

Zapata County, Texas



Commissioners Court

Rosalva Guerra
County Judge

Jose Emilio Vela
Commissioner, Pct. 1

Gabriel Villarreal
Commissioner, Pct. 2

Joseph Rathmell
Commissioner, Pct. 3

Norberto Garza
Commissioner, Pct. 4

Public Notice
Regular Commissioners Court Meeting
Zapata County Courthouse, 200 E. 7th Ave, Suite 108
Zapata, Texas 78076
September 14, 2009
9:15 A.M.

1. Approval of Minutes
2. Communications
3. Public Comment – This section provides the public the opportunity to address the Commissioners Court on any items on the Agenda. Members of the public wishing to participate must complete a public participation form specifying which agenda item they wish to comment on.
4. Departmental Reports
5. Approval of Invoices. [Requested by Doroteo N. Garza, County Auditor.]

DELIBERATE AND CONSIDER ACTION ON THE FOLLOWING ITEMS

6. To adopt the County Budget for Fiscal Year 2009-2010. [Requested by Doroteo Garza, County Auditor.]

7. To approve the tax rate of \$0.736096 per \$100 valuation for Fiscal Year 2009-2010 by executing an "Order Setting the Tax Rate for FY 2009-2010". [Requested by Doroteo Garza, County Auditor.]
8. To set the salaries and the number of positions by approving the General Order of Personnel for FY 2009-2010. [Requested by Doroteo Garza, County Auditor.]
9. To approve the "Operational General Order for Fiscal Year 2009-2010". [Requested by Doroteo Garza, County Auditor.]
10. To authorize County Treasurer and County Auditor to close all accounts and make all necessary line item transfers. [Requested by Doroteo Garza, County Auditor.]
11. To authorize Mike Chapa to conduct an inventory of the Zapata County Medical Clinic on September 30, 2009. [Requested by Doroteo Garza, County Auditor.]
12. To approve temporary employee to replace a crew member (Pct. 1) out on worker's compensation. [Requested by Commissioner Jose Emilio Vela, Pct. 1.]
13. To approve the construction of a block fence on the southeast side of the new section of the Zapata Co. Cemetery with the adjoining landowner to provide all materials and county agreeing to provide labor for construction of fence. [Requested by Commissioner Joseph Rathmell, Pct. 3.]
14. To install storm gutters on county easement on Colorado Lane with needed materials to be provided by adjoining landowner. [Requested by Commissioner Joseph Rathmell, Pct. 3.]
15. To approve the use of Little League Park to the end of 2009 for Zapata Little League Developmental Program. [Requested by Commissioner Norberto Garza, Pct. 4.]
16. To award bid to Elizondo's Construction for the demolition and reconstruction of Little League Park Restrooms. [Requested by Commissioner Norberto Garza, Pct. 4.]
17. To approve the Zapata County FY 2009-2010 Holiday Schedule. [Requested by County Judge Rosalva Guerra.]
18. To approve the 2009-2010 Zapata County Commissioners Court Regular Meetings. [Requested by County Judge Rosalva Guerra.]
19. To approve Oswaldo and Juanita Ramirez exhibit hall schedule fees. [Requested by County Judge Rosalva Guerra.]
20. To approve 2009-2010 Indigent Attorneys' fee Schedule. [Requested by County Judge Rosalva Guerra.]
21. To send written termination notice to Grande Garbage Collection Company as per Solid Waste Collection Agreement. [Requested by County Judge Rosalva Guerra.]

22. To approve proposal for Zapata County Clinic Management. [Requested by County Judge Rosalva Guerra.]
23. To approve permit modification to landfill site operating plan as recommended by landfill consultant. [Requested by County Judge Rosalva Guerra.]
24. To approve Sheriff and Constables' fees for 2010 as authorized by Local Government Code Section 118.131. [Requested by County Judge Rosalva Guerra.]
25. To approve operating hours for the San Ygnacio Municipal Solid Waste Landfill Permit 783A in accordance with Section 11 of the Standards of Operation (SOP). [Requested by County Judge Rosalva Guerra.]
26. To approve cooperative working agreement with The South Texas Council on Alcohol and Drug Abuse (S.T.C.A.D.A.) for the program year September 1, 2009 to November 30, 2010. [Requested by County Judge Rosalva Guerra.]
27. To approve that any existing and new tapping contracts with the Zapata County Waterworks be authorized by the Zapata County Commissioners Court. [Requested by County Judge Rosalva Guerra.]
28. To give incentive pay to
 - Roel Gonzalez, Jr. from \$10.27 to \$10.52, (Fire Fighter)
 - William A. Butterfield from \$10.35 to \$10.60, (Fire Inspector)
 - Fermin Orta from \$10.36 to \$10.61, (Peace Officer)
 - Gabriela Gonzalez from \$10.28 to 10.53, (Fire Fighter)
 - Gerardo Garza from \$10.36 to \$10.86, (EMT-I)
 - Benjamin Martinez from \$12.39 to \$12.64, (Fire Fighter)
 - Carlos Talamante from \$10.33 to \$10.60, (Fire Inspector)
 - Daniel Arriaga from \$10.29 to \$10.54, (Fire Fighter)
 - Jorge Oyervides from \$12.98 to \$13.25, (Fire Inspector)

These monies will come out of page 26 line item 10-543-107. [Requested by Fire Chief Juan Jose Meza.]

29. To approve the remount of one ambulance. Total cost \$82,603.00. Received grant of \$30,000.00 requesting \$55,000.00 for remount and stretcher from tobacco funds. [Requested by Fire Chief Juan Jose Meza.]
30. To request permission to use pavilion on December 13, 2009 Marine Corps (Toys for Tots). [Request by Sgt. Manuel Garcia.]
31. To purchase second vehicle for Code Enforcement Department, from Escamilla Ford in Zapata, Texas. [Requested by Zar Rodriguez, IV., County Inspector.]
32. To approve the use of the Little League Field for practice from 7 pm – 9 pm and for the lights to be turned on. [Requested by Fred Calderas, Head Coach of the youth Football League.]

33. To hire an employee for slot # 4 @ \$7.74/hr. for San Ygnacio Landfill. [Requested by Guillermo M. Saenz, Environmental Director.]
34. To approve the necessary funding needed to complete the Zapata County Plaza Project funding to be provided from the Hotel Motel Tax Fund. [Requested by Zapata County Chamber of Commerce.]
35. To award construction contract for the Pedernales Road Project. [Requested by Manuel Gonzalez, Premier Engineering.]
36. To award construction contract for the Jennings Road Project. [Requested by Manuel Gonzalez, Premier Engineering.]
37. To assist Zapata County WCID with in-kind labor for the proposed water line project. [Requested by Manuel Gonzalez, Premier Engineer.]
38. To approve the hiring of Ruben Pena, Jr. as a treatment operator trainee at the Wastewater treatment plant for slot 9 vacant position at a starting salary of \$8.80 per hour. [Requested by [Requested by Carlos Treviño, Utilities Director and Eloy Chapa, Jr. Wastewater Supervisor.]
39. To request a salary adjustment for Gilberto Salinas, Jr. to \$12.00 per hour as he has fulfilled his training requirements and has obtained his Wastewater Class 1 collection system operator's license. [Requested by Carlos Director and Eloy Chapa, Jr. Wastewater Supervisor.]
40. To request county fairgrounds for dance on October 24, 2009 or November 7, 2009. Percentage of profit will go to High School Scholarships. [Requested by Francisco San Millan, HTM Inc.]
41. To approve the Change order presented by Rigney Construction for the Romeo T. Flores Park. [Requested by John Rigney, Rigney Construction.]
42. To place a door at the personnel director's office leading to the Auditor's office. [Requested by Nellie R. Treviño, Personnel Director.]
43. To use Zapata County Community Center for Girl Scout Meeting on September 30, 2009 from 6 pm to 8 pm. [Requested by Isela Wells, Girl Scout Director.]
44. To approve hiring of one (1) temporary clerk, at the rate of \$7.50 per hour, to be paid from the District Clerks' record management and preservation fund under Section 118.0216 of the Local Government Code, to scan and index minutes and documents. Employment shall be effective September 14, 2009 – until project is completed. [Requested by Dora A. Ramos, District Clerk.]
45. To approve permission to write a wastewater ordinance for the Zapata County Waste Water Plant. [Requested by Carlos Treviño, Jr., Water Plant Manager.]

46. To approve a change order for the new water plant. [Requested by Carlos Treviño, Water Plant Manager and Commissioner Joseph Rathmell, Pct. 3.]
47. To approve the purchase of a new 1½ ton pick up truck for the water plant. Water analysis locations have changed and a dependable vehicle is required for this important function. Purchase price of \$25,000.00 to be obtained from line item 80-600-336. [Requested by Carlos Treviño, Jr., Water Plant Manager.]
48. To authorize initiating the procurement of professional services for the implementation of the TxCDBG Colonia Construction grant project, ORCA PY 2009-2010, for sewer improvements in Colonia Linda Vista. [Requested by Carlos Colina-Vargas and Commissioner Joseph Rathmell, Pct. 3.]
49. To use the front of the Zapata County Courthouse for the Zapata County Drug Free Community Pep Rally to kick off Red Ribbon Week on Wednesday, October 14, 2009 at 6:30 pm. [Requested by Fina Villarreal, Scan Director.]
50. To use the Zapata County Pavilion for the annual Mariachi Halcón Jamaica on October 11, 2009.

RESOLUTIONS AND PROCLAMATIONS

51. To approve a resolution authorizing the County to make a grant to the Zapata County Nutrition Program as they apply for grant funds from the Texas Department of Agriculture to supplement and extend existing service to homebound persons in the County. [Requested by Rosie Gonzalez, Zapata County Nutrition Program.]
52. To approve resolution for the Zapata County Sheriff's Office Task Force Operation Border Star Grant # 1982103. [Requested by Captain Victor Sermino, Zapata County Sheriff's Department.]
53. To consider the adoption of zoning regulations pursuant to Senate Bill 63 of Texas Legislature. [Requested by Hector Uribe, Legislative Consultant.]

CONSENT ITEMS

54. To install a speed hump at 2510 Iturbide in the town of Zapata. [Requested by Commissioner Gabriel Villarreal, Pct. 2.]
55. To install 4-way stop signs at the intersection of Iturbide Street and 26th Ave. in the Town site of Zapata. [Requested by Commissioner Gabriel Villarreal, Pct. 2.]
56. To install a security light at the corner of 14th Ave. and Jackson St. in the Town of Zapata. [Requested by Commissioner Gabriel Villarreal, Pct. 2.]

57. To install a speed bump at 416 Hidalgo St. in the Town of San Ygnacio. [Requested by Commissioner Gabriel Villarreal, Pct. 2.]
58. To install 2 speed humps on Carrizo Lane. [Requested by Commissioner Joseph Rathmell, Pct. 3.]
59. To approve speed bumps on 4th and Medina Avenue, Precinct 4. [Requested by Commissioner Norberto Garza, Pct. 4.]
60. To install a security light at 1407 Diaz St. [Requested by Commissioner Norberto Garza, Pct. 4.]
61. To install a speed hump between 7th and 10th on Villa. [Requested by Commissioner Norberto Garza, Pct 4.]
62. To install a security light between 4th and 7th on Villa. [Requested by Commissioner Norberto Garza, Pct. 4.]
63. To install a speed hump between 13th and 16th on Juarez. [Requested by Commissioner Norberto Garza, Pct. 4.]
64. To install one security light at 1405 7th St. [Requested by Commissioner Norberto Garza, Pct. 4.]

65. To approve the following line item transfers as requested:

	DEPARTMENT	LINE ITEM	FUND	AMOUNT
FROM	ENVIRONMENTAL	10-595-330	FUEL	\$10,000.00
TO	ENVIRONMENTAL	10-595-456	MAINTENANCE	\$10,000.00

To meet budget requirements. [Requested by Environmental Director, Guillermo M. Saenz]

66. To approve the following line item transfers as requested:

	DEPARTMENT	LINE ITEM	FUND	AMOUNT
FROM	NUTR. PROGRAM	38-647-330	FUEL & LUBRICATE	\$350.00
TO	NUTR. PROGRAM	38-647-454	REPAIR & MAINTENANCE	\$350.00
FROM	NUTR. PROGRAM	38-647-427	TRAVEL	\$450.00
TO	NUTR. PROGRAM	38-649-454	REPAIR & MAINTENANCE	\$450.00
FROM	NUTR. PROGRAM	38-647-336	RAW FOOD	\$350.00
TO	NUTR. PROGRAM	38-647-467	NON-FOOD CONSUMABLE	\$350.00
FROM	I & A PROGRAM	37-645-330	FUEL LUBRICATE	\$150.00
TO	I & A PROGRAM	37-645-427	TRAVEL	\$150.00

To meet budget requirements. [Requested by Carmen R. Reyes, Nutrition Center Supervisor.]

67. To approve the following line item transfers as requested:

	DEPARTMENT	LINE ITEM	FUND	AMOUNT
FROM	LIBRARY	10-695-681	ROOF PUBLIC LIBRARY	\$15,000.00
TO	LIBRARY	10-650-335	COMPUTER MAINTENANCE	\$15,000.00
FROM	LIBRARY	10-695--681	ROOF PUBLIC LIBRARY	\$2,000.00
TO	LIBRARY	10-650-462	REPAIRS & MAINTENANCE	\$2,000.00

To meet budget requirements. [Requested by Aida R. Garcia, County Librarian.]

68. To approve the following line item transfers as requested:

	DEPARTMENT	LINE ITEM	FUND	AMOUNT
FROM	COUNTY ATTORNEY	10-475-462	EQUIPMENT RENTAL	\$2,500.00
TO	COUNTY ATTORNEY	10-475-392	MISC. MAINTENANCE EXP.	\$2,500.00
FROM	COUNTY ATTORNEY	10-475-310	OFICE SUPPLIES	\$1,000.00
TO	COUNTY ATTORNEY	10-475-392	MISC.MAINTENANCE EXP.	\$4,000.00

To meet budget requirements. [Requested by Saíd A. Figueroa, County Attorney.]

69. To approve the following line item transfers as requested:

	DEPARTMENT	LINE ITEM	FUND	AMOUNT
FROM	AUDITOR'S OFFICE	10-495-335	EQUIPMENT RENTAL & REPAIR	\$500.00
TO	AUDITOR'S OFFICE	10-495-311	POSTAGE	\$500.00
FROM	AUDITOR'S OFFICE	10-495-335	EQUIPMENT RENTAL & REPAIR	\$3,000.00
TO	AUDITOR'S OFFICE	10-495-427	WORKSHOP & TRAVEL EXPENSES	\$3,000.00

To meet budget requirements. [Requested by Doroteo Garza, County Auditor.]

70. To approve the following line item transfers as requested:

	DEPARTMENT	LINE ITEM	FUND	AMOUNT
FROM	CONSTABLE PCT. 2	10-550-331	FUEL & LUBRICANTS	\$2,100.30
TO	CONSTABLE PCT. 2	10-550-311	SUPPLIES	\$2,100.30
FROM	CONSTABLE PCT. 2	10-550-455	REPAIRS	\$1,085.40
TO	CONSTABLE PCT. 2	10-550-311	SUPPLIES	\$1,085.40

To meet budget requirements. [Requested by Constable Henry Martinez, Pct. 2.]

71. To approve the following line item transfers as requested:

	DEPARTMENT	LINE ITEM	FUND	AMOUNT
FROM	COUNTY WASTEWATER	08-602-341	CHLORINE & CHEMICALS	\$15,000.00
TO	COUNTY WASTEWATER	08-602-336	REPAIR & MAINTENANCE	\$15,000.00
FROM	COUNTY WASTEWATER	08-602-481	STATE FEES	\$2,000.00
TO	COUNTY WASTEWATER	08-602-488	INSPECTION FEES	\$2,000.00
FROM	COUNTY WASTEWATER	08-602-311	POSTAGE	\$2,500.00
TO	COUNTY WASTEWATER	08-602-336	REPAIR & MAINTENANCE	\$2,500.00

To meet budget requirements. [Requested by Zapata County Wastewater.]

72. To approve the following line item transfers as requested:

	DEPARTMENT	LINE ITEM	FUND	AMOUNT
FROM	JP PCT. 1	10-455-412	AUTOPSY	\$5,000.00
TO	JP PCT. 1	10-455-310	SUPPLIES	\$5,000.00
FROM	JP PCT. 2	10-455-412	AUTOPSY	\$5,000.00
TO	JP PCT. 2	10-455-311	SUPPLIES	\$5,000.00
FROM	JP PCT. 3	10-455-412	AUTOPSY	\$5,000.00
TO	JP PCT. 3	10-455-312	SUPPLIES	\$5,000.00
FROM	JP PCT. 4	10-455-412	AUTOPSY	\$5,000.00
TO	JP PCT. 4	10-455-313	SUPPLIES	\$5,000.00

To meet budget requirements. [Requested by Justice of the Peace, Pct. 1, 2, 3 & 4.]

73. To approve the following line item transfers as requested:

	DEPARTMENT	LINE ITEM	FUND	AMOUNT
FROM	CONSTABLE PCT. 4	10-550-313	SUPPLIES	\$150.00
TO	CONSTABLE PCT. 4	10-550-430	UNIFORMS	\$150.00
FROM	CONSTABLE PCT. 4	10-550-457	REPAIRS	\$100.00
TO	CONSTABLE PCT. 4	10-550-430	UNIFORMS	\$100.00

To meet budget requirements. [Requested by Manuel M. Flores, Jr., Constable Pct. 4.]

74. To approve the following line item transfers as requested:

	DEPARTMENT	LINE ITEM	FUND	AMOUNT
FROM	ZAPATA CO. EXTENSION OFFICE	10-665-427	TRAVEL	\$2,400.00
TO	ZAPATA CO. EXTENSION OFFICE	10-665-310	SUPPLIES	\$2,400.00

To meet budget requirements. [Requested by Caleb Eaton, County Extension Agent.]

75. To approve the following line item transfers as requested:

	DEPARTMENT	LINE ITEM	FUND	AMOUNT
FROM	DISTRICT CLERK	10-450-457	EQUIPMENT REPAIRS	\$425.00
TO	DISTRICT CLERK	10-450-429	TRIPS TO LAREDO (CASES)	\$425.00

To meet budget requirements. [Requested by Dora A. Ramos, District Clerk.]

76. To approve the following line item transfers as requested:

	DEPARTMENT	LINE ITEM	FUND	AMOUNT
FROM	WATER PLANT	08-602-589	EQUIPMENT	\$1,359.02
TO	WATER PLANT	08-602-602	BACKHOE LEASE PURCHASE	\$1,359.02

To meet budget requirements. [Requested by Carlos Treviño, Water Plant Manager.]

77. To approve the following line item transfers as requested:

	DEPARTMENT	LINE ITEM	FUND	AMOUNT
FROM	WATER PLANT	80-600-443	ELECTRICITY	\$25,500.00
TO	WATER PLANT	80-600-336	REPAIR & MAINTENANCE	\$25,500.00
FROM	WATER PLANT	80-600-488	INSPECTION FEES	\$3,455.84
TO	WATER PLANT	80-600-569	IMPROVEMENTS	\$3,455.84
FROM	WATER PLANT	80-600-488	INSPECTION FEES	\$ 638.18
TO	WATER PLANT	80-600-589	EQUIPMENT	\$638.18
FROM	WATER PLANT	80-600-330	FUEL & LUBRICANTS	\$9,000.00
TO	WATER PLANT	80-600-341	CHLORINE & CHEMICALS	\$9,000.00

To meet budget requirements. [Requested by Carlos Treviño, Water Plant Manager.]

78. To approve the following line item transfers as requested:

	DEPARTMENT	LINE ITEM	FUND	AMOUNT
FROM	WATER PLANT	10-370-901	ROYALTY FUND	\$20,000.00
TO	WATER PLANT	10-409-751	SPECIAL MATERIALS	\$20,000.00
FROM	WATER PLANT	10-370-901	ROYALTY FUND	\$35,000.00
TO	WATER PLANT	10-409-761	SP. CONTRACT SERVICE	\$35,000.00
FROM	WATER PLANT	10-370-901	ROYALTY FUND	\$20,000.00
TO	WATER PLANT	10-409-752	SPECIAL MATERIALS	\$20,000.00
FROM	WATER PLANT	10-370-901	ROYALTY FUND	\$35,000.00
TO	WATER PLANT	10-409-762	SP. CONTRACT SERVICE	\$35,000.00
FROM	WATER PLANT	10-370-901	ROYALTY FUND	\$20,000.00
TO	WATER PLANT	10-409-753	SPECIAL MATERIAL	\$20,000.00
FROM	WATER PLANT	10-370-901	ROYALTY FUND	\$35,000.00
TO	WATER PLANT	10-409-763	SPECIAL CONTRACT SER.	\$35,000.00
FROM	WATER PLANT	10-370-901	ROYALTY FUND	\$20,000.00
TO	WATER PLANT	10-409-754	SPECIAL MATERIAL	\$20,000.00
FROM	WATER PLANT	10-370-901	ROYALTY FUND	\$35,000.00
TO	WATER PLANT	10-409-764	SPECIAL CONTRACT SER.	\$35,000.00

To meet budget requirements. [Requested by Carlos Treviño, Water Plant Manager.]

REPORTS AND PRESENTATIONS

79. Monthly business report of the Zapata County Economic Development Center. [Requested by Peggy Umphres-Moffett, ZEDC President.]
80. Presentation from Colonial Life Supplemental Insurance Group by Ignacio Salazar. [Requested by Igancio Salazar, Benefits Counselor.]

EXECUTIVE SESSION

- Note 1 Gov't Code Ann 551.071, Consultation with Attorney**
Note 2 Gov't Code Ann 551.072, Real Property
Note 3 Gov't Code Ann 551.074, Personnel Matters
Note 4 Gov't Code Ann 551.076, Security

The Commissioners Court will consider the following items in Executive Session. The Commissioners Court may also consider any other matter posted on the agenda if there are issues that require consideration in Executive Session and the Commissioners Court announces that the item will be considered during Executive Session.

81. Consultation with the County Attorney in regard to the Jennings Road County Project. [Requested by Said Alfonso Figueroa, County Attorney.]

ADJOURN

Pursuant to the authority granted under Government Code, Chapter 551, the Commissioners Court may convene a closed session to discuss any of the above agenda items. Immediately before any closed session, the specific section or sections of Government Code, Chap. 551 that provide statutory authority will be announced.

DATED THIS 10th DAY OF September, 2009.

By: _____
Sara A. Rocha
Court Coordinator

CERTIFICATION OF NOTICE AND POSTING

I, the undersigned, County Clerk, do hereby certify that the above notice of meeting of the Zapata County Commissioners Court, is a true and correct copy of said notice, and that I posted a true and correct copy of said notice on the bulletin board at the Courthouse of Zapata County, Texas, at a place readily accessible to the general public at all times on the 10th day of SEPTEMBER, 2009 and said notice remained so posted continuously for at least 72 hours preceding the scheduled time of said meeting.

DATED THIS 10TH DAY OF SEPTEMBER, 2009.

MARY JAYNE VILLARREAL-BONOAN, COUNTY CLERK, ZAPATA COUNTY, TEXAS

BY: _____