

1. **APPROVAL OF MINUTES:** Approval of the minutes from the January 12, 2015, 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 Church.

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

NOES: None.

Motion carried by 5-0 vote.

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2. **BUDGET AMENDMENTS:** To consider and act upon budget amendments for the 2014-2015 fiscal year. [Hood]

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MOTION was made by Commissioner Church: I move we approve the Budget Amendments for the 2014-2015 fiscal year.

SECOND was made by Commissioner Vaughn.

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

NOES: None.

Motion carried by 5-0 vote.

See Documentation

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3. **VOUCHERS:** To consider and act upon the approval for the payment of vouchers processed by the County Auditor's office for the period of January 7, 2014, through January 20, 2015. [Hood]

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Judge Tanner noted that the above wording should be changed from January 7, 2014, through January 20, 2015, to read January 7, 2015, through January 20, 2015.

Judge Tanner referenced Vouchers checks Nos. 160063-160352 and wire #493-496 in the total amount of \$2,848,761.91.

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

SECOND for discussion was made by Commissioner Murguia.

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

NOES: None.

Motion carried by 5-0 vote.

See Documentation

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4. **QUARTERLY BUDGET COMPARISON:** To recognize the 1<sup>st</sup> quarter comparison report for FY14 and FY15. [Hood]

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The Quarterly Budget Comparison report was so recognized.

See Documentation

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5. **DEBT TRANSPARENCY PLEDGE:** To consider and act upon a pledge to follow the State Comptroller's recommendations for transparency efforts related to County debt. [Hood]

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

SECOND was made by Commissioner Vaughn.

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

NOES: None.

Motion carried by 5-0 vote.

See Documentation

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6. **MUNICIPAL ADVISORY AGREEMENT:** To consider and act upon transferring the County's debt related files from Southwest Securities, Inc. to SAMCO Capital Markets, Inc. Files will remain under the care of the Mark McLiney Municipal Advisory Group. [Hood]

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MOTION was made by Commissioner Murguia: I make a motion that we approve the transfer of County's debt related files from Southwest Securities, Inc. to SAMCO Capital Markets, Inc.

SECOND was made by Commissioner Vaughn.

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

NOES: None.

Motion carried by 5-0 vote.

See Documentation

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7. **RESOLUTION - CJD GRANT PROGRAM:** To consider and act upon the grant application to the Governor's Criminal Justice Division and designate the County Judge to act as the County's authorized representative. [Kiehl]

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John Kiehl, PRPC, gave an explanation to Commissioners' Court.

MOTION was made by Commissioner Church: I move we approve the grant application to the

Governor's Criminal Justice Division designating the County Judge to act as the County's representative.

SECOND was made by Commissioner Kelly.

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

NOES: None.

Motion carried by 5-0 vote.

See Documentation

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8. **AMENDED RESOLUTION – VICTIM ASSISTANCE PROGRAM:** To consider and act upon the Amended Resolution designating Judge Tanner as the grantees’ authorized official as stated in paragraph four and to be submitted to the Office of the Governor, Criminal Justice Division, for the continuation of the Victim Assistance Program of Potter County. [Loveday]

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Brenda Loveday, Victim Assistance, gave an explanation to Commissioners’ Court.

MOTION was made by Commissioner Murguia: I make a motion that we approve Amending Resolution designating Judge Tanner as the grantee authorized official as stated in paragraph four to be submitted to the Office of the Governor.

SECOND was made by Commissioner Vaughn.

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

NOES: None.

Motion carried by 5-0 vote.

See Documentation

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9. **ELECTIONS:** To hear an update on the development of the plan for Vote Centers in Potter County. [Huntley]

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Melynn Huntley, Elections Administrator, gave a Vote Centers update to Commissioners’ Court.

See Documentation

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

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Insurance Fund Report so recognized.

See Documentation

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

a. Monthly Report

b. Quarterly Report

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Leann Jennings, Treasurer, gave an update to Commissioners’ Court. Sherri Aylor, Tax Assessor-Collector spoke before Commissioners’ Court.

The Treasurer’s monthly report and quarterly report were so recognized.

See Documentation

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**12. TAX OFFICE:** To consider and act upon refunds for over-payment of taxes. [Hood]

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MOTION was made by Commissioner Murguia: I make a motion that we approve the refund in the amount of \$2,553.12 to Chicago Title as presented by our Tax Assessor.

SECOND was made by Commissioner Kelly.

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

NOES: None.

Motion carried by 5-0 vote.

See Documentation

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**13. POTTER-RANDALL APPRAISAL DISTRICT – BOARD VACANCY:** To consider and take action on filling a vacancy on the board of directors of the Appraisal District Board. [Childers, Kemp]

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This item was passed until the next Commissioners' Court meeting, February 9, 2015.

See Documentation

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**14. FORMAL PROPOSAL #1044-12 RENEWAL:** To consider and act upon renewing Formal Proposal #1044-12, Jail Meals, with Five Star Correctional Services for an additional year with a 2.3% increase per meal as allowed in the proposal. [Harder, Thomas]

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MOTION was made by Commissioner Church: I move that we approve the Formal Proposal #1044-12, Jail Meals, with Five Star Correctional Services for an additional year.

SECOND was made by Commissioner Vaughn.

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

NOES: None.

Motion carried by 5-0 vote.

See Documentation

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**15. FORMAL BID #1094-14 AWARD:** To consider and act upon awarding Formal Bid #1094-14, Santa Fe Elevator Modernization, to ThyssenKrupp Elevator Americas in the amount of \$1,247,912.00 and to approve the negotiated agreement. Funds budgeted in the 2014/2015 budget year. [Harder, Head]

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Mike Head, Facilities Maintenance Director, answered questions for Commissioners' Court.

MOTION was made by Judge Tanner: I make a motion to approve awarding Formal Bid #1094-14, Santa Fe Elevator Modernization, to ThyssenKrupp Elevator.

SECOND was made by Commissioner Murguia.

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

NOES: None.

Motion carried by 5-0 vote.

See Documentation

- 16. INFORMAL PROPOSAL #1102-14 AWARD:** To consider and act upon approving a contract with T-Miller Wrecker Services as the highest evaluated respondent to Informal Proposal #1102-14. There are no changes from the current contract to the new contract. [Harder, Thomas]

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MOTION was made by Commissioner Kelly: I make a motion to award Informal Proposal #1102-14, wrecker service to the T-Miller Wrecker Company.

SECOND was made by Commissioner Vaughn.

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

NOES: None.

ABSTAIN: Commissioner Murguia.

Motion carried by 4-0-1 vote.

See Documentation

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- 17. EQUIPMENT PURCHASE:** To consider and act upon purchasing a 2015 Argo 8x8 All-Terrain Vehicle from MBZ Cars, Inc. in the amount of \$31,900.00. Funds to be used from the Sheriff's Office forfeiture account. [Harder, Thomas]

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Sheriff Thomas gave an explanation to Commissioners' Court.

MOTION was made by Commissioner Murguia: I make a motion that we approve the purchase of a 2015 Argo 8x8 All-Terrain Vehicle from MBZ Cars, Inc. in the amount of \$31,900.00. Funds to be used from the Sheriff's account forfeiture.

SECOND was made by Commissioner Kelly.

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

NOES: None.

Motion carried by 5-0 vote.

See Documentation

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- 18. EQUIPMENT PURCHASE:** To consider and act upon purchasing a server from Dell Marketing in the amount of \$14,919.99 utilizing DIR Contract #DIR-SDD-1951. Server will be evaluated for 60 days prior to purchase and returned if it does not meet the County's needs. Funds to be used from 2014/2015 Fiscal Year IT Department and to make any transfers as needed. [Harder, Patrick]

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Jason Patrick, Information Technology Director, gave an explanation to Commissioners' Court.

MOTION was made by Commissioner Murguia: I make a motion to approve the purchase of a server from Dell Marketing in the amount of \$14,919.99 utilizing DIR Contract #DIR-SDD-1951.

SECOND was made by Commissioner Church.

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

NOES: None.

Motion carried by 5-0 vote.

See Documentation

- 19. MAY 2013 PROPERTY INSURANCE CLAIM:** To hear a report on the May 2013 property insurance claim and take any action necessary. [Harder]

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David Harder, Purchasing Agent, gave a report to Commissioners' Court in regards to the May 2013 Property Insurance Claim, Tri-State Fairgrounds roof replacement/repair.

No action was taken.

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- 20. SALARY GRIEVANCE COMMITTEE:** To consider and act upon the drawing of nine (9) members and nine (9) alternates for the Salary Grievance Committee for 2015, and recognize those drawn to serve. [Smith]

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Commissioners' Court drew nine members and nine alternates for the Salary Grievance Committee.

MOTION was made by Judge Tanner: I make a motion to consider and act upon the drawing of nine (9) members and nine (9) alternates for the Salary Grievance Committee for 2015.

SECOND was made by Commissioner Church.

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

NOES: None.

Motion carried by 5-0 vote.

See Documentation

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- 21. POTTER COUNTY SHERIFF:** To review the Tier 1 – Partial Exemption Racial Profiling Report. [Thomas]

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The Tier 1 – Partial Exemption Racial Profiling Report was so recognized.

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- 22. 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 and also gave a video presentation on the District Court's Building.

See Documentation

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

- a. **POTTER COUNTY EXTENSION:** The resignation of Kyle Stewart, County Extension Agent 4-H effective January 2, 2015.  
See Documentation
- b. **ROAD AND BRIDGE DEPARTMENT:** The retirement of John Roger Cumpston as Road and Bridge Administrator effective January 15, 2015.  
See Documentation

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MOTION was made by Commissioner Church: I move we approve the Employment Items a and b as presented.

SECOND was made by Commissioner Murguia.

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

NOES: None.

Motion carried by 5-0 vote.

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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 executive session was held for Items 1 through 23.

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**25. EXECUTIVE SESSION – CONTRACT NEGOTIATIONS – SOUTHERN INDEPENDENT LEAGUE – LEASE OF POTTER COUNTY MEMORIAL STADIUM:**

- a. To consider whether deliberation in open session would have detrimental effect on negotiations with the Southern Independent League in regard to amendments to the Potter County Memorial Stadium lease.
- 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 proposed amendments to the stadium lease, or, if not authorized, to deliberate in open session.
- c. To take any action after the executive session or deliberation in open session.

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MOTION was made by Commissioner Murguia: I make a motion to authorize by Texas Government Code Sec. 551.0725 to deliberate in closed session.

SECOND was made by Commissioner Vaughn.

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

NOES: None.

Motion carried by 5-0 vote.

Commissioners' Court went into Executive Session at 10:15 a.m. and returned to Open Session at 10:55 a.m. No action was taken in Executive Session.

MOTION was made by Commissioner Murguia: I make a motion that we authorize the County Attorney to present amended lease for approval.

SECOND was made by Commissioner Vaughn.

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

NOES: None.

Motion carried by 5-0 vote.

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**26. EXECUTIVE SESSION – CONSULTATION WITH ATTORNEY:**

- a. To hold an executive session to consult with the County Attorney about the final settlement of an employment claim pursuant to Section 551.071, Texas Government Code.
  - b. To take any action appropriate after the executive session. [Kemp]
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Commissioners' Court went into Executive Session at 10:15 a.m. and returned to Open Session at 10:55 a.m. No action was taken in Executive Session.

MOTION was made by Commissioner Murguia: I make a motion to authorize the Auditor and HR Department to create a new line item in accordance with the agreement and for the protection of public purpose of tax payer dollars.

SECOND was made by Commissioner Vaughn.

AYES: Commissioners Murguia, Church, Vaughn and Judge Tanner.

NOES: Commissioner Kelly.

Motion carried by 4-1 vote.

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**27. 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 482 (81 female, none in Childress) was given by Judge Tanner.

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

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David Harder, Purchasing Agent, reported on two accidents that happened since the last meeting.

No action was taken.

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**29. AGENDA ITEMS:** To receive agenda items for the next Commissioners' Court.

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Judge Tanner requested a discussion in regards to the Santa Fe auditorium rental.

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Judge Tanner adjourned the Potter County Commissioners' Court until 9:00 a.m., Monday, February 9, 2015, 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 26<sup>th</sup> day of January, 2015.

Julie Smith, Potter County Clerk

By: Stephnie Menke, Deputy