

THE STATE OF TEXAS :
COUNTY OF HIDALGO :

BE IT REMEMBERED that on the 9TH day of
APRIL, 1990, after due notice having been given, there was begun
and holden, a REGULAR MEETING of the Commissioners' Court in the
Commissioners' Courtroom of the Hidalgo County Courthouse in the
City of Edinburg, Hidalgo County, Texas with the following
members of said Court present and participating:

Hon. J. Edgar Ruiz
County Judge

Hon. Ramiro Cavazos
County Commissioner, Precinct #1

Hon. Lalo Arcaute
County Commissioner, Precinct #2

Hon. Norberto Salinas
County Commissioner, Precinct #3

Hon. Leonard Camarillo
County Commissioner, Precinct #4

WHEREUPON, the following proceedings

were had, to-wit:

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The Honorable J. Edgar Ruiz, County Judge, called the Commissioners' Court meeting to order, whereupon the following proceedings were had, to-wit:

ITEM 1. APPROVAL OF BILLS - STEVE AUSTIN

A motion was made by Commissioner Arcaute, seconded by Commissioner Cavazos, to approve in the General Fund bills #58,411 thru #58,676 in the amount of \$297,155.30; in the Special Revenue Fund claims #56,442 thru #56,606 in the amount of \$293,428.28; in the Capital Project Fund claims #3,677 thru #3,697 in the amount of \$701,642.90; and in the Trust and Agency Fund claims #2,067 thru #2,081 in the amount of \$300,638.00, as presented by Steve Austin.

MOTION CARRIED.

ITEM 2. APPROVAL OF ATTORNEYS' FEES IN THE AMOUNT OF \$46,040.00

A motion was made by Commissioner Salinas, seconded by Commissioner Arcaute, to approve the court appointed attorneys' fees as presented.

MOTION CARRIED.
SEE "EXHIBIT A"

ITEM 3. REQUEST FOR VOTING MACHINES:

- A. McAllen I.S.D. - 23 machines
- B. Edinburg High School Student Council - 3 machines

A motion was made by Commissioner Salinas, seconded by Commissioner Arcaute, to approve the requests for voting machines, as presented.

MOTION CARRIED.
SEE "EXHIBIT B"

ITEM 4. DECLARE EQUIPMENT SURPLUS:

- A. Olympia Typewriter - Asset #17835 - Child Welfare Department
- B. One 2000 Microfiche reader - Asset #014811 and one Microfilm reader - Asset #20337 - Hidalgo County Library System

A motion was made by Commissioner Camarillo, seconded by Commissioner Cavazos, to declare an Olympia typewriter from the Child Welfare Department, one 2000 Microfiche reader and one Microfilm reader from the Hidalgo County Library System surplus, and authorizing the Purchasing Department to dispose of equipment.

MOTION CARRIED.
SEE "EXHIBIT C"

ITEM 5. HIDALGO COUNTY HEALTH DEPARTMENT:

- A. Fund allocation revision for MIHIA Grant positions created

A motion was made by Commissioner Salinas, seconded by Commissioner Camarillo, to approve a transfer of \$2,275.00 into Fringe Benefits from Object 082, to cover the fringes of the two part-time positions and also transferring \$14,000.00 from Aid to Other Governments back into Contractual Services, as presented by Dr. Charles Wilson.

(04-09-90)

MOTION CARRIED.
SEE "EXHIBIT D"

ITEM 6. INTERNAL LINE ITEM BUDGET TRANSFERS:

- A. Computer Department
- B. Constables
- C. Traffic Control
- D. Criminal District Attorney
- E. Planning Department
- F. Precinct #1 - Park
- G. Tax Assessor-Collector
- H. Precinct #3 - Park
- I. Precinct #3 - Administration
- J. Precinct #4 - Paved/Unpaved

A motion was made by Commissioner Camarillo, seconded by Commissioner Arcaute to approve the internal line item transfers of \$850.00 for the Computer Department, \$282.94 for the Constables, \$550.00 for Traffic Control, \$300.00 for the Criminal District Attorney, \$4,200.00 for the Planning Department, \$5,000.00 for the Precinct #1 Park, \$1,598.00 for the Tax Assessor-Collector, \$1,254.00 for Precinct #3 Parks, \$160.00 for Precinct #3 Administration and \$20,000.00 for Precinct #4 Paved/Unpaved.

MOTION CARRIED.
SEE "EXHIBIT E"

ITEM 7. SET SALARY FOR PUBLIC DEFENSE EMPLOYEE

A motion was made by Commissioner Arcaute, seconded by Commissioner Camarillo, to approve the setting of salary for Public Defense Employee from \$18,000.00 to \$20,700.00.

MOTION CARRIED.
SEE "EXHIBIT F"

ITEM 8. APPROVAL OF PARKING LOT CONTRACT BETWEEN HIDALGO COUNTY AND GEORGE ALMARAZ

A motion was made by Commissioner Camarillo, seconded by Commissioners Arcaute and Salinas, to approve a parking lot contract between the County of Hidalgo and George Almaraz in the amount of \$18,000.00 per year, for two years beginning April 1, 1990. The contract is to be paid in two installments, with the first being April 1, 1990 and the second on April 1, 1991. The contract is for all repairs and maintenance of the parking lot.

MOTION CARRIED.
SEE "EXHIBIT G"

ITEM 9. DISCUSSION AND POSSIBLE ACTION ON REQUEST FROM THE VANNIE E. COOK CANCER TREATMENT CENTER AND AMEND BUDGET

After a brief discussion and a few words from Minnie Lanham, from the Vannie E. Cook Cancer Treatment Center, a motion was made by Commissioner Salinas, seconded by Commissioner Arcaute, to approve \$75,000.00 for the Vannie E. Cook Cancer Treatment Center for indigent health care work.

MOTION CARRIED.
SEE "EXHIBIT H"

ITEM 10. AUTHORIZATION FOR EXPENDITURES ON PROMOTION OF HIGHWAY 281 AS A FOUR-LANE HIGHWAY AND AMEND BUDGET FOR \$5,000.00

After a lengthy discussion concerning the portions of Highway 281 to be extended, a motion was made by Commissioner Camarillo, seconded by Commissioner Cavazos, to authorize an expenditure of \$5,000.00 on promotion of Highway 281 as a four-lane highway and amend the Road & Bridge budget by these \$5,000.00.

MOTION CARRIED.
SEE "EXHIBIT I"

ITEM 11. PRECINCT #3:

- A. Authorization to advertise for (1) one new tractor with pull mower (R & B Funds)

A motion was made by Commissioner Salinas, seconded by Commissioner Camarillo, to authorize the advertising for bids for one new tractor with pull mower for Precinct #3 Road & Bridge. Bid opening May 2, bid award May 8.

MOTION CARRIED.

ITEM 12. PLANNING DEPARTMENT:

- A. Subdivisions:
1. Hernandez's Subdivision - Precinct #2
2. Delta Commercial Plaza Subdivision - Precinct #4
B. Preliminary Approval:
1. Santa Amalia Subdivision - Precinct #1

A/1

A motion was made by Commissioner Arcaute, seconded by Commissioner Cavazos, to approve the plat of Hernandez's Subdivision which is located about 900 feet north of intersection of "I" Road and old U.S. Hwy. 83 on the east side.

MOTION CARRIED.
SEE "EXHIBIT J"

A/2

A motion was made by Commissioner Camarillo, seconded by Commissioner Salinas, to approve the plat of Delta Commercial Plaza Subdivision which is located about 1320.0 feet west from Mile 4 West on the side of P.M. 107.

MOTION CARRIED.
SEE "EXHIBIT J"

B/1

A motion was made by Commissioner Cavazos, seconded by Commissioner Arcaute, for the preliminary approval of the Santa Amalia Subdivision which is located on the intersection of Mile 4 West and Mile 3 North.

MOTION CARRIED.
SEE "EXHIBIT J"

ITEM 13. URBAN COUNTY:

- A. Approval of bill
B. Professional Services Contracts - City of La Villa - Selection of Engineer for 2nd year Projects

(04-09-90)

- C. Urban County Adjustment - Alamo
- D. City of Alamo - Fence Construction Bid Award year 1 - Titan Fence Co.
- E. Approval of Urban County Allocation and Administrative Budget

13/A

A motion was made by Commissioner Salinas, seconded by Commissioner Arcaute, to approve in the 1988 Urban County bills #1096 thru #1097 in the amount of \$11,610.00; the 1989 Urban County bills #1098 thru #1104 in the amount of \$59,433,78 and the 1989 Emergency Shelter Program bill #1105 in the amount of \$1,228.02. Total memorandum is in the amount of \$72,271.80.

MOTION CARRIED.
SEE "EXHIBIT K"

13/B

A motion was made by Commissioner Cavazos, seconded by Commissioner Camarillo, to approve the professional services contracts with Raul E. Garcia, the City of La Villa and the County of Hidalgo. The contracts are for four projects: Street Improvements - \$4,800.00; the Lift Station/Clearwell Project - \$8,100.00; the Elevated Storage Tank Project - \$1,500.00 and the Sidewalk Project - \$2,500.00.

MOTION CARRIED.
SEE "EXHIBIT K"

13/C

A motion was made by Commissioner Cavazos, seconded by Commissioners Arcaute and Camarillo, to approve the budget adjustments for the City of Alamo Year 1 Urban County Budget. The budget proposals are to reduce the Interim Assistance from \$11,000.00 to \$5,700.00, to increase the Fence at the Reservoir from \$15,000.00 to \$15,981.66 and increase the Streets from \$47,000.00 to \$51,318.34.

MOTION CARRIED.
SEE "EXHIBIT K"

13/D

A motion was made by Commissioner Cavazos, seconded by Commissioner Arcaute, to award contract to Titan Fence Co. in the amount of \$14,481.66 as the low bidder and it being the most advantageous bid.

MOTION CARRIED.
SEE "EXHIBIT K"

13/E

A motion was made by Commissioner Salinas, seconded by Commissioner Cavazos, to approve the Urban County allocation and administrative budget for 1990-91 totaling \$5,561,000.00 to include a salary increase of 5% for the Urban County Director.

MOTION CARRIED.
SEE "EXHIBIT K"

ITEM 14. COMMUNITY SERVICE AGENCY:

- A. Conduct Public Hearing of Housing Preservation Grant application to the Farmers Home Administration
- B. Consider and approve resolution to submit Grant application to the Farmers Home Administration for the Housing Preservation Grant Program

14/A

A quorum being present, County Judge J. Egar Ruiz duly opened the public hearing on Housing Preservation Grant Application to the Farmers

Home Administration.

Maribel Navarro, Community Service Agency Director, appeared before the Court informing the Court that they were applying for a second year funding through the Housing Preservation Grant through Farmers Home Administration. She further informed the Court it was for the same type of project that the agency has, but with a difference in that said proposal was for direct grants and not loan processing which the agency has at the present time. She further stated it was for \$200,000.00 from Housing Preservation and it is to include the same target areas, all rural areas and any incorporated municipality of 10,000 population and under. Maribel Navarro then stated they proposed to provide an inkind support or cash support of \$30,000.00 through their own CSBG for the following years funding and they proposed also to cooperate with JTPA Program for additional assistance through them. She then stated that they needed to allow for public comment for said proposal being considered. She then stated the deadline for submittal for the application is April 16th. A small discussion followed with the Commission.

Question and/or comments were then afforded to the public with Mrs. Virginia Townsend participating. With public input at an end the public hearing on Housing Preservation Grant Application to the Farmers Home Administration was closed.

NO ACTION.
SEE "EXHIBIT L"

14/B

Judge Ruiz informed the Court that up for approval was a Resolution to submit grant application to the Farmers Home Administration for Housing Preservation Grant, Resolution of the County Commissioners' Court of the County of Hidalgo, State of Texas, authorizing the submission of a Grant Application to the Farmers Home Administration of the U.S. Department of Agriculture by the County of Hidalgo Community Service Agency certifying public participation compliance; and authorizing the County Judge to act as the County's Executive Officer and authorized representative in all matters pertaining to the Grant Application.

A motion was then made by Commissioner Camarillo, seconded by Commissioner Cavazos and Araute, approving the application.

MOTION CARRIED.
SEE "EXHIBIT L"

ITEM 15. PERMITS:

- A. General Telephone - Precinct #1
- B. Dewbre Petroleum Corp. - Precinct #1
- C. North Alamo Water Supply - Precinct's #1 and #4

15/A

A motion was made by Commissioner Cavazos, seconded by Commissioner Araute, to approve a request for permit by General Telephone to go along Mile 6 1/2 west beginning at the expressway and going north about 1300 feet.

MOTION CARRIED.
SEE "EXHIBIT M"

15/B

A motion was made by Commissioner Cavazos, seconded by Commissioner Araute, to approve a request for permit by Dewbre Petroleum Corp. to lay a 2 inch gas line along Mile 11 north and crossing Mile 6 West. They will be laying 1200 feet of line.

MOTION CARRIED.
SEE "EXHIBIT M"

(04-09-90)

15/C

A motion was made by Commissioner Cavazos, seconded by Commissioner Camarillo, to approve a request for permits by North Alamo Water Supply to do 4 meter connections in Precincts #1 and #4.

MOTION CARRIED.
SEE "EXHIBIT M"

ITEM 16. EXECUTIVE SESSION:

- A. Commissioners' Court may go into Executive Session pursuant to Article 6252-17, Section 2G, V.T.C.S. to discuss the following matters:
1. Discussion relating to delinquent tax litigation - Juan Pena
 2. Discussion relating to acquisition of property

Judge Ruiz asked Mr. Juan Pena, Ciro Trevino, Tax Assessor-Collector and another gentleman, to please join them in this Executive Session.

ITEM 17. OPEN SESSION:

- A. Possible action on delinquent tax litigation
B. Possible action on property acquisition by Hidalgo County

Juan Pena came before the Court and stated that the property in question is the Donna Refinery, which was owned by Listo Products Inc. Listo Products Inc. is the same case that he came in before to request and approve a settlement between Hidalgo County, Donna I.S.D., the City of Donna and Listo Products, wherein they agreed to pay all the entities in excess of \$360,000.00 worth of taxes. In that settlement agreement there were strict provisions that if they failed to do so, then the County had the right to foreclose. Listo Products have not fulfilled their end of the bargain and the County has foreclosed on the property, which is the Donna Refinery. Mr. Pena stated that he had before him an offer of settlement from a Jerry W. Porter from St. Louis, Missouri, who has presented a bid of \$270,000.00 for this property, of which the County would receive, in cash in lieu of the judgment, the amount of \$72,900.00. Apart from that, the County also has an additional \$10,000.00 in escrow, which has already been received from a corporation called Emcorp, for some personal property on that site, which would make the total receive from the County at \$75,600.00, this would be less the expenses for the security guards. He stated that he is recommending this settlement, because not only is the County getting the payment instant, but also the potential liability of owning a refinery is outrageous. He asked that the Court approve the settlement offer placed on before them by Mr. Jerry W. Porter, in the amount of \$270,000.00.

A motion was then made by Commissioner Salinas, seconded by Commissioner Cavazos, to approve the settlement that was offered of \$270,000.00 by Jerry W. Porter and the settlement offered by Emcorp., on the 27% of \$10,000.00 which is \$2,700.00. The potential for the County is \$75,600.00, eliminating liability and putting it back on the tax rolls. The Court also agrees to assign a 25% interest in lieu of \$75,000.00 in improvements, in case Listo redeems in the first year as provided by law.

MOTION CARRIED.

A questions and comments session followed with Juana and Harold Frantz commenting on a letter from the Texas Department of Health in regards to a penalty being imposed on the County in the amount of \$35,000.00 with regards to the Hidalgo County Precinct #4 Landfill; Virginia Townsend and Nancy Shary commenting on the court appointed attorneys' budget and Harold Frantz on the issue of the Hargill Fire Department.

There being no further business to come before the Court, a motion was made by Commissioner Cavazos, seconded by Commissioner Arcaute, that said meeting of Commissioners' Court be hereby adjourned.

MOTION CARRIED.

DRAINAGE DISTRICT NO. 1

The Honorable J. Edgar Ruiz, County Judge, called the Drainage District meeting to order, whereupon the following proceedings were had, to-wit:

ITEM 1. AWARD BIDS - WESLACO DRAINAGE PROJECT

A motion was made by Commissioner Arcaute, seconded by Commissioner Cavazos, to award bid to Dodson & Wedegartner Construction Co. being the low bid and the bid most advantageous to the County of Hidalgo. Total bid price \$267,317.80.

MOTION CARRIED.

ITEM 2. CHANGE ORDER - RADO DRAIN ALTERNATE - BOX CULVERTS - TEXAS STERLING

A motion was made by Commissioner Arcaute, seconded by Commissioner Cavazos, to approve a change order with Texas Sterling Construction, reducing the contract by \$1,710.00.

MOTION CARRIED.
SEE "EXHIBIT N"

There being no further business to come before the Drainage District, a motion was made by Commissioner Cavazos, seconded by Commissioners Camarillo and Arcaute, that said meeting be hereby adjourned.

MOTION CARRIED.

THERE BEING NO FURTHER BUSINESS TO COME
BEFORE SAID COURT, the meeting of the Commissioners' Court was
adjourned.

J. Edgar Ruiz _____
County Judge

Ramiro Cavazos _____
County Commissioner, Precinct #1

Lalo Arcaute _____
County Commissioner, Precinct #2

Norberto Salinas _____
County Commissioner, Precinct #3

Leonard Camarillo _____
County Commissioner, Precinct #4

is 9TH day of APRIL, 1990.



LEO, COUNTY CLERK

By: _____
Jennifer Castillo, Deputy