

J. EDGAR RUIZ
HIDALGO COUNTY JUDGE

Consent Agenda
Page 02
January 31, 1995

5. **Planning Department:**
 - A. **Subdivisions:**
 1. Sol Brilla Subdivision, Phase I - Pct. 2
 2. Lots 18A & 18B, Block 28, Balboa Acres Subdivision - Pct.3
 3. Ashley Estates Phase I Subdivision - Pct. 4

6. **Permits:**
 - A. North Alamo Water Supply - Pct. 1, 2 & 4
 - B. Southwestern Bell Telephone - Pct. 1
 - C. Sharyland Water Supply Corp. - Pct. 3 & 4

7. **Internal Line Item Transfers:**
 - A. County Court at Law #1 - 1994
 - B. Insect Eradication - 1994
 - C. County Judge - 1994
 - D. Road & Bridge County Wide - 1994
 - E. Adult Probation (Gen. Fund) - 1995
 - F. Election Department - 1995
 - G. Pct. #3 - Park - 1995
 - H. Pct. #3 - Adm./paved/unpaved - 1995
 - I. Sheriff Inv. Fund H.B. 65 - 1995

Dated this the 25th day of January, 1995

R U I Z

J. EDGAR RUIZ
HIDALGO COUNTY JUDGE

NOTICE is hereby given in accordance with Chapter 551, Texas Government Code, that a SPECIAL MEETING of the Commissioners' Court will be held on TUESDAY, JANUARY 31, 1995 at 9:30 A.M. in the Commissioners' Courtroom of the Administration Building, Edinburg, Hidalgo County, Texas, discussion and possible action relating to the following business will be transacted:

1. Resolution Honoring Travis Hiester
2. Introduction of Steve Crain, Attorney representing the firm of Atlas and Hall, L.L.P.
3. Approval of Bonds:
 - A. Juan Rosel - County Commissioner Pct. #3
 - B. Eduardo Bazan - County Constable Pct. #5
4. Approval of Proclamation for 1995 Farm Bureau - Demsey Lance
5. Historical Commission:
 - A. Appointment of Officers Elected for 1995-1997 Term
 - B. Appointment of Board Members
 - C. Approval of Outgoing Members
6. Discussion and action on report from Interim Director of Office of Employment and Training
7. Tax Assessor/Collector:
 - A. Tax Refund:
 1. Aztec Commercial Park Lot 7 - \$ 955.59
8. Child Welfare Department:
 - A. Declare Office Furniture and Equipment Surplus
9. Health Department:
 - A. Authorization and Approval to reclassify position #11 and Internal Line Item Transfer
10. Approval of Original Amendment One Contract between the Office of the Attorney General Child Support Division and Hidalgo County
11. Consideration of Lease between Hidalgo County and Larry Dittburner - Department of Public Safety
12. Sheriff's Department: (JAIL)
 - A. Authorization and Approval to Create Positions and Set Salaries
 - B. Internal Line Item Transfer

R U I Z

J. EDGAR RUIZ
HIDALGO COUNTY JUDGE

NOTICE is hereby given in accordance with Chapter 551, Texas Government Code, that a SPECIAL MEETING of the Commissioners' Court will be held on TUESDAY, JANUARY 31, 1995 at 9:30 A.M. in the Commissioners' Courtroom of the Administration Building, Edinburg, Hidalgo County, Texas, discussion and possible action relating to the following business will be transacted:

A D D E N D U M

1. Authorization to appropriate one (1) month expenditures for Solid Waste Program

Dated this the 30th day of January, 1995.

R U I Z

J. EDGAR RUIZ
HIDALGO COUNTY JUDGE

NOTICE is hereby given in accordance with Chapter 551, Texas Government Code, that a SPECIAL MEETING of the Commissioners' Court will be held on TUESDAY, JANUARY 31, 1995 at 9:30 A.M. in the Commissioners' Courtroom of the Administration Building, Edinburg, Hidalgo County, Texas, discussion and possible action relating to the following business will be transacted:

DRAINAGE DISTRICT

1. Line Item Transfers - 1994 and 1995
2. Resolution accepting bid for property
3. Introduction of Steve Crain, Attorney representing the firm of Atlas and Hall, L.L.P.
4. J.D. Salinas:
 - A. Authorization and Approval to Fund Solid Waste Enforcement Program Grant for Thirty (30) days starting February 02, 1995 on the Projected amount of \$ 30,000.00 carry over from 1994 - 1995 Grant

Dated this the 25th day of January, 1995.

THE STATE OF TEXAS :
COUNTY OF HIDALGO :

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BE IT REMEMBERED that on the 31ST day of JANUARYF 1995, after due notice having been given, there was begun and holden, a SPECIAL MEETING of the Commissioners' Court and the Drainage District, 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. Samuel Sanchez
County Commissioner, Precinct #1

Hon. Lalo Arcaute
County Commissioner, Precinct #2

Hon. Juan Rosel
County Commissioner, Precinct #3

Hon. Guadalupe "Lupe" Garces
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:

CONSENT AGENDA

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ITEM 1. APPROVAL OF BILLS - County Auditor

General Fund	- #106174	- #106463	- \$1,213,197.29
Special Revenue Fund	- #106463	- #106625	- \$ 681,336.37
Debt Service Fund	- # 948		- \$ 58,290.66
Trust and Agency Fund	- # 4546	- # 4547	- \$ 246,618.16
Enterprise Fund	- # 2175	- # 2179	- \$ 5,405.71

(SEE "EXHIBIT A")

ITEM 2. APPROVAL OF MINUTES - January 17, 1995

ITEM 3. APPROVAL OF MONTHLY FEE REPORTS:

A. District Attorney:

- 1. Total receipts for this month - \$93,700.63
- 2. Total Disbursements for this month - \$93,985.88
- 3. Money received from the A. Prob. paid to the Hidalgo County Treasurer - \$ 217.00

B. Justice of the Peace:

- 1. Rene O. Torres - \$12,425.00 - November
- 2. Ruben Ramos - \$ 9,540.50 - December
- 3. Rosa Trevino - \$ 4,929.73 - "
- 4. Ismael Ochoa - \$ 7,325.92 - "
- 5. Adan Caballero - \$ 7,834.00 - "
- 6. Jesus Morales - \$ 6,134.00 - "

- C. County Clerk - Part I - \$86,119.87 - December
- Part II - \$95,515.13 - "

(SEE "EXHIBIT B")

ITEM 4. APPROVAL OF VOTING MACHINES:

- A. Donna ISD - 07 machines

(SEE "EXHIBIT C")

(01/31/95)

ITEM 5. PLANNING DEPARTMENT:

A. Subdivisions:

1. Sol Brilla Subdivision Phase I - Pct. 2
2. Lots 18A & 18B, Block 28, Balboa Acres Subdivision - Pct. 3
3. Ashley Estates Phase I Subdivision - Pct. 4

5/A/1

Sol Brilla Subdivision Phase I is located at the northwest corner of Banda Street and Thomas Drive, City of Pharr, Precinct Two.

(SEE "EXHIBIT D")

5/A/2

Lots 18A & 18B, Block 28, Balboa Acres Subdivision is located approximately 360 feet west of 37th Street, on the north side of Francisca Avenue, City of McAllen, Precinct Three.

(SEE "EXHIBIT D")

5/A/3

Ashley Estates Phase I Subdivision is located on the north side of Canton Road and Garza Street, City of Edinburg, Precinct Four.

(SEE "EXHIBIT D")

ITEM 6. PERMITS:

- A. North Alamo Water Supply - Pcts. 1, 2 & 4
- B. Southwestern Bell Telephone - Pct. 1
- C. Sharyland Water Supply Corp. - Pcts. 3 & 4

6/A

In Precinct One, North Alamo Water Supply Corporation is requesting a permit for two inch water lines in Matt Subdivision, to go along Mile 13 North, west of Mile 6 West. In Precinct Two, they are asking permission for a two inch line to cross Morningside Road fifty feet north of its intersection with Eldora Road; and in Precinct Four, they are asking permission for a two inch water line to cross Curve Road 1/4 mile west of Alamo Road.

(SEE "EXHIBIT E")

6/B

In Precinct One, Southwestern Bell Telephone is requesting a permit to lay a cable across Mile 12 Road, at its intersection with Mile 2 West Road.

(SEE "EXHIBIT E")

6/C

In Precinct Three, Sharyland Water Supply Corporation is requesting a permit for a six inch line to go along Bentsen Palm

Drive, beginning south of F.M. 2221 and going south for 4,000 feet; an eight inch line to go along Cantu Road, from its intersection with F.M. 1925 and a four inch line to cross Moorefield Road, 4,400 feet north of its intersection with F.M. 1924. In Precinct Four, they are requesting permission for a six inch line to cross Mile 17 1/2, 380 feet west of Jackson Road.

(SEE "EXHIBIT E")

ITEM 7. INTERNAL LINE ITEM TRANSFERS:

- A. County Court at Law #1 - 1994 - NO ACTION
- B. Insect Eradication - 1994 - \$100.00
- C. County Judge - 1994 - \$451.62
- D. Road & ridge County Wide - 1994 - \$302.63
- E. Adult Probation (Gen. Fund) - 1995 - \$500.00
- F. Election Department - 1995 - \$509.00
- G. Pct. #3 - Park - 1995 - \$3,671.32
- H. Pct. #3 - Adm./Paved/Unpaved - 1995 - \$5,785.75
- I. Sheriff Inv. Fund H.B. 65 - 1995 - \$1,000.00

(SEE "EXHIBIT F")

The County Judge informed the Commissioners that there would be no action on item 7/A, with respect to an internal line item transfer request, from County Court at Law #1. He then asked the Commissioners if they had any questions and/or comments on any of the other items on the Consent Agenda, there being none, a motion was made by Commissioner Arcaute and seconded by Commissioner Sanchez, to approve the Consent Agenda, as amended.

MOTION CARRIED.
SEE "EXHIBITS A-F"

REGULAR AGENDA

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ITEM 1. RESOLUTION HONORING TRAVIS HIESTER

Judge Ruiz went on to the Regular Agenda, by informing the Commissioners that they had prepared a resolution, in honor of Mr. Travis Hiester and he proceeded to read it. A motion was then made by Commissioner Sanchez and seconded by Commissioner Arcaute, to approve a resolution honoring Mr. Travis Hiester.

MOTION CARRIED.

(01/31/95)

SEE "EXHIBIT G"

ITEM 2. INTRODUCTION OF STEVE CRAIN, ATTORNEY REPRESENTING THE FIRM OF ATLAS AND HALL, L.L.P.

The County Judge continued by stating that he had had a discussion with Mr. Morris Atlas, of the firm of Atlas and Hall, a firm that has represented the County of Hidalgo, for the last thirty years and at this time he would like to introduce Mr. Steve Crain. Mr. Crain will be the new Legal Counsel, for the County of Hidalgo and he has been with the firm of Atlas and Hall, for the past eleven years and he has assisted Mr. Hiester in some of the County's legal problems. Mr. Crain then spoke a few words, by saying that he was glad to be appointed, but that he "would not attempt to replace Travis Hiester" and they would try to fill the gaps that were left, by Mr. Hiester's demise.

NO ACTION.

ITEM 3. APPROVAL OF BONDS:

- A. Juan Rosel - County Commissioner Pct. #3
- B. Eduardo Bazan - County Constable - Pct. #5

A motion was made by Commissioner Sanchez and seconded by Commissioner Garces, to approve the official bonds for Commissioner Rosel and Constable Bazan, as presented.

MOTION CARRIED.
SEE "EXHIBIT H"

ITEM 4. APPROVAL OF PROCLAMATION FOR 1995 FARM BUREAU - Demsey Lance

Mr. Dennis Goldsberry came before the Court requesting that a proclamation be approved, for the 1995 Farm Bureau. He added that this proclamation was to declare February 6-10, as "Farm Bureau Membership Week" Judge Ruiz then went on to read the proclamation, after which a motion was made by Commissioner Sanchez and seconded by Commissioners Arcaute and Garces, to approve the proclamation.

MOTION CARRIED.
SEE "EXHIBIT I"

ITEM 5. HISTORICAL COMMISSION:

- A. Appointment of Officers Elected for 1995-1997 Term
- B. Appointment of Board Members
- C. Approval of Outgoing Members

Judge Ruiz reported that they had received a letter from Ms. Denice Kemp, the Chairperson with the following recommendations for officers: Denice Kemp - Chairperson, Bill E. Forester - 1st Vice Chair, George Gause, Jr. - 2nd Vice Chair, Virginia Haynie Gause - Treasurer and Maria Leach - Secretary. For the appointment of Board Members the following persons were being recommended: Ms. Pat Fogarty, Armando Vela, Tony Villegas, Ronald Case, Byron J. Lewis, Valerie Ramirez, Betty Perez and Lawrence Smith. The following outgoing members were also being recognized: Ms. Golsby Garza, Tom Webb, David Sigle, Michael Bell, Reynaldo Vela Garza, Carlos Leal, Mr. & Mrs. Jose Longoria, Rigo Ordaz, Jesse Torrez and W.L. Miller. A motion was then made by Commissioner Sanchez and seconded by Commissioner Arcaute, to approve the appointment of elected officers to the Historical Commission and approve the Board members.

MOTION CARRIED.
SEE "EXHIBIT I-A"

A motion was made by Commissioner Sanchez and seconded by Commissioner Arcaute, to authorize a letter to the outgoing members, thanking them, on behalf of Commissioners' Court.

MOTION CARRIED.
SEE "EXHIBIT I-A"

ITEM 6. DISCUSSION AND ACTION ON REPORT FROM INTERIM DIRECTOR OF OFFICE OF EMPLOYMENT AND TRAINING

Hollis Rutledge, Interim OET Director, came before the Court and introduced some members of his staff, these being Dolores Guzman, Olga Serna, Lonnie Newman, Leonard Guerra, Pat Russell, Mariana Romero and Maria Mata, who were present in the audience. He then went on to give a brief summary of his report, which entailed the transition, the goals and accomplishments of the organization, while under his direction. After this he presented the Commissioners' Court with his letter of resignation, to be effective March 3rd, 1995, which he read to the Court. Commissioner Rosel stated that he would like to thank Mr. Rutledge for the "fine job that he's done" and he added that when he was first appointed, it was with the understanding that he would not be in the position a long time and he felt that now this Court could think in terms of a Permanent Director. The County Judge concurred with Commissioner Rosel and also thanked Mr. Rutledge, for his help in this endeavor. A motion was then made by Commissioner Rosel and seconded by Commissioners Garces and Arcaute, to accept the resignation of Mr. Hollis Rutledge,

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from the Office of Employment and Training, effective March 3rd, with regret.

MOTION CARRIED.
SEE "EXHIBIT J"

ITEM 7. TAX ASSESSOR/COLLECTOR:

A. Tax Refund:

1. Aztec Commercial Park Lot 7 - \$955.59

A motion was made by Commissioner Garces and seconded by Commissioner Arcaute, to approve a tax refund to Aztec Commercial Park Lot 7, in the amount of \$955.59.

MOTION CARRIED.
SEE "EXHIBIT K"

ITEM 8. CHILD WELFARE DEPARTMENT:

A. Declare Office Furniture and Equipment Surplus

A motion was made by Commissioner Sanchez and seconded by Commissioner Arcaute, to authorize the declaration of furniture and equipment surplus, from the Child Welfare Department and direct the Purchasing Agent, to dispose of said equipment.

MOTION CARRIED.
SEE "EXHIBIT L"

ITEM 9. HEALTH DEPARTMENT:

A. Authorization and Approval to reclassify position #11 and Internal Line Item Transfer

Ofelia Espinosa and Roy Tijerina came before the Court requesting approval of an internal line item transfer and a reclassification of a position, within the Sanitation Department. Mr. Tijerina continued the explanation of the request by indicating that they were proposing to reclassify a Bee Eradicator to Office Manager, so that this person could help out with the everyday duties, in the office. He would be assisting the secretary in issuing permits and accepting calls. The County Judge asked as to what would happen when the bee season rolled around, and Mr. Tijerina stated that they had very few calls, this past season, but when the season resumed, this person would take care of any calls. Commissioners Arcaute and Garces were concerned that this reclassifica-

tion would eliminate the Bee Eradicator position and they would have no one to handle bee problems and Mr. Tijerina indicated that if this Court wished, they could reclassify it as Bee Eradicator/Officer Manager. The County Judge was also concerned with the need for animal wardens, at this point in time, instead of an officer manager and Mr. Tijerina responded that there would be more than enough help, from the State, the schools and the cities. Commissioner Sanchez continued this discussion by trying to get some justification for this reclassification as well as asking if these duties could be done by additional personnel, for example a JTPA employee and Ms. Espinoza stated that at this time they had an approved JTPA position, that had not been filled. Commissioner Arcaute then asked what the present classification was under this position and Ms Espinoza explained that for the past years it has been Bee Eradicator/Animal Warden. Commissioner Arcaute continued his questioning by clarifying the reclassification from Bee Eradicator to Officer Manager and Mr. Tijerina stated that if they would wished they could change it to Bee Eradicator/Officer Manager, in case they receive an calls for bees, in the future. The Commissioner then asked what the salary for this position was and Ms. Espinoza stated that it was \$10,940.00, but when they had submitted their budgets they had requested a salary of \$12,500.00 in order to equalize the animal warden salaries, along with this slot, at this salary, but it was not approved. Commissioner Garces commented that the person in question, has been out there, even before they started the rabies vaccination clinics and he has done most of the work and he feels that he deserves the salary increase. Mr. Tijerina added that the need for the reclassification was due to the increase in the issuance of septic tank permits, as well as answering the phone, as the secretary was falling behind in submitting reports to the State. The in the reclassification and he felt that credence should be given to animal wardens. Commissioner Sanchez was also concerned with this and Commissioner Arcaute explained that when the duties were shifted from the Planning Department to the Sanitation Department, they did not reduce the staff at Planning to increase the staff at the Sanitation Department. Ms. Espinoza also added that the present clerk that was at the Sanitation Department was from the Health Clinics. Commissioner Arcaute asked if there were any additional monies within their budget that they could possibly use to create an additional clerk position and Ms. Espinoza responded that there was not. Mr. Tijerina clarified that the question was directed to the whole Health Department budget and again Ms. Espinoza responded that her budget was very limited and the County Judge added that "the only commitment here [is that] Commissioner Rosel is going to buy less mosquito control chemical". A motion was then made by Commissioner Rosel and seconded by Commissioner Garces, to approve the reclassification of the position, the upgrading and also the line item transfer. Judge Ruiz continued the discussion, by saying that he did not think that a reclassification was necessary and the only action necessary was the line item transfer. A motion was made by Commissioner Rosel and seconded by Commissioner Garces, to approve the internal line item transfer, giving Slot #11 an increase of \$1,834.00, which includes fringe benefits.

MOTION CARRIED.

(01/31/95)

SEE "EXHIBIT M"

Commissioner Rosel then addressed Ms. Espinoza, by saying that she was incorrect in saying that she did not have additional monies, as she had made a line item transfer, in 1994 of monies that came from the 03 category. Ms. Espinoza responded that these were surplus monies due to the department having many vacant RN positions. He then addressed the County Judge by asking him about his meeting with some people from the Agricultural Department, about a big rabies problem in the wooded areas of the County and Judge Ruiz responded that they had two people assigned to the wooded areas, for both Starr and Hidalgo County. Ms. Espinoza continued the discussion, with regards to the clerical position, by saying that there was no way she could award this type of position with grant monies or Co-Pay Program income. Commissioner Arcaute added that he hoped that this did not become the rule, but the exception to the rule, as they were moving monies from the line items into 03 category and he suggested that they deal with these types of transfers on an individual basis.

ITEM 10. APPROVAL OF ORIGINAL AMENDMENT ONE CONTRACT BETWEEN THE OFFICE OF THE ATTORNEY GENERAL CHILD SUPPORT DIVISION AND HIDALGO COUNTY

Judge Ruiz reported that this was to amend the present contract with the Attorney General Child Support Division and the County of Hidalgo. Mrs. Etnire explained that it was a one year contract beginning January 1st, 1995 and the amendment was that they would reimbursement the County for \$2,250.00 per month. The County Judge then reiterated that this was a one year contract for reimbursement for personnel costs and that there was an increase from \$2,144.75 to \$2,250.00 per month. A motion was made by Commissioner Arcaute and seconded by Commissioner Sanchez, to approve amendment number one, to the contract between the Office of the Attorney General Child Support Division and the County of Hidalgo through the District Clerk's Office.

MOTION CARRIED.
SEE "EXHIBIT N"

ITEM 11. CONSIDERATION OF LEASE BETWEEN HIDALGO COUNTY AND LARRY DITTBURNER - Department of Public Safety

J.D. Salinas came before the Court and announced that he had

talked to Lieutenant Ramos, from the DPS, and they had not found any other location, in the Weslaco area. They did want to move and were wanting the lease to continue on a month-to-month, as is stipulated in the agreement, until such a time as the need for additional space is advertised. Mr. Salinas continued by saying that he was wanting to advertise, in order to see what other proposals are received, as the present lease is for \$500.00 a year. He added that there was a problem also with the gas tanks, at the present location, as they had just had them filled and they were not wanting to loose this. Judge Ruiz then said that at this time there was a contract between Larry Dittburner and the County of Hidalgo, for lease space for the Department of Public Safety; the contract ended December 15th, 1994 and it has been continued on the holdover provision of this particular lease, paying \$500.00 per month. He asked if there were any pending bills and Mrs. Etnire responded that there were two pending bills at this time, one for January and one for February. A discussion then ensued as to how long the holdover would be for and it was agreed that they should maintain the holdover for a period of six months. A motion was made by Commissioner Sanchez and seconded by Commissioner Arcaute, to authorize an amendment to the lease, between Larry Dittburner and the County of Hidalgo, to extend it for a six month and not to exceed six months and authorize payment for January and February, each month at \$500.00.

MOTION CARRIED.
SEE "EXHIBIT O"

A motion was made by Commissioner Sanchez and seconded by Commissioner Rosel, to authorize the advertising for bids for the lease of space in the general Weslaco area, for the Department of Public Safety; bid opening February 22, bid award February 28.

MOTION CARRIED.
SEE "EXHIBIT O"

Commissioner Sanchez then proceeded to give a report on the GTE building, in the Weslaco are, as they had intended to possibly purchase it and consolidating several services, including the DPS. However, after further consideration, it was found that not the whole building was for sale and it was very expensive.

- ITEM 12. SHERIFF'S DEPARTMENT: (JAIL)
- A. Authorization and approval to create positions and set salaries
 - B. Internal Line Item Transfer

12/A

Chief Dick Dickinson came before the Court to request the creation of three nurse positions for the Detention Facility. At this time he was proposing that the positions of one RN Supervisor and

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two LVN positions, at \$35,500.00 and \$23,080.00 respectively, be created. Judge Ruiz added that they had previously moved some monies into the Detention Facility budget, in order to raise the level of health services that were necessary. Chief Dickinson stated that he felt that these salaries were competitive, as well as being equal to those of the Health Department. A motion was made by Commissioner Rosel and seconded by Commissioner Garces, to authorize the creation of three positions, one RN, two LVNs and setting salaries, as presented.

MOTION CARRIED.
SEE "EXHIBIT P"

12/B

A motion was made by Commissioner Rosel and seconded by Commissioner Arcaute, to approve a budget adjustment, within the Detention Facility, of \$97,885.22, which will take care of all salaries and fringe benefits, beginning now, through December 31, 1995.

MOTION CARRIED.
SEE "EXHIBIT P"

The County Auditor then asked the County Judge for a clarification on the budget adjustment and also for a breakdown of these monies, as he had a line item transfer of \$23,030.21, for the fringe benefits. He believed that the appropriation of the \$23,030.21 was all that was required and Judge Ruiz informed him that he was correct. He then said that the budget adjustment was not for \$97,885.22, but for \$23,030.21 and he wanted the record to reflect this.

- ITEM 13. BUDGET AMENDMENTS:
- A. Insurance
 - B. General Litigation
 - C. Urban County/Colonia Fund - Credit Interest Payment

13/A

Judge Ruiz explained that this was an item that was discussed last week, with the County Auditor, in terms of approaching the proposed 1995 fund balance. He added that the amounts owed on insurance were \$43,508.24, for automobile liability; \$147,375.22 for public officials liability and \$37,500.00 for Judgments, Damages and Settlements. The total budget amendment request was \$228,383.46. A motion was made by Commissioner Sanchez and seconded by Commissioner Rosel, to approve the budget amendment of \$228,383.46, as presented.

MOTION CARRIED.
SEE "EXHIBIT Q"

13/B

A motion was made by Commissioner Arcaute and seconded

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by Commissioners Rosel and Garces, to approve a budget amendment of \$63,600.00 to General Litigation, for year 1994 budget, from our Fund Balance.

MOTION CARRIED.
SEE "EXHIBIT Q"

13/C

The County Judge stated that this was for the Colonia Fund credit interest, which was a revolving fund and the budget amendment for the year 1995 was for \$6,000.00. A motion was made by Commissioner Sanchez and seconded by Commissioner Arcaute, to approve a budget amendment to the Urban County Colonia Fund, in the amount of \$6,000 for payment of interest.

MOTION CARRIED.
SEE "EXHIBIT Q"

ITEM 14. CONSIDERATION AND APPROVAL OF FIELD AGREEMENT BETWEEN HIDALGO COUNTY AND TEXAS ANIMAL DAMAGE CONTROL SERVICE AND AMEND 1995 BUDGET

Judge Ruiz informed the Commissioners that this next item was for a field agreement between the County of Hidalgo and the Texas Animal Damage Control Service and to amend the 1995 budget. He added that the County had two trappers that were funded by Texas A & M University and the County of Hidalgo and the State's assessment to the County of Hidalgo was \$2,500.00 previously and they are now reflecting a new assessment of \$2,800.00 on a monthly basis. This is for the two trappers that are presently working on the rabies eradication program, that was presented to the Commissioners in Workshop. He continued by saying that "over and above the two that continue, there is two other people that have been replaced by Texas A & M under the trapping services that they provide to us, so therefore we will have permanently two people and temporary four, at lease during this time period that we're having a high incidence of rabid animal in the rural area". A motion was made by Commissioner Sanchez and seconded by Commissioner Rosel, to approve the agreement with the increase from \$2,500.00 to \$2,800.00.

MOTION CARRIED.
SEE "EXHIBIT R"

Steve Austin, the County Auditor, pointed out that there was a budget amendment request for this item as well. Judge Ruiz explained that the budget amendment was not for the whole amount but just for the increase of \$300.00 per month, which was \$3,600.00 per year. A motion was made by Commissioner Sanchez and seconded by Commissioner Rosel, to authorize a budget amendment of \$3,600.00, for the field agreement between Hidalgo County and the Texas Animal Control Service, through Texas

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A & M. (NOTE: Additional action is taken after Item 15.)

MOTION CARRIED.
SEE "EXHIBIT R"

ITEM 15. CONSIDERATION OF INCREASE ON MILEAGE FROM .29 TO .30 CENTS
PER MILE

The County Judge indicated that that the personnel policy called for the adoption of the rate that is recommended by the Internal Revenue Service, on an annual basis. As per a letter, from the County Auditor, the Internal Revenue Service was increasing their rate from .29 cents to .30 cents. A motion was made by Commissioner Sanchez and seconded by Commissioner Garces, to set the rate for mileage, for the County of Hidalgo's elected officials and all its departments and employees at 30 cents per mile.

MOTION CARRIED.
SEE "EXHIBIT S"

Mrs. Etnire addressed the County Judge with respect to Item 14, and she indicated that more money would have to be budget on for the field agreement, as they were adding an additional trapper. Judge Ruiz then stated that the budget amount for the agreement, for this year was \$16,800.00, the operating budget that they are projecting is \$34,000.00 so there is a shortfall of \$17,200.00 and a budget amendment in this amount would be needed to cover the agreement. The County Judge then stated that under Item 14, they had a motion and a second to authorize a budget amendment of \$3,600.00 and they would like to change that and request that a motion be made to rescind that action and make a motion to do a budget amendment of \$17,000.00. Upon a motion by Commissioner Garces and a second by Commissioner Rosel, it carried unanimously to authorize this Court to rescind the previous motion amending the budget by \$3,600.00 and now made a motion to amend the budget by \$17,000.00 for the field agreement between the County of Hidalgo and the Texas Animal Damage Control Service.

MOTION CARRIED.
SEE "EXHIBIT R"

ITEM 16. CELLULAR PHONE REQUEST:
A. Park Ranger - Pct. #3
B. County Auditor

16/A

Commissioner Rosel indicated that when he put in this

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request he was thinking more along the line of deputies, such as the Sheriff's Department investigators have, and he felt that the Park Ranger had certain emergencies that had to be carried out immediately and a cellular unit would be appropriate and very good at handling those emergencies. He continued by saying that a lot of times the Park Ranger would have to call the Sheriff's Department, the DPS, Texas Parks and Wildlife and answer calls from the people who provide security to the park. He felt that all these things, would warrant a cellular unit, but he did not feel that it made any sense, because after talking to some people, he remembered that after getting into Anzaldua's Park, calls being made on the cellular unit, usually turn out to be wrong and he would recommend that no action be taken on this item. The County Judge did clarify that the people who got approval for cellular phones at the Sheriff's Department were investigators and not deputies.

NO ACTION.
SEE "EXHIBIT T"

16/B

The County Auditor had also submitted a request for a cellular phone, to the County Judge, by way of a letter. In the letter he had stressed the need for the County Auditor to have a telephone and he would simply request that this Commissioners' Court extend the same treatment to the County Auditor as other County officials. Judge Ruiz indicated that they would have a great number of department heads who would be requesting the same thing and he still felt that the only reason that they awarded cellular phones to the elected officials was because they are elected by people and they are accountable to the public and all the other department heads and employees are the responsibility of Commissioners' Court or some elected official within the County and he recommended that this request be denied. Commissioner Rosel then asked if it would make a difference if a particular department head had agreed to pay for the total bill and Judge Ruiz responded that it would not make a difference, because as he understood the policy, he still felt that the County would be lending out its credit, to the particular individual to have a government rate. Commissioner Sanchez continued this discussion by saying that they would have to amend the policy, as they had considered a 50% policy and a 100% policy. A motion was made by Commissioner Arcaute and seconded by Commissioner Sanchez, to DENY the request from the County Auditor, for cellular phone.

MOTION CARRIED.
SEE "EXHIBIT T"

- ITEM 17. PLANNING DEPARTMENT:
- A. Subdivisions:
 - 1. Wirshe Subdivision - Pct. #3
 - B. Final Plat Approval:
 - 1. Vista Del Sol Phase I - Pct. #4

C. Preliminary Plat Approval:

1. Hacienda El Porvenir Phase II - Pct. #1
2. San Carlos Estates Unit II - Pct. #4

17/A

A motion was made by Commissioner Rosel and seconded by Commissioners Sanchez and Garces, to approve the plat of Wirsche Subdivision, which is located at the southwest corner of Old 83 and FM 1427, in the rural area of the County, in Precinct Three.

MOTION CARRIED.
SEE "EXHIBIT U"

17/B

A motion was made by Commissioner Garces and seconded by Commissioner Rosel, to give final approval of the plat of Vista Del Sol Phase I Subdivision, which is located approximately 1 mile north of F.M. 2812, on the west side of U.S. Highway 281, City of Edinburg, Precinct Four.

MOTION CARRIED.
SEE "EXHIBIT U"

17/C/1

NO ACTION.

17/C/2

A motion was made by Commissioner Garces and seconded by Commissioner Sanchez, to give preliminary approval to the plat of San Carlos Estates Unit II Subdivision, which is located at the northeast corner Sharp Road and State Highway 107, in the rural area of the County in Precinct Four. Preliminary approval is subject to the following conditions:

- 1) testing of all street(s) shall be done;
- 2) street sign(s) and traffic control device(s) shall be installed in accordance to the County specifications; and
- 3) final letter from North Alamo Water Supply Corp. to the Commissioners' Court that the water line has been done in accordance to their specifications.

MOTION CARRIED.
SEE "EXHIBIT U"

ITEM 18. PURCHASING DEPARTMENT:

A. Award Bids:

1. Computer Hardware Support - Auditor's Office

Mary Maldonado, the County Purchasing Agent, came before the

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Court and reported that she had received one bid for hardware support for the computer system at the Auditor's Office. The sole bid was from Hewlett-Packard and it was for \$17,880.00, for a period of one year. A motion was made by Commissioner Sanchez and seconded by Commissioner Garces, to authorize the bid award to Hewlett-Packard, which is a maintenance agreement for hardware support in the County Auditor's Office, sole bidder, in the amount of \$17,880.00.

MOTION CARRIED.
SEE "EXHIBIT V"

ITEM 19. URBAN COUNTY:

- A. Approval to enter into a Subrecipient contract with Proyecto Azteca (CHDO) under th FY '94 HOME Program
- B. Authorize County Auditor to pay Letter of Credit Interest Charges
- C. Budget Amendment for Colonia Fund Line of Credit Interest Charges for 1995
- D. City of Edcouch - HOME Housing Rehabilitation Program - Change Order Case #ED-03
- E. HOME - First-Time Homebuyer contract Agreements and Letter of Commitment to Mortgage Company
- F. Pct. #1, #2, #3 and County Wide - Public Hearing on Proposed Amendment for UCP Year 7
- G. Pct. #1, #2, #3 and County Wide - Budget Amendments Year 7
- H. Pct. #2 - Approval of Agreements for Appraisal and Reviewer Services - Acquisition on Property/Yr. 7
- I. City of Weslaco - HOME Housing Rehabilitation Program - Change Order Case #WE 92-05
- J. City of Weslaco - Change Order #2, PFI - Sewer Imp. Year 1993/McAllen Construction Inc. (Cleckler-Heald School)
- K. Approval of bills

19/A

Anthony Covacevich, Urban County Director, came before the Court requesting permission to enter into a subrecipient contract with Proyecto Azteca, which is a CHDO, under the HOME Program. The contract will be for \$6,000.00 and it will be for the rehabilitation of ten units, in which the families will be participating in the rehab as well as learning a skill, such as carpentry, plumbing, etc, to be supervised by a construction supervisor and trainer. A motion was made by Commissioner Sanchez and seconded by Commissioner Garces, to approve a subrecipient, with Proyecto Azteca, for rehabilitation of ten home, at a cost not to exceed \$6,000.00 each.

MOTION CARRIED.
SEE "EXHIBIT W"

19/B

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Mr. Covacevich indicated that this was on a budget amendment that was approved some time ago and they had managed to get one bill paid. This request was for payment of the other bill, in the amount of \$341.34. A motion was made by Commissioner Sanchez and seconded by Commissioner Arcaute, to authorize the payment of bill to First National Bank, in Edinburg, in the amount of \$341.34.

MOTION CARRIED.
SEE "EXHIBIT W"

19/C

Item was taken care of in Item 13/C.

NO ACTION.
SEE "EXHIBIT W"

19/D

Mr. Covacevich reported that this next item was for approval of a change order, for the City of Edcouch's Housing Rehabilitation Program #ED 92-03. The amount of the change order is \$485.00 and it is to install a safe heating system, as per the City Inspector for the City of Edcouch. A motion was made by Commissioner Sanchez and seconded by Commissioner Arcaute, to approve change order number one, in case ED 92-03 for a HOME Housing Rehab; the amount of the increase is \$485.00, to the contract with A-2-Z Construction Company.

MOTION CARRIED.
SEE "EXHIBIT W"

19/E

Mr. Covacevich brought the following eligible applicants for consideration under the HOME First-Time Homebuyer Program with letters of commitment to the mortgage companies, as listed:

Gerardo Gonzalez	Rural Economic & Community Dev.(Fm.H.A.)
Enrique Garcia	Rural Economic & Community Dev.(Fm.H.A.)
Arturo Vargas	Rural Economic & Community Dev.(Fm.H.A.)
Esteban Armendariz	Rural Economic & Community Dev.(Fm.H.A.)
Patricio Elorza	Rural Economic & Community Dev.(Fm.H.A.)
Martin Lara	Rural Economic & Community Dev.(Fm.H.A.)
Martin Moreno	Rural Economic & Community Dev.(Fm.H.A.)
Mario A. Chavez	Rural Economic & Community Dev.(Fm.H.A.)
Elias Flores	Rural Economic & Community Dev.(Fm.H.A.)
Arturo Valdez, Jr.	Rural Economic & Community Dev.(Fm.H.A.)
Vicente T. Ramos	Frontera Mortgage
Samuel Pena, Jr.	Frontera Mortgage
Ruben Rodriguez	1st National Bank, Edinburg
Baldemar Garcia	1st National Bank, Edinburg
Miguel A. Garcia	1st National Bank, Edinburg
Ramona Castillo	1st Natinal Bank of La Feria in Mercedes

A motion was made by Commissioner Sanchez and seconded by Commissioner Arcaute, to approve sixteen contract agreements between homebuyers and the County of Hidalgo, also authorize letters of commitment

to Rural Economic & Community Development, Frontera Mortgage, 1st National Bank in Edinburg and 1st National Bank of La Feria in Mercedes.

MOTION CARRIED.
SEE "EXHIBIT W"

19/F

The County Judge called the public hearing to order, after which Mr. Covacevich proceeded to explain the budget amendments for Years 1, 2, 3 and County Wide. Mr. Covacevich indicated that the amendments were as follows: under Precinct One, it provided for a reduction in Street Improvements from \$342,000.00 to \$317,500.00; in Precinct Two, the reduction would be in Neighborhood Facilities from \$250,924.00 to \$226,424.00; in Precinct Three the reduction would be in Street Improvements from \$373,500.00 to \$349,000.00; all of these would be creating two new line items these being Planning & Capacity of \$18,500.00 and Public Service (Health) of \$6,000.00. Under the County Wide funds, there would be a reduction in unprogrammed funds from \$169,524.52 to \$95,274.52 and the creation of Planning & Capacity of \$55,500.00 and Public Service (Health) of \$18,750.00. With these budget amendments, \$111,000.00 will be used for a landfill planning project for landfill closure; \$37,500.00 will be used for public health, in relation to the rabies outbreak. The County Judge then solicited comments from the proposed amendments there being none, the public hearing was closed.

NO ACTION.
SEE "EXHIBIT W"

19/G

A motion was made by Commissioner Arcaute and seconded by Commissioner Rosel, to approve the budget amendments, in Year 7, for Precincts One, Two, Three and County Wide.

MOTION CARRIED.
SEE "EXHIBIT W"

19/H

Mr. Covacevich reported that this was for approval of an appraiser and reviewer appraiser for Precinct Two, under the Parks and Recreation line item. The sole bidders were Leonel Garza & Associates, for the appraisal at \$750.00 and Professional Appraisal Services for the review appraisal, at \$500.00. A motion was made by Commissioner Arcaute and seconded by Commissioner Sanchez, to approve agreements with Leonel Garza & Associates and Professional Appraisal Services, for appraiser and reviewer services, for Urban County, under Parks & Recreation in Lopezville, the amount is \$1,250.00 total.

MOTION CARRIED.
SEE "EXHIBIT W"

19/I

The City of Weslaco was requesting approval of change

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order for case #WE 92-05, under their HOME Housing Rehabilitation Program. The change order is for \$1,989.00, to rebuild the existing canopy roof into a gable roof, as the building inspector did not allow for ceiling heights at 6.8 feet. A motion was made by Commissioner Sanchez and seconded by Commissioner Garces, to approve change order number one increasing the contract between the County of Hidalgo, the City of Weslaco and Lerma Construction, by an amount of \$1,989.00

MOTION CARRIED.
SEE "EXHIBIT W"

19/J

The City of Weslaco was also requesting approval of change order number two, for a sewer improvement project, which was a lift station to the Cleckler-Heald School. The change order was for a decrease of \$861.00, and it was a final quantitative change order. A motion was made by Commissioner Garces and seconded by Commissioner Sanchez, to approve change order number two decreasing the contract with McAllen Construction Inc., by \$861.00.

MOTION CARRIED.
SEE "EXHIBIT W"

19/K

A motion was made by Commissioner Sanchez and seconded by Commissioner Garces, to approve the 1991 Urban County bill #8284 in the amount of \$438.60; the 1992 Urban County bill #8285 in the amount of \$28,216.20; the 1993 Urban County bills #8286 thru #8293 totaling \$267,384.76; the 1994 Urban County bills #8294 thru #8299 totaling \$94,669.26; the Colonia II Program bill #8300 in the amount of \$3,300; the 1992 HOME Program bills #8301 thru #8310 totaling \$30,358.32; the 1993 HOME Program bills #8311 thru #8315 totaling \$30,318.06 and the CASA Program bills #8316 thru #8318 totaling \$1,272.05. The total Urban County memorandum to be approved is \$455,957.25.

MOTION CARRIED.
SEE "EXHIBIT W"

Mr. Covacevich proceeded to give a report on the Housing Finance Corporation's 1994 First Time Homebuyers Bond Issue.

ITEM 20. LEGISLATION:
A. Hotel/Motel Tax
B. Health Care Issues - Rudy De La Vina

20/A

Judge Ruiz informed the Commissioners that they had previously discussed the issue of a hotel/motel tax and about two years ago they had tried to amend a bill that was submitted by Senator Haley. At

that time, Senator Haley had submitted a bill for all the counties bordering the Toledo Bend reservoir, where the large majority of the hotels and motels are established. Judge Ruiz added that they had attempted to amend this bill, in order to make it applicable to Counties that have a population of 10,000 or more and that bordered the Country of Mexico, thus making it a bill, that would include all the Counties from El Paso on down. He continued by saying that this amendment had been submitted in a different form and by then this amendment was being opposed by the Valley Chamber and our Legislator, Renator Cuellar, who was carrying this proposal, decided not to push the amendment. The County Judge indicated that he was hoping to acquire approval from Commissioners' Court to talk to Renato Cuellar, to try to reintroduce a bill that will call for a hotel/motel occupancy tax, in the County of Hidalgo, with these monies to be solely used for capital outlay, for parks and recreation, within the County of Hidalgo. He added that this proposed tax would not exceed three percent and felt that this would could be inclusive to all the border counties, that border the Country of Mexico and if this could not be managed then they would request that it be a local bill, solely for the County of Hidalgo. He said that he has not talked to any of the other county judges, from the border counties, as to whether they would want to pursue this issue. Commissioner Sanchez asked for clarification what the revenues would be for, and Judge Ruiz responded that it would be for capital outlay, in terms of parks and recreation with the operational costs being incurred through the General Fund. The County Judge explained that many counties are imposing this tax and using it for many different things, such as tourism, economic development, etc. and he felt that if this county could impose it and use it to for parks and recreation, it would help this county, as it is directly linked to hotels and motels, with respect to tourism. Commissioner Arcaute then asked him who else imposed it down here and the response was that the City of McAllen was imposing this tax at present. The Commissioner continued with his discussion by asking if this tax had to be passed through an election and Judge Ruiz informed him that they were trying to bypass the election process and getting it passed through legislation. A motion was then made by Commissioner Arcaute and seconded by Commissioner Garces, to authorize County Judge to submit legislation, for the County of Hidalgo to receive authority to impose a hotel/motel tax not to exceed 3%, with these monies to be solely used for capital outlay, for parks and recreation.

MOTION CARRIED.

THE FOLLOWING ITEM IS IN VERBATIM FORMAT

20/B

JUDGE RUIZ

The second issue is health care issues, ah, Mr. De La Vina, ah, spoke last week and he attended a meeting in Austin, where there was various issues raised, ah, in terms of Indigent Health Care in the County of Hidalgo, ah, we thought that he may want to give a brief report this morning, as to what is being talked about in

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Austin, at this point in time.

RUDY DE LA VINA

Good morning Judge, Commissioners, ah, well there's a lot of different things going on with health care issues, in Austin right now because of the anticipated shortfalls in the Medicaid Program, the State is trying to figure out ways to leverage their money, ah, that they're anticipating in loosing, through Federal match, through Federal funds and they want to use local dollars, County dollars, to match their money and they're trying to figure out mechanisms to be able to do that; and one of the motions that came out of the Senate Health and Human Services Committee is to use our 10% money that we have for Indigent Care and use that to leverage Federal funds, that can be done, one of two ways, either the money goes directly to Austin, where the State in turn will use it to match or it'll be a certification process where the county certifies that they have this money available and will be used for Indigent Health Care; but when I say Indigent Health Care I really mean the Medicaid population, because they're anticipating moving the Medicaid population to 75% of poverty...

JUDGE RUIZ

Instead of 100%.

RUDY DE LA VINA

Well, right now it's only like 25%, so we're talking about bringing in, thousands upon thousands of more people that were not on the Medicaid program before, which means most of our current case load under the indigent program will fall into Medicaid, okay. Basically, there's two types of people that will not fall into Medicaid, that we are currently serving, based on, you know the current regulations: number one, the undocumented and number two the prisoners. The counties would still be responsible for providing indigent health care for those who qualify for indigent health care; for the undocument and for the prisoners. Now, they are in the process of trying to get a waiver from the Fed to be able to include prisoners in Medicaid, which again, will also help counties greatly, but, for sure the undocumented will not be included in that population. Now to give you an example, and what that impact is to Hidalgo County, about 34% of our caseload or 834 people, last year, were undocumented aliens. Now that was our total caseload, we may not have

paid on some of them, 'cause sometimes we certify the whole family and we may only help the mother or one of the children or whatever; but, on our caseload, last year, we had active any time during last year 834 undocumented aliens.

JUDGE RUIZ

That we...

RUDY DE LA VINA

That were on our rolls, but maybe we didn't pay anything on them because we may only have helped the mom and not the child, maybe the child didn't need health care, but under the regulations we have to certify the entire family, but again those are 834 people that could have, that did qualify and could have received services from us.

JUDGE RUIZ

Which is 34% of the total...

RUDY DE LA VINA

Which is 34% of the 2000 plus that we had in our program last year and we're running the figures right now with TPA to identify the exact cost, to those people, but anyway, ah, the Senate Health and Human Services Committee is proposing legislation, in their motion, to allow for the Medicaid program, again to go to 75% of poverty to go into a managed care system, in other words, totally revamping the Medicaid program, similar to other, that other states have done, going into a managed totally capitated managed care system, which is different, again, in the way we do it, the way Medicaid does it, the way everybody does it right now, in the State of Texas.

JUDGE RUIZ

Rudy, explain managed care system.

RUDY DE LA VINA

Well, probably Commissioner Sanchez, could better explain it than I can...

JUDGE RUIZ

Probably so, Commissioner -----

RUDY DE LA VINA

But, it's a system where people are locked in to certain providers of service, oh, and that way they're going to give a home, what they call a home provider. There's still going to be the freedom of choice, the, the, there's going to be several providers out there that, that they can choose from, because again, we're talking about the Medicaid population here, and they Fed is particular about choice and then, as I understand it the, there's, there's some prevention,

I mean, there's some incentives locked in there, because providers are paid per capita, for providing care for these people. So, again, Commissioner Sanchez, you, you'd probably be in a better position to, to, how it works.

JUDGE RUIZ

----- and I'm vague on what is managed care system.

COMM. SANCHEZ

There's been some changes in the law that you can, can, better put them into perspective, ah, and it's been primarily the providers that, that have been, ah, having to make the adjustments, at this point. Go ahead, Rudy.

RUDY DE LA VINA

Yes, see and one of the things on that managed care system, the, the providers have to be accountable and there are certain requirements that Medicaid has, in terms of showing cost effective results ah, because since we are including a bigger population, when I say we, the State and the County, I guess, well no we would still be locked in to what we're doing now, but they, they have to comply with certain very strict regulations, okay, and, the counties again are losing some, we're losing the responsibility of covering most of these people, because they're all going to get into Medicaid, alright, we're still gonna have to put up the money, but as one of the incentives is that the County can set and design and administer the managed care system, for Hidalgo County, which is called an intergovernmental initiative, IGI, if the county so choses to do that, if not they can tell the State, you all run it, we want to get totally out of this business and just worry about the undocumented aliens and the prisoners.

COMM. SANCHEZ

With, with the 10%.

RUDY DE LA VINA

Yes, sir, well see, that's the question that, ah, TAC, Texas Association of Counties and Mr. Allison, they're supporting this issue, with the understanding that it will not cost new additional funds to the counties, okay. It's gonna be with the existing funds, that we have.

JUDGE RUIZ

So, again, I think the question is, issue number one, when we talked about 10%, are we still talking 10% cap or are we talking 10% plus match.

RUDY DE LA VINA

Well, there talking about existing expenditures

by the County. In our case it's not 10%, right, we're talking, we spend, what, 12%, I don't know 13 maybe, because we go over the 10% every year, ah; so we're talking, because when they figure it in, what was going to be needed to match these Federal funds that were needed, and we're locked in for five years, by the way, on this plan, ah, they figured on the current levels of expenditures, from the counties. Now, the issue was brought up by somebody at the meeting, well, not all counties submit accurate reports, so there may be some question there, it may cost more money to some counties; not to Hidalgo, because, we pretty well document it in terms of what we spend and, and, and they know up in Austin what we spend, 'cause we always ask for match funds. Many counties don't ask for matching funds, so therefor they don't even have to report if they don't want to. So, ah, there's still a question of how much money is out there, but, but, the key is that it will not cost more than, it may be less, you know, depending on when they figure out everything the formula and the other counties and everthing, that it will not be more. This is the assurance they have and it's also been discussed that it will never get out of committee probably or it will never pass the floor if, if the local counties don't have that assurance, that it will, number one, have local control in that we can choose to design and, and, and administer the, ah, managed care system or we can give that option to the State and that it will not cost us more money, okay; and I think this is, something needs to be done with the Medicaid system as it is now, ah, other states are into this managed care system and, ah, it's something new for us because, obviously we've never done it, ah, there are some pilot projects, there's one in Travis County, that I know of, that are currently involved in this, similar system, ah, it's like a health maintenance organization that, you know how some insurance companies they, they, they have, ah, providers that you have to go to, mandatory providers and, and, and they, you get a cost savings there and they're paid, ah, so much for the number of people on the caseload or on the insurance well that's similar to what managed care is and supposedly there's built in incentives to where people won't be denied health care when they need it and then of course there's other people that say, "yeah, but there's gonna be a long lines to

clinics" and whatever, I don't know, but getting back to that pilot issue, there are going to be pilot sites throughout the State to try to work out some of these kinks, some people have asked Senator Truan, among others that perhaps Hidalgo County be considered as a pilot site, for this, so that we can assist in the design and the implementation and I think, again, it might be good for Hidalgo County to try to be involved in a pilot because we will be there on the ground floor and when it does come in to actual doing it which will probably be in January of '96 or so, ah, that we'll be more prepared. Now, there's going to be an impact on the County on this, it's in terms of employees, because eligibility will now be done by the Department of Human Services, except for the undocumented and the prisoners. So, there may be an impact in terms, of, of, ah, employees working for the county, okay, but if the county chooses to administer and design and oversee the, the managed care system these employees could obviously be used to do that.

COMM. ROSEL

(INAUDIBLE)

RUDY DE LA VINA

Yes.

JUDGE RUIZ

Rudy, go ahead, Commissioner.

COMM. SANCHEZ

Would the managed care system, that say we opt to do, again that includes, is that going to be targeted only the undocumented workers and prisoners or are we gonna do it for the whole county?

RUDY DE LA VINA

The undocumented aliens and the prisoners will be out of that loop, we're gonna have to continue to take care of those people, just like we're doing now...

COMM. SANCHEZ

That's fine...

RUDY DE LA VINA

...and, and that was one of the things that was brought out also, by Mr. Allison that the Indigent Health Care and Treatment Act is not being rescinded, part of the Indigent Health Care and Treatment Act says that we help those that don't qualify for Medicaid, so when Medicaid changes their rules, everybody just about, in other words, what 67% of our current caseload will then be, go to Medi.., will be eligible for Medicaid so they're no longer our responsibility.

COMM. SANCHEZ And for that 67% that, or for those people that qualify under Medicaid, ah, the managed care system affects those also.

RUDY DE LA VINA Everyone, everyone under Medicaid will now be under a managed care...

COMM. SANCHEZ I don't want us to duplicate, is the State gonna have a system and we're gonna have a system for the undocumented and the prisoners?

RUDY DE LA VINA Yes.

COMM. SANCHEZ Okay.

RUDY DE LA VINA The State is gonna have their Medicaid program just like we do now, and the County is gonna continue to have their Indigent Health Care program, just like we do.

COMM. SANCHEZ Well see, but are we really saving anything.

JUDGE RUIZ Well, I think, that where we would possibly save is, not to spend more, if that legislation were to be set up 10% across the State for all the counties, and our two and three percent that we use, that we do that as a cap...

RUDY DE LA VINA And let me bring in another...

JUDGE RUIZ ...for the prisoners and undocumented workers, then it works.

RUDY DE LA VINA But, there's, it's a very important point and it's something that I have in my notes and I failed to mention, the legis., the proposal also says that a county when they certify the rolls or when they ask the county to put up their money, the county can keep that amount that is necessary to continue to help those are undocumented and those that are prisoners. So, it would not, in other words, we, we would still keep the money that we need locally to help those people and then the difference is sent off to the State, for them to administer that Medicaid program.

COMM. SANCHEZ We, we determine that? I mean the amount that we need and whatever balances...

RUDY DE LA VINA Yes, ah, we, again we're in the early stages so we don't know specifically how that would work but, I'm sure that we will try to do it in such

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a way that we will protect ourselves and we've got, ah, we've got the documentation, the data, to show our percentages, how many people we have that are undocumented, some other counties may not be in that position, but we are and that's what...

COMM. SANCHEZ

We, we might have an advantage, Judge, in that a lot of the people would qualify for Medicaid and as soon as you qualify for that you, you get shuttled off to the State and we just handle this workload. In other words, we don't compile the workload.

RUDY DE LA VINA

Exactly, we'll just handle and also if the County chooses, we can administer the managed care system for all the Medicaid population of Hidalgo County, of which you're talking about thousands and thousands of people and millions and millions of dollars, okay, because right now Medicaid, the average Medicaid percentage rate to qualify is about 25 to 30%; it's gonna go to 75 and it's gonna cover men and women that have no children, single adult, it's gonna cover a whole population that was never covered before, except for the undocumented, which means most of the people in Hidalgo County are gonna qualify, 'cause there's a lot of people that are under 75%.

COMM. SANCHEZ

So, the counties will have an option to manage that segment of the population...

RUDY DE LA VINA

Or let the State do it.

COMM. SANCHEZ

Again, my question, we, if we have the option to serve that segment in addition to the undocumented and the prisoners, can we lump them together, can counties do it together?

RUDY DE LA VINA

Yes, I, I think that that's part of the pilot and a part of the design of our system, where we can work with whoever is going to be providing, who those providers are that are gonna be in our managed care system, to include our people in there, yes.

COMM. SANCHEZ

The point is, it's a system, can we put together and we're talking about primary care, we can actually or the possibility instead of us taking care of the Medicaid population, we can contract and let them take care of the undocumented and the prisoners and get out of that business, to-

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tally.

RUDY DE LA VINA

Yes, yes...

COMM. SANCHEZ

With the exception of our Health Department, preventive care.

RUDY DE LA VINA

Yes.

COMM. SANCHEZ

(INAUDIBLE)

RUDY DE LA VINA

Yes.

COMM. SANCHEZ

For the same 10%, way ahead.

RUDY DE LA VINA

Yes, it is very possible to design it that way, and see, that's part of the, why I say that a local option is important...

COMM. SANCHEZ

That means you wouldn't have a job, Rudy.

RUDY DE LA VINA

That's right, no I told the Judge about it, a month ago, a month ago, but I still think it's a good thing for the County, I really do. The, the sys., because if we're involved in the actual negotiation with the, with the managed care sys., providers, we can include that population, whereas if the State, if we allow, opt the State to do that, then the State is gonna do the, their contract which is in the best interest for them not necessarily per, that population, that's not covered.

COMM. SANCHEZ

What the Judge said earlier, if you can cap it at a certain percent, that we're gonna pay it here or there, "pay me now or pay me later", so let them do it.

RUDY DE LA VINA

Yes, it's very, very...

COMM. SANCHEZ

-----responsibility.

RUDY DE LA VINA

Again, there, the local option, is just that, an option, you don't have to take it, you can let the State do it or we can do it ourselves, that's either way, but I think that in the long run it will save money and it's going to include more people that are currently are not included, even in our County indigent program because our level of, is about 20% of poverty, so we're talking about a bunch of people out there that are not covered, that will be covered now. Now, under a

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managed care system, and you talk about primary care and getting the access into the doctors and, and preventive care and things of this nature, that in the long run, is supposed to pay-off for the State, the Fed and everybody, okay. Ah, of course, there's some opponents out there, it's my understanding that some of the hos., local hospitals may not necessarily like the package again you know, so there may be some opposition locally to this particular, ah, design, but I think in the long run, it is, it's good for Hidalgo County; but there's a lot of different things going on, on out there, like last week, I told you, or week before last, there was another bill that was introduced by MD Anderson, that would automatically allow them to charge counties a certain amount, without any documentation, regulation or whose eligible or whose not, or whose a resident, but it was caught in time and it was modified to where, now MD Anderson can contract with counties, before MD Anderson couldn't do that, but that's how they compromised on that issue.

JUDGE RUIZ

We've sent you copies of that, because the Association sent us copies of that.

RUDY DE LA VINA

Yes, so that, that was pretty well trapped and, and, and, and modified, but again there's a lot of different things going on, out there, as far as, ah, another one is, is getting back to the Health Department issue, where the counties can get credit, for monies that they, ah, pump into the Health Department, for preventive care and, and things of that nature, that the counties, there's legislation that the Department of Health is, is initiating to be able to allow the counties to credit that toward meeting their 10%, okay. So, that's also in line with what you're talking about, which also would be good...

COMM. SANCHEZ

For preventive care?

RUDY DE LA VINA

Yes, preventive care and all of that, see, see, and and that's, again that behooves us to support that legislation, that the Department of Health is trying get through.

COMM. SANCHEZ

(INAUDIBLE)

RUDY DE LA VINA

Yes.

JUDGE RUIZ

Now, Rudy, you know, how do you, how serious do

you think this is?

RUDY DE LA VINA

Very.

JUDGE RUIZ

I mean, do think it has a very good opportunity or....

RUDY DE LA VINA

Yes, no, there's no question, but there's going to be a change, what that change will be, how drastic, the change is going to be, we don't know yet, because, you know how things are, in terms of compromising and working things out, but there is definitely going to be a change in the way we've been doing indigent health care and Medicaid programs in the past. There has to be, because there's a huge shortfall in the de., a disproportionate share of hospital money that the Fed is, automatically gives hospitals, for treating indigents, that's drying up, so the big hospital districts, the big hospitals are really supporting this issue and they want to set up a managed care system, and they think they can do a real good job of it and also in the long run, we'll be able to make more money, because there's going to be more people certified, more people on the program and more money available because we're gonna use some local dollars to match the Federal dollars and that's automatically going to bring in a bunch of, more money.

JUDGE RUIZ

How does COPC feel, fit into the scheme of things, Rudy?

RUDY DE LA VINA

Well, see that's some of the things that we, we talked about and, and, and trying to get some of the local money, see, the key to the whole thing is, the State of Texas including counties and hospital districts and public hospitals and all these kinds of different entities, we're spending a lot of money in indigent, on indigent health care, but we're not getting the proper credit from the Fed, other states have systems designed to where they maximize their dollars and make sure they get it, that match from the Fed, which is about 55%, I think, of every, for every 45 cents, you know, percent that you spend. Texas doesn't do that, we only get credit for Medicaid expenditures and, and that's what they're trying to do which it'd include a lot of these other things, a lot of these other monies that are spent in those other programs, they'll be a certification process to be able to certify that this

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money is being spent for this and be able to use it to credit, to leverage more Federal funds.

JUDGE RUIZ

But, why would you have it, and my question is, if we're talking about managed care systems, why would you have COPC.

RUDY DE LA VINA

Well, you can tie that into, as part of your system, ah, in other words, obviously the community health centers, your community oriented primary care centers, your hospitals, your different providers, there's going to have to be a, ah, a network setup there and this is why I'm saying that, that I think Hidalgo County should be trying to work with a pilot setting in order to assist in designing and, ah, this, this particular managed care system for Hidalgo County. Something, that fits our needs, okay, and not necessary may work, it may necessarily work in Austin, but it may not work in Hidalgo County, so this is why we have the opportunity to be involved in that.

COMM. SANCHEZ

All, all of these entities provide basically the same care, some better equipped than others, through the coordination and cooperation that you're talking about in this COPC, in, often times to me, it sounds very close to actually duplicating the effort, okay, if you have several entities providing primary care, ah, and we have the development of COPC in addition to that, that to me sounds like duplication.

JUDGE RUIZ

Sounds like duplication.

RUDY DE LA VINA

Well, again, ah, we, there's still a lot of unanswered questions out there, in terms of what impact it would have will it in essence do away with the need to have COPC, I don't think so, because, ah, there's still people out there that, that are gonna over 75% of poverty, ah, that may need...

COMM. SANCHEZ

You have your neighborhood health centers and those people that deal with that problem...

JUDGE RUIZ

Yep.

COMM. SANCHEZ

...and by bringing in COPC you might be getting some of the private providers, you know, the, especially the PPO situation to come into the COPC, but they an also come into the neighborhood health centers, right now.

RUDY DE LA VINA Uh-hum, uh-hum, again this is something that, ah, ah, another area, and of course, that's Dr. Omar's area and, and, I think that would be something that...

JUDGE RUIZ Who is heading, on the Department of Health, who is heading this effort?

RUDY DE LA VINA I'm sorry?

JUDGE RUIZ Who is heading this effort, in terms of either Human Services or, or the Department of Health?

RUDY DE LA VINA Their, their initi.., their legislative initiatives, Jane Jagger, from, you know, Indigent Health Care, is the one that, that's working with, along with the, with the Commissioner, ahm, Dr., I can't think of his name right now, see he used to work in a, as a matter of fact, at one time he worked at Brownsville Community Health Center, the current Commissioner, at TDH, so he understands a lot of these issues of primary care and, and, and Health Department issues and trying to get credit for that, for counties to get credit and encourage them in investing in that area, for indigent health care.

JUDGE RUIZ Thank you very much, Rudy.

RUDY DE LA VINA Okay.

JUDGE RUIZ Please stay on top of this and, we will have periodic reports on this particular issue.

RUDY DE LA VINA Okay.

JUDGE RUIZ Very issue, for the County of Hidalgo. No action necessary on health care issues.

ITEM 21. REPORT ON I-69

Judge Ruiz then proceeded to give a report on the I-69 issue, as per a meeting that was held last Monday, whereby the Alliance for I-69 was forming and the South Texas group was proposing an amendment to the by-laws that would include a second leg that would create a coastal bend county. He added that presently the Alliance is proposing all the coastal and border counties together and the South Texas group is trying to stress that this area has different interest and out different region and that the Alliance that they would have would cover the area from

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Three Rivers, along U.S. Hwy. 281 south to Hidalgo and they've requested that the counties along this area, be established as one region and the Coastal Bend counties be considered another region and this amendment would be considered this evening, in Austin. He continued that in the agenda pack he had included a calendar of events that was being proposed by the Alliance, in order to get I-69 designation. Judge Ruiz stated that after tonight's meeting, this issue would be on next week's Commissioners' Court agenda, in order to appoint members to this particular committee, which will have one year of work, to impress to the Federal Government the need for I-69, to South Texas.

NO ACTION.
SEE "EXHIBIT X"

ADD. 1. AUTHORIZATION TO APPROPRIATE ONE (1) MONTH EXPENDITURES FOR
SOLID WASTE PROGRAM

J.D. Salinas came before the Court to request the appropriation of \$30,000.00 for one month of expenditures for the Solid Waste Enforcement Grant. He added that the reason for the request was that the present grant would end on February 1st and they had submitted the application the previous week, but it would take approximately 60 to 90 days to fund this grant, from the State of Texas. The need for the request was to keep the project going until the funds are received from the State and once the grant is received they will try to impress to TNRCC to try to fund the grant retroactive to February 1st, 1995, as was done in the previous year. Judge Ruiz asked Mr. Salinas if they felt that this program might be in trouble and Mr. Salinas responded the did not believe it was, but other grants might be. Mr. Salinas continued by saying that they could possibly fund this extension through estimated surplus funds of \$30,000.00, that could be used as part of the match for the grant. Steve Austin, the County Auditor, said that both the General Fund and the Drainage District fund operate on calendar year budgets, and as a result any budgeted transfers that were budgeted for match of grants for that one calendar and it would require additional action from this court to fund for either January or February of 1995. This would entail a transfer out, from Drainage District, into the General Fund, in the amount of whatever that match is. Judge Ruiz then told him that they were still addressing the Drainage District fund balance that was left from this years's grant, which would end January 31st. A discussion then ensued, where several members of the Commissioner agreed that when this grant was approved last year, the total match should have been transferred from the Drainage District to the General Fund. Judge Ruiz indicated that this error needed to be corrected and a motion was made by Commissioner Rosel and seconded by Commissioner Garces, to authorize a transfer of funds from Drainage District to the General Fund, for the purpose of one month's expenditure for the Solid Waste Program, in the amount of \$30,000.00.

MOTION CARRIED.
SEE "EXHIBIT Y"

Mr. Austin then stated that they would have to come in next week and appropriate these funds accordingly.

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

MOTION CARRIED.

DRAINAGE DISTRICT
=====

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

ITEM 1. LINE ITEM TRANSFERS - 1994 AND 1995

Vona Walker indicated that there would be no action on the 1994 line item transfer. A motion was made by Commissioner Rosel and seconded by Commissioner Garces, to approve a line item adjustment in the Drainage District, from Ditches/Structures to Other Structures and Land Acquisition, in the amount of \$36,756.00.

MOTION CARRIED.
SEE "EXHIBIT Z"

ITEM 2. RESOLUTION ACCEPTING BID FOR PROPERTY

Ms. Walker reported that no bids were received on the property.

NO ACTION.

ITEM 3. INTRODUCTION OF STEVE CRAIN, ATTORNEY REPRESENTING THE FIRM OF

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ATLAS AND HALL, L.L.P.

Judge Ruiz that this was, again, the introduction of Mr. Steve Crain, as the Legal Counsel, for the Drainage District, as well as the County of Hidalgo, the Civil Service Commission and any other entity of the County.

NO ACTION.

ITEM 4. J.D. SALINAS:

A. Authorization and approval to fund Solid Waste Enforcement Program Grant for thirty (30) days starting February 02, 1995 on the projected amount of \$30,000.00 carry over from 1994 - 1995 Grant

A motion was made by Commissioner Sanchez and seconded by Commissioner Garces, to authorize the transfer of funds from the 1995 budget, \$30,000.00, to the General Fund, to fund the Solid Waste Enforcement Program.

MOTION CARRIED.
SEE "EXHIBIT Y"

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

MOTION CARRIED.

THERE BEING NO FURTHER BUSINESS TO COME

BEFORE SAID COURT, the meetings of the Commissioners' Court and the Drainage District were hereby adjourned.

J. Edgar Ruiz
County Judge

Samuel Sanchez
County Commissioner, Precinct #1

Lalo Arcaute
County Commissioner, Precinct #2

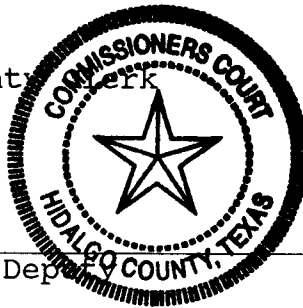
Juan Rosel
County Commissioner, Precinct #3

Guadalupe "Lupe" Garces
County Commissioner, Precinct #4

Dated this 31ST day of JANUARY, 1995.

ATTEST:

JOSE ELOY PULIDO, County Clerk
Hidalgo County, Texas



By: Jennifer Castillo, Deputy