**1. APPROVAL OF MINUTES**: Approval of the minutes from the May 13th and May 20th, 2013, Potter County Commissioners’ Court meetings.

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MOTION was made by Commissioner Church: I move we approve the minutes as presented.

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.

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**2. VOUCHERS**: To consider and act upon the approval of the payment of vouchers processed by the County Auditor’s office for the period of May 9th, 2013, through May 22nd, 2013. [Hood]

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Commissioner Kelly, Judge Pro Tem, referenced Vouchers Nos. 148677-148974 and wire #206-213 in the total amount of $1,912,052.10.

MOTION was made by Commissioner Murguia: I make a motion that we approve the Vouchers.

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

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Insurance Report was so recognized. See Documentation

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**4. TREASURER’S REPORT:** To recognize the monthly Treasurer’s report. [Jennings]

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Leann Jennings, Treasurer, gave a report to Commissioners’ Court.

Treasurer’s Report was so recognized. See Documentation

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**5. RETIREMENT:** To recognize the retirement of Deborah Ottoson, CSCD, after 27 years of faithful service to Potter County.

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Commissioners’ Court presented a certificate to Deborah Ottoson, CSCD.

Retirement was so recognized.

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**6. PORTS-TO-PLAINS**: To hear a presentation from Michael Reeves, President of Ports-to-Plains, and to take any action necessary. [Hinkle]

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Michael Reeves, President of Ports-To-Plains Alliance, and Richard (Buzz) David, CEcD President and CEO, gave a presentation to Commissioners’ Court.

No action was taken.

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**7. RESIGNATION OF BRANDON BOUGEN, COUNTY EXTENSION AGENT:** To recognize the resignation of the county agent and discuss the hiring process for his replacement. [Murguia, Brandon Dukes, District Extension Manager]

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Brandon Boughen, County Extension Agent, was present and recognized for his retirement by Commissioners’ Court.

The hiring process for his replacement was passed until a later date.

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**8. RECOGNITION OF TEXAS ASSOCIATION OF COUNTIES EXECUTIVE** **LEADERSHIP CLASS**: To recognize the graduation of Commissioner Murguia, Pct. 2, as a Member of the 22 County Officials in Texas to complete the Executive Leadership Program in 2013. [Murguia]

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Graduation was so recognized. See Documentation

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**9. POTTER COUNTY COMMISSIONERS COURT COMMITTEE SYSTEM:** To consider and act upon the continuation of using the committee system used by Commissioners Court. [Murguia]

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Discussion was held. No action was taken.

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**10. BUSHLAND MERCANTILE-POWER LINE:** To consider and act upon the request from Bushland Mercantile to go under 20th street for the purpose of supplying power to gas pumps that will be placed on the south side of 20th street. The line shall be at least 24” deep and 20th street shall be returned to its previous condition. [Church]

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Commissioner Church corrected item to read 20th Avenue instead of 20th street.

Sebastian Ysaguirre, Road and Bridge, gave an explanation to Commissioners’ Court.

MOTION was made by Commissioner Church: I move we approve Bushland Mercantile to go under 20th Avenue for the purpose of supplying power to gas pumps on the south side of 20th Avenue.

SECOND was made by Judge Ware.

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

NOES: Commissioner Murguia.

Motion carried by 4-1 vote. See Documentation

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**11. TYSON FRESH MEATS, INC.-ECONOMIC DEVELOPMENT-REQUEST FOR DESIGNATION AS ENTERPRISE PROJECT**: To consider and act upon nominating Tyson Fresh Meats as an Enterprise Project under Chapter 2303, Texas Government Code, and to take other action as necessary. [Kemp]

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Denton Childs and Jan Nash, Tyson Foods, gave a presentation to Commissioners’ Court.

MOTION was made by Commissioner Church: I move that we accept the resolution authorizing Potter County to participate in the Texas Enterprise Zone Program and nominating Tyson Fresh Meats for designation as an Enterprise Project under the Texas Enterprise Zone Act, Chapter 2303.

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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**12. RIKER TRAIL-REQUEST FOR IMPROVEMENT OF SUBDIVISION ROAD-TRANSPORTATION CODE CHAPTER 253:** To consider and act upon a request to improve Riker Trail, a road in Appaloosa Hills that is currently not a county road. [Kemp]

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Sebastian Ysaguirre, Road and Bridge, gave an explanation to Commissioners’ Court.

Commissioner Kelly, Judge ProTem, called for a motion. No motion was made.

No further action was taken. See Documentation

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**13. VACATION OF ALLEYWAY-WALNUT HILLS SUBDIVISION**: To consider and act upon a request from the owners residing at 108 Wren Street to vacate a dedicated alleyway adjacent to their property. [Kemp]

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Tim Roberts, Homeowner of 108 Wren Street, gave an explanation to Commissioners’ Court.

Passed until the next Commissioners’ Court meeting to be held on June 10, 2013.

See Documentation

**14. FIBERLIGHT-FIBER OPTIC CABLE-USE OF COUNTY RIGHT OF WAY:** To consider and act upon approving the use of county right of way along Blessen Road and Adkisson Road for a fiber optic cable. [Seymour, Kemp]

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Sebastian Ysaguirre, Road and Bridge, gave an explanation to Commissioners’ Court.

MOTION was made by Commissioner Church: I move we approve the use of the County Right-of-Way along Blessen Road and Adkisson Road for a fiber optic cable.

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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**15. EQUIPMENT PURCHASE**: To consider and act upon purchasing a new video arraignment conferencing system in the amount of $52,160.00 from CDW-G, utilizing TCPN Contract #R5106. Funds budgeted in 2012-2013 fiscal year. [Gooch, Harder]

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Joey Gooch, Information Technology, gave an explanation to Commissioners’ Court.

MOTION was made by Commissioner Murguia: I make a motion that we approve the purchase of Contract #R5106, funds currently budgeted for the new video arraignment conferencing system.

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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**16. EQUIPMENT PURCHASE FIRE/RESCUE**: To consider and act upon purchasing two Thermal Imaging Cameras in the amount of $11,980.00 from W. S. Darley & Co. [Lake, Harder]

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Pat Fitzpatrick, Fire/Rescue Department, gave an explanation to Commissioners’ Court.

MOTION was made by Commissioner Vaughn: I move that we purchase the two Thermal Imaging Cameras in the amount of $11,980.00 from W.S. Darley & Co.

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. COURTS BUILDING AND SHERIFF ADMINISTRATION AND CORRECTIONS FACILITIES:**

a. To hear a presentation from Larry Irsik with Architexas on the Courts Building and Sheriff Department Administration and Correctional Facilities Existing Facilities Assessment Study Reports, and the District Courts, Sheriff Department and Correctional Facilities Feasibility Study and Master Plan, dated April 22, 2013.

b. To consider and act upon restructuring the advisory committee overseeing these projects during the next phase.

c. To take other action as necessary. [Committee]

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Judge Board, District Judge, Judge Woodburn, District Judge, and Sheriff Thomas spoke before Commissioners’ Court.

MOTION was made by Commissioner Vaughn: I move that we meet for a working session at 8:00 a.m. on June 10, 2013, to identify a committee.

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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**18. 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, gave a report to Commissioners’ Court.

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**19. 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 consider and act upon authorizing the County Attorney to schedule and participate in mediation with Journeyman Construction, and to take other action appropriate after the executive session.

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Commissioners’ Court went into Executive Session at11:28 a.m. and returned to Open Session at 12:13 p.m. No action was taken in Executive Session.

MOTION was made by Commissioner Church: I move that Commissioner Kelly and Commissioner Murguia represent Commissioners’ Court in mediation in regards to the liquidated damage and retainage claims with Journeyman.

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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**20. EXECUTIVE SESSION-EMPLOYMENT-INFORMATION TECHNOLOGY DEPARTMENT:**

a. To hold an executive session to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee pursuant to Texas Government Code, Section 551.074, authorizing a closed session to deliberate the appointment or employment of a public officer or employee.

b. To take any appropriate action after the executive session. [Overstreet, Kelly]

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Commissioners’ Court went into Executive Session at 11:28 a.m. and returned to Open Session at 12:13 p.m. No action was taken in Executive Session.

MOTION was made by Commissioner Murguia: I make a motion to authorize the H.R. Director to extend an offer to fill the IT Director position. Formal communication will follow after the position has been accepted and all candidates have been notified.

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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**21. 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 429 (89 female prisoners) was given by Commissioner Kelly, Judge Pro Tem.

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**22. 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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**23.** **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 needed.

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**24. 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 Kelly, Judge Pro Tem, adjourned the Potter County Commissioner=s Court until 9:00 a.m., Monday, June 10, 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 28th day of May, 2013.

Julie Smith, Potter County Clerk

By: Stephnie Menke , Deputy