

THE STATE OF TEXAS :

COUNTY OF HIDALGO :

BE IT REMEMBERED that on the 22ND day of SEPTEMBER, 1992, 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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SEPTEMBER 22, 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

After a discussion regarding the appropriation of funds within the Enterprise Fund, a motion was made by Commissioner Cavazos, seconded by Commissioner Arcaute, to approve in the General Fund bills #82950 thru #83175 totaling \$988,945.15; in the Special Revenue Fund bills #80264 thru #80543 totaling \$996,507.74; in the Debt Service Fund bills #844 thru #846 totaling \$300,852.53; in the Capital Projects Fund bills #4566 thru #4569 totaling \$751,881.79; in the Trust and Agency Fund bills #3128 thru #3146 totaling \$469,007.52 and in the Enterprise Fund bills #1233 thru #1238 totaling \$5,442.32.

MOTION CARRIED.

ITEM 2. APPROVAL OF MINUTES - June 30, 1992
July 07, 1992

A motion was made by Commissioner Arcaute, seconded by Commissioner Cavazos, to approve the minutes of June 30th and July 7th, 1992, as presented.

MOTION CARRIED.

ITEM 3. APPROVAL OF MONTHLY FEE REPORTS:

- A. Justice of the Peace:
 - 1. Arnaldo Corpus - \$5,667.98 - August
 - 2. Guadalupe Garces - \$9,726.00 - "
 - 3. Esperidion Jackson - \$ 968.00 - "
 - 4. Jesus Morales - \$3,157.00 - "
 - 5. Ismael Ochoa - \$3,852.35 - "
 - 6. R.G. Perez - \$ 606.00 - "
 - 7. Rosa Trevino - \$3,243.02 - "
- B. Constables:
 - 1. Roberto Pena - \$ 155.00 - August
 - 2. Eduardo Bazan - \$.00 - "
 - 3. Genovevo Quintanilla - \$.00 - "
 - 4. Rinaldo Cerda - \$ 155.00 - "
 - 5. Horacio Aguirre - \$.00 - "

3/A

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

MOTION CARRIED.
SEE "EXHIBIT A"

3/B

A motion was made by Commissioner Arcaute, seconded by Commissioner Cavazos, to approve all Constable fee reports, as presented, for the month of August.

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MOTION CARRIED.
SEE "EXHIBIT A"

ITEM 4. APPROVAL OF OFFICAL BOND:
A. Raul Vela Jr. - Deputy Constable Pct. #3

A motion was made by Commissioner Salinas, seconded by Commissioner Cavazos, to approve the official bond, as Deputy Constable, for Raul Vela, Jr., for Precinct Three Constable Pena.

MOTION CARRIED.
SEE "EXHIBIT B"

ITEM 5. APPROVAL OF COURT APPOINTED ATTORNEY'S FEES-\$105,846.50

A motion was made by Commissioner Arcaute, seconded by Commissioner Cavazos, to approve court appointed attorney's fees totaling \$105,846.50.

MOTION CARRIED.
SEE "EXHIBIT C"

ITEM 6. APPROVAL OF COURT REPORTERS FEES:
A. Shirley A. Ralston - \$1,207.00

A motion was made by Commissioner Salinas, seconded by Commissioner Cavazos, to approve court reporters fees totaling \$1,207.00, for Ms. Shirley Ralston, as recommended by Judge Mancias.

MOTION CARRIED.
SEE "EXHIBIT D"

ITEM 7. APPROVAL OF VOTING MACHINES:
A. Edinburg CISD (Robert E. Lee Elementary) - 1 machine
B. Memorial Elementary - La Joya - 2 machines
C. Weslaco ISD (Roosevelt Elementary) - 1 machine

A motion was made by Commissioner Arcaute, seconded by Commissioner Cavazos, to approve voting machines for Edinburg ISD, Robert E. Lee School, Memorial Elementary, in La Joya and Roosevelt Elementary School, in Weslaco.

MOTION CARRIED.
SEE "EXHIBIT E"

ITEM 8. HIDALGO COUNTY LIBRARY SYSTEM:
A. Declare Equipment Surplus:
1. 1983 - 3/4 ton sport Shevrolet - tag #013231

A motion was made by Commissioner Arcaute, seconded by

Commissioner Cavazos, to authorize the declaration of equipment surplus and authorize the Purchasing Agent, to dispose of said equipment.

MOTION CARRIED.
SEE "EXHIBIT F"

ITEM 9. HEALTH DEPARTMENT:

- A. Approval of Sonogram Contract
- B. Authorization and approval to create part-time clerical position - Mission Clinic

9/A

A motion was made by Commissioner Arcaute, seconded by Commissioner Salinas, to approve a contract between Weslaco Radiology Center and the County of Hidalgo, for sonogram service, through the Health Department; the contract is for one year.

MOTION CARRIED.
SEE "EXHIBIT G"

9/B

A motion was made by Commissioner Salinas, seconded by Commissioners Arcaute and Cavazos, to authorize the creation of a temporary part-time clerical position, for the Health Department at \$8.00 per hour, to begin October 1st and end December 31st.

MOTION CARRIED.
SEE "EXHIBIT G"

ITEM 10. REQUEST FROM COMMUNITIES IN SCHOOLS MCALLEN, INC. - Proposed substance abuse prevention/intervention project

NO ACTION.
SEE "EXHIBIT H"

ITEM 11. SHERIFF'S DEPARTMENT:

- A. Accept contribution
- B. Sheriff's fee schedule - January 1993
- C. Budget appropriation - Sheriff's Investigation Fund:
 - 1. Account #2-104-421-100

11/A

A motion was made by Commissioner Salinas, seconded by Commissioner Arcaute, to accept a generous contribution of \$100.00, from ADS Co., Inc., for a public service, from the Sheriff's Department.

MOTION CARRIED.
SEE "EXHIBIT I"

11/B

After a discussion, regarding some of the new fees, a motion was made by Commissioner Salinas, seconded by

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Commissioner Arcaute, to accept the Sheriff's fee schedule, as amended, for 1993.

MOTION CARRIED.
SEE "EXHIBIT I"

11/C

A motion was made by Commissioner Salinas, seconded by Commissioner Arcaute, to approve the budget appropriation to the Sheriff's Investigation Fund, totaling \$48,785.10.

MOTION CARRIED.
SEE "EXHIBIT I"

- ITEM 12. INTERNAL LINE ITEM TRANSFERS:
 - A. Juvenile Probation Department (State Funds)
 - B. Juvenile Probation Department (TJPC Funds)
 - C. Voter Registration
 - D. Library System
 - E. County Wide Administration
 - F. County Judge
 - G. Capital Project Renovation
 - H. Health Department (Health Clinics)
 - I. District Clerk
 - J. Pct. Parks
 - K. Pct. #2 Paved/Unpaved Roads
 - L. WIC

A motion was made by Commissioner Arcaute, seconded by Commissioner Cavazos, to approve the internal line item transfers, as follows: Juvenile Probation Department/State Funds - \$259.00 and \$468.13; Juvenile Probation Department/TJPC Funds - \$9,000.00; Voter Registration 1,620.00; Library System - \$480.00; County Wide Administration - \$1,375.00; County Judge - \$1,191.79; County Wide Renovations - NO ACTION; Health Department (Health Clinics) - \$400.00; District Clerk - NO ACTION; Pct. #2/Parks - \$3,000.00; Pct. #2/Paved/Unpaved Roads - \$15,300.00; WIC - NO ACTION.

MOTION CARRIED.
SEE "EXHIBIT J"

ITEM 13. DISCUSSION OF FUND BALANCE AND CONSIDERATION AND APPROVAL OF SHORT TERM LOAN FROM DEPOSITORY BANK

Judge Ruiz informed the Court, that there was insufficient money, at this time, to transfer into the construction fund, in order to finish the Sullivan City Health Clinic. He was at this time requesting approval of a resolution to borrow, from First National Bank of Edinburg, an amount of \$280,000.00, to be paid prior to December 30th, 1992. After further discussion, a motion was made by Commissioner Arcaute, seconded by Commissioner Cavazos, to approve the resolution authorizing the loan from First National Bank of Edinburg, \$280,000.00, to be paid on or before December 30th of 1992, at the interest rate provided by depository agreement. (NOTE: These funds will be appropriated within the General Fund prior to December 30th.)

MOTION CARRIED.
SEE "EXHIBIT K"

WENT BACK TO ITEM 12

A motion was made by Commissioner Arcaute, seconded by Commissioner Cavazos, to rescind the Court's action, for the internal line item transfer adjustment made for Precinct #2 Paved/Unpaved Road.

MOTION CARRIED.

A motion was made by Commissioner Arcaute, seconded by Commissioner Cavazos, to approve an internal line item transfer, decreasing Roads by \$300.00 and increasing advertising by \$300.00; deleting any roads or government account.

MOTION CARRIED.
SEE "EXHIBIT J"

ITEM 14. PCT. #4:

- A. Consideration of contract renewal with Republic Waste Industries Inc. for disposal of solid waste at C & T Regional Landfill

A motion was made by Commissioner Arcaute, seconded by Commissioner Cavazos, to extend the existing contract with Republic Waste Industries, extend it through September and authorize a renewal contract for a period of one year, at the same terms and conditions, as the previous contract.

MOTION CARRIED.
SEE "EXHIBIT L"

ITEM 15. ECONOMIC DEVELOPMENT - J.D. Salinas

- A. Approval to submit grant application for Integrated Community Traffic Safety Program
- B. Bid Award - Court Security system

15/A

J.D. Salinas came before the Court requesting approval of a grant application, for the Integrated Community Traffic Safety Program, which would require a cash match in the amount of \$17,698.00. After further explanation of this program, by Mr. Gilbert Trevino, a discussion ensued on where the cash match would come from, being that there was a projected deficit in the budget. The Judge then requested a motion for approval of this grant application; no motion was made, therefore the item died.

ITEM REJECTED.
SEE "EXHIBIT M"

15/B

Judge Ruiz explained that since no funds were available at this time for this project, it would be delayed until further notice. A motion was then made by Commissioner Arcaute, seconded by Commissioner Cavazos, to reject all bids.

MOTION CARRIED.
SEE "EXHIBIT M"

ITEM 16. PURCHASING DEPARTMENT:

A. Award Bids:

- 1. Industrial Chemicals - Hidalgo County
- 2. Hot mix - County wide
- 3. Emulsified Asphalt - Hidalgo County

16/A/1

A motion was made by Commissioner Salinas, seconded by Commissioner Arcaute, to award bids to Clean-Rite for 13 products, Blue Star with 17 products, Industrial Sales with 3 products and Century Papers with 17 products; bid is for a period of 6 months.

MOTION CARRIED.
SEE "EXHIBIT N"

16/A/2

A motion was made by Commissioner Arcaute, seconded by Commissioner Cavazos, to take all bids under advisement, for the purchase of hot mix, County wide.

MOTION CARRIED.
SEE "EXHIBIT N"

16/A/3

NO ACTION.
SEE "EXHIBIT N"

ITEM 17. PLANNING DEPARTMENT:

A. Subdivisions:

- 1. HCA Rio Grande Regional Subdivision - Pct. #2
- 2. Second Amendment of Lots 150-A, 150-B & 150-C Los Alegres Subdivision No. 2 - Pct. #2
- 3. Resubdivision of Lots 25-A thru 28-A, Newport Landing Subdivision - Pct. #2
- 4. Resubdivision of Lots 23A & 23B, Block 30, Balboa Acres Subdivision - Pct. #3
- 5. Basham Subdivision 29 - Pct. #3
- 6. Sgarlatta Subdivision - Pct. #3
- 7. Villa Nueva Subdivision - Pct. #4
- 8. Rosie Subdivision - Pct. #4

B. Preliminary Plat Approval:

- 1. Valle Grande Subdivision No. 1 - Pct. #3
- 2. Valle Grande Subdivision No. 2 - Pct. #3

17/A/1

A motion was made by Commissioner Arcaute, seconded by Commissioner Cavazos, to approve the plat of HCA Rio Grande Regional Subdivision, which is located on the southeast corner of South Cynthia St. and Ridge Road, inside the city limits of McAllen, in Precinct #2.

MOTION CARRIED.
SEE "EXHIBIT O"

17/A/2

A motion was made by Commissioner Arcaute, seconded by Commissioner Cavazos, to approve the plat of the Second Amendment of Lots 150-A, 150-B and 150-C, Los Alegres Subdivision No. 2, which is located between South 2nd Street and South 3rd Street on the south side of Toronto Avenue, inside the city limits of McAllen, in Precinct #2.

MOTION CARRIED.
SEE "EXHIBIT O"

17/A/3

A motion was made by Commissioner Arcaute, seconded by Commissioner Cavazos, to approve the plat of the Resubdivision of Lots 25-A thru 28-A, Newport Landing Subdivision, which is located between U.S. Expressway 83 and Jackson Avenue, on the west side of McColl Road, inside the city limits of McAllen, in Precinct #2.

MOTION CARRIED.
SEE "EXHIBIT O"

17/A/4

A motion was made by Commissioner Arcaute, seconded by Commissioner Cavazos, to approve the plat of the Resubdivision of Lots 23A & 23B, Block 30, Balboa Acres Subdivision, which is located approximately 150 feet west of 32nd Street on the north side of Helena Street, inside the city limits of the City of McAllen, in Precinct #3.

MOTION CARRIED.
SEE "EXHIBIT O"

17/A/5

A motion was made by Commissioner Salinas, seconded by Commissioner Arcaute, to TABLE the plat of Basham Subdivision No. 29, which is located approximately 1/2 mile north of the 1 Mile Line on the east side of La Homa Road, inside the City of Palmview's ETJ, in Precinct #3.

MOTION CARRIED.
SEE "EXHIBIT O"

17/A/6

A motion was made by Commissioner Salinas, seconded by Commissioner Cavazos, to approve the plat of Sgarlatta Subdivision, which is located on the northwest corner of 23rd Street and Pecan Blvd., inside the city limits of the City of McAllen, in Precinct #3.

MOTION CARRIED.
SEE "EXHIBIT O"

17/A/7

A motion was made by Commissioner Arcaute, seconded by Commissioners Cavazos and Salinas, to approve the plat of Villa Nueva Subdivision, which is located on the northwest corner of Curry Road on the west side of Valverde Road, in the rural area of the County, in Precinct #4.

MOTION CARRIED.
SEE "EXHIBIT O"

17/A/8

A motion was made by Commissioner Arcaute, seconded by Commissioners Salinas and Cavazos, to approve the plat of Rosie Subdivision, which is located on the northwest side of 10th Street on the north side of FM 1925 (Monte Cristo Road), inside the City of Edinburg's ETJ, in Precinct #4.

MOTION CARRIED.
SEE "EXHIBIT O"

17/B/1 & 2

A motion was made by Commissioner Salinas, sec-

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ended by Commissioner Cavazos, to give preliminary approval to the plats of Valle Grande Subdivision No. 1 and Valle Grande Subdivision No. 2, in Precinct #3.

MOTION CARRIED.

ITEM 18. HIDALGO COUNTY DETENTION FACILITY CORPORATION:
A. Progress report

Judge Juan Rosel, along with Mr. Jimmy Stalinger, came before the Court, to inform them, that since the Corporation had been formed, they had taken several trips to the Jail, as well as received information from the Sheriff's Department, on some of the problems in our present Jail system. They had also selected Masters and Moreland, as Financial Advisors, and Montalvo and Ramirez, as Bond Counsel. The Corporation was at this time in the process of selecting an Underwriter, a project management team, and other things, in order to get this project under way. After further comments from Judge Rosel and Jimmy Stalinger, a discussion ensued with additional comments from Judge Ruiz, Commissioner Salinas and Mr. Bob Davis, from the Sheriff's Department. A motion was then made by Commissioner Arcaute, seconded by Commissioner Cavazos, for confidence for this Detention Corporation, to continue the work as they have and hope to come with more concrete decisions and recommendations, to this Board.

MOTION CARRIED.

ITEM 19. URBAN COUNTY:

- A. City of Alamo - Budget Amendment Year 3
- B. Construction contract approval - City of Edcouch Fitzgerald Contracting, Inc./Water Sewer Facility
- C. Subrecipient Agreement - City of Elsa Boys & Girls Club - B-91-UC-48-0501
- D. City of La Villa - Change order #1 PFI - Water Sewer Facilities
- E. Pct. #3 Year 5 - Construction Contract Award Recreational Facilities - La Joya I.S.D.
- F. Pct. #4 - Professional Services Contract (Engineering) Year 4 Health Clinic Parking Lot
- G. Resolution authorizing the submitting of a Texas Community Development Program application to the Texas Department of Housing and Community Affairs for the 1992 Colonia Fund
- H. Public Hearing on Amendment to performance Statement Colonia Fund I
- I. Approval of Resolution authorizing the submission of a performance Statement amendment, Colonia Fund I Project
- J. Interlocal Agreements
- K. Approval of bills

19/A

A motion was made by Commissioner Arcaute, seconded by Commissioners Cavazos and Salinas, to approve a budget amendment, in the Urban County Year 3 funds for the City of Alamo, as presented.

MOTION CARRIED.
SEE "EXHIBIT P"

19/B

A motion was made by Commissioner Cavazos, seconded by Commissioner Arcaute, to award bid and authorize a contractual agreement, with Fitzgerald Contracting Inc., the County of Hidalgo and the City of Edcouch, for water and sewer facility improvements; contract is for \$55,829.00.

MOTION CARRIED.
SEE "EXHIBIT P"

19/C

A motion was made by Commissioner Cavazos, seconded by Commissioner Arcaute, to approve a subrecipient agreement with the City of Elsa's Boys' and Girls' Club, along with the City the Elsa and the County of Hidalgo.

MOTION CARRIED.
SEE "EXHIBIT P"

19/D

A motion was made by Commissioner Cavazos, seconded by Commissioner Salinas, to approve a change order between Cunningham Constructors and Associates, Inc., the County of Hidalgo and the City of La Villa, for water and sewer facilities; the change is for \$41,359.00.

MOTION CARRIED.
SEE "EXHIBIT P"

19/E

A motion was made by Commissioner Salinas, seconded by Commissioner Cavazos, to approve contract between the County of Hidalgo, La Joya I.S.D. and Williamson Construction, for recreational facilities within the school district; the contract amount is \$84,242.50.

MOTION CARRIED.
SEE "EXHIBIT P"

19/F

A motion was made by Commissioner Arcaute, seconded by Commissioner Cavazos, to enter into a professional services contract between Richard Salinas & Associates and the County of Hidalgo, through its Precinct #4, for a design of a parking lot, at a cost of \$1,700.00.

MOTION CARRIED.
SEE "EXHIBIT P"

19/G

Anthony Covacevich, Urban County Director, came before the Court requesting approval of a resolution authorizing the submittal of a Texas Community Development Program application. The application was for an amount of \$456,923.63, with a local match of \$91,925.75 and the colonias to be assisted would be Sing Subdivision, Angela Subdivision, HME Subdivision, Good Valley Ranch Subdivision, Victoria-Belen Subdivision, and St. Louis Groves Subdivision. The \$91,925.75 local match would be coming from the following: City of Pharr, \$63,500.75; the City of Weslaco, \$6,606.00; City of Donna, \$1,819.00; the County of Hidalgo, \$20,000.00. A motion was made by Commissioner Salinas, seconded by Commissioner Cavazos, to approve the resolution authorizing the submission of this program application.

MOTION CARRIED.
SEE "EXHIBIT P"

19/H

The Judge called the public hearing open, after which Mr. Covacevich informed the public on an amendment to the performance statement to Colonia Fund I. The need for the public hearing was that some of the colonias intended for improvements were already receiving water service and therefore these colonias would have to be dropped and substituted with others. A discussion then ensued on the variance of costs for the improvements on the proposed colonias, with comments from Judge Ruiz, Commissioner Salinas and Brian Sital. There being no further comments, the public hearing was closed.

NO ACTION.
SEE "EXHIBIT P"

19/I

A motion was made by Commissioner Arcaute, seconded by Commissioner Cavazos, to authorize a resolution submitting our request as a performance statement amendment for Colonia Fund I Project, to provide water for Seminary Estates and Palm Lakes Subdivision, in a proposed interlocal agreement with the Water Supply Corporation.

MOTION CARRIED.
SEE "EXHIBIT P"

19/J

A motion was made by Commissioner Cavazos, seconded by Commissioner Arcaute, to approve an interlocal agreement with the cities of Weslaco and La Joya, for Urban County.

MOTION CARRIED.
SEE "EXHIBIT P"

19/K

A motion was made by Commissioner Cavazos, seconded by Commissioner Arcaute, to approve the 1991 Urban County bills #3825 thru 3832 totaling \$40,034.13; the 1991 Rental Rehab bill #3833 in the amount of \$11,481.10; the 1990 Emergency Shelter Grant bill #3834 in the amount of \$2,098.83 and the 1991 Emergency Shelter Grant bill #3835 in the amount of \$2,326.19. The total Urban County memorandum to be approved is \$55,940.25.

MOTION CARRIED.
SEE "EXHIBIT P"

ITEM 20. DEPARTMENT OF COMMUNITY AFFAIRS:

A. Consideration of reappointment to PIC Board

A motion was made by Commissioner Cavazos, seconded by Commissioner Arcaute, to approve the appointment of Mr. Joe Rios, in the Education slot and Ms. Rosie Cavazos, in the Education slot, to the PIC Board.

MOTION CARRIED.
SEE "EXHIBIT Q"

ITEM 21. PERMITS:

- A. North Alamo Water Supply - Pct. #1 & #4
- B. Southwestern Bell - Pct. #3

C. Valley Telephone Co-Op - Pct. #4

21/A

A motion was made by Commissioner Cavazos, seconded by Commissioner Arcaute, to approve a request for permit by North Alamo Water Supply, for seven meter connections in Precincts One and Four.

MOTION CARRIED.
SEE "EXHIBIT R"

21/B

A motion was made by Commissioner Arcaute, seconded by Commissioner Cavazos, to approve a request for two permits, by Southwestern Bell, to go along Moorefield Drive, beginning 1300 feet north of Mile 2 and going north for approximately 500 feet and to cross Palm Drive in two spots; north of Mile 3 and they will bore, in Precinct Three.

MOTION CARRIED.
SEE "EXHIBIT R"

21/C

A motion was made by Commissioner Arcaute, seconded by Commissioner Cavazos, to approve a request for two permits, by Valley Telephone Co-Op, for two street crossings, within the community of Hargill, and they will bore, in Precinct #4.

MOTION CARRIED.
SEE "EXHIBIT R"

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

MOTION CARRIED.

DRAINAGE DISTRICT #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. PERMIT:
A. City of Mission

A motion was made by Commissioner Cavazos, seconded by Commissioner Arcaute, to approve a request for permit, by the City of Mission, for a 21 inch pipe structuring into our south Mission Lateral.

MOTION CARRIED.
SEE "EXHIBIT S"

There being no further business to come before the Drainage District, a motion was made by Commissioner Cavazos,

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seconded by Commissioner 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 _____ A B S E N T _____
County Commissioner, Precinct #4

Dated this 22ND day of SEPTEMBER, 1992.

ATTEST:

WILLIAM R. LEO, COUNTY CLERK

By: Jennifer Castillo
Jennifer Castillo, Deputy

