

THE STATE OF TEXAS :

COUNTY OF HIDALGO :

BE IT REMEMBERED that on the 24TH day of MARCH, 1902, after due notice having been given, there was begun and holden, a SPECIAL MEETING of the Commissioners' Court in the Commissioners' Courtroom of the Administration Building 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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MARCH 24, 1992

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 - County Auditor

A motion was made by Commissioner Camarillo, seconded by Commissioner Cavazos, to approve in the General Fund bills #78143 thru #78332 in the amount of \$286,063.84; in the Special Revenue Fund bills #75366 thru #75495 in the amount of \$187,179.31; in the Debt Service Fund bills #813 thru #816 in the amount of \$34,239.70; in the Capital Projects Fund bills #4467 thru #4469 in the amount of \$5,512.50; in the Trust and Agency Fund bill #2897 in the amount of \$20,927.24; and in the Enterprise Fund bills #1061 thru #1063 in the amount of \$215.00

MOTION CARRIED.

ITEM 2. APPROVAL OF OFFICIAL BONDS:

- A. Marcelino Moreno - Reserve Deputy Constable - Pct. #3

A motion was made by Commissioner Camarillo, seconded by Commissioner Arcaute, to approve Marcelino Moreno's bond for a Reserve Deputy Constable in Precinct Three.

MOTION CARRIED.
SEE "EXHIBIT A"

ITEM 3. REQUEST FOR VOTING MACHINES:

- A. Sharyland ISD - 3 machines
B. McAllen ISD - 23 machines
C. Edinburg ISD - 15 machines
D. Hidalgo ISD - 3 machines (corrected request)

A motion was made by Commissioner Camarillo, seconded by Commissioner Arcaute, to approve the voting machines for Sharyland, McAllen, Edinburg and Hidalgo.

MOTION CARRIED.
SEE "EXHIBIT B"

ITEM 4. APPROVAL OF MONTHLY FEE REPORTS:

- A. Justice of the Peace:
- | | | |
|-----------------------|--------------|------------|
| 1. Juan Rosel | - \$1,003.50 | - January |
| 2. Jesus Morales | - \$6,089.50 | - February |
| 3. Esperidion Jackson | - \$1,814.75 | - " " |
| 4. Noralinda Garza | - \$4,830.50 | - " " |
| 5. Rosa Trevino | - \$5,247.04 | - " " |
| B. Anzalduas Park | - \$3,464.00 | - " " |

(03/24/92)

A motion was made by Commissioner Camarillo, seconded by Commissioner Arcaute, to approve the JP fee reports, as presented.

MOTION CARRIED.
SEE "EXHIBIT C"

4/B

A motion was made by Commissioner Salinas, seconded by Commissioners Camarillo and Arcaute, to approve the Anzaldua's Park fee report for the month of February totaling \$3,464.00.

MOTION CARRIED.
SEE "EXHIBIT C"

ITEM 5. CHILD WELFARE DEPARTMENT - Pat Gonzalez

Pat Gonzalez, from the Child Welfare Department, came before the Court requesting approval of a proclamation proclaiming this month as "Professional Social Work Month". A motion was made by Commissioner Camarillo, seconded by Commissioner Salinas and Cavazos, to approve proclamation.

MOTION CARRIED.
SEE "EXHIBIT D"

ITEM 6. 139TH DISTRICT COURT:

A. Consideration to Re-adjust Salary

Judge Ruiz explained that this request was due to the change in the salary of the Court Coordinator, as a result of a change in the Chairmanship in the Board of Judges. Judge Longoria's request is to keep the salary of his Court Coordinator as was previously. A discussion then ensued regarding the change in the chairmanship and the readjustment of the salary of the Court Coordinator, with comments from Commissioners Camarillo and Salinas, as well as the Judge. A motion was made by Commissioner Camarillo, seconded by Commissioner Arcaute, to DENY the request.

MOTION CARRIED.
SEE "EXHIBIT E"

ITEM 7. WIC:

- A. Approval of Lease Agreement Between the Diocese of Brownsville and Hidalgo County for Satellite site in Alton
- B. Approval of additional staff and set salary
- C. Budget Amendment

7/A

Norma Acosta came before the Court requesting approval of a lease to be able to use the San Martin Church Parish Hall as a satellite site to be used twice a month, at a fee of \$50.00 per day. A motion was made by Commissioner Salinas, seconded by Commissioner Arcaute, to approve a lease agreement for space, between the Diocese of Brownsville and the

County of Hidalgo, for a satellite site in the Alton area; beginning April 1st, 1992 going through March 31st, 1993; at a fee of \$50.00 per day.

MOTION CARRIED.
SEE "EXHIBIT F"

7/B

Norma Acosta requested approval of 11 new positions in her department. A discussion ensued with comments from Commissioners Salinas, Camarillo and Judge Ruiz. A motion was made by Commissioner Camarillo, seconded by Commissioner Cavazos, to approve 11 positions, along with their hourly rate effective April 1st, 1992.

MOTION CARRIED.
SEE "EXHIBIT F"

7/C

A motion was made by Commissioner Camarillo, seconded by Commissioner Cavazos, to approve a budget adjustment within the WIC budget, to allocate for the positions that have been just created; budget amendment would be \$91,013.89.

MOTION CARRIED.
SEE "EXHIBIT F"

ITEM 8. HEALTH DEPARTMENT:

A. Approval of AIDS Surveillance Contract

Dr. Charles Wilson came before the Court requesting approval of a contract having to do with a surveillance program for pediatric AIDS. A motion was made by Commissioner Salinas, seconded by Commissioner Cavazos, to approve a contract between the State of Texas and the County of Hidalgo for AIDS surveillance.

MOTION CARRIED.
SEE "EXHIBIT G"

Judge Ruiz then asked Dr. Wilson to update the Court on the cholera situation in the County.

ITEM 9. JUVENILE PROBATION DEPARTMENT:

A. Budget line item transfer

A motion was made by Commissioner Arcaute, seconded by Commissioner Cavazos, to approve a line item transfer of \$9,800.00 for the purchase of possible telephone equipment in the Juvenile Probation Department.

MOTION CARRIED.
SEE "EXHIBIT H"

ITEM 10. SHERIFF'S DEPARTMENT - Investigation Funds:

A. Unappropriate funds to balance budget

A motion was made by Commissioner Arcaute, seconded

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by Commissioner Cavazos, to unappropriate an amount totaling \$14,022.53, from the Investigation Fund under H.B. 65 in the Sheriff's Office.

MOTION CARRIED.
SEE "EXHIBIT I"

ITEM 11. LAW LIBRARY:
A. Unappropriate funds to balance budget

A motion was made by Commissioner Salinas, seconded by Commissioner Arcaute, to unappropriate a total of \$10,858.22.

MOTION CARRIED.
SEE "EXHIBIT J"

ITEM 12. INTERNAL LINE ITEM TRANSFERS:
A. Buildings and Grounds
B. Traffic Control
C. 370th District Court
D. Narcotic District Court
E. Street Level Interdiction Unit
F. Pct. 3 - Park
G. Transfer 1992 Funds into correct accounts - Indigent Health Care

12/A-F

A motion was made by Commissioner Salinas, seconded by Commissioners Camarillo and Arcaute, to approve the internal line item transfers, as follows: Buildings and Grounds - \$300.00; Traffic Control - \$1,295.00; 370th District Court - \$500.00 and \$ \$1,500.00; Narcotic District Court - \$17,200.00; Street Level Interdiction Unit - \$20,100.00 and Precinct #3/Park - \$1,200.00.

MOTION CARRIED.
SEE "EXHIBIT K"

12/G

A motion was made by Commissioner Salinas, seconded by Commissioners Arcaute and Cavazos, to approve the internal line item transfers, under our Indigent Health Care Program, totaling \$1,514,946.89; the larger amount of \$1.2 million going into services which are items 44 and 45.

MOTION CARRIED.
SEE "EXHIBIT K"

ITEM 13. PCT. #3:
A. Appropriate 1991 fund balances - Park & Paved & Unpaved Roads

A motion was made by Commissioner Salinas seconded by Commissioner Camarillo, to appropriate 1991 fund balances into Parks totaling \$57,822.71 and Road and Bridge Paved/Unpaved Roads \$10,562.51.

MOTION CARRIED.

SEE "EXHIBIT L"

ITEM 14. PCT. #4:

- A. Approve contract between Hidalgo County and Ramon Luna - Farm Lease
- B. Change Order - Pct. #4 Health Clinic - Anthony Covacevich

14/A

A motion was made by Commissioner Camarillo, seconded by Commissioner Salinas, to approve a contractual agreement between Ramon Luna, of Luna Brothers, and the County of Hidalgo for leasing of property; total cash rent for year 1992, \$6,552.82.

MOTION CARRIED.
SEE "EXHIBIT M"

14/B

A motion was made by Commissioner Camarillo, seconded by Commissioner Salinas, to approve a change order increasing the contract by \$2,262.00, for the underground electrical service and mounted transformer at the Health Clinic in Pct. #4. The contract we have right now is with Joe Williamson Construction Company.

MOTION CARRIED.
SEE "EXHIBIT M"

ITEM 15. PLANNING DEPARTMENT:

A. Subdivisions:

- 1. San Juan East II Mobile Home Subdivision - Pct. #2
- 2. J.D. Franz Subdivision Unit I - Pct. #2
- 3. Tito's Subdivision - Pct. #3
- 4. Resubdivision of Trenton Park Estates Phase I - Pct. #4
- 5. Resubdivision of Lot 48 Park Lane Subdivision - Pct. #4
- 6. La Homa Grove Subdivision Units #2 & #3 - Pct. #3

B. Subdivision - Variance Request:

- 1. Hansen Subdivision - Pct. #4

15/A/1

A motion was made by Commissioner Arcaute, seconded by Commissioner Cavazos, to approve the map of San Juan East II Mobile Home Subdivision, which is located at the corner of Crockett St. and Morningside Road, inside the city limits of San Juan, in Precinct #2.

MOTION CARRIED.
SEE "EXHIBIT N"

15/A/2

A motion was made by Commissioner Arcaute, seconded by Commissioner Cavazos, to approve the map of J.D. Franz Subdivision Unit #1, which is located approximately 1000 feet south of Hackberry on the east side of McColl Road, inside the city limits of McAllen, in Precinct #2.

MOTION CARRIED.
SEE "EXHIBIT N"

15/A/3

A motion was made by Commissioner Salinas, seconded by Commissioner Arcaute, to approve the map of Tito's Subdivision, which is located approximately 600 feet north of 3 Mile Line and on the west side of Bentsen Road, within the City of McAllen's E.T.J., in Precinct #3.

MOTION CARRIED.
SEE "EXHIBIT N"

15/A/4

A motion was made by Commissioner Camarillo, seconded by Commissioner Salinas, to approve the map of the Resubdivision of Trenton Park Estates Subdivision, which is located approximately 600 feet east of 23rd St. and on the north side of Trenton Road, inside the city limits of McAllen, in Precinct #4.

MOTION CARRIED.
SEE "EXHIBIT N"

15/A/5

A motion was made by Commissioner Camarillo, seconded by Commissioner Cavazos, to approve the map of the Resubdivision of Lot 48, Park Lane Subdivision, which is located on the northeast corner of N. 10th St. and Dove St., inside the city limits of McAllen, in Precinct #4.

MOTION CARRIED.
SEE "EXHIBIT N"

15/A/6

A motion was made by Commissioner Salinas, seconded by Commissioner Arcaute, to give final approval to the map of La Homa Groves Subdivision Units 2 and 3, which are located approximately 677 feet east of La Homa Road on the north side of 5 Mile Line, within the City of Mission's E.T.J., in Precinct #3.

MOTION CARRIED.
SEE "EXHIBIT N"

15/A/7

Emilio Garcia, Chief Planner, explained that the variance requested was for a 30 foot frontage on Bentsen Road instead of the 50 foot frontage as required by the City and the County. He further noted that the City of McAllen had approved the 30 foot frontage. After a lengthy discussion regarding the location of the lot in question and the required frontage, a motion was made by Commissioner Camarillo, seconded by Commissioner Arcaute, to accept a variance on Hansen Subdivision, Precinct #4, basically the variance is allowing a lot, Lot 2, to abutt a public access by 30 feet, instead of 50 feet.

MOTION CARRIED.
SEE "EXHIBIT N"

- ITEM 16. PROJECT COORDINATOR - J.D. SALINAS
A. Interlocal Agreement with the City of McAllen
for use of vehicle for law enforcement purposes

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NO ACTION.
SEE "EXHIBIT O"

ITEM 17. URBAN COUNTY:

- A. Subrecipient agreement - Mission Service Center
- B. City of Edcouch - Budget amendments yrs 1, 3 & 4
- C. Approval of bills

17/A

A motion was made by Commissioner Salinas, seconded by Commissioner Cavazos, to approve a subrecipient agreement between Mission Service Center and the County of Hidalgo; totaling \$36,974.34.

MOTION CARRIED.
SEE "EXHIBIT P"

17/B

A motion was made by Commissioner Cavazos, seconded by Commissioner Arcaute, to approve budget amendments in the City of Edcouch Urban County, for years 1, 3 and 4.

MOTION CARRIED.
SEE "EXHIBIT P"

17/C

A motion was made by Commissioner Salinas, seconded by Commissioner Cavazos, to approve the 1990 Urban County bills #3250 thru #3254 in the amount of \$113,365.40; the 1991 Urban County bills #3255 thru #3262 totaling \$10,547.19 and the 1991 Emergency Shelter Grant Program bills #3263 and #3264 in the amount of \$3,365.74. The total Urban County memorandum to be approved is in the amount of \$127,278.33.

MOTION CARRIED.
SEE "EXHIBIT P"

ITEM 18. DEPARTMENT OF COMMUNITY AFFAIRS:

- A. JTPA title IIA Plan summary for PY '92-'93
- B. Individual Referral Program and Needs Based Payment policy changes
- C. J.T.P.A. title III plan summary for fiscal year '92-'93
- D. J.T.P.A. title IIB contracts

After an individual explanation of each item, by Mr. Jesse Villarreal, Executive Director, and discussion, a motion was made by Commissioner Camarillo, seconded by Commissioner Cavazos, to concur with the allocation formulas that have been established and recommended by our Executive Director, Mr. Villarreal.

MOTION CARRIED.
SEE "EXHIBIT Q"

ITEM 19. PERMITS:

- A. North Alamo Water Supply - Pcts. #1 & #4
- B. Shell Western E & P - Pct. #4

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C. Texas Eastern Transmission - Pct. #4

19/A

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

MOTION CARRIED.
SEE "EXHIBIT R"

19/B

A motion was made by Commissioner Camarillo, seconded by Commissioners Salinas and Cavazos, to approve a request for permit by Shell Western E & P, to do seismograph work, in the northern part of the County, crossing an extension of Rio Grande Floral Road west of its intersection with Southern Floral Road, in Precinct #4.

MOTION CARRIED.
SEE "EXHIBIT R"

19/C

A motion was made by Commissioner Camarillo, seconded by Commissioner Salinas, to approve a request for permit by Texas Eastern Transmission, to install an underground electrical line, to cross Ramseyer Road just east of its intersection with Sharp Road, in Precinct #4.

MOTION CARRIED.
SEE "EXHIBIT R"

ITEM 20. 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 matter:
1. County of Hidalgo vs. Weber Mitchell Gin Company Inc.

Judge and Commissioners went into Executive Session, accompanied by Mr. Travis Heister, Mr. Juan Pena and Mr. Armando Barrera.

NO ACTION.

ITEM 21. OPEN SESSION:

- A. Discussion and possible action on County of Hidalgo vs. Weber Mitchell Gin Company Inc.

Judge Ruiz explained that this is regarding a lawsuit of personal property taxes due to the County of Hidalgo by Weber Mitchell Gin Company Inc. It was recommended to be settled by the County Delinquent Tax Attorney, Mr. Juan Pena, at an amount of \$15,749.37. This will include 100% of our base, 100% of our principal and the large majority of the penalty itself. A motion was then made by Commissioner Arcaute, seconded by Commissioner Cavazos, to accept the settlement as presented.

MOTION CARRIED.

ADDENDUM 1. DISCUSSION ON SALE AND DISTRIBUTION OF LATE HOUR
BEER/WINE AND MIXED BEVERAGES

Judge Ruiz informed the Court that due to the change in the population in the County, the law, in terms of the Alcoholic Beverage Commission, changes. The change is that when a County has a population of 300,000, automatically every wine and beer establishment is allowed to open until 2:00 AM. He further stated that a couple of permits have gone through his desk and he has refused to sign any permits requesting the extension. He feels that our law enforcement agencies have enough trouble with the law as it is now. After a brief discussion, it was recommended that no action be taken on this item.

NO ACTION.

A questions and comments session then followed with Judge Ruiz informing the Court that a public hearing would be held tonight at 6:30 PM on the State Detention Facility, here in Commissioners' Court.

He also mentioned that Wednesday at 9:30 AM there would be a presentation on the Mobility Plan to the Department of Transportation, in Austin.

Commissioner Camarillo then brought to the attention of the Court the problem of some colonias that had no public access. The colonias in question were involved in the grant to get water from North Alamo Water Supply. A brief discussion followed with comments from Commissioner Salinas, Vona Walker and Judge Ruiz.

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

Witnessed this 24TH day of MARCH, 1992.



WILLIAM R. LEO, COUNTY CLERK

By: Jennifer Castillo
Jennifer Castillo, Deputy