

SPECIAL MEETING – APRIL 4, 2000

BE IT REMEMBERED, that on this 04th day of April, A.D., 2000, there was begun and held a SPECIAL MEETING of the Honorable Commissioners' Court of Hidalgo County, Texas, wherein the following members thereof were present, to-wit:

HONORABLE JOSE ELOY PULIDO	HIDALGO COUNTY JUDGE
HONORABLE SYLVIA HANDY	COMMISSIONER, PRECINCT NO.1
HONORABLE HECTOR (TITO) PALACIOS	COMMISSIONER, PRECINCT NO.2
HONORABLE JUAN ROSEL	COMMISSIONER, PRECINCT NO.3
HONORABLE OSCAR GARZA	COMMISSIONER, PRECINCT NO.4

and **J.D. SALINAS, COUNTY CLERK & EX-OFICIO CLERK OF THE COMMISSIONERS' COURT** of Hidalgo County, Texas, wherein the following proceedings were had, to-wit:

**COUNTY OF HIDALGO
JOSÉ ELOY PULIDO
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, APRIL 04, 2000, 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 items will be acted upon by one vote without being discussed separately unless requested by a Commissioner, in which event the item or items will immediately be withdrawn for individual consideration in its normal sequence after the items not requiring separate discussion have been acted upon.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.

On motion of Commissioner Garza, seconded by Commissioner Palacios, the Court made a **UNANIMOUS** vote to approve all items listed under the Consent Agenda.

- 1. Approval of check register and payment of claims and bills - County Auditor**
- 2. Line item transfers: (SEE EXHIBIT A)**
 - A. Buildings & Grounds**
 - B. Health Department – Clinics**
 - C. Health Department – Adm.**
 - D. County Court #3**
 - E. J.P. Pct. #3, Pl. 1**
 - F. Human Services**
 - G. Pct. #3 – Landfill**
 - H. Pct. #3 – Paved/unpaved**
 - I. Constable Pct. #2**
 - J. Rural Fire Fighting**
 - K. County Clerk (2)**
 - L. County Rec. Mgmt.**
 - M. County Clerk – Rec. Mgmt.**
 - N. J.P. Pct. #2, Pl. 1**
 - O. J.P. Pct. #2, Pl. 2**
- 3. Planning Department: (SEE EXHIBIT B)**
 - A. Approval of the following Certificates:**
 - **Certificates of Plat & Utility Status under Local Government Code Section 232.028(b)**
 - **Certificates of Residence Construction under Local Government Code Section 232.029 (c)(1)**
 - **Certificates of Water Service Availability under Local Government Code Section (c)(2)**
- 4. Monthly Fee Reports – January 2000: (SEE EXHIBIT C)**

A. J.P. Salazar	No Report
B. J.P. Espinoza	\$ 28,963.51
C. J.P. Morales	20,241.60
D. J.P. Ochoa	45,213.33
E. J.P. Saenz	14,895.30
F. J.P. Trevino	27,873.79
G. J.P. Corpus	8,732.54
H. J.P. Martinez	22,302.15
I. J.P. Jackson	20,991.87
J. Law Library	1,696.20

K. Sheriff Escalon	63,963.78
L. Anzalduas Park	2,336.00
M. Constable Aguirre	1,620.00
N. Constable Alaniz	1,047.00
O. Constable Pena	4,230.00
P. Constable Cerda	1,658.00
Q. Constable Bazan	370.00

5. **Right of Way – Permits:** (SEE EXHIBIT D)

- A. Pct. #1 – Southwestern Bell – east of FM 493
- B. Pct. #1 – Southwestern Bell – Mile 9 North Road
- C. Pct. #1 – North Alamo Water Supply – west of FM 88
- D. Pct. #4 – North Alamo Water Supply – west of Keyon Rd.
- E. Pct. #4 – North Alamo Water Supply – north of Rogers Rd.
- F. Pct. #4 – Southwestern Bell – north of Shunior Rd.
- G. Pct. #4 – Valley Telephone Coop. Inc. – 9th St. in Hargill
- H. Pct. #4 – David De Leon – Barb Mar Rd.

6. **Urban County:** (SEE EXHIBIT E)

- A. HOME “First-Time Homebuyer Contract Agreement” and Letter of Commitment to Mortgage Company (4 Families)
- B. Extension on “Letter of Commitment” to Mortgage Company on HOME “First-Time Homebuyer Contract Agreement” (2 Families)

7. **Tax Office:** (SEE EXHIBIT F)

- A. Approval of tax refund – Leticia Ocanas - \$ 1,500.91

**COUNTY OF HIDALGO
JOSÉ ELOY PULIDO
COUNTY JUDGE**

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1. Roll Call

All members of the Court were counted present with the exception of Commissioner Juan Rosel.

2. Pledge of Allegiance

At this time Judge Pulido called on Valde Guerra to lead the Court and Audience in the Pledge of Allegiance.

3. Prayer

Valde Guerra led the Court and Audience in Prayer.

4. Open Forum

No presentations were made under Open Forum.

At this time Judge Pulido request to go into Executive Session.

5. Sheriff Department: (SEE EXHIBIT G)

A. Approval to appropriate monies received on seizure award in the Sheriff's Federal Sharing – U.S. Department of Justice Fund 112

On motion of Commissioner Palacios seconded by Commissioner Garza, the Court made a UNANIMOUS vote of approval.

6. Head Start: (SEE EXHIBIT H)

A. Requesting approval to submit the following budget applications:

1.	Cost of Living (COLA)	\$ 365,459
2.	Quality Improvements	\$ 491,964
3.	Teacher Improvements	\$ 211,200
4.	Training & Technical Assistance	\$ 23,705

At this time Commissioner Rosel joins the Court.

On motion of Commissioner Rosel, seconded by Commissioner Palacios, the Court made a UNANIMOUS vote of approval.

5.	Expansion Start-Up Budget	\$3,882,075
6.	Expansion Operational Budget	\$2,725,945

On motion of Commissioner Rosel, seconded by Commissioner Palacios, the Court made a UNANIMOUS vote of approval.

B. Requesting approval for non classroom staff (administrative staff) for Educational Incentives as per Performance Standard 1304.52 (k) (1) (3) Training and Development

On motion of Commissioner Rosel, seconded by Commissioner Handy, the Court made a UNANIMOUS vote of approval.

7. Right of Way: (SEE EXHIBIT I)

A. Authorization to advertise for Irrigation Line Relocation on FM 2061 (Jackson Road)

On motion of Commissioner Palacios, seconded by Commissioner Handy, the Court made a UNANIMOUS vote of approval.

8. C.A.U.S.E. – Nick Molina: (SEE EXHIBIT J)

A. Request for confiscated funds

On motion of Commissioner Rosel, seconded by Commissioner Garza, the Court made a UNANIMOUS vote of approval.

B. Approval to appropriate funds

On motion of Commissioner Rosel, seconded by Commissioner Garza, the Court made a UNANIMOUS vote of approval.

C. Approval of Agreement between C.A.U.S.E. & the County of Hidalgo

On motion of Commissioner Rosel, seconded by Commissioner Handy, the Court made a UNANIMOUS vote of approval.

9. Health Department: (SEE EXHIBIT K)

A. Approval and authorization of the Immunization Contract No. 7460007176-2000 amendment in the amount of \$ 4,111.00

On motion of Commissioner Garza, seconded by Commissioner Handy, the Court made a UNANIMOUS vote of approval.

B. Authorization and approval to reclassify job titles to reflect proper duties and responsibilities on the following positions as approved by Civil Service Commission on March 22, 2000 (no salary changes):

<u>Dept. #</u>	<u>Position #</u>	<u>Old Title</u>	<u>New Title</u>
644	10	Health Inspector	Assistant Chief Inspector
644	19	Vector Control	Vector Control Technician/Health Inspector
644	21	Vector Control	Vector Control Technician/Animal Control Officer
644	18	Vector Control	Vector Control Technician/Animal Control Officer
644	11	Chief Animal Warden	Chief Animal Control Officer
644	20	Animal Warden	Animal Control Officer
644	23	Animal Warden	Animal Control Officer
644	09	Animal Warden	Animal Control Officer
670	28	TB Program Manager	TB Records Manager
7704	47	Asst. TB Program Manager	Asst. TB Records Manager
7740	06	RN	TB Clinic Supervisor
7704	03	Personnel Director	Administrative Assistant
670	16	Personnel Assistant	Personnel Assistant/Timekeeper

On motion of Commissioner Handy, seconded by Commissioner Palacios, the Court made a UNANIMOUS vote of approval.

10. Approval of Proclamation to proclaim the month of April 2000 as “Child Abuse Awareness and Prevention Month” in Hidalgo County (SEE EXHIBIT L)

On motion of Commissioner Handy, seconded by Commissioner Palacios, the Court made a UNANIMOUS vote of approval.

11. Urban County: (SEE EXHIBIT M)

A. Approval to amend program description with Community Hope Projects, Inc. – Housing Division

On motion of Commissioner Rosel, seconded by Commissioner Handy, the Court made a UNANIMOUS vote of approval.

B. Public Hearing on the 1999 HOME Budget Amendment

No presentations were made under Public Hearing.

C. Approval of the 1999 HOME Budget Amendment

On motion Commissioner Palacios, seconded by Commissioner Handy, the Court made a UNANIMOUS vote of approval.

D. City of Elsa – HOME/Housing Rehabilitation Change Order (1 Family)

On motion of Commissioner Handy, seconded by Commissioner Garza, the Court made a UNANIMOUS vote of approval.

E. Approval of a Professional Service Contract with Salinas & Associates Inc. – City of Palmview – Street Improvements – UC Year 12 (FY 1999)

On motion of Commissioner Rosel, seconded by Commissioner Handy, the Court made a UNANIMOUS vote of approval.

F. Approval of Amendment #2 to a Professional Services Contract with Rodriguez Engineering – Pct. #1 – Sidewalks Improvements – UC Years 11 & 12 (1998 & 1999)

On motion of Commissioner Handy, seconded by Commissioner Rosel, the Court made a UNANIMOUS vote of approval.

G. Approval of a Professional Services Contract with Quintanilla, Headley and Associates and the City of Elsa – Parking Lot Facilities – UC Years 11 & 12 (1998 & 1999)

On motion of Commissioner Handy, seconded by Commissioner Garza, the Court made a UNANIMOUS vote of approval.

H. Awarding of a Construction Contract to R & E Construction – City of Progreso – Street Improvements – Urban County Years 11 & 12 (1998 & 1999)

On motion of Commissioner Rosel, seconded by Commissioner Palacios, the Court made a 4 to 1 vote of approval.

AYE: Judge Pulido, Commissioners Rosel, Palacios, and Garza.

NAY: Commissioner Handy.

I. Requesting the purchase of “One (1) 2000 International – 1000 gallon Mini Pumper Fire Truck” through the Interlocal Agreement with the Houston-Galveston Area Council (HGAC) – Siddons Fire Apparatus, Inc., Houston, Texas – La Joya – Fire Station Equipment – UC Year 11 (1998)

On motion of Commissioner Rosel, seconded by Commissioner Palacios, the Court made a UNANIMOUS vote of approval.

J. Requesting the purchase of “One (1) Ford Excursion Truck” through the Interlocal Agreement with the Houston-Galveston Area Council (HGAC) – Philpott Ford, Houston, Texas – La Joya – Fire Station Equipment – UC Year 11 (1998)

On motion of Commissioner Rosel, seconded by Commissioner Palacios, the Court made a UNANIMOUS vote of approval.

K. Approval of a Program Amendment for the City of San Juan – UC Program Year 11 (1998)

On motion of Commissioner Palacios, seconded by Commissioner Handy, the Court made a UNANIMOUS vote of approval.

L. City of Alton – Approval of a Program & Budget Amendment for Year 10 (1997) & Year 12 (1999)

On motion of Commissioner Handy, seconded by Commissioner Rosel, the Court made a UNANIMOUS vote of approval.

M. Approval of a Professional Services Contract with REO Engineers & Surveyors Ltd. City of Alton – Land Survey for a Comm./Ind. Land Acquisition Project – UCP Yr. 10 (1997)

On motion of Commissioner Rosel, seconded by Commissioner Garza, the Court made a UNANIMOUS vote of approval.

N. Approval of an amendment to the Agreement between County of Hidalgo and MNCH Holding Inc. (Lessor) and L & L Mfg. Co. of California (Lessee) granting tax abatement in accordance with the Guidelines and Criteria adopted April 29, 1997

On motion of Commissioner Rosel, seconded by Commissioner Handy, the Court made a UNANIMOUS vote of approval.

O. Action to cancel a Subrecipient Agreement with Edinburg Youth Soccer Club – Pct. #4 – Youth Services – UC Year 9 (1996)

On motion of Commissioner Garza, seconded by Commissioner Rosel, the Court made a UNANIMOUS vote of approval.

P. Proclamation declaring April as Fair Housing Month 2000

On motion of Commissioner Rosel, seconded by Commissioner Handy, the Court made a UNANIMOUS vote of approval.

Q. City of Penitas – HOME/Housing Rehabilitation Program – Construction Contract Award

NO ACTION taken on this item.

12. Pct. #3: (SEE EXHIBIT N)

A. Authorization to approve an Interlocal Agreement between Hidalgo County and the City of La Joya

NO ACTION taken on this item.

B. Notification of new cell needed in Penitas Landfill - \$ 110,000.

NO ACTION taken on this item.

C. Lease equipment in order to maintain compliance with TNRCC – Compactor, loader, dump truck, water truck, pickup & utility trailer

NO ACTION taken on this item.

D. Agreed Order with SEP in the amount of \$ 6,000.

NO ACTION taken on this item.

E. Budget amendment in the amount of \$ 85,000.00

On motion of Commissioner Rosel, seconded by Commissioner Handy, the Court made a UNANIMOUS vote of approval.

13. County Judge: (SEE EXHIBIT O)

A. Agreed Order and Supplemental Environmental Project, Pct. #4 (Edinburg) Landfill - \$ 11,375.00

On motion of Commissioner Garza, seconded by Commissioner Handy, the Court made a UNANIMOUS vote of approval.

B. Three-Phase Closure – Pct. #4 (Edinburg) Landfill

NO ACTION taken on this Item.

C. Budget amendment in the amount of \$ 11,375.00

On motion of Commissioner Handy, seconded by Commissioner Garza, the Court made a UNANIMOUS vote of approval.

D. Budget amendment in the amount of \$ 95,850.00, engineering services – J.E. Saenz

On motion of Commissioner Handy, seconded by Commissioner Palacios, the Court made a UNANIMOUS vote of approval.

E. Approval of Agreement between the Social Security Administration and the County of Hidalgo

On motion of Commissioner Garza, seconded by Commissioner Rosel, the Court made a UNANIMOUS vote of approval.

14. Purchasing Department: (SEE EXHIBIT P)

A. HIDALGO COUNTY -

1. Discussion and/or action, including, but not limited to the following items:

a.) Present Hidalgo County Jail

1. Total inmate population -----(805)

1) Physical Count -----(578)

2) La Villa Facility Count ---(115)

3) Out of County Count ----(96)

2. Current Jail Cases/Dockets for: State District and County Court-At-Law Courts

Report made by Roy Quintanilla.

b.) New Adult Detention Facility and Law Enforcement Center Project:

Discussion item only.

B. HIDALGO COUNTY PRECINCT #3 -

1. Requesting authority to advertise & approval of specifications as attached hereto for: “Paving” of the following streets:

a) 3 Mile Line Road at Tom Gill Intersection (approximately 1/4 mile to west)

b) 3 Mile Line Road at Tom Gill Intersection (approximately 1/4 mile to east)

c) G. Gonzalez Circle (located in Daniel Ozuna Subdivision)

d) Ozuna Street (located in Ramona Subdivision)

e) County Road 2 (located south of Daniel Ozuna Subdivision & Ramona Subdivision)

f) Street on Reina Subdivision (located west of Ramona Subdivision)

g) County Road (located between Upper Valley Estates & Tom Gill Subdivision #3)

On motion of Commissioner Garza, seconded by Commissioner Handy, the Court made a UNANIMOUS vote of approval.

2. Recommending Bid Award for “Overlay of Various Streets” to low bidder.

On motion of Commissioner Rosel, seconded by Commissioner Handy, the Court made a UNANIMOUS vote of approval.

3. Requesting approval of contract for “Overlay of Various Streets” to low bidder.

On motion of Commissioner Handy, seconded by Commissioner Garza, the Court made a UNANIMOUS vote of approval.

C. HIDALGO COUNTY PRECINCT #4 -

1. Requesting authority to advertise and approval of specifications as attached hereto for: “Hauling Services of Soil”

On motion of Commissioner Handy, seconded by Commissioner Rosel, the Court made a UNANIMOUS vote of approval.

2. Requesting authority to advertise and approval of specifications as attached hereto for: “Culvert Pipe Installation”.

On motion of Commissioner Handy, seconded by Commissioner Rosel, the Court made a UNANIMOUS vote of approval.

3. Requesting authority to advertise and approval of specifications as attached hereto for: “CESAR CHAVEZ ROAD” (BETWEEN TRENTON & OWASSA ROAD).

On motion of Commissioner Rosel, seconded by Commissioner Garza, the Court made a UNANIMOUS vote of approval.

4. Requesting authority to advertise and approval of specifications as attached hereto for: “JAM SQUARE STREET” (LOCATED WITHIN MUNIZ SUBDIVISION) (TRENTON 1 MILE EAST OF TOWER).

On motion of Commissioner Rosel, seconded by Commissioner Garza, the Court made a UNANIMOUS vote of approval.

D. HIDALGO COUNTY BUILDINGS & GROUNDS -

1. Recommending authority to reject all bids for: “TWO NEW 2000 ½ TON PICK-UP TRUCKS” & TWO (2) USED 1996 ½ TON PICK-UP TRUCKS”

On motion of Commissioner Palacios, seconded by Commissioner Handy, the Court made a UNANIMOUS vote of approval.

E. HIDALGO COUNTY H.I.D.T.A. TASK FORCE -

1. Requesting authority to purchase “Four (4) Astro Digital Saber Portable Radios” through the Interlocal Agreement with the Houston-Galveston Area Council (H-GAC). The total price of the Portable Radios is \$15,163.24 which includes the H-GAC administration fee.

On motion of Commissioner Palacios, seconded by Commissioner Handy, the Court made a UNANIMOUS vote of approval.

On motion of Commissioner Handy, seconded by Commissioner Garza, the Court Made a UNANIMOUS vote of approval to go into Executive Session.

15. Closed Session: (SEE EXHIBIT Q)

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

- A. Cause # M-97-085 Lopez et al. vs. County of Hidalgo**
- B. Cause # M-95-078 Diaz vs. County of Hidalgo**
- C. Cause # C-094-97-C Noe Garza et. al vs. County of Hidalgo et. al**

NO ACTION taken on these items.

16. Open Session:

- A. Cause # M-97-085 Lopez et al. vs. County of Hidalgo**
- B. Cause # M-95-078 Diaz vs. County of Hidalgo**
- C. Cause # C-094-97-C Noe Garza et. al vs. County of Hidalgo et. al**

On motion of Commissioner Rosel, seconded by Commissioner Garza, the Court made a UNANIMOUS vote of approval to allow the attorneys to proceed as discuss in Executive Session.

17. Closed Session:

Commissioners' Court may reconvene into Closed Session for the discussion regarding the agenda items listed

NO ACTION taken on this item.

18. Open Session:

Commissioners' Court may reconvene into Open Session for the discussion regarding the agenda items listed

NO ACTION taken on this item.

**COUNTY OF HIDALGO
JOSÉ ELOY PULIDO
COUNTY JUDGE**

NOTICE is hereby given in accordance with Chapter 551, Texas Government Code, that a SPECIAL MEETING of the Drainage District #1 Board of Directors will be held on TUESDAY, APRIL 04, 2000 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 Drainage District #1 Board of Directors has been furnished with background and support on each item, and/or it has been discussed at a previous meeting. All items will be acted upon by one vote without being discussed 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.

DRAINAGE DISTRICT

On motion of Commissioner Handy, seconded by Commissioner Rosel, the Court made a UNANIMOUS vote to approve the Drainage District Consent Agenda.

- 1. Approval of check register and payment of claims and bills - County Auditor**

**COUNTY OF HIDALGO
JOSÉ ELOY PULIDO
COUNTY JUDGE**

NOTICE is hereby given in accordance with Chapter 551, Texas Government Code, that a SPECIAL MEETING of the Drainage District #1 Board of Directors will be held on TUESDAY, APRIL 04, 2000 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. Requesting exemption from competitive bidding requirements for professional services/architecture services with V.A. Architecture

On motion of Commissioner Garza, seconded by Commissioner Handy, the Court made a UNANIMOUS vote of approval.

2. Requesting approval of professional services contract with V.A. Architecture, services related to administration building addition for Hidalgo County Drainage District #1

On motion of Commissioner Garza, seconded by Commissioner Handy, the Court made a UNANIMOUS vote of approval.

3. Authorization to enter into interlocal agreement with the City of Granjeno's drainage improvement project (as per Hidalgo County Commissioners' Court)

NO ACTION taken on this item.

4. Closed Session:

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

A. 99-127; North Alamo Water Supply Corporation vs. BFI Waste Management

NO ACTION taken on this item.

5. Open Session:

A. 99-127; North Alamo Water Supply Corporation vs. BFI Waste Management

NO ACTION taken on this item.

6. Closed Session:

Commissioners' Court may reconvene into Closed Session for the discussion regarding the agenda items listed

NO ACTION taken on this item.

7. Open Session:

Commissioners' Court may reconvene into Open Session for the discussion regarding the agenda items listed

NO ACTION taken on this item.

On motion of Commissioner Garza, seconded by Commissioner Rosel, the Court made a UNANIMOUS vote of approval to adjourn.

**COUNTY OF HIDALGO
JOSÉ ELOY PULIDO
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, APRIL 04, 2000, 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:

ADDENDUM

1. Elections Administration:

A. Discussion and action on polling places for run-off election of April 11, 2000

On motion of Commissioner Rosel, seconded by Commissioner Handy, the Court made a UNANIMOUS vote of approval to repeat the same procedure that was use in the March 14 election.

On motion of Commissioner Handy, seconded by Commissioner Garza, the Court made a UNANIMOUS vote of approval to adjourn.

**There being no further business to come before said
Court, the meetings of the Commissioners' Court and the
Drainage District #1 Board are now hereby adjourned.**

**JOSE ELOY PULIDO _____
COUNTY JUDGE**

**SYLVIA HANDY _____
COUNTY COMMISSIONER, PRECINCT 1**

**HECTOR (TITO) PALACIOS _____
COUNTY COMMISSIONER, PRECINCT 2**

**JUAN ROSEL _____
COUNTY COMMISSIONER, PRECINCT 3**

**OSCAR L. GARZA _____
COUNTY COMMISSIONER, PRECINCT 4**

Dated this the 04th day of April, 2000

**JUAN D. SALINAS, III, County Clerk
Hidalgo County, Texas**

**By: _____
Deputy Clerk**

Minutes approved by the Commissioners' Court and the Drainage District #1 Board on the 5th day of December, 2000.