk’s office. [Smith]

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Julie Smith, County Clerk, presented “Return on Investments” report to Commissioners’ Court.

Report so recognized. See Documentation

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

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Mike Head, Facilities Maintenance Director, presented the Potter County Projects report to Commissioners’ Court.

MOTION was made by Judge Ware: I approve. (To allow Mike Head to write a letter to request the installation of non-glare material on the North entry doors of the Courthouse to the Texas Historical Commission.)

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

Commissioner Murguia suggested that a committee be formed to review the IT projects that will be left in transition upon the resignation of Shawn Gill, IT Director. This committee will serve as an IT project evaluation committee. Those recommended for the committee include Commissioner Murguia, Commissioner Kelly, Kay Holland, Human Resource Director, Kerry Hood, Auditor, and Wade Overstreet, County Attorney’s office.

MOTION was made by Commissioner Murguia: I’d like to make a motion to formulate an IT projects evaluation committee with the representatives stated.

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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**16. EMPLOYMENT ITEMS**: To consider and act upon the following employment item:

**A. ELECTIONS**: The employment of Christy Benge, Deputy Clerk, effective 2/25/13.

See Documentation

**B. ELECTIONS**: The resignation of Joy Parsons, Part-time deputy clerk, effective 2/28/13.

See Documentation

**C. FACILITIES MAINTENANCE**: The discharge of Jonathan Clint Lancaster, Technician I, effective 2/22/13. See Documentation

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MOTION was made by Commissioner Kelly: I make a motion to approve.

SECOND was made by Commissioner Vaughn.

COMMISSIONER KELLY WITHRAWS MOTION.

MOTION was made by Commissioner Kelly: I make a motion to accept Items A & B.

SECOND was made by Commissioner Vaughn.

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

NOES: None.

Motion carried by 5-0 vote.

MOTION was made by Commissioner Vaughn: I make a motion that item C be discussed in the upcoming Executive Session (under Item 20) and then upon reconvening, a vote will be taken at that time.

SECOND was made by Commissioner Kelly.

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

NOES: None.

Motion carried by 5-0 vote.

**After holding an Executive Session on Item 20, the following motion was made in reference to Item C:**

MOTION was made by Commissioner Kelly: I make a motion to accept the termination.

SECOND was made by Commissioner Murguia.

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

NOES: None.

Motion carried by 5-0 vote.

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**17. EXECUTIVE SESSION-PENDING LITIGATION:**

a. To hold an executive session to consult with the county attorney regarding the settlement of liquidated damage and retainage claims with Journeyman Construction on the Potter County Courthouse project, pursuant to Texas Government Code, Section 551.071 allowing a governmental body to conduct a private consultation with its attorney about a settlement offer.

b. To take any action appropriate after the executive session.

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Commissioners’ Court went into Executive Session at 10:26 a.m. and returned to Open Session at 12:00 p.m. No action was taken in Executive Session.

No action was taken. See Documentation

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**18. 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 446 was given by Commissioner Church, Judge Pro Tem.

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

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Sharon Page, Purchasing Agent, informed Commissioners’ Court of minor issues involving Sheriff’s office vehicles during the recent snow storm. There were no incidents large enough for insurance claims.

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**20.** **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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Commissioners’ Court went into Executive Session at 10:26 a.m. and returned to Open Session at 12:00 p.m. No action was taken in Executive Session.

**After holding an Executive Session, the following motion was made in reference to Item 16C:**

MOTION was made by Commissioner Kelly: I make a motion to accept the termination.

SECOND 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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**21. AGENDA ITEMS**: To receive agenda items for the next Commissioners’ Court.

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No future agenda items were given.

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Commissioner Church, Judge Pro Tem, adjourned the Potter County Commissioner=s Court until 9:00 a.m., Monday, March 25, 2013, in the Potter County Commissioners= Courtroom at 500 S. Fillmore, Room 106, Amarillo, Texas.

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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 11th day of March, 2013.

Julie Smith, Potter County Clerk

By: Stephnie Menke , Deputy