

THE STATE OF TEXAS §

COUNTY OF CAMERON §

BE IT REMEMBERED on the 15TH day of JUNE, 1992 there was conducted a REGULAR Session of the Honorable Commissioners' Court of Cameron County, Texas, at the Courthouse thereof, in the City of Brownsville, Texas, for the purpose of transacting any and all business that may lawfully be brought before the same.

THE COURT MET AT:
1:30 P. M.

PRESENT:
ANTONIO O. GARZA, JR.
COUNTY JUDGE

LUCINO ROSENBAUM, JR.
COMMISSIONER, PRECINCT NO. 1

CARLOS H. CASCOS
COMMISSIONER, PRECINCT NO. 2

ADOLPH THOMAE, JR.
COMMISSIONER, PRECINCT NO. 3

NATIVIDAD VALENCIA
COMMISSIONER, PRECINCT NO. 4

JOE G. RIVERA
COUNTY CLERK

ABSENT:

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The meeting was called to order by Judge Antonio O. Garza, Jr. He then asked Commissioner Cascos, Precinct No. 2, to lead the Court and the Audience in reciting the Pledge of Allegiance to the Flag.

The Court considered the following matters as posted and filed for Record in the Office of the County Clerk on June 12, 1992, at 11:26 A. M.

(1) APPROVAL OF COUNTY CLAIMS

At this time, Mr. Rayburn MacNelly, County Auditor, presented the following late claim for approval: Brownsville Community Health Clinic, Warrant No. 60446 in the amount of \$150.00.

Commissioner Valencia moved to approve the County Claims as presented, inclusive of the late claim of Brownsville Community Health Clinic, Warrant No. 60446 in the amount of \$150.00, on the recommendation of the County Auditor.

The motion was seconded by Commissioner Rosenbaum and carried as follows:

AYE: Commissioners Rosenbaum, Cascos, Thomae and Valencia

NAY: None

ABSTAIN: Judge Garza as to the claim of Brownsville Community Health Clinic, Warrant No. 60446 in the amount of \$150.00.

The Affidavit is as follows:

(2) **APPROVAL OF BUDGET AMENDMENTS AND/OR SALARY SCHEDULES**

Mr. Rayburn MacNelly, County Auditor, stated that the Salary Schedule for the Health, Women, Infant and Children (WIC) Department, Department No. 32-630, was utilizing lapsed Grant funds to provide raises for the employees hired under the WIC Program, with the exception of several positions that had previously received an increase.

Judge Garza questioned what the State policy was regarding the utilization of lapsed Grant funds and Mr. MacNelly responded that he did not know and added that the procedure had been approved in the past but that he did not have correspondence authorizing this action. He stated that it would create a problem only if the WIC Department received the same level of funding next year but that the State usually provided additional money every year.

Mr. Rolando Martinez, Health Administrator, explained that the funding level was based on the number of WIC participants served every year and that the Department currently had an estimated \$100,000.00 in Surplus Funds. He stated that these funds could not be "carried over" and if not utilized the funds would be lost and added that the funds were "restricted" to the WIC Department. He said he was trying to find other ways of spending the funds, such as the two (2) vehicles that they were trying to obtain for the Program.

Commissioner Thomae expressed his concern regarding salary adjustments using Lapsed Funds during the middle of the year.

Commissioner Cascos moved that the 1991/1992 Budget Amendment No. 30 and the Salary Schedules for the Cameron - Willacy Counties Probation Department, Department No. 48-530, No. 48-531 and No. 48-533 and the Health Women, Infants and Children (WIC) Department, Department No. 32-630 be approved.

The motion was seconded by Judge Garza and the vote was as follows:

AYE: Judge Garza and Commissioner Cascos

NAY: Commissioners Rosenbaum, Thomae and Valencia.

Commissioner Valencia moved that the 1991/1992 Budget Amendment No. 30 and the Salary Schedule for the Cameron/Willacy Counties, Probation Department, Department No. 48-530, No. 48-531 and No. 48-533, with the exception of the Salary Schedule for the Health Women, Infants and Children (WIC) Department, Department No. 32-630, be approved.

The motion was seconded by Commissioner Thomae and carried the following vote:

AYE: Commissioners Rosenbaum, Thomae and Valencia

NAY: Judge Garza and Commissioner Cascos.

The Budget Amendment and Salary Schedules are as follows:

(3) **IN THE MATTER OF MINUTES' OF JUNE 1 AND 8, 1992
(TABLED)**

Upon motion by Commissioner Cascos, seconded by Commissioner Rosenbaum and carried unanimously, this Item was TABLED.

(4) **APPROVAL TO REFUND TAXES TO TIERRA MAR, INCORPORATED, IN THE AMOUNT OF \$1,217.42 AND TO LAWRENCE HOLTZMAN IN THE AMOUNT OF \$889.92 FOR THE ERRONEOUS PAYMENT OF TAXES**

Upon motion by Commissioner Valencia, seconded by Commissioner Thomaе and carried unanimously, approval was given to refund the erroneous payment of taxes to Tierra Mar, Incorporated, in the amount of \$1,217.42 and to Mr. Lawrence Holtzman, in the amount of \$889.92.

(5) **AUTHORIZATION TO INCREASE THE ADMINISTRATION MISCELLANEOUS BUDGET FOR ADVERTISING BY \$6,000.00 - AMOUNT TO INCLUDE \$1,700.00 NEEDED TO ADVERTISE FOR THE COUNTY'S 9-1-1 RURAL ADDRESS SYSTEM. INCREASE TO BE FUNDED FROM THE CONTINGENCY LINE ITEM**

Ms. Rosemary Martinez, Administrative Assistant to the County Judge, explained that a correction needed to be made to the original Budget Amendment as submitted because it had included the entire advertising costs of the County's 9-1-1 Rural Address System, but that the Auditor's Office had requested that the amount of \$1,700.00 for said advertising be charged to the "Road and Bridge" Line Item. She added that the remainder of the requested Budget Amendment would fund the advertising charged to the "Administration Miscellaneous" Budget.

Mr. Andy Cueto, County Engineer, explained that the County agreed to fund the advertising of the 9-1-1 Rural Address System over a year ago, and that it was not strictly a "Road and Bridge" Item.

Upon motion by Commissioner Cascos, seconded by Commissioner Rosenbaum and carried unanimously, approval was given to increase the "Administration Miscellaneous" Budget for advertising by \$6,000.00, less the amount of \$1,700.00 needed to advertise for the County's 9-1-1 Rural Address System and charged to the "Road and Bridge" Line Item, said funds to be allocated from the "Contingency" Line Item.

(6) **AUTHORIZATION TO APPOINT A COUNTY REPRESENTATIVE TO SERVE ON THE LRGVDC ENVIRONMENTAL RESOURCES COMMITTEE**

Judge Garza suggested that Mr. David Hanawa, Chairperson of the Local Emergency Planning Committee, be appointed to serve on the Lower Rio Grande Valley Development Council's (LRGVDC) Environmental Resources Committee.

Commissioner Thomaе moved that the appointment of Mr. David Hanawa, Chairperson of the Local Emergency Planning Committee, to serve on the Lower Rio Grande Valley Development Council's (LRGVDC) Environmental Resources Committee be approved.

The motion was seconded by Commissioner Cascos and carried unanimously.

(7) APPROVAL OF REQUEST BY MAINTENANCE DIRECTOR TO PURCHASE NEW AIR CONDITIONING UNIT FOR DISTRICT COURTS

Mr. Pete Blanco, Maintenance Superintendent, explained that the Item should read "Request to advertise for bids, and not "to purchase".

Commissioner Valencia moved to direct the Request for Proposal or the advertisement for bids for a new air conditioning unit for the District Courts, to be ratified at the next Meeting.

The motion was seconded by Commissioner Thomae and carried unanimously.

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(8) CONSIDERATION AND ACCEPTANCE OF NOTICE OF CANCELLATION OF SERVICES BY EDGAR CLAUS FOR AFRICANIZED BEE SERVICES

Mr. Rolando Martinez, Health Administrator, explained that Mr. Edgar Claus had requested cancellation of his Contract due to personal health reasons. He said that Mr. Larry Esparza from Esparza Pest Control, Brownsville, Texas, would be providing the services for the County.

Commissioner Cascos suggested that the Health Administrator should attempt to locate another service provider for the "northern" part of the County to avoid the problems previously encountered.

Upon motion by Commissioner Thomae, seconded by Commissioner Valencia and carried unanimously, the Notice of Cancellation of Services by Mr. Edgar Claus for "Africanized Bees" services was acknowledged.

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(9) APPROVAL OF TRAVEL EXPENSES

Upon motion by Commissioner Valencia, seconded by Commissioner Rosenbaum and carried unanimously, the following travel expenses were approved, subject to availability of funds in their budget:

- a) Commissioner Rosenbaum to San Antonio, Texas, to attend South Texas County Judges and Commissioners Conference on July 1-3, 1992;
- b) Parks Director to Corpus Christi, Texas, on June 19, 1992, to attend Organizational Meeting of Texas Shore and Beach Preservation Association;
- c) Ms. Yvette Salinas, Health Department, to Robstown, Texas, to attend local Women, Infants and Children (WIC) Directors Nutrition Committee Meeting on June 29, 1992;
- d) County Judge to Austin, Texas, on June 17, 1992, to attend Texas Parks and Wildlife Meeting and to San Antonio, Texas, on July 1-3, 1992, to attend South Texas County Judges and Commissioners Association Conference; and
- e) Cameron County Drug Enforcement Task Force Director to attend Regular TNCP Directors Meeting in Longview, Texas, on June 8-9, 1992.

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(10) EXECUTIVE SESSION

Upon motion by Commissioner Cascos, seconded by Commissioner Thomae and carried unanimously, the Court met in Executive Session at 2:10 P. M. to discuss the following matter:

- a) Discuss land acquisition for future expansion of County buildings, pursuant to Section 2(f) of Article 6252-17 (of the Texas Revised Civil Statutes).

Upon motion by Commissioner Thomae, seconded by Commissioner Cascos and carried unanimously, the Court reconvened in Regular Session at 2:25 P. M.

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(11) ACTION RELATIVE TO EXECUTIVE SESSION

- a) Discuss land acquisition for future expansion of County buildings.

Judge Garza reported that after some discussion, it was the consensus of the Court as determined by polling, to proceed with the efforts to acquire a specific piece of property for future expansion and to adopt the guidelines as discussed.

Commissioner Thomae moved to proceed with the efforts to acquire a specific piece of property for future expansion of County Buildings and to adopt the guidelines as discussed in Executive Session.

The motion was seconded by Commissioner Rosenbaum and carried unanimously.

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ANNOUNCEMENT:

Judge Garza announced that a Special Meeting of the Commissioner's Court had been scheduled for Thursday, June 18, 1992, at 2:00 P. M.

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There being no further business to come before the Court, upon motion by Commissioner Cascos, seconded by Commissioner Thomae and carried unanimously, the meeting was adjourned.

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APPROVED this 29th day of June, 1992.

ANTONIO O. GARZA, JR.
COUNTY JUDGE

ATTEST:

JOE G. RIVERA,
COUNTY CLERK AND EX-OFFICIO CLERK
OF THE COMMISSIONERS' COURT OF
CAMERON COUNTY, TEXAS