

**THE STATE OF TEXAS
COUNTY OF ZAPATA
IN THE COMMISSIONERS COURT OF ZAPATA COUNTY, TEXAS**

Be it remembered, that on this the 13th day of November, A. D., 2012, the Commissioners Court of Zapata County, Texas, convened in **REGULAR SESSION** of said Court, at the regular meeting place thereof, in the Courthouse of Zapata, Texas, with the following members of said Court, to-wit:

PRESENT:

Hon.	Joseph Rathmell	County Judge
	Jose Emilio Vela	Commissioner, Precinct No. 1
	Gabriel Villarreal	Commissioner, Precinct No. 2
	Eddie Martinez	Commissioner, Precinct No. 3
	Norberto Garza	Commissioner, Precinct No. 4
	Saíd Alfonso Figueroa	County Attorney
	Mary Jayne Villarreal-Bonoan	County Clerk

VISITORS: Romeo Salinas, Triunfo Gonzalez, Mario Gonzalez-Davis, Auddy Hernandez, Nellie R. Treviño, Brian J. Martinez, Joyce Currington, Roger Miller, Juan J. Meza, Maria I. Gutierrez, Rosalinda Gonzalez, Beatriz M. Currington, Virginia Mendiola, Lorena Peña, Francisca de los Santos, Alma D. Rodriguez, Ma. Leonor Guzman, Vanessa Serna, Evelina Vera, Sean Kamber, Fortunato Paredes, Darrell W. Vickers, Viola Torres, Paco Mendoza, Diana Cuellar-Villarreal, Omelia Zapata, Ramiro Hernandez, Maria E. Gutierrez, Delia Mendoza and Luis L. Gonzalez.

WHEREUPON, the following Orders and Proceedings were had by said Court, to-wit:

MEETING CALLED TO ORDER AT 9:00 A. M.

ROLL CALL BY MARY JAYNE VILLARREAL-BONOAN, COUNTY CLERK

INVOCATION BY REV. ROGER MILLER, KING'S WAY CHURCH

PLEDGE OF ALLEGIANCE

COMMUNICATIONS

Judge Rathmell invited the court to join Tracy King at a complementary breakfast at the Community Center on November 14, 2012 at 7:30 a.m.

Auddy Hernandez from the County Judge's office informed the court that an in-service / workshop will be held on Wednesday before Thanksgiving Day. Donations and door prizes are welcome.

DEPARTMENTAL REPORTS

Luis Lauro Gonzalez, Zapata County Tax Assessor/Collector, reported that the tax office collected \$12,587.71 for Motel - Hotel Tax and total collections in the amount of \$6,323,623.90 for tax collections.

Dr. David Brown, Dean ZTAC, gave an update on the AT&T services. He stated that internet and voice could be combined for \$1,000.00 less at double the speed. Time Warner charges less. An AT&T representative will come to make a presentation. It is very possible that services will be obtained by the end of the year.

Dr. Brown also reported on student population at ZTAC and commented that there was no student participation for next semester and no college credit courses will be offered.

Oil and gas training will be available in December. Distance education will also be available upon reconnecting of internet. Proctors are needed so students are not left alone.

He also reported that he would be teaching the National Government Class and Dr. Cruz Torres will teach Sociology.

ZISD has already enrolled students in career packs. Mr. Flores and Ms. Rivera were aware of students' needs. ZISD did not participate. They want to call the shots on which classes are taught and which semesters they will be taught.

Commissioner Vela stated that the school board should be approached.

Judge Rathmell stated the ZISD rescinded and Zapata County picked up the pieces.

Dr. Brown said that numbers were needed in order to qualify for funding. He does not want the school to feel like he is dictating what direction the school should take.

Mr. Figueroa feels that the school board may not be aware of the current situation. Administration seems to be biased and someone from the county should address the board of trustees.

Dr. Brown stated that he was reprimanded for going to the trustees.

Commissioner Martinez said that he would address the school board.

Dr. Brown stated that the grant needs to be closed out by the end of the year and he will get together with Romeo Salinas to see what expenses can be used towards that matter.

A \$100,000.00 pledge was made by Mrs. Maria Eva Ramirez, however, it has not been paid.

Mr. Triunfo Gonzalez stated that Mrs. Ramirez is going to get together with Judge Rathmell to pay the \$100,000.00.

Joyce Currington, Reporter with Zapata County News, stated that Karran Westerman, the owner of the newspaper, would not charge for publishing a list of classes offered by ZTAC in order to inform the public.

Commissioner Vela stated that support is needed from the school and the goal was to bring in students from ZISD.

ORDER APPROVING MINUTES OF OCTOBER 9, 2012 AND OCTOBER 22, 2012

Motion was made by Commissioner Martinez, seconded by Commissioner Garza, to approve the Minutes of October 9 and October 22, 2012, as presented by Mary Jayne Villarreal-Bonoan, County Clerk.

The above motion, being put to a vote, was approved by the affirmative vote of all members of the Court.

ORDER APPROVING INVOICES

Motion was made by Commissioner Villarreal, seconded by Commissioner Vela, to approve invoices as presented by Triunfo Gonzalez, County Auditor.

The above motion, being put to a vote, was approved by the affirmative vote of all members of the Court.

ORDER APPROVING TREASURER'S REPORT

Motion was made by Commissioner Garza, seconded by Commissioner Martinez, to approve Treasurer's Report as presented by Hon. Romeo Salinas, County Treasurer.

The above motion, being put to a vote, was approved by the affirmative vote of all members of the Court.

MONTHLY REPORT OF ZAPATA FAMILY MEDICAL CLINIC

Mr. Sean Kamber of Laredo Medical Center presented Commissioners Court with the monthly report for October 2012. There is an increase in the number of patient visits. There is now a 24 hour radiologist available as well as bone density testing. A more complex lab service will be available after January 1, 2013.

**FINANCIAL REPORT ON THE 2012 ZAPATA COUNTY FAIR
BY PACO MENDOZA**

Mr. Paco Mendoza, County Fair President, gave the financial report for the 2012 Zapata County Fair. An itemized statement was presented. Total income was \$384,373.00, total expenses were \$346,918.57 for a net profit of \$37,454.43. There is a line of credit at IBC in the amount of \$40,000.00, the goal is to pay 50% of this loan.

**ORDER APPROVING APPOINTMENT OF NEW ZAPATA HISTORICAL
COMMISSIONER MEMBERS**

Motion was made by Commissioner Garza, seconded by Commissioner Vela, to approve the appointment of new Zapata Historical Commission Members in accordance with Chapter 318 Texas Government Code as requested by Hon. Joseph Rathmell, County Judge. The following members were appointed:

Laura Ramirez
Amparo Gutierrez
Roberto Montes

Rosie Gonzalez
Auddy Hernandez

The above motion, being put to a vote, was approved by the affirmative vote of all members of the Court.

ORDER TO TABLE REQUEST BY JUDGE RATHMELL TO ALLOW CUTTING OF GUTIERREZ STREET IN SAN YGNACIO

Motion was made by Commissioner Martinez, seconded by Commissioner Garza, to Table request by Judge Rathmell regarding the cutting of Gutierrez Street in San Ygnacio for the installation of a water meter and to set appropriate fees for th cost of repairs.

The above motion, being put to a vote, was approved by the affirmative vote of all members of the Court.

ORDER APPOINTING A MEMBER FROM ZAPATA COUNTY COMMISSIONERS COURT TO SERVE ON ZAPATA COUNTY APPRAISAL DISTRICT BOARD FOR A PERIOD OF TWO YEARS.

Motion was made by Commissioner Villarreal, seconded by Commissioner Vela, to re-appoint Commissioner Eddie Martinez as a member from the Zapata County Commissioners Court to serve on the Zapata County Appraisal District Board for a period of two (2) years from January 2013 through December 2014 as requested by Hon. Joseph Rathmell, County Judge.

The above motion, being put to a vote, was approved by the affirmative vote of all members of the Court.

ORDER APPROVING BID FOR COST OF WALL REPAIRS AT ZAPATA COUNTY LIBRARY BUILDING

Motion was made by Commissioner Vela, seconded by Commissioner Martinez, to award and approve a bid in the amount of \$2,300.00 by Ely Alaniz, being the lowest bidder, for the cost of the wall repair at the Zapata County Library building, damage due to termites as requested by Hon. Joseph Rathmell, County Judge.

The above motion, being put to a vote, was approved by the affirmative vote of all members of the Court.

DISCUSSION / PUBLIC PARTICIPATION

Mark from IBC informed the court that the Boys and Girls Club cannot be kept open and will close upon completion of audit on November 30, 2012, Zapata County will look for in-kind contributions. IBC has been contributing \$12,000.00 per month.

ORDER APPROVING PURCHASE OF BOYS AND GIRLS CLUB BUILDING

Motion was made by Commissioner Martinez, seconded by Commissioner Garza, to approve the purchase of the Boys & Girls Club building and it's improvements for a sum not to exceed \$50,000.00, pending all legal clearance such as reimbursement to donors, if any, for the possible use of a future library as requested by Hon. Eddie Martinez, Commissioner Precinct 3.

The above motion, being put to a vote, was approved by the affirmative vote of all members of the Court.

PUBLIC PARTICIPATION

Mrs. Viola Torres approached the court and stated that the community needs a youth center. Without the club many of the youth will be on the streets or home alone. Some children stay at the club as late as 7:00 - 7:30 p.m.

ORDER APPROVING CONTINUATION OF LETTER OF CREDIT TO ESTABLISH STAND BY TRUST FUND FOR FINANCIAL ASSURANCE FOR CLOSURE AND POST CLOSURE OF SAN YGNACIO LANDFILL NO. 783 AND CLOSE LANDFILL NO. 1528

Motion was made by Commissioner Garza, seconded by Commissioner Martinez, to approve continuation of the letter of credit to establish stand by trust fund for the financial assurance for the closure and post closure of San Ygnacio landfill no. 783 in the amount of \$505,399.00 and close landfill no. 1528 in the amount of \$254,461.00 as requested by TCEQ, Deborah Wisneski, Financial Analyst, as requested by Triunfo Gonzalez, County Auditor.

The above motion, being put to a vote, was approved by the affirmative vote of all members of the Court.

ORDER APPROVING PURCHASE OF BUS FOR ZAPATA COUNTY NUTRITION PROGRAM

Motion was made by Commissioner Martinez, seconded by Commissioner Garza, to approve to purchase / replace a bus for the Zapata County Nutrition Program and seek approval in the form of a resolution to release the funds owed to the Texas Department of Transportation to Zapata County, pending \$28,000 reimbursement to county and \$10,000.00 from TxDot, as requested by Hon. Eddie Martinez, Commissioner Precinct 3 and Hon. Norberto Garza, Commissioner Precinct 4.

The above motion, being put to a vote, was approved by the affirmative vote of all members of the Court.

ORDER APPROVING CLEANUP OF ZAPATA COUNTY CEMETERY BY LCC ESL GED GROUP VOLUNTEERS

Motion was made by Commissioner Garza, seconded by Commissioner Vela, to approve cleanup of the edge of the Zapata County Cemetery by LCC ESL GED Group volunteers as requested by Beatriz Gutierrez. LCC ESL GED Group.

The above motion, being put to a vote, was approved by the affirmative vote of all members of the Court.

ORDER APPROVING USE OF PAVILION ON DECEMBER 11, 2012 FOR VILLARREAL ELEMENTARY FUND RAISER

Motion was made by Commissioner Vela, seconded by Commissioner Villarreal, to approve the use of the Pavilion on December 11, 2012 for a Villarreal Elementary fund-raiser as requested by Mariela Martinez, Zapata Villarreal Elementary School Principal.

The above motion, being put to a vote, was approved by the affirmative vote of all members of the Court.

**ORDER APPROVING REQUEST TO USE COMMUNITY CENTER AND PAVILION
BY ZAPATA ENVIRONMENTAL CIVIC ORGANIZATION**

Motion was made by Commissioner Martinez, seconded by Commissioner Garza, to approve request to use of the Community Center and Pavilion on the following dates:

- a. Pavilion - November 30, 2012 (Bingo)
- b. Community Center - December 31, 2012 (New Year's Dance)
- c. Community Center - February 16, 2012 (Theatrical Performance)
- d. Community Center - July 4, 2013 (4th of July Celebration)
- e. Pavilion & Boulevard - October 19, 2013 (Musical Heritage Month)

as requested by Omelia Zapata, Zapata Environmental Civic Organization.

The above motion, being put to a vote, was approved by the affirmative vote of all members of the Court.

ORDER APPROVING REPAIRS OF CONSTABLE PRECINCT 1 PATROL UNIT

Motion was made by Commissioner Garza, seconded by Commissioner Martinez, to approve the repair of Constable Precinct 1 Patrol Unit. Estimated amount of repair cost is between \$4,000.00 and \$5,000.00, to be paid from royalty funds, pending insurance coverage as requested by Adalberto Mejia, Constable Precinct 1.

The above motion, being put to a vote, was approved by the affirmative vote of all members of the Court.

**ORDER ACCEPTING PROJECT COMPLETION FOR TWDB CONTRACT NO. 61275
WATER TREATMENT PLANT EXPANSION PROJECT**

Motion was made by Commissioner Vela, seconded by Commissioner Martinez, to accept the project completion for the TWDB Contract No. 61275 Water Treatment Plant Expansion Project as of November 13, 2012 as requested by Mario Gonzalez-Davis, Project Manager and Manuel Gonzalez, Premier Engineering.

The above motion, being put to a vote, was approved by the affirmative vote of all members of the Court.

**ORDER APPROVING TRANSFER OF RAUL RAMIREZ FROM LANDFILL SLOT #6
TO LANDFILL SLOT #1**

Motion was made by Commissioner Vela, seconded by Commissioner Garza, to approve transfer of Raul Ramirez from landfill slot #6 to landfill slot #11 at the rate of \$8.60 per hour as requested by Guillermo Saenz, Landfill Manager.

The above motion, being put to a vote, was approved by the affirmative vote of all members of the Court.

**ORDER APPROVING INSTALLATION OF STREET LIGHTS AND/OR
STREET HUMPS**

Motion was made by Commissioner Martinez, seconded by Commissioner Garza, to approve the installation of the following street lights:

- a. 462 Sanchez Drive Veleño Estates Subdivision

b. 901 Fresno Street, Zapata Townsite

c. 206 First Street, Flores Addition I

as requested by Hon. Jose E. Vela, Commissioner Precinct 1.

The above motion, being put to a vote, was approved by the affirmative vote of all members of the Court.

Motion was made by Commissioner Martinez, seconded by Commissioner Garza, to approve the installation of the following street humps:

a. 103 Third Street, Flores Addition I

as requested by Hon. Jose E. Vela, Commissioner Precinct 1.

The above motion, being put to a vote, was approved by the affirmative vote of all members of the Court.

Motion was made by Commissioner Martinez, seconded by Commissioner Garza, to approve the installation of the following street light:

a. 132 Valle Verde Lane, San Ygnacio

as requested by Hon. Gabriel Villarreal, Commissioner Precinct 2.

The above motion, being put to a vote, was approved by the affirmative vote of all members of the Court.

Motion was made by Commissioner Martinez, seconded by Commissioner Garza, to approve the installation of the following street lights:

a. 1902 Villa (Corner of 19th and Villa), Medina Addition

b. 1608 Medina Avenue

as requested by Hon. Norberto Garza, Commissioner Precinct 4

The above motion, being put to a vote, was approved by the affirmative vote of all members of the Court.

Motion was made by Commissioner Martinez, seconded by Commissioner Garza, to approve the installation of the following street hump:

a. 406 Zapata Boulevard

as requested by Hon. Norberto Garza, Commissioner Precinct 4.

The above motion, being put to a vote, was approved by the affirmative vote of all members of the Court.

COMMUNICATIONS

Ramiro Hernandez approached the court regarding the little league fields. He stated that some fields had been vandalized and had been repaired. However, there has been no repercussion. He asked the court if there was an ordinance in place. Mr. Figueroa stated that criminal action can be taken for destruction of property. Mr. Hernandez also stated that because money is tight, the plan of action is to start the season earlier in the future and utilize daylight.

Mr. Hernandez also commented on the VITA Program, and how the closing of the Boys and Girls club would affect this since that was the place where the VITA Program was set up. A facility is needed to meet and train volunteers. VITA training is a requirement.

ORDER AWARDING REQUEST FOR COMPETITIVE SEALED PROPOSALS FOR ZAPATA COUNTY COURTHOUSE DOME RECONSTRUCTION AND TO DESIGNATE SERVPRO / RICHARD CLARK AS ZAPATA COUNTY'S REPRESENTATIVE / AGENT TO OVER SEE WORK DONE BY CONTRACTOR

Motion was made by Commissioner Martinez, seconded by Commissioner Garza, to award the request for competitive sealed proposals ("RFP") for the Zapata County Courthouse Dome reconstruction to the most qualified and lowest responsible bidder, being J.C. Stoddard, with a bid of \$420,000.00, pursuant to Chapter 271 of the Local Government Code and to designate Servpro / Richard Clark as Zapata County's Representative / Agent to oversee, coordinate, and control work done by approved contractor / bidder as requested by Fortunato Paredes, Attorney at Law, Escamilla, Poneck, and Cruz.

The above motion, being put to a vote, was approved by the affirmative vote of all members of the Court.

ORDER TO TABLE REQUEST BY FORTUNATO PAREDES, ATTORNEY AT LAW, ESCAMILLA, PONECK, AND CRUZ REGARDING INTERLOCAL GOVERNMENT AGREEMENT WITH ZAPATA COUNTY INDEPENDENT SCHOOL DISTRICT REGARDING ASSIGNMENT BY ZAPATA COUNTY SHERIFF OF TWO ZAPATA COUNTY SHERIFF DEPUTIES TO SCHOOL DISTRICT

Motion was made by Commissioner Garza, seconded by Commissioner Martinez, to table request by Fortunato Paredes, Attorney at Law, Escamilla, Poneck, and Cruz, regarding an interlocal government agreement with the Zapata County Independent School District ("School District") regarding the assignment by the Zapata County Sheriff of two Zapata County Sheriff's Deputies to the School District at a rate of twenty-four dollars (\$24.00) an hour to be paid to the Zapata County Sheriff and any matters incident thereto as requested by Fortunato Paredes, Attorney at Law, Escamilla, Poneck, and Cruz.

The above motion, being put to a vote, was approved by the affirmative vote of all members of the Court.

ADJOURN

Motion to adjourn was made by Commissioner Garza, seconded by Commissioner Martinez, and being put to a vote, was approved by the affirmative vote of all members of the Court.

There being no further business for disposition at this term, the Court adjourned.

JOSEPH RATHMELL, COUNTY JUDGE
ZAPATA COUNTY, TEXAS

ATTEST:

MARY JAYNE VILLARREAL-BONOAN
COUNTY CLERK AND EX-OFFICIO CLERK
OF THE COMMISSIONERS COURT OF
ZAPATA COUNTY, TEXAS