

1. **RECOGNITION OF MINUTES:** To recognize the minutes from the January 23, 2017 Potter County Commissioners' Court meeting.

The minutes from the January 23, 2017 Potter County Commissioners' Court meeting were so recognized.

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 January 18, 2017 through February 8, 2017.

Judge Tanner referenced Vouchers checks Nos. 173134-173442 and wire #846-857 in the total amount of \$6,042,388.00.

MOTION was made by Commissioner Church: I move that 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

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

Kay Holland, Potter County Human Resources Director, appeared before Commissioners' Court.

The Insurance Fund Report was so recognized.

See Documentation

4. **FLSA:** To consider and act upon a request to reclassify Assistant Chief Juvenile Probation Officer and Juvenile Probation Supervisor positions as Exempt from overtime under the Fair Labor Standards Act (FLSA). (Navarette, Holland)

Troy Navarette, Chief Juvenile Probation Office, and Kay Holland, Potter County Human Resources Director, gave an explanation to Commissioners' Court.

MOTION was made by Commissioner Kelly: I make a motion to approve the reclassification along with having their 40 hours done by March 9, 2017 in the form of leave time.

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

5. **HUMAN RESOURCES REPORT.** To receive a status report from H.R. on Department of Treasury Form 4564 Information Document Request and approve response. [Holland]
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MOTION was made by Commissioner Church: I move that we approve our response to the IRS in regards to the request made in the letter written on February 13, 2017.

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

6. **TAX OFFICE:** To consider and act upon tax refunds for over-payment of taxes. [Aylor]

MOTION was made by Commissioner Murguia: I make a motion that we approve the refund of the over-payment of taxes as presented.

SECOND was made by Commissioner Kelly.

Discussion followed and Commissioner Murguia withdrew her motion.

MOTION was made by Commissioner Murguia: I make a motion that we approve the refund of over-payment of taxes as presented to Court.

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

7. **POTTER COUNTY STADIUM:** To hear a report on the clean-up efforts by San Jacinto Christian Academy on the stadium grounds. [Tanner]

Tim Bowles with San Jacinto Christian Academy provided a report to Commissioners' Court in reference to stadium improvements and clean up.

8. **BETTER LIVING FOR TEXANS (BLT) EXTENSION ASSISTANT:** To consider and act upon approving a BLT Extension Assistant to the Potter County Extension Office. The position to be paid for by Texas Health and Human Services Commissions grant for salary, operating, and travel expenses. The only obligation from the county is to provide office space for the position (Grisham, Murguia).

Lizbeth Grisham, Potter County Extension Agent, spoke before Commissioners' Court.

MOTION was made by Commissioner Murguia: I make a motion that we approve a BLT Extension Assistant to the Potter County Extension Office.

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

9. **RESOLUTION-TXDOT-POTTER COUNTY-AGREEMENT TO CONTRIBUTE FUNDS:** To consider and act upon a Resolution for an agreement to contribute \$189,738.00 over a four year period for SL 335 construction in Potter County. The agreement was approved in Commissioner’s Court on November 28, 2016, but without a Resolution. [Tanner, Crawford, Black]

MOTION was made by Commissioner Church: I move we approve the Resolution for an agreement to contribute \$189,738.00 over a four-year period for State Loop 335 construction in Potter County.

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

10. **COUNTY COURT AT LAW JURISDICTION.** To consider and act on a proposed resolution for amendment of section 25.1902 (b) of the Texas Government Code to extend family law jurisdiction to Potter County Court at Law No. 1. [Tanner, Fowler]

MOTION was made by Commissioner Vaughn: I move to approve the resolution for amendment of Section 25.1902 (b) of the Texas Government Code to extend family law jurisdiction to County Court at Law 1.

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

11. **AMARILLO TRI STATE EXPOSITION LEASE.** To consider and act on the Amarillo Tri State Exposition fairgrounds lease and Lessee’s agreement, as yet unfulfilled, to secure insurance on certain buildings located on the leased premises. [Tanner, Fowler].

Steve Lapp, Fairly Group, spoke before Commissioners’ Court.

MOTION was made by Commissioner Murguia: I make a motion that per the contract amendment dated January 23, 2017 that the County drop the insurance according to the schedule by March 1, 2017.

SECOND was made by Commissioner Vaughn.

AYES: Commissioners Murguia, Vaughn and Judge Tanner.

NOES: Commissioners Kelly and Church.

Motion carried by 3-2 vote.

12. **APPLICATION FOR BUSINESS LICENSE.** To consider and act on an application for a license to operate a sexually oriented business at 1200 Spur 228, Potter County, Texas. [Tanner, Fowler].

Mr. Norwood “Van” Guleke, property owner, appeared before Commissioners’ Court to discuss his concerns.

MOTION was made by Judge Tanner: I make a motion that we deny their application.

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

13. **FUNDING FOR DOMESTIC VIOLENCE COORDINATOR.** To consider and act on proposed funding contributions of \$ 7,500 per year for two years for staffing a Domestic Violence High Risk Team Coordinator in cooperation with Randall County and the City of Amarillo. [Overstreet]
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Wade Overstreet, Assistant Potter County Attorney, gave an explanation to Commissioners' Court. Randall Sims, 47th District Attorney, and Scott Brumley, Potter County Attorney, spoke before Commissioners' Court.

MOTION was made by Commissioner Kelly: I make a motion that we contribute the \$7500.00 per year for two years for staffing a Domestic Violence High Risk Team Coordinator, funds coming from the Contingency for 2017 and budget the next year.

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

14. **MATCHING GRANT FOR DOMESTIC VIOLENCE PROSECUTOR.** To consider and act on a proposal to apply for matching grant funds under the Federal Violence Against Women Act to establish a domestic violence prosecutor position in the County Attorney's Office. [Overstreet]
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Wade Overstreet, Assistant Potter County Attorney, gave an explanation to Commissioners' Court. Scott Brumley, Potter County Attorney, spoke before Commissioners' Court.

MOTION was made by Commissioner Murguia: I make a motion to approve applying for matching grants under the Federal Violence Against Women Act to establish a domestic violence prosecutor position in the County Attorney's office.

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

15. **MATCHING GRANT FOR DOMESTIC VIOLENCE PROSECUTOR.** To consider and act on a proposal to apply for matching grant funds under the Federal Violence Against Women Act to establish a domestic violence prosecutor position in the District Attorney's Office. [Sims]
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Randall Sims, 47th District Attorney, gave an explanation to Commissioners' Court. Lori Gunn, Regional Services Program Coordinator at PRPC, spoke before Commissioners' Court.

MOTION was made by Commissioner Kelly: I so move.

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

16. **VAWA GRANT:** To consider and act upon authorizing a new assistant district attorney position to handle IPVI/DV matters in the 47th District Attorney's Office conditioned upon the awarding of a VAWA (Violence Against Women Act) grant to the Potter County for the position. [Sims]
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Randall Sims, 47th District Attorney, spoke before Commissioners' Court.

MOTION was made by Commissioner Vaughn: I so move.

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

17. **CONTRACTS FOR INMATE PSYCHIATRIST SERVICES.** To consider and act upon proposed contracts with physician psychiatrists to provide mental health assessments and care to inmates in need of such services. [Thomas]
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Sheriff Thomas gave an explanation to Commissioners' Court.

MOTION was made by Commissioner Murguia: I make a motion to approve the proposed contract with physician psychiatrists to provide mental health assessments and care to inmates in need of such services.

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

18. **INTER-DEPARTMENT PROPERTY TRANSFER.** To consider and act upon the approval of a transfer of out-of-service computers from the IT Department to the Sheriff for use in a GED program for inmates at the Potter County Detention Center [Thomas].
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Sheriff Thomas gave an explanation to Commissioners' Court.

MOTION was made by Commissioner Church: I move we approve the transfer of out-of-service computers from the IT Department to the Sheriff for use in a GED program for inmates.

SECOND was made by Commissioner Murguia.

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

NOES: None.

Motion carried by 5-0 vote.

19. **RESOLUTION TO INVITE THE WEST TEXAS COUNTY JUDGES AND COMMISSIONERS ASSOCIATION TO AMARILLO:** To consider and act upon the adoption of a resolution inviting the West Texas Judges and Commissioners Association to hold their annual Conference in Amarillo in April of 2019. (Church, Hawkins and Quandt)
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Dan Quandt and Holly Hawkins, City of Amarillo Convention Services, spoke before Commissioners' Court.

MOTION was made by Commissioner Murguia: I make a motion that we approve adopting a resolution inviting the West Texas Judges and Commissioners Association to hold their annual Conference in Amarillo in April of 2019.

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

20. **EQUIPMENT PURCHASE:** To consider and act upon the purchase of Barracuda web security hardware in the amount of \$9,775.00 from CDW-G. Purchase to be made from budgeted funds. [Patrick]
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Jason Patrick, Potter County IT Director, gave an explanation to Commissioners' Court.

MOTION was made by Commissioner Church: I move we approve the purchase of Barracuda web security hardware in the amount of \$9,775.00 from CDW-G.

SECOND was made by Commissioner Vaughn.

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

NOES: None.

Motion carried by 5-0 vote.

21. **EQUIPMENT PURCHASE:** To consider and act upon the purchase of Dell storage hardware in the amount of \$16,996.56 from Dell Technologies. Purchase to be made from budgeted funds. [Patrick]
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Jason Patrick, Potter County IT Director, gave an explanation to Commissioners' Court.

MOTION was made by Commissioner Church: I move we approve the purchase of the Dell storage hardware in the amount of \$16,996.56 from Dell Technologies.

SECOND was made by Commissioner Murguia.

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

NOES: None.

Motion carried by 5-0 vote.

22. **HOSTING AGREEMENT:** To consider and act upon the standard renewal of the county's agreement with Texas Association of Counties for hosting the county's website. [Patrick]
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Jason Patrick, Potter County IT Director, gave an explanation to Commissioners' Court.

MOTION was made by Commissioner Church: I move that we approve the standard renewal of the County's agreement with Texas Association of Counties for hosting the County's website.

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

23. **RESERVE DEPUTY PROGRAM:** To hear a report and proposal from Potter County Constables regarding a Reserve Deputy Program and to take any action necessary. [Wertz]
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Idella Jackson, Potter County Constable Pct. 4, Darryl Wertz, Potter County Constable Pct. 1, and Georgia Estrada, Potter County Constable Pct. 2, spoke before Commissioners' Court.

MOTION was made by Commissioner Murguia: I'd like to make a motion to approve the proposal from the Potter County Constables regarding a Reserve Deputy Program and to limit each Constable office to two reserved deputy positions.

SECOND was made by Commissioner Kelly.

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

NOES: Commissioner Church.

Motion carried by 4-1 vote.

24. **RACIAL PROFILING REPORT:** To recognize the Racial Profile Report for 2016:

- a. Potter County Sheriff's Office [Johnson];
 - b. Potter County Constable #2 [Estrada];
 - c. Potter County Constable #3 [Duval];
 - d. Potter County Constable #4 [Jackson].
-

A 2016 Racial Profiling Report for each office listed above was so recognized.

See Documentation

25. **JUSTICE ASSISTANCE GRANT:** To consider and act upon allowing Constable Georgia Estrada to apply for such grant for funds to be applied towards equipment or technology. [Estrada]
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Georgia Estrada, Potter County Constable Pct. 2, spoke before Commissioners' Court.

MOTION was made by Commissioner Murguia: I make a motion to approve allowing Constable Estrada to apply for the JAG grant and funds to be applied towards equipment or technology.

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

26. **NEIGHBORHOOD PLANNING PROGRAM:** To recognize the quarterly report from the City of Amarillo for the quarter ended 12-31-16. [Murguia]
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The quarterly report from the City of Amarillo for the quarter ending 12/31/16 was so recognized.

27. **CHILLER MAINTENANCE:** To consider and act upon approving an agreement for chiller maintenance at the County District Courthouse with TD Industries in the amount of \$15,470.00 from TCPN Cooperative Contract #R150501-TX-12614. Funds currently budgeted. [Shelton, Ward]
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Nick Ward, Potter County Assistant Facilities Maintenance Director, gave an explanation to Commissioners' Court.

MOTION was made by Commissioner Church: I move we approve the agreement for chiller maintenance at the County District Courthouse with TD Industries in the amount of \$15,470.00.

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

28. **EQUIPMENT PURCHASE:** To consider and act upon purchasing a Motorola Solutions Radio package from South Plains Communications in the amount of \$7,480.88 on a Houston-Galveston Area Council Contract. [Shelton, Lake]
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Pat Fitzpatrick, Potter County Assistant Fire Chief, gave an explanation to Commissioners' Court.

MOTION was made by Commissioner Vaughn: I'd like to make a motion to act upon the purchase of a Motorola Solutions Radio package from South Plains Communications in the amount of \$7,480.88 on a Houston-Galveston Area Council Contract.

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

29. **POTTER COUNTY PROJECTS:** To hear a report on various Potter County Projects and to take any action necessary. [Head]
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Pat Fitzpatrick, Potter County Assistant Fire Chief, gave an update on Fire Station 5.

Nick Ward, Potter County Assistant Facilities Maintenance Director, gave an update on the Courthouse Flood project.

Mike Head, Potter County Facilities Maintenance Director, gave a report to Commissioners' Court on various Potter County Projects.

No action was taken on this item.

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

A. Road and Bridge:

- i. The hiring of Lyndon "Barry" Borough as maintenance tech as a replacement for Shawn Nabors effective January 30, 2017.
See Documentation
 - ii. The resignation of Andy Wright as maintenance tech effective February 3, 2017.
See Documentation
 - iii. The hiring of Marco Ramirez as maintenance tech as a replacement for Andy Wright effective February 6, 2017.
See Documentation
 - iv. The resignation of Michael Cuellar as maintenance mechanic effective February 8, 2017. [Ysaguirre]
See Documentation
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MOTION was made by Commissioner Vaughn: I move that we approve of the following so stated employment items (i-iv) in Item 30.

SECOND was made by Commissioner Murguia.

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

NOES: None.

Motion carried by 5-0 vote.

B. Internet Technology

- i. The pay scale increase for Kirk Farkas effective February 15, 2017.
See Documentation

- ii. The pay scale increase for Katie Duran effective February 15, 2017.
See Documentation
- iii. The pay scale increase for Rick Lewis effective February 15, 2017.
[Patrick] See Documentation

Jason Patrick, Potter County IT Director, spoke before Commissioners' Court.

MOTION was made by Commissioner Church: I move we approve the increases as requested.

SECOND was made by Commissioner Kelly.

AYES: Commissioners Kelly, Church and Vaughn.

NOES: Commissioner Murguia and Judge Tanner.

Motion carried by 3-2 vote.

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

Jail population of 517 (91 female; 0 Childress) 82% felonies and 12% misdemeanors was given by Judge Tanner.

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

No insurance items were presented.

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

No executive session was held.

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

Fairgrounds Issue

County Judge Nancy Tanner adjourned the Potter County Commissioners' Court until 9:00 a.m., Monday, February 27, 2017, in the Potter County Commissioners' 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 13th day of February, 2017.

Julie Smith, Potter County Clerk

By: Stephnie Menke, Deputy