

THE STATE OF TEXAS :

COUNTY OF HIDALGO :

BE IT REMEMBERED that on the 1ST day of AUGUST, 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. Juan J. Hinojosa  
Interim 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 Juan J. Hinojosa, Interim County Judge, called this meeting to order, whereby the following items were had to wit:

CONSENT AGENDA

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ITEM 1. APPROVAL OF MINUTES - APRIL 4, 1995

ITEM 2. APPROVAL OF BILLS - COUNTY AUDITOR

General Fund	- # 111933	- # 112094	- \$907,074.62
Special Revenue Fund	- # 112338	- # 112551	- \$707,528.04
Trust and Agency Fund	- # 4853	- # 4880	- \$900,334.00
Enterprise Fund	- # 2358	- # 2365	- \$ 5,632.05

SEE EXHIBIT A

ITEM 3. APPROVAL OF MONTHLY FEE REPORTS:

- A. SHERIFF'S DEPARTMENT - \$58,161.24 - JUNE
- B. JUSTICE OF THE PEACE:
  - 1. Rene O. Torres - \$22,883.00 - JUNE
  - 2. Charlie Espinosa - \$13,160.50 - JUNE
  - 3. Rosa E. Trevino - \$11,024.34 - JUNE
  - 4. Arnaldo Corpus - \$4,895.52 - JUNE
  - 5. Adan Caballero - \$7,050.00 - JUNE

SEE EXHIBIT B

ITEM 4. APPROVAL OF COURT REPORTER'S FEES:

- A. MARK KVAPIL - \$171.00

SEE EXHIBIT C

ITEM 5. PERMITS:

- A. NORTH ALAMO WATER SUPPLY - PCT. 1 & 2
- B. SOUTHWESTERN BELL TELEPHONE - PCT. 2 & 3
- C. SHARYLAND WATER SUPPLY - PCT. 3

SEE EXHIBIT D

ITEM 6. INTERNAL LINE ITEM TRANSFERS:

- A. LIBRARY SYSTEM
- B. HEALTH DEPARTMENT - CLINICS
- C. HEALTH DEPARTMENT - REGIONAL PROGRAMMING
- D. J.P. PCT. 5, PL. 1
- E. J.P. PCT. 2, PL. 1
- F. ELECTION DEPARTMENT
- G. COUNTY CLERK
- H. BUILDINGS & GROUNDS
- I. PCT. 4 ADMINISTRATION
- J. WIC

SEE EXHIBIT E

ITEM 7. PLANNING DEPARTMENT:

- A. SUBDIVISIONS:
  - 1. Dallas Heights Subdivision - Pct. 2

SEE EXHIBIT F

A motion was made by Commissioner Sanchez and was seconded by Commissioner Garces to approve the Consent Agenda.

MOTION CARRIED

(SEE EXHIBITS A-F)

REGULAR AGENDA

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ITEM 1. APPROVAL OF PROCLAMATION RECOGNIZING AUGUST 1, 1995 AS "NATIONAL NIGHT OUT"

Lisa Saucedo opened by stating that this was a proclamation on behalf of the Crime Prevention Board to organize National Night Out. This is an effort to prevent crime with Community Involvement. Commissioner Garces felt that this was a worthwhile cause and was behind it all the way. At this time Commissioner Garces made a motion which was seconded by Commissioner Rosel to approve the proclamation recognizing August 1 as National Night Out.

MOTION CARRIED  
(SEE EXHIBIT G)

ITEM 2. TAX ASSESSOR/COLLECTOR:  
A. APPROVAL OF TAX REFUND:  
1. Lilly A. Gonzalez

A motion was made by Commissioner Rosel and was seconded by Commissioner Garces to approve a tax refund to Ms. Lilly A. Gonzalez.

MOTION CARRIED  
(SEE EXHIBIT H)

ITEM 3. ADULT PROBATION DEPARTMENT:  
A. RE-CLASSIFY POSITIONS AND SET SALARIES FOR BOOT CAMP

Joe Lopez opened by stating that in the previous meeting, a transfer was made on the boot camp budget to the tune of \$38,554. He stated that, included in that budget were some reclassifications for the Boot Camp. He mentioned that he currently has a Drill Captain position which has a salary of \$26,250. He would like to change that position from Captain to Lieutenant at a salary of \$24,000. Consequently, instead of one Captain and one Lieutenant, he wants to have two Lieutenants in order to provide better services. He wants slot 12 to be converted to a Lieutenant and also slot 17 converted to a Lieutenant and set salaries at \$24,000. The third position, he would like to change is that of a Night Monitor. He wants to change that from \$13,650 to \$8,700 and take that reduction and also the reduction from the Captain position & both Lieutenant Positions could be set at \$24,000. At this time the night monitor position is vacant and so is a receptionist position. At this time he is in need of a nurse at the Boot Camp and he plans to delete that current night monitor position and add those monies to the receptionist position and create a nurse/receptionist position. Commissioner Sanchez expressed his concerns regarding the amount left for the night monitor position which is not even minimum wage. Mr. Lopez stated that he did not take that into account because he has no intentions on filling that position. That position will be deleted September 1st. Mr. Lopez also mentioned that the responsibilities of the captain were too much for one person and that is why he wants to create the two lieutenant positions. Commissioner Arcaute and Steve Crain both had problems with the fact that they thought that one person's

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salary was being reduced but Mr. Lopez responded by stating that there is no Drill Captain at this time and before it is filled, he is creating the lieutenant positions. After the confusion of Drill Captain being deleted and filled with the Lieutenant position and the pay coming down from the captain position of \$26,250 and the lieutenant position moving up to \$24,000 and whether or not the captain position was vacant at the time of this action, a motion was made by Commissioner Rosel and was seconded by Commissioner Garces to approve the request in the reclassification with the elimination of slot 22, the night monitor.

MOTION CARRIED  
(SEE EXHIBIT I)

ITEM 4. JUVENILE CENTER - NICK MOLINA:

A. SUBMISSION OF THE 5TH AND FINAL YEAR OF THE ACTION CONTRACT FOR PROVISION OF 11 VISTA VOLUNTEERS & SIGNING OF PROPOSAL

Mr. Molina opened by stating that there was no money needed from the County. The only money needed here was for travel and was already in the budget for the Juvenile Center. This was mostly for signature purposes. A motion was made by Commissioner Sanchez and was seconded by Commissioner Garces to approve the fifth and final year of the action contract.

MOTION CARRIED  
(SEE EXHIBIT J)

ITEM 5. CHILD PROTECTIVE SERVICES:

A. DECALRE EQUIPMENT SURPLUS - VARIOUS EQUIPMENT

A motion was made by Commissioner Rosel and was seconded by Commissioner Garces to declare equipment surplus and authorize the Purchasing Agent to dispose of said equipment.

MOTION CARRIED  
(SEE EXHIBIT K)

ITEM 6. APPROVAL OF SECOND EXTENSION TO AMBULANCE CONTRACT FOR PCT. 3

Mrs. Etnire stated that this was already approved by Commissioner's Court as far as money and all that was needed at this time was authorization to sign the contract. A motion was made by Commissioner Sanchez and seconded by Commissioner Rosel for approval of the second extension to the ambulance contract for Pct. 3.

MOTION CARRIED  
(SEE EXHIBIT L)

ITEM 7. CONSIDERATION AND APPROVAL TO PAY COMPENSATORY TIME - DISTRICT CLERK

Eudalia Aguirre stated that this was for 10 employees that worked overtime on liquidations. She also stated that this money was in their budget. Commissioner Arcaute made comments in regards to the Personnel Policy stating that the County was not to pay overtime. It was to be paid with time off. Ms. Aguirre responded by stating that the District Clerk's Office was entirely to busy to allow all these people to take

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time off. Steve Austin stated that if a department cannot allow for employees to take time off due to the amount of work, then a form could be used to compensate the employees in dollars and cents and Commissioners Sanchez and Arcaute felt that comp. time was paid with time off according to the Personnel Policies unless it was upon resignation or termination. After further comments by the Commission, it was brought to light the fact this had been approved in the past and that \$6,600 were moved to the overtime line item for this purpose; after which, a motion was made by Commissioner Garces and seconded by Commissioner Rosel to approve the payment of overtime as presented to the employees.

MOTION CARRIED  
(SEE EXHIBIT M)

ITEM 8. APPROVAL OF BUDGET AMENDMENT FOR DEFICIT BILLING FOR UNEMPLOYMENT COMPENSATION YEAR 1994

Steve Austin stated that there would have to be various budget amendments in the various funds in the amount of \$42,120.65, line item transfers from various departments would be in the amount of \$3,472.60 and then another \$17,386.82 would have to be charged to various grants to total \$62,980.07. This will be to cover the deficit for unemployment compensation. After further comments, a motion was made by Commissioner Sanchez and was seconded by Commissioner Rosel to approve the budget amendment for the deficit that exists in our unemployment compensation for the year 1994 including the line item transfers.

MOTION CARRIED  
(SEE EXHIBIT N)

ITEM 9. DICK DICKINSON, ADMINISTRATIVE ASSISTANT:  
A. REQUEST FOR ADVANCE LOAN TO START THE SOLID WASTE ENFORCEMENT GRANT

Dick Dickinson opened by stating that there may be a delay before funding from the State is received due to some set backs that have occurred in the past. As of now, we have five months left in which to use the grant, for which there has not yet been any money received. At this time, he is asking for an advance of some money to commence operating the grant until the money is granted by the State. He is requesting the amount of the match which is \$50,000, \$12,168 of which have already been appropriated by the Court. If that is not feasible, then he is requesting \$25,000. After some comments and clarification as to how much has already been appropriated and how much has already been used, a motion was made by Commissioner Arcaute and seconded by Commissioner Garces to advance \$25,000 for the Solid Waste Enforcement Program Grant. That will be a loan that will be repaid once the \$50,000 grant from the State is received.

MOTION CARRIED  
(SEE EXHIBIT O)

ITEM 10. AMENDMENT TO PURCHASING POLICY

NO ACTION  
(SEE EXHIBIT P)

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ITEM 11. APPROVAL OF CONTRACTS FOR SERVICE AGREEMENT WITH PALMER DRUG ABUSE, UT-PAN AMERICAN & LOWER RIO GRANDE DEVELOPMENT COUNCIL

Mrs. Etnire stated that all of these entities had been approved by Commissioner's Court June 6, 1995. Palmer Drug Abuse was for \$45,000, UT Pan American was for \$10,000 and LRGVDC was for \$3,000. She stated that she was asking the approval for the contracts and the Judge to sign the contracts. A motion was made by Commissioner Sanchez and was seconded by Commissioner Garces that the contracts for service agreement in the amounts indicated with Palmer Drug Abuse, UT Pan American and LRGVDC hereby be approved and the Judge authorized to sign off on them.

MOTION CARRIED  
(SEE EXHIBIT Q)

ITEM 12. APPROVAL OF COUNTY ROAD & BRIDGE FEE - TEXAS DEPARTMENT OF TRANSPORTATION

Mrs. Etnire stated that this is something that has to be done every year and it has to be before the Department of Transportation in Austin before September 1st. She stated that they are now charging a Road & Bridge Fee of \$10.00 and to her understanding, this is the maximum that can be charged. After some brief comments, a motion was made by Commissioner Rosel and was seconded by Commissioner Garces for the approval of the County Road and Bridge Fee not to exceed \$10 as set out in the June 28, 1995 letter from the Texas Department of Transportation.

MOTION CARRIED  
(SEE EXHIBIT R)

ITEM 13. APPROVAL OF COUNTY MAINTAINED ROAD MILEAGE CERTIFICATION

Vona Walker opened by stating that this Certification is required each year by the Texas Highway Department. It is used to compute the County's disbursement of monies from the State Lateral Road and Bridge Fund. After a few more comments, a motion was made by Commissioner Sanchez and was seconded by Commissioner Arcaute to approve the County maintained Road Mileage Certification.

MOTION CARRIED  
(SEE EXHIBIT S)

ITEM 14. PCT. 4:

- A. APPROVAL OF INTERLOCAL AGREEMENT BETWEEN CITY OF EDINBURG, HIDALGO COUNTY & E.C.I.S.D. - CREATING A 4-WAY STOP SIGN AT THE INTERSECTION OF DOOLITTLE RD. & 17 1/2 RD.

Commissioner Garces stated that this was an agreement for a 4-way stopsign at this intersection due to the fact that there were two new schools that were about to open up and they wanted to provide a little more traffic control for this area. A motion was made by Commissioner Garces and was seconded by Commissioner Sanchez to approve the interlocal agreement between the City of Edinburg and the Edinburg School District creating a 4-way stop sign at the intersection of Doolittle Rd. and 17 1/2 mile Rd.

MOTION CARRIED  
(SEE EXHIBIT T)

ITEM 15. PCT. #1:

A. CONSIDERATION AND APPROVAL TO PAY COMPENSATORY TIME

Commissioner Sanchez opened by stating that this was compensatory time was due to this individual due to the fact that he is no longer with the County. He also stated that most of this time was accumulated before Commissioner Sanchez' administration. He also stated that he had discussed this with Mr. Crain and he recommended that Commissioner Sanchez go ahead and pay it. At this time Commissioner Sanchez made a motion and was seconded by Commissioner Rosel to approve the comp. time to Mr. Juan P. Garcia for a total fo 1097.5 hrs. The total amount in dollars and cents is \$8,066.63.

MOTION CARRIED  
(SEE EXHIBIT U)

ITEM 16. PLANNING DEPARTMENT:

A. FINAL PLAT APPROVAL:

1. Cave Subdivision - Pct. 4

B. PRELIMINARY PLAT APPROVAL:

1. El Barquito Subdivision - Pct. 3

2. International Village Subdivision - Pct. 3

3. Vista Del Sol Phase III - Pct. 4

16A1

A motion was made by Commissioner Garces and was seconded Commissioner Rosel to give final plat approval for Cave Subdivision.

MOTION CARRIED  
(SEE EXHIBIT V)

16B1

Mr. Garcia recommeded preliminary approval subject to the street signs and traffic control devices being installed and also the paving of the street in accordance with County regulations. A motion was made by Commissioner Rosel and was seconded by Commissioner Sanchez to give preliminary plat approval to El Barquito Subdivision.

MOTION CARRIED  
(SEE EXHIBIT V)

16B2

A motion was made by Commissioner Rosel and was seconded by Commissioner Sanchez to give preliminary plat approval to International Village Subdivision as presented.

MOTION CARRIED  
(SEE EXHIBIT V)

16B3

Mr. Garcia stated that the Court had previously taken no action on this subdivision becuase of the concerns on behalf of Commissioner Garces. He went on to say that since that time, the developer has made the adjustments. A motion was made by Commissioner Garces and was

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seconded by Commissioner Rosel to give preliminary plat approval for Vista Del Sol Phase III.

MOTION CARRIED  
(SEE EXHIBIT V)

ITEM 17. OFFICE OF EMPLOYMENT AND TRAINING:

- A. CONSIDER AND APPROVE PY 95 TITLE IIA ALLOCATION
- B. CONSIDER AND APPROVE PY 95 TITLE IIC ALLOCATION
- C. CONSIDER AND APPROVE PY 95 TITLE III ALLOCATION

17A

Paul Vazaldua opened by stating that there was a difference in the budget allocation of 5.5% less and they are seeking approval for this budget. Mr. Vazaldua stated that there were some left over funds in the amount of \$300,000. They had several ideas as to how to expend those funds but were not sure at this time. They plan to take all ideas into consideration. Commissioner Sanchez questioned why there was \$300,000 in reserve and why the Board wants to do away with carry overs with limited work experience. Mr. Vazaldua replied that it was because they felt that the program was not functioning as well as it could be. As of right now, this is one of the ideas as to how to expend the reserve funds and will be taken into consideration as to how to make the particular program work better. After some discussion and comments from the Commission, a motion was made by Commissioner Sanchez and was seconded by Commissioner Garces to approve PY 95 Title II A allocation.

MOTION CARRIED  
(SEE EXHIBIT W)

17B

Mr. Vazaldua stated that the Board was requesting that this item be tabled due the budget cuts leaving this program with only \$552,000. They now have to go back and ask for a transfer from the title IIB program in the amount of \$906,000 into the IIC program.

NO ACTION  
(SEE EXHIBIT W)

17C

Mr. Vazaldua opened by stating that this program had a distribution of 1.6 million dollars. He also stated that title III was the only program that did not receive any budget cuts. OET is going to be working with the State Office on the EDWAA program in terms of a rapid response in regard to layoffs and reduction in forces that might occur. At this time a motion was made by Commissioner Garces and was seconded by Commissioner Rosel to approve the PY 95 title III allocation.

MOTION CARRIED  
(SEE EXHIBIT W)

There being no further business to come before this Commissioner's Court, a motion was made by Commissioner Garces and was seconded by Commissioner Rosel for adjournment.

MOTION CARRIED

DRAINAGE DISTRICT  
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The Honorable Juan Hinojosa, Interim County Judge, called the Drainage District Board meeting to order, where upon the following items were had to wit:

Before moving on to item 1, Vona Walker stated that item 4 had already been taken care of and no action was needed.

ITEM 1. AUTHORIZATION TO EXECUTE LETTER IN CONNECTION WITH S & J PETROLEUM CORPORATIONS PLANS TO DRILL WELL ADJACENT TO OUR NORTH MAIN DRAIN DITCH

Vona Walker opened by stating that this was needed in order for this company to get a permit from the City of Edinburg to conduct this drilling. She stated that the right of way would not be used at all. A motion was made by Commissioner Garces and was seconded by Commissioner Sanchez to authorize the execution of a letter in connection with Esanjay Petroleum Corporation plans.

MOTION CARRIED  
(SEE EXHIBIT X)

ITEM 2. CONSIDERATION AND APPROVAL OF M & O INTERIM MANAGER

Commissioner Garces made a motion which was seconded by Commissioner Rosel to appoint Vona Walker as Interim Manager for the maintenance and operation of Drainage District No. 1.

MOTION CARRIED  
(SEE EXHIBIT X)

ITEM 3. CONSIDERATION & APPROVAL OF APPOINTMENT OF OVERSEER

NO ACTION

ITEM 4. APPROVAL OF BILLS

NO ACTION

There being no further business to come before this Drainage District Board, a motion was made by Commissioner Sanchez and was seconded by Commissioner Garces for adjournment.

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.

Juan J. Hinojosa  
Interim 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 1ST day of AUGUST, 1995.

ATTEST:

JOSE ELOY PULIDO, County Clerk  
Hidalgo County, Texas



By: Aaron Betancourt  
AARON BETANCOURT, Deputy