

1. **APPROVAL OF MINUTES:** Approval of the minutes from the April 28, 2014, Potter County Commissioners' Court meetings.

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

SECOND was made by Commissioner Vaughn.

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

NOES: None.

Motion carried by 5-0 vote.

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 April 23, 2014 through May 6, 2014. [Hood]

Commissioner Kelly, Judge Pro Tem, referenced Vouchers checks Nos. 155314-155572 and wire #373-377 in the total amount of \$2,023,922.11.

MOTION was made by Judge Ware: I approve.

SECOND for discussion was made by Commissioner Church.

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

NOES: None.

Motion carried by 5-0 vote.

See Documentation

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

The Insurance Report was so recognized.

See Documentation

4. **SALARY SURVEY UPDATE:** To hear an update on salary survey options provided by Texas Association of Counties. [Holland]

Kay Holland, Human Resources Director, gave a salary survey update.

See Documentation

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

MOTION was made by Commissioner Church: I move that we accept the Budget Amendments Items 1, 2, 3 and 4.

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

MOTION was made by Commissioner Murguia: I make a motion that we approve the Fund 236 allocation and Fund 237 allocation as presented to the Court. (Items 5 & 6)

SECOND was made by Commissioner Vaughn.

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

NOES: None.

Motion carried by 5-0 vote.

- 6. 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 Potter County Projects report.

See Documentation

- 7. RESOLUTION-JAG GRANT PROGRAM:** To consider and act upon a Resolution authorizing Sheriff Thomas to act as the County's representative in all matters pertaining to Potter County's participation in the JAG Grant Program.
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Sheriff Thomas came before Commissioners' Court with an explanation of the JAG Grant Program.

MOTION was made by Commissioner Church: I move that we pass the Resolution to authorize Sheriff Thomas to act as the County's representative in the JAG Grant Program.

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

- 8. SOFTWARE PURCHASE:** To consider and act upon the purchase of DocuWare, scanner and server licensing in order to change the paper system in Voter Registration to an electronic storage and file retrieval system. DocuWare to be purchased from Toshiba Business Solutions from DIR Contract # DIR-SDD-1440. To transfer funds within the (236) Elections budget to the (237) Voter Registration budget as per the requirements of the auditor. Total transfer amount is \$35,885.48. [Harder, Huntley]
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Melynn Huntley, Elections Administrator, came before Commissioners' Court with an explanation.

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

- 9. SHARYLAND UTILITIES DONATION:** To consider and act upon the use of the donation from Sharyland Utilities. (Church)
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Sherry Kunka, Sharyland Utilities Consultant of Community Affairs, was present in Commissioners' Court.

Commissioners' Court decided to allocate the donation as follows: \$3000 towards the Volunteer Fire Department; \$1000 towards the Citizen's Academy; and \$1000 towards the Employee Appreciation Fund.

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.

- 10. COMMISSIONERS COURT MEETING SCHEDULE – MONDAY HOLIDAY:**

To adopt a policy stating that in the event a regularly scheduled meeting of the court falls on a holiday, the meeting will be postponed to the next business day, effective with the meeting of May 26, 2014, or to take other action as necessary.

MOTION was made by Commissioner Church: I move that we adopt the policy stating that in the event the regularly scheduled meeting falls on a holiday the meeting will be postponed to the next business day effective with the meeting of May 26, 2014.

SECOND was made by Commissioner Vaughn.

AYES: Commissioners Church, Vaughn and Judge Ware.

NOES: Commissioners Murguia and Kelly.

Motion carried by 3-2 vote.

- 11. MUTUAL AID AGREEMENT – NATIONAL PARK SERVICE:** To consider and act upon approving an agreement between the National Park Service and Potter County for mutual aid in firefighting assistance. (Lake)
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Pat Fitzpatrick, Fire/Rescue, came before Commissioners' Court with an explanation.

MOTION was made by Commissioner Church: I move we approve the Mutual Aid Agreement with the National Park Service.

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

12. TAX INCREMENT REINVESTMENT ZONE (TIRZ) #1 – POTTER COUNTY BOARD REPRESENTATIVES: To consider and act upon appointing Potter County representatives to vacancies on the TIRZ #1 Board of Directors. (Kelly)

MOTION was made by Commissioner Kelly: I make a motion that we appoint Commissioner Church to the TIRZ Board.

SECOND was made by Judge Ware.

AYES: Commissioners Kelly, Vaughn and Judge Ware.

NOES: Commissioner Murguia.

ABSTAIN: Commissioner Church.

Motion carried by 3-1-1 vote.

MOTION was made by Commissioner Kelly: I make a motion we approve Nick Ward to the TIRZ Board.

SECOND was made by Commissioner Murguia.

AYES: Commissioners Kelly, Murguia, and Vaughn.

NOES: Commissioner Church and Judge Ware.

Motion carried by 3-2 vote.

MOTION was made by Commissioner Kelly: I make a motion to approve Judge Jones to the TIRZ Board.

SECOND was made by Commissioner Vaughn.

AYES: Commissioners Kelly, Murguia, and Vaughn.

NOES: Commissioner Church and Judge Ware.

Motion carried by 3-2 vote.

13. PROHIBITION ON OUTDOOR BURNING: To consider and act upon renewing the burn ban for an additional 90 days.

Patrick Fitzpatrick, Fire/Rescue, came before Commissioners' Court with request.

MOTION was made by Commissioner Murguia: I make a motion that we approve renewing the burn ban for an additional 90 days effective May 12, 2014, expiring August 10, 2014.

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

14. TAX ABATEMENT GUIDELINES AND CRITERIA: To consider and act upon renewing the County's Guidelines and Criteria for Tax Abatement Agreements, and the Application for Tax Abatement, and to take other action necessary.

Dave Kemp, Assistant County Attorney, gave an explanation to Commissioners' Court.

Passed.

See Documentation

- 15. EMPLOYMENT ITEMS:** To consider and act upon the following employment items:
- a. ROAD & BRIDGE:** The employment of Dakota Ratliff from part-time to full-time, Seasonal Maintenance Tech, effective May 5, 2014.
See Documentation
 - b. ROAD & BRIDGE:** The employment of Roy “Sandy” Burkham, Seasonal Road Tech, effective May 5, 2014.
See Documentation
 - c. ROAD & BRIDGE:** The employment of Justin Schaffler, Seasonal Road Maintenance Tech, effective May 5, 2104.
See Documentation
 - d. ROAD & BRIDGE:** The employment of Felipe Martinez, Jr., Summer Mower, effective May 5, 2014.
See Documentation
 - e. ROAD & BRIDGE:** The employment of Geary Johnson, Summer Mower, effective May 5, 2014.
See Documentation
 - f. ROAD & BRIDGE:** The termination of Stephen Morris, Maintenance Tech, effective April 28, 2014.
See Documentation

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

16. EXECUTIVE SESSION: REAL PROPERTY – REQUEST TO SELL COUNTY PROPERTY:

- 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 §551.072, Tex. Gov. Code.
- b. To take any action appropriate after the executive session. (Harder)

Commissioners’ Court went into Executive Session at 10:44 a.m. and returned to Open Session at 11:15 a.m. No action was taken in Executive Session.

No action was taken on Item. See Documentation

17. EXECUTIVE SESSION – REAL PROPERTY – FIRE STATION #3:

- 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 §551.072, Tex. Gov. Code.
- b. To take any action appropriate after the executive session. (Harder)

Commissioners’ Court went into Executive Session at 10:44 a.m. and returned to Open Session at 11:15 a.m. No action was taken in Executive Session.

No action was taken on Item. See Documentation

18. EXECUTIVE SESSION – CONSULTATION WITH ATTORNEY:

- a. To hold an executive session to consult with the county attorney regarding the warranty claims with Journeyman Construction on the Potter County Courthouse project, pursuant to Texas Government Code § 551.071 allowing a governmental body to conduct a private consultation with its attorney about pending or contemplated litigation.
- b. To take other action appropriate after the executive session.

Commissioners’ Court went into Executive Session at 10:44 a.m. and returned to Open Session at 11.15 a.m. No action was taken in Executive Session.

No action was taken on Item. See Documentation

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

No additional Executive Session was needed.

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

Jail population of 510 (91 female) was given by Commissioner Kelly, Judge Pro Tem.

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

No Insurance items were presented.

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

No Agenda items were given.

Commissioner Kelly, Judge Pro Tem, adjourned the Potter County Commissioner=s Court until 9:00 a.m., Tuesday, May 27, 2014, in the Potter County Commissioner= 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 12th day of May, 2014.

Julie Smith, Potter County Clerk
By: Stephnie Menke, Deputy