

- 1. APPROVAL OF MINUTES:** Approval of the minutes from the September 22, 2014, Potter County Commissioners' Court meeting.

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MOTION was made by Judge Ware: I approve.

SECOND was made by Commissioner Church.

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

NOES: None.

Motion carried by 5-0 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 September 17, 2014, through October 7, 2014. [Hood]

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Commissioner Murguia, Judge Pro Tem, referenced Vouchers checks Nos. 158189-158556 and wire #441-449 in the total amount of \$2,571,236.75.

MOTION was made by Judge Ware: I approve.

SECOND for discussion was made by Commissioner Kelly.

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 fund report. [Holland]

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Kay Holland, Human Resources Director, spoke before Commissioners' Court.

Insurance Fund Report was so recognized.

See Documentation

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- 4. WORKERS' COMPENSATION INSURANCE:** To consider and act upon renewing Workers' Compensation insurance to Texas Political Subdivision for the amount of \$180,251.00 for the period of November 1, 2014 through September 30, 2015. This is the third year of a three year fixed rate proposal so there are no increases in the rates per employee type. This fee also includes the fee for Willis HRH as the County's broker to be paid separately by the County. [Harder, Holland, Lapp]

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Kay Holland, Human Resources Director, and Steve Lapp, Willis of Texas, gave an explanation 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.

See Documentation

MOTION was made by Judge Ware: I approve (to amend the Motion to reflect the Policy date change from November 1, 2014 through September 30, 2015 to the correct date of November 1, 2014 through October 31, 2015).

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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5. **SHERIFF OFFICE:** To recognize Dean Sather, resident of Potter County that provided assistance to the Potter County Sheriff's Office and TDCJ in search of an escapee on September 22, 2014. [Thomas]

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Commissioners' Court and Sheriff Thomas recognized Dean Sather. A Silent Hero Award was presented by Sheriff Thomas and a Certificate of Appreciation was presented by Commissioners' Court.

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6. **RECOGNITION FOR THE POTTER COUNTY SHERIFF'S DETENTION CENTER:** To recognize the Sheriff's Department with a letter from the Texas Commission on Jail Standards and Certificate of Compliance. [Sheriff Thomas, Church]

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Commissioner Church read the letter from the Texas Commission on Jail Standards and Certificate of Compliance to Commissioners' Court.

Captain Lisa Dawson, Sheriff's Office, was present to accept the Certificate of Compliance for the Potter County Detention Center.

See Documentation

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7. **TAX ASSESSOR/COLLECTOR:** To consider and act upon the approval of the 2014 tax roll. [Aylor]

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Sherri Aylor, Tax Assessor/Collector, gave an explanation to Commissioners' Court.

MOTION was made by Commissioner Church: I move we approve the 2014 tax roll.

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

8. **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 on various Potter County projects. See Documentation

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9. **CELL PHONE ALLOWANCE:** To consider and act upon the approval of an additional cell phone allowance for the District Attorney's Office. Funding to be determined. [Sims]

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Randall Sims, District Attorney, gave an explanation to Commissioners' Court.

MOTION was made by Judge Ware: I approve. (Motion to include a budget transfer from the District Attorney's office Stationary and Supplies.)

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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10. **RELEASE OF ALLEY DEDICATION – BUSHLAND:** To consider a request to release the dedication of the platted but undeveloped alleys in Blocks 36 and 37, Section 179, Block 9, BS&F Survey. [Marsh]

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MOTION was made by Commissioner Church: I move that we accept the request to release the dedication of the platted but undeveloped alleys in Blocks 36 and 37, Section 179, Block 9.

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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11. **RENEWAL OF LICENSE – SEXUALLY ORIENTED BUSINESS:** To renew the license of John A Coil for a sexually oriented business, as required by Potter County regulations. [Kemp]

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MOTION was made by Judge Ware: I approve.

SECOND was made by Commissioner Church.

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

NOES: Commissioner Murguia.

Motion carried by 4-1 vote.

MOTION was made by Commissioner Vaughn: I move to reconsider the motion on the renewal of license for a sexually oriented business to renew the license to John A. Coil for a sexually oriented business, as required by Potter County regulations.

SECOND was made by Judge Ware.

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

NOES: Commissioner Church.

Motion carried by 4-1 vote.

MOTION was made by Commissioner Church: I move that we renew the license of John A.Coil for a sexually oriented business, as required by Potter County regulations.

SECOND was made by Judge Ware.

AYES: Commissioners Kelly, Church and Judge Ware.

NOES: Commissioners Murguia and Vaughn.

Motion carried by 3-2 vote.

See Documentation

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**12. CERTIFICATE OF ACHIEVEMENT – EXCELLENCE IN FINANCIAL**

**REPORTING:** To recognize the Certificate of Achievement for Excellence I Financial Reporting awarded to the Potter County Auditor by the Government Finance Officers Association of the U.S. and Canada. [Kemp]

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Commissioner Church read the letter announcing the Certificate of Achievement for Excellence I Financial Reporting Award to Commissioners' Court.

Certificate of Achievement was so recognized.

See Documentation

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**13. SURPLUS PROPERTY:** To consider and act upon disposing of the attached list of items that did not sell at auction. [Harder]

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

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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**14. FORMAL BID RENEWAL:** To consider and act upon renewing the following bids for an additional year:

a. Formal Bid #1022-10 Pest Control Services with Ace Pest Control for the contract period of 12/1/2014 through 11/30/2015.

b. Formal Bid #1074-13 Electrical Services with Moore Electric for the contract period of 11/1/2014 through 10/31/2015. [Harder, Head, Thomas]

a. MOTION was made by Judge Ware: I approve.  
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

b. 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. See Documentation

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

- A. EXTENSION OFFICE:** The termination of Amy Wagner, FCS Extension Agent, effective 9/30/14. See Documentation
- B. ROAD AND BRIDGE:** The termination of Geary Johnson, Summer Mower, effective 9/12/14. See Documentation
- C. ROAD AND BRIDGE:** The termination of Jerry Miller, Summer Mower, effective 9/25/14. See Documentation
- D. FACILITIES MAINTENANCE:** The transfer of Gail Murray from Custodian I to Custodian II, effective 10/1/14. See Documentation
- E. FACILITIES MAINTENANCE:** The termination of Justen Michael Slaughter, Groundskeeper I, effective 10/15/14. See Documentation
- F. ELECTIONS ADMINISTRATION:** The termination of Crystal Arn, Deputy Clerk effective 10/17/14. See Documentation
- G. ELECTIONS ADMINISTRATION:** The request for increase of hours for Cassy Bledsoe, Deputy Clerk effective 10/6/14. See Documentation

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MOTION was made by Commissioner Church: I move to approve the Employment Items A-F.  
SECOND was made by Commissioner Kelly.  
AYES: Commissioners Kelly, Murguia, Church, Vaughn and Judge Ware.  
NOES: None.  
Motion carried by 5-0 vote.

MOTION was made by Judge Ware: I approve. (Employment Item G)  
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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- 16. 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 505 (including 84 females and none in Childress) was given by Commissioner Murguia, Judge Pro Tem.

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- 17. 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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**18. EXECUTIVE SESSION-CONTRACT NEGOTIATIONS – AMARILLO LOCAL GOVERNMENT CORPORATION:**

- a. To consider whether deliberation in open session would have detrimental effect on negotiations with LGC in regard to the county's participation in a parking garage project.
  - b. If unanimous, to hold an executive session as authorized by Texas Government Code Sec. 551.0725 to deliberate business and financial issues relating to a proposed contract with LGC, or, if not authorized, to deliberate in open session.
  - c. To take any action after the executive session or deliberation in open session. [Kemp]
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- a. MOTION was made by Commissioner Church: I so move that we hold an Executive Session as authorized by Texas Government Code Sec. 551.0725 to deliberate business and financial issues.

SECOND was made by Commissioner Vaughn.

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

NOES: None.

Motion carried by 5-0 vote.

- b. Commissioners' Court went into Executive Session at 9:46 a.m. and returned to Open Session at 10:53 a.m. No action was taken in Executive Session.

- c. No action was taken on Item.

See Documentation

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**19. EXECUTIVE SESSION – CONSULTATION WITH ATTORNEY- TRISTATE FAIR PROPERTY INSURANCE CLAIMS:**

- a. To hold an executive session to seek legal advice from the county attorney regarding negotiations with the TriState Fair regarding pending property insurance claims, pursuant to section 551.071, Texas Government Code.
  - b. To take any action appropriate after the executive session. [Kemp]
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- a. Commissioners' Court went into Executive Session at 9:46 a.m. and returned to Open Session at 10:53 a.m. No action was taken in Executive Session.
  - b. MOTION was made by Commissioner Murguia: I will make a motion to reopen the claim and ask TAC to review all information, and designate Potter County representatives Mike Head and David Harder to review with TAC, and all recommendations will come back before Potter County Commissioners' Court.  
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 – COMPUTER NETWORK SECURITY:**
    - a. To receive information and deliberate regarding the security of the County's computer network, pursuant to Section 551.076, Government Code.
    - b. To take any action after the executive session. [Patrick]
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- a. Commissioners' Court went into Executive Session at 9:46 a.m. and returned to Open Session at 10:53 a.m. No action was taken in Executive Session.
  - b. No action was taken on Item. See Documentation
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- 21. 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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- 22. AGENDA ITEMS:** To receive agenda items for the next Commissioners' Court.
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Commissioner Murguia requested a future agenda item regarding Council of Urban Counties, of which Potter County is now a member of – what is entailed in that membership and do they offer any educational webinars or anything along those lines.

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Commissioner Murguia, Judge Pro Tem, adjourned the Potter County Commissioners' Court until 9:00 a.m., Monday, October 27, 2014, 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 13<sup>th</sup> day of October, 2014.

Julie Smith, Potter County Clerk

By: Stephnie Menke, Deputy