



021A PAGE 302

# RICHARD H. GARCIA

## HIDALGO COUNTY JUDGE

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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, SEPTEMBER 19, 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

1. Permit - City of Edinburg

Dated this the 13th day of September, 1995

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**P.O. Box 1356  
Edinburg, TX 78540  
(210) 318-2600**



# RICHARD H. GARCIA

## HIDALGO COUNTY JUDGE

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- ✓ 1. Discussion and possible action on appointment of Judge to the County Court at Law #3 *No action*
- ✓ 2. Discussion of COPC - Interfaith
- ✓ 3. Sheriff's Department:
  - ✓ A. Declare Equipment Surplus:
    1. Various equipment
  - ✓ B. Approval of Sheriff and Constable Fee Schedule
  - ✓ C. Authorization and approval of a \$ 15.00 Firing Range Usage Fee
  - ✓ D. Authorization for submittal of the Selective Traffic Enforcement Program (STEP)/Speed Grant and matching funds in the amount of \$ 10,784.37
- ✓ 4. Approval of Hazard Communication Act Policy
- ✓ 5. Approval to amend and appropriate from Grand Jury Fund Balance Reserve Account \$ 4,500.00
- ✓ 6. Discussion of design of Jail Facility
7. Health Department:
  - ✓ A. Approval of budget amendment in the amount of \$ 200,000.00 - *no action*  
Community Oriented Primary Care (Edinburg Clinic Site)
  - ✓ B. Approval of budget amendment in the amount of \$ 3,200.00 - *Approved*  
Sanitation Department
  - ✓ C. Appropriation of budget and budget amendment - Bureau of Women and Children
- ✓ 8. Indigent Health Care:
  - ✓ A. Approval of budget amendment and appropriate 238,301.00 with no additional local funds required
  - B. Approval of loan transfer to access state funds
- ✓ 9. Pct. #2:
  - A. Declare equipment surplus for salvage:
    1. One (1) Riding Mower Tractor

Regular Agenda  
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September 19, 1995

- ✓ 10. Pct. #3:
  - ✓ A. Authorization for the County Judge to execute with First National Bank of Edinburg to finance purchase of equipment
  - ✓ B. Appropriation of loan proceeds
- ✓ 11. Pct. #4:
  - ✓ A. Approval to change vacant position # 3521.25 (R/B) from it's current "Tractor Operator" classification to that of a "Maintenance" position, with the salary to remain the same
- ✓ 12. Planning Department:
  - ✓ A. Subdivisions:
    - ✓ 1. Hideaway Mobile park Subdivision - Pct. #1
    - ✓ 2. Resubdivision of Plat of Lot 2, Chapin Acres - Pct. #4
  - ✓ B. final Plat Approval:
    - ✓ 1. Glasscock Terrace - Pct. #3
    - ✓ 2. Tamarron Estates - Pct. #4
  - ✓ C. Approval to set salary of temporary/full time clerk
- ✓ 13. Urban County:
  - ✓ A. Pct. #3 - Street Improvements Yr. 8 Professional Engineering Service Contract
  - ✓ B. Colonia Construction Fund Program - Project # 714105
- ✓ 14. Executive Session:

Commissioners' Court may go into Executive Session pursuant to Chapter 551, Texas Government Code, Section 551.071 to discuss the following matter:

- A. Discussion and possible action on Hidalgo County vs. Ralph Nussbaum

15. Open Session:

- A. Discussion and possible action on Hidalgo County vs. Ralph Nussbaum

Dated this the 13th day of September, 1995



# RICHARD H. GARCIA

## HIDALGO COUNTY JUDGE

All present  
Judge Garcia presiding

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1. Approval of minutes - May 23, 1995
2. Approval of Attorneys Fees in the amount of \$ 12,710.00
3. Approval of Monthly Fee Reports:
  - A. Constables:
    1. Gilberto Alaniz - \$ 130.00 - June (Supplemental)  
- \$ 0.00 - July  
- \$ 50.00 - August
    - Horacio Aguirre - \$ 0.00 - July  
- \$ 135.00 - August
    - Luis Zamora - \$ 525.00 - July  
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    - Rumaldo Cerda - \$ 660.00 - July  
- \$ 405.00 - August
    - Eduardo Bazan - \$ 0.00 - July  
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  - B. Justice of the Peace:
    1. Ruben Ramos - \$ 8,622.64 - August
    2. Charlie Expinoza - \$ 15,138.00 - August
    3. Esperidion Jackson - \$ 4,121.00 - August
    4. Jesus E. Morales - \$ 5,315.00 - August
    5. Ismael Ochoa - \$ 11,362.35 - August
  - C. District Clerk - \$ 363,609.94 - August

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P.O. Box 1356  
Edinburg, TX 78540  
(210) 318-2600

Consent Agenda

Page 02

September 19, 1995

4. Planning Department:
  - A. Palm Aire Subdivision - Pct. #1
  - B. Lots 1A & 1B Nolana Square - Pct. #2
  - C. Resubdivision of Block 2, Dove Pointe Unit 1 - Pct. #2
  - D. Covenant Christian Academy Subdivision - Pct. #3
  - E. J.A.R. Rodriguez Estates Subdivision - Pct. #3
  - F. Speedy Stop Subdivision - Pct. #3
  - G. Gardenia Terrace No.23 - Pct. #4
  - H. Hearthstone Subdivision - Pct. #4 *No Action*
  - I. Las Violetas Phase I - Pct. #4
  - J. Palacio Real Subdivision Phase I - Pct. #4
  
5. Internal line item transfers:
  - A. Computer Department
  - B. Reproduction
  - C. Landfill
  - D. Solid Waste
  - E. J.P. Pct.3, Pl.2
  - F. District Attorney - Gen.Fund
  - G. District Attorney - Hot checks
  - H. J.P. Pct. 2, Pl.1
  - I. County Court #3
  - J. Constable Pct. #2
  - K. Adult Probation Community Corrections
  - L. Adult Probation CJAD
  - M. Adult Probation Education/Employment
  - N. Adult Probation Restitution Center
  - O. Health Department - Administration
  - P. Health Department - Mobile Clinic
  - Q. Health Department - Health Clinic
  - R. WIC
  - S. J.P. Pct. 1, Pl.2
  - T. Road & Bridge - Administration
  - U. Pct. #4 - Administration
  
6. Permits:
  - A. North Alamo Water Supply - Pct. #2
  - B. Southwestern Bell Telephone - Pct. #3 & #4
  - C. Valley Telephone Cooperative - Pct. #4

*Acc / Crak*

Dated this the 06th day of September, 1995



**RICHARD H. GARCIA**  
**HIDALGO COUNTY JUDGE**

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1. Discussion and possible action on appointment of Judge to the County Court at Law #3 *No Action*
2. Discussion of COPC - Interfaith
3. *A* Sheriff's Department:
  - A. Declare Equipment Surplus:
    1. Various equipment *Gar/Ros*
  - B. Approval of Sheriff and Constable Fee Schedule *Gar/Ros to table*
  - C. Authorization and approval of a \$ 15.00 Firing Range Usage Fee *Gar/Ros (Per Person)*
  - D. Authorization for submittal of the Selective Traffic Enforcement Program (STEP)/Speed Grant and matching funds in the amount of \$ 10,784.37 *Gar/ARC*
4. *b* Approval of Hazard Communication Act Policy *ARC/Gar*
5. *c* Approval to amend and appropriate from Grand Jury Fund Balance Reserve Account \$ 4,500.00 *ARC/Gar*
6. Discussion of design of Jail Facility
7. *d* Health Department:
  - A. Approval of budget amendment in the amount of \$ 200,000.00 - Community Oriented Primary Care (Edinburg Clinic Site) *No Action*
  - B.* Approval of budget amendment in the amount of \$ 3,200.00 - Sanitation Department *San/Gar*
  - e.* Appropriation of budget and budget amendment - Bureau of Women and Children *ARC/Gar*
8. *4* Indigent Health Care:
  - A. { Approval of budget amendment and appropriate 238,301.00 with no additional local funds required *ARC/Ros*
  - B. { Approval of loan transfer to access state funds
9. Pct. #2:
  - A. Declare equipment surplus for salvage:
    1. One (1) Riding Mower Tractor  
*ARC/San*

10. Pct. #3:6  
A. Authorization for the County Judge to execute with First National Bank of Edinburg to finance purchase of equipment Ros/ARC  
B. Appropriation of loan proceeds Ros/ARC
11. Pct. #4:4  
A. Approval to change vacant position # 3521.25 (R/B) from it's current "Tractor Operator" classification to that of a "Maintenance" position, with the salary to remain the same Gar/Ros
12. Planning Department: I  
A. Subdivisions:  
1. Hideaway Mobile park Subdivision - Pct. 4 #1 Ros/San  
2. Resubdivision of Plat of Lot 2, Chapin Acres - Pct. #4 Ros/ARC  
B. final Plat Approval:  
1. Glasscock Terrace - Pct. #3 Ros/ARC  
2. Tamarron Estates - Pct. #4 Ros/ARC  
C. Approval to set salary of temporary/full time clerk Ros/Gar  
4.25 ph
13. Urban County:  
A. Pct. #3 - Street Improvements Yr. 8 Professional Engineering Service Contract Ros/Gar  
B. Colonia Construction Fund Program - Project # 714105 Gar/Ros  
No exhibit to Advertise
14. Executive Session:  
  
Commissioners' Court may go into Executive Session pursuant to Chapter 551, Texas Government Code, Section 551.071 to discuss the following matter:  
  
11:55A. Discussion and possible action on Hidalgo County vs. Ralph Nussbaum
15. Open Session:  
  
12:10A. Discussion and possible action on Hidalgo County vs. Ralph Nussbaum Gar/ARC to represent County

Gar/ARC

Dated this the 13th day of September, 1995



**RICHARD H. GARCIA**  
**HIDALGO COUNTY JUDGE**

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**DRAINAGE DISTRICT #1**

1. Permit - City of Edinburg *GAR / Arc*

*Arc / GAR*

Dated this the 13th day of September, 1995

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P.O. Box 1356  
Edinburg, TX 78540  
(210) 318-2600



# RICHARD H. GARCIA

## HIDALGO COUNTY JUDGE

170.000

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1. Approval of minutes - May 23, 1995
2. Approval of Attorneys Fees in the amount of \$ 12,710.00
3. Approval of Monthly Fee Reports:
  - A. Constables:
    1. Gilberto Alaniz - \$ 130.00 - June (Supplemental)  
- \$ 0.00 - July  
- \$ 50.00 - August
    - Horacio Aguirre - \$ 0.00 - July  
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- \$ 405.00 - August
    - Eduardo Bazan - \$ 0.00 - July  
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  - B. Justice of the Peace:
    1. Ruben Ramos - \$ 8,622.64 - August
    2. Charlie Expinoza - \$ 15,138.00 - August
    3. Esperidion Jackson - \$ 4,121.00 - August
    4. Jesus E. Morales - \$ 5,315.00 - August
    5. Ismael Ochoa - \$ 11,352.35 - August
  - C. District Clerk - \$ 363,609.94 - August

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**HIDALGO COUNTY JUDGE**

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  - A. Approval of budget amendment and appropriate 238,301.00 with no additional local funds required
  - B. Approval of loan transfer to access state funds
9. Pct. #2:
  - A. Declare equipment surplus for salvage:
    1. One (1) Riding Mower Tractor

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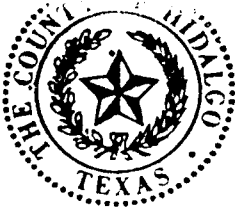
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  - A. Authorization for the County Judge to execute with First National Bank of Edinburg to finance purchase of equipment
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Dated this the 13th day of September, 1995

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P.O. Box 1356  
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**RICHARD H. GARCIA**  
**HIDALGO COUNTY JUDGE**

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VOL 0214 PAGE 139

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Consent Agenda  
Page 02  
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Dated this the 06th day of September, 1995



**RICHARD H. GARCIA**  
**HIDALGO COUNTY JUDGE**

VOL 0214 PAGE 141

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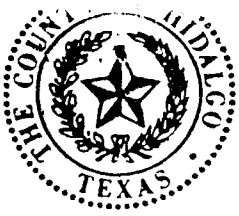
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**RICHARD H. GARCIA**  
**HIDALGO COUNTY JUDGE**

**VOL 0214 PAGE 143**

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DRAINAGE DISTRICT #1

1. Permit - City of Edinburg

Dated this the 13th day of September, 1995

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*P.O. Box 1356  
Edinburg, TX 78540  
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**RICHARD H. GARCIA**  
**HIDALGO COUNTY JUDGE**

VOL 0214 PAGE 159

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**P.O. Box 1356**  
**Edinburg, TX 78540**  
**(210) 318-2600**

Consent Agenda

Page 02

September 19, 1995

4. Planning Department:
  - A. Palm Aire Subdivision - Pct. #1
  - B. Lots 1A & 1B Nolana Square - Pct. #2
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  - F. Speedy Stop Subdivision - Pct. #3
  - G. Gardenia Terrace No.23 - Pct. #4
  - H. Hearthstone Subdivision - Pct. #4
  - I. Las Violetas Phase I - Pct. #4
  - J. Palacio Real Subdivision Phase I - Pct. #4
  
5. Internal line item transfers:
  - A. Computer Department
  - B. Reproduction
  - C. Landfill
  - D. Solid Waste
  - E. J.P. Pct.3, P1.2
  - F. District Attorney - Gen.Fund
  - G. District Attorney - Hot checks
  - H. J.P. Pct. 2, P1.1
  - I. County Court #3
  - J. Constable Pct. #2
  - K. Adult Probation Community Corrections
  - L. Adult Probation CJAD
  - M. Adult Probation Education/Employment
  - N. Adult Probation Restitution Center
  - O. Health Department - Administration
  - P. Health Department - Mobile Clinic
  - Q. Health Department - Health Clinic
  - R. WIC
  - S. J.P. Pct. 1, P1.2
  - T. Road & Bridge - Administration
  - U. Pct. #4 - Administration
  
6. Permits:
  - A. North Alamo Water Supply - Pct. #2
  - B. Southwestern Bell Telephone - Pct. #3 & #4
  - C. Valley Telephone Cooperative - Pct. #4

Dated this the 06th day of September, 1995



**RICHARD H. GARCIA**  
**HIDALGO COUNTY JUDGE**

*Judge*  
VOL 0214 PAGE 161

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, SEPTEMBER 19, 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:

NOTICE TO THE PUBLIC  
CONSENT AGENDA

The following items are of a routine or administrative nature. The Commissioners' Court has been furnished with background and support on each item, and/or it has been discussed at a previous meeting. All separately unless requested by a Commissioner, in which event the item or items will immediately be withdrawn for individual consideration in its normal sequence after the items not requiring separate discussion have been acted upon. The remaining items will be adopted by one vote.

ADDENDUM

1. Approval of Bills - County Auditor

Dated this the 18th day of September, 1995.

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**P.O. Box 1356**  
**Edinburg, TX 78540**  
**(210) 318-2600**

THE STATE OF TEXAS :

COUNTY OF HIDALGO :

BE IT REMEMBERED that on the 19TH day of SEPTEMBER, 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. Richard H. Garcia  
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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SEPTEMBER 19, 1995

The Honorable Richard H. Garcia, Interim County Judge, called this meeting to order, whereupon the following items were had to wit:

CONSENT AGENDA

=====

ITEM 1. APPROVAL OF MINUTES - MAY 23, 1995

ITEM 2. APPROVAL OF ATTORNEY'S FEES IN THE AMOUNT OF \$12,710.00  
(SEE EXHIBIT A)

ITEM 3. APPROVAL OF MONTHLY FEE REPORTS:

A. CONSTABLES:

1. GILBERTO ALANIZ	- \$130.00 - JUNE (SUPPLEMENTAL)
	- \$ 0.00 - JULY
	- \$ 50.00 - AUGUST
HORACIO AGUIRRE	- \$ 0.00 - JULY
	- \$135.00 - AUGUST
LUIS ZAMORA	- \$525.00 - JULY
	- \$455.00 - AUGUST
RUMALDO CERDA	- \$660.00 - JULY
	- \$405.00 - AUGUST
EDUARDO BAZAN	- \$ 0.00 - JULY
	- \$ 0.00 - AUGUST

B. JUSTICE OF THE PEACE:

1. RUBEN RAMOS	- \$ 8,622.00 - AUGUST
2. CHARLIE ESPINOZA	- \$ 15,138.00 - AUGUST
3. ESPERIDION JACKSON	- \$ 4,121.00 - AUGUST
4. JESUS E. MORALES	- \$ 5,315.00 - AUGUST
5. ISMAEL OCHOA	- \$ 11,362.35 - AUGUST

C. DISTRICT CLERK: - \$363,609.94 - AUGUST

(SEE EXHIBIT B)

ITEM 4. PLANNING DEPARTMENT:

A. PALM AIRE SUBDIVISION - PCT. 1
B. LOTS 1A & 1B NOLANA SQUARE - PCT. 2
C. RESUBDIVISION OF BLOCK 2, DOVE POINTE UNIT 1 - PCT. 2
D. CONVENANT CHRISTIAN ACADEMY SUBDIVISION - PCT. 3
E. J.A.R. RODRIGUEZ ESTATES SUBDIVISION - PCT. 3
F. SPEEDY STOP SUBDIVISION - PCT. 3
G. GARDENIA TERRACE NO. 23 - PCT. 4
H. HEARTHSTONE SUBDIVISION - PCT. 4
I. LAS VIOLETAS PHASE I - PCT. 4
J. PALACIO REAL SUBDIVISION PHASE I - PCT. 4

(SEE EXHIBIT C)

- ITEM 5. INTERNAL LINE ITEM TRANSFERS:
  - A. COMPUTER DEPARTMENT
  - B. REPRODUCTION
  - C. LANDFILL
  - D. SOLID WASTE
  - E. J.P. PCT. 3, PL. 2
  - F. DISTRICT ATTORNEY - GENERAL FUND
  - G. DISTRICT ATTORNEY - HOT CHECKS
  - H. J.P. PCT. 2, PL. 1
  - I. COUNTY COURT #3
  - J. CONSTABLE PCT. 2
  - K. ADULT PROBATION COMMUNITY CORRECTIONS
  - L. ADULT PROBATION CJAD
  - M. ADULT PROBATION EDUCATION/EMPLOYMENT
  - N. ADULT PROBATION RESTITUTION CENTER
  - O. HEALTH DEPARTMENT - ADMINISTRATION
  - P. HEALTH DEPARTMENT - MOBILE CLINIC
  - Q. HEALTH DEPARTMENT - HEALTH CLINIC
  - R. WIC
  - S. J.P. PCT. 1, PL. 2
  - T. ROAD & BRIDGE - ADMINISTRATION
  - U. PCT. 4 - ADMINISTRATION

(SEE EXHIBIT D)

- ITEM 6. PERMITS:
  - A. NORTH ALAMO WATER SUPPLY - PCT. #2
  - B. SOUTHWESTERN BELL TELEPHONE - PCT. #3 & #4
  - C. VALLEY TELEPHONE COOPERATIVE - PCT. #4

(SEE EXHIBIT E)

ADD. 1.	APPROVAL OF BILLS	- COUNTY AUDITOR	
	GENERAL FUND	- #113153 - #113330	- \$211,178.62
	SPECIAL REVENUE FUND	- #113529 - #113718	- \$368,646.16
	TRUST AND AGENCY FUND	- # 4958 - # 4981	- \$ 96,754.34
	ENTERPRISE FUND	- # 2396 - # 2404	- \$ 6,400.81

(SEE EXHIBIT F)

Judge Garcia opened by stating that there was an addendum to the Consent Agenda which was the approval of bills by the County Auditor and also Emilio Garcia, Chief Planner, had requested no action on item 4H-Hearthstone Subdivision. A motion was then made by Commissioner Arcaute and was seconded by Commissioner Garces to approve the Consent Agenda as submitted.

MOTION CARRIED  
(SEE EXHIBITS A-F)

REGULAR AGENDA

=====

ITEM 1. DISCUSSION AND POSSIBLE ACTION ON APPOINTMENT OF JUDGE TO THE COUNTY COURT AT LAW #3

Commissioner Arcaute requested that this item be postponed until November to review the budget due to other commitments by the County upcoming in the near future. Commissioner Rosel agreed with Commissioner Arcaute and he felt that it might be possible to not fund this Court and he would like to look at other alternatives such as possibly being able to have two or three courts to handle the case loads. Commissioner Sanchez then voiced his opinion and stated that he did not feel that it should be delayed until November. He felt that they should consult with the Sheriff to better understand the possibility of not funding this Court. He also stated that there were many unresolved cases and it was still costing the County one way or the other due to the fact that County Court at Law #3 has not been operable for 30 days. Judge Garcia did feel that there was a need for this Court but he is willing to delay this item. There will be no set date as to when this item will be placed on the Agenda. A discussion ensued concerning how to go about procuring more funds to help alleviate the situation concerning the budget and monies for the new Jail Facility that is to be build in the near future. It was mentioned that they could possibly look at charging the cities more for housing the inmates to help offset the cost to the County. Mr. Escalon addressed that court and stated that since the time that the Court has been inoperable, they have had a drastic increase in the number of inmates. He also stated that if they did have to send some of these inmates to other facilities, they would roughly be looking at an expenditure of approximately \$600 per day to have 20 inmates housed at other facilities. Judge Delgado also addressed the Court and stated that he is against the abolishment of this court. There was further comments; after which, Judge Garcia stated that there be no action on this item at this time.

NO ACTION  
(NO EXHIBIT)

ITEM 2. DISCUSSION OF COPC - INTERFAITH

Father Bart addressed the Court and stated that in the history of Valley Interfaith, they have always been interested in needs of the

community. They have also been very involved in the health care issues because of the families that may not be able to afford health care otherwise. Rosa Gutierrez addressed the Court in Spanish. (Translated) She stated that she was representing the city of McAllen and Valley Interfaith. She stated that in her case, she doesn't qualify for the programs that are available and when her or her family is stricken with illness, they have to travel to Reynosa due to care being too expensive in the area. There are some illnesses that some Doctors cannot treat, therefore they must resort to the emergency room. For them to get treated at the emergency room, they have to pay to get treated. Her feeling towards the issue of the COPC is, why travel to Reynosa if they can have a clinic in the immediate area. She cited an incident in which her daughter became ill and she attempted to travel to Mexico, but when she arrived, the line of patients was too long. She came back to attempt to go to an emergency room, but she had to have \$300. Maria Sanchez expressed her thoughts on this matter with regards to everyone being deserving of medical care. Father Bart stated that he was under the impression that a survey was conducted by UT Pan American in which they determined that this COPC facility would do more in the South West and 83 areas. He felt that the areas of Alton, Mission and McAllen would have the easiest access to this area and with the proximity to the Hospitals in this area, this would be one of the better locations for this facility. Father Bart stated that there had been a commitment from the City of McAllen in which they would donate the property for the building of this facility with the conditions that the clinic had to be completed and operational within five years or they would take the land back. Commissioner Sanchez then addressed the Court and stated that there had been a tentative 3 prong approach concerning the clinic. (1) would be that the City of McAllen would donate the land (2) the county would foot the bill to construct the facility and (3) the State would provide the maintenance and operation including the staffing. He was unsure on the commitment of the State. He mentioned that in some conversations with Dr. Garza, it was stated the State was only going to provide \$150,000 for equipment. Steve Crain also addressed the Court with regards to the issue to the deed prepared by the City of McAllen. He stated that there was a deed prepared between the County and McAllen and this deed did not have any restrictions, but now there is a condition on this original deed that it would be solely used for a certain type of clinic and not a General Health Care Facility and if it is not specifically used for this purpose, the property would then revert back to McAllen. This particular item would have to be brought before the Court to determine if the Commission would feel this restriction is acceptable on that contingent. Dr. Casso then mentioned that this item had been approved in the past unanimously by the Commission. He also went on to state that he had spoken with a Dr. Montgomery of the Texas Department of Health, and he informed Dr. Casso that there was initially 1 million

dollars for this facility. He also stated that it was possible that out of this particular fund for the clinic, some of the monies might have been used for the Dr. Services even though this clinic is not operational and that is how some of these monies were depleted. Dr. Garza attempted to clear up some of the confusion in regards to the \$150,000 figure. He stated that the reason for this figure was there was actually 1.5 million for this clinic, but it would be received in increments of \$150,000 over ten years. After further comments, there was no action taken on this item and they stated that there would be some type of meeting to further discuss this issue and iron out the details concerning this matter.

NO ACTION  
(NO EXHIBIT)

ITEM 3. SHERIFF'S DEPARTMENT:

- A. DECLARE EQUIPMENT SURPLUS
  - 1. VARIOUS EQUIPMENT
- B. APPROVAL OF SHERIFF AND CONSTABLE FEE SCHEDULE
- C. AUTHORIZATION AND APPROVAL OF A \$15.00 FIRING RANGE USAGE FEE
- D. AUTHORIZATION FOR SUBMITTAL OF THE SELECTIVE TRAFFIC ENFORCEMENT PROGRAM (STEP)/SPEED GRANT AND MATCHING FUNDS IN THE AMOUNT OF \$10,784.37

3A

Sheriff Escalon stated that there were four vehicles that were awarded to the department and they would like to declare them surplus and have those vehicles auctioned and the proceeds appropriated into the Investigation Fund. There were also some other miscellaneous items that they would also like to declare surplus. A motion was made by Commissioner Garces and was seconded by Commissioner Rosel to approve the request to declare equipment surplus as listed.

MOTION CARRIED  
(SEE EXHIBIT G)

3B

Sheriff Escalon requested that this item be tabled due to the fact that they want to research some items concerning the law stating that there be no commission charges. A motion was made by Commissioner Garces and was seconded by Commissioner Rosel to table this item.

MOTION CARRIED  
(SEE EXHIBIT G)

3C

Sheriff Escalon stated that this due to new weapons law that will be in effect in the new year. He stated that they were asked if the Department of Public Safety would be allowed to use the County Firing Range. They have researched this and they stated that the fees vary from 10 to 15 per person. The max amount is \$15 per person in some parts of the State. A motion was made by Commissioner Garces and was seconded by Commissioner Rosel to approve the fee. (The fee will be \$15 per person)

MOTION CARRIED  
(SEE EXHIBIT G)

3D

Sheriff Escalon opened this topic by stating that this would be the second year for this grant. He was asked how much the match for this grant would be and he responded by stating that it was \$6,250. After brief comments, a motion was made by Commissioner Garces and was seconded by Commissioner Arcaute to authorize the submission of this grant.

MOTION CARRIED  
(SEE EXHIBIT G)

ITEM 4. APPROVAL OF HAZARD COMMUNICATION ACT POLICY

Amber Etnire opened by stating that this policy was put together by the Texas Association of Counties. This policy is used in the form that it is currently in. This should have been passed in 1987, but the Department that was designated to have this passed never had to process done. She stated that it has to be done so that this policy may be implemented because the State is currently conducting checks for compliance motion was then made by Commissioner Arcaute and was seconded by Commissioner Garces to approve and adopt the policy.

MOTION CARRIED  
(SEE EXHIBIT H)

ITEM 5. APPROVAL TO AMEND AND APPROPRIATE FROM GRAND JURY FUND BALANCE RESERVE ACCOUNT \$4,500.00

Steve Austin stated that there were \$4,500 in Court Reporter's Fees for the Grand Jury. He is asking for this appropriation to pay for these fees. A motion was made by Commissioner Arcaute and was seconded by Commissioner Garces to approve the appropriation.

MOTION CARRIED  
 (SEE EXHIBIT I)

ITEM 6. DISCUSSION OF DESIGN OF JAIL FACILITY

Commissioner Rosel opened this topic by mentioning that the Court had discussed the design of this new jail. He expressed his opposition to the design build method. He felt that the conventional method was more advantageous. He stated that in the recent discussions, they were looking at ways of saving money on this project. In the elapsed time, they have discovered that they will not be saving any money and will also not save time. The Commission questioned who had made this discovery. Commissioner Rosel stated that he had found this out from speaking to engineers and attending seminars. Through these hearings and seminars, Commissioner Garces stated that going with this method could put the County in a gray area. He contended that at this inception of these discussions, he was in favor of the design build but is now more in favor of the conventional method. Commissioner Arcaute also expressed his thoughts in which he stated that that he was never in favor of the design build. Commissioner Sanchez then stated that he is willing to accept any concept that will save time and money. Steve Crain then addressed the Court and cited an opinion of the Attorney General. According to the Attorney General, the design build concept cannot be used. Jesus Ramirez also addressed his opinion in which he stated that he had only given his opinion on the design build concept. He did not however render an opinion as to whether or not the County had the capability to use this method. In fact he mentioned that at that time, he felt that the County did not have the capability to use this method. The discussion continued on the design build method and again Mr. Mr. Ramirez did not give on opinion on whether this method could save the County money. After further comments, Judge Garcia moved on to the next item.

NO ACTION

ITEM 7. HEALTH DEPARTMENT:

- A. APPROVAL OF BUDGET AMENDMENT IN THE AMOUNT OF \$200,000 - COMMUNITY ORIENTED PRIMARY CARE (EDINBURG CLINIC SITE)
- B. APPROVAL OF BUDGET AMENDMENT IN THE AMOUNT OF \$3,200 - SANITATION DEPARTMENT
- C. APPROPRIATION OF BUDGET AND BUDGET AMENDMENT - BUREAU OF WOMEN AND CHILDREN

7A

Dr. Garza opened by stating that this amendment would pay for two doctors as it was done the previous year. This is not a new

concept, but it was not budgeted for in this years budget. He stated that this would hire a primary care practitioners and it will also hire a part-time Pediatrician. He stated that he had a conversation with Dr. German, in which Dr. German stated that with this amount of money, he would try to obtain a part-time Pediatric Primary Care Physician in Sullivan City, a Primary Care Physician part-time in Mission and a part-time Primary Care Physician in Donna. A discussion ensued where it was asked if the providing of physicians was worthwhile or whether it was helping the people and Dr. Garza stated that this was making it available to people who could not otherwise afford it. Commissioner Sanchez stated that he did not agree with providing this amount of money to obtain just two physicians. He felt that this money should go into the COPC project itself and let them handle the hiring of physicians. The Commission expressed their discontent with this particular issue of contracting with doctors individually. They felt that they should just invest these monies into the COPC project. After further comments regarding this disagreement with this type of funding, it was agreed upon by the Commission to wait until the task force met so that they may come up with other alternatives. Judge Garcia stated that there be no action at this time.

NO ACTION

7B

Dr. Garza stated that this amendment was for fuel for 3 new vehicles. They require \$400 to \$840 per month in fuel. He stated that the budgeted amount for fuel has been expended. He is not sure if this amount of \$3200 will be enough to cover the rest of the year. A motion was then made by Commissioner Sanchez and was seconded by Commissioner Garces to approve the budget amendment as requested by Dr. Garza for the Sanitation Department.

MOTION CARRIED  
(SEE EXHIBIT J)

7C

Dr. Garza opened by stating that they had previously been to Court with this item. He stated that according to the Auditor that approximately \$133,000 of the previous total had not been appropriated. It was previously tabled the first time it came to Court. The second time it was brought back it was approved but this is where the confusion now lies concerning the \$133,000. He stated that this request is for approval of expenditures totaling \$25,000 for office equipment, \$5,000 for office supplies, \$46,921 for medical supplies, other equipment for \$26,302 in the amount of \$103,223. The last time it was brought back, only \$78,831 had been approved. There was some more discussion reverting back to item 7A

in which they took no action. It was mentioned in this conversation that they must appropriate this money in order to comply with this grant. After further comments from the the Commission, a motion was made by Commissioner Arcaute and was seconded by Commissioner Garces to appropriate the budget amendment.

MOTION CARRIED  
(SEE EXHIBIT J)

ITEM 8. INDIGENT HEALTH CARE:

- A. APPROVAL OF BUDGET AMENDMENT AND APPROPRIATE \$238,301 WITH NO ADDITIONAL LOCAL FUNDS REQUIRED
- B. APPROVAL OF LOAN TRANSFER TO ACCESS STATE FUNDS

8A&B

Rudy De La Vina opened by stating that they had previously been to the Court to ask for a \$600,000 loan. He is here now asking for an additional \$238,000. This will not have any impact on local funds. This is due to the processing of more bill than anticipated. Mr. De la Vina stated that they could process these checks in the Sept. 1 budget or they could process them in the previous budget and it would not cost the County any monies. After some discussion and clarification on the action that needed to be taken, a motion was made by Commissioner Sanchez and was seconded by Commissioner Rosel complete the original \$600,000 to the indigent health care program to \$1,000,023.

MOTION CARRIED  
(SEE EXHIBIT K)

ITEM 9. PCT. #2:

- A. DECLARE EQUIPMENT SURPLUS FOR SALVAGE:
  - 1. ONE RIDING MOWER TRACTOR

A motion was made by Commissioner Arcaute and was seconded by Commissioner Sanchez to declare a riding mower for salvage.

MOTION CARRIED  
(SEE EXHIBIT L)

ITEM 10. PCT. 3:

- A. AUTHORIZATION FOR THE COUNTY JUDGE TO EXECUTE WITH FIRST NATIONAL BANK OF EDINBURG TO FINANCE PURCHASE OF EQUIPMENT
- B. APPROPRIATION OF LOAN PROCEEDS

10A

Vona Walker opened by stating that the previous week, bids

were awarded for maintainers and dumptrucks for pct. 3. She stated that they would like to get the financing in place for when the equipment and the vehicles are delivered; they can type the note and proceed to First National Bank. There will be two notes. 1 is for \$173,700 for the maintainers and it will be paid back in four payments, 3 of which will be \$47,000 and the last of \$32,700 plus interest beginning March 1, 1996. The 2nd note will be \$92,122.62 and will be paid back in 3 payments of \$23,030 and 1 payment of \$23,032.62 beginning March 1, 1996 also. A motion was then made by Commissioner Rosel and was seconded by Commissioner Arcaute for the County Judge to execute the note from the First National Bank. Two notes. 1 for the Road & Bridge and 1 for the Dumptrucks with First National Bank of Edinburg to purchase equipment for pct. 3.

MOTION CARRIED  
(SEE EXHIBIT M)

10B

A motion was made by Commissioner Rosel and was seconded by Commissioner Arcaute to appropriate the funds into line item #95.

MOTION CARRIED  
(SEE EXHIBIT M)

SKIPPED TO ITEM 12.

ITEM 12. PLANNING DEPARTMENT:

A. SUBDIVISIONS:

- 1. HIDEAWAY MOBILE PARK SUBDIVISION - PCT. 4
- 2. RESUBDIVISION OF PLAT OF LOT 2, CHAPIN ACRES - PCT. #4

B. FINAL PLAT APPROVAL:

- 1. GLASSCOCK TERACE - PCT. #3
- 2. TAMARRON ESTATES - PCT. #4

C. APPROVAL TO SET SALARY OF TEMPORARY/FULL TIME CLERK

12A1

Following Mr. Garcia's recommendation, a motion was made by Commissioner Rosel and was seconded by Commissioner Sanchez to approve the subdivision as presented.

MOTION CARRIED  
(SEE EXHIBIT O)

12A2

A motion was made by Commissioner Rosel and was seconded by Commissioner Arcaute to approve Chapin Acres Subdivision.

MOTION CARRIED  
(SEE EXHIBIT O)

12B1

Emilio Garcia, Chief Planner, stated that all requirements had been met and he recommended the approval of this subdivision. A motion was made by Commissioner Rosel and was seconded by Commissioner Arcaute to approve Glasscock Terrace.

MOTION CARRIED  
(SEE EXHIBIT O)

12B2

A motion was made by Commissioner Rosel and was seconded by Commissioner Arcaute to approve Tamarron Estates as presented.

MOTION CARRIED  
(SEE EXHIBIT O)

12C

Mr. Garcia opened by stating that question had been addressed to Mr. Roy Gonzalez as to what the rate of pay was to be for the temporary clerk. Mr. Garcia stated that she would be paid \$4.25 an hour as per the memo sent by Mr. Garcia. The slot had been approved and he was just informing the Court how much the pay was to be. A motion was then made by Commissioner Rosel and was seconded by Commissioner Garces to set the salary of the Temporary Full Time Clerk at the Planning Department at \$4.25 per hour.

MOTION CARRIED  
(SEE EXHIBIT O)

ITEM 11. PCT. #4:

APPROVAL TO CHANGE VACANT POSITION #3521.25 (R/B) FROM IT'S CURRENT "TRACTOR OPERATOR" CLASSIFICATION TO THAT OF A "MAINTENANCE" POSITION, WITH THE SALARY TO REMAIN THE SAME

Commissioner Garces opened by stating that this was due to a vacancy left over from the prior administration and they have more need for maintenance and that is why he is requesting this reclassification. A motion was then made by Commissioner Garces and was seconded by Commissioner Rosel to reclassify the tractor operator and switch it over to a maintenance position with the same salary that it has now.

MOTION CARRIED  
(SEE EXHIBIT N)

ITEM 13. URBAN COUNTY:

- A. STREET IMPROVEMENTS YEAR 8 PROFESSIONAL ENGINEERING SERVICE CONTRACT
- B. COLONIA CONSTRUCTION FUND PROGRAM - PROJECT #714105

13A

Anthony Covacevich stated that total amount of this project is \$941,485. A total of 11 streets will be worked on which will be approximately 60,900 linear feet. After further comments and questions, a motion was made by Commissioner Rosel and was seconded by Commissioner Garces to approve the contract.

MOTION CARRIED  
(SEE EXHIBIT P)

13B

Mr. Covacevich stated that this was just a request for proposals for engineering services. This is to install septic tanks in 30 homes of La Colonia Muniz. Another entity will provide the restroom facilities. Once this is done, the homes will then will be able to obtain water meters. They want the engineer to provide the services of installing the septic tanks and the water meters. A motion was then made by Commissioner Garces and was seconded by Commissioner Rosel to authorize the advertisement for proposals.

MOTION CARRIED  
(SEE EXHIBIT P)

ITEM 14. EXECUTIVE SESSION:

COMMISSIONER'S COURT MAY GO INTO EXECUTIVE SESSION PURSUANT TO CHAPTER 551, TEXAS GOVERNMENT CODE, SECTION 551.071 TO DISCUSS THE FOLLOWING MATTER:

- A. DISCUSSION AND POSSIBLE ACTION ON HIDALGO COUNTY VS. RALPH NUSSBAUM

At this time, Commissioner's Court went into an Executive Session.

ITEM 15. OPEN SESSION:

- A. DISCUSSION AND POSSIBLE ACTION ON HIDALGO COUNTY VS. RALPH NUSSBAUM

A motion was made by Commissioner Garces and seconded by Commissioner Arcaute to have Commissioner Lalo Arcaute to represent the County.

MOTION CARRIED

A motion was made by Commissioner Garces and was seconded by Commissioner Arcaute to adjourn.

MOTION CARRIED

There being no further business to come before this Commissioner's Court, this meeting stands adjourned.

DRAINAGE DISTRICT  
=====

The Honorable Richard H. Garcia, Interim County Judge, called this Drainage District Meeting to order where upon the following items were had to wit:

ITEM 1. PERMIT - CITY OF EDINBURG

A motion was made by Commissioner Garces and was seconded by Commissioner Arcaute to approve the permit request by the City of Edinburg.

MOTION CARRIED  
(SEE EXHIBIT Q)

A motion was made by Commissioner Arcaute and was seconded by Commissioner Garces to adjourn.

MOTION CARRIED

There being no further business to come before this Drainage District Board, this meeting is adjourned.

THERE BEING NO FURTHER BUSINESS TO COME  
BEFORE SAID COURT, the meetings of the Commissioners' Court and  
the Drainage District were hereby adjourned.

Richard H. Garcia  
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 19TH day of SEPTEMBER, 1995.

ATTEST:

JOSE ELOY PULIDO, County Clerk  
Hidalgo County, Texas

By: *Aaron Betancourt*  
AARON BETANCOURT, Deputy

