

**THE STATE OF TEXAS
COUNTY OF ZAPATA**

IN THE COMMISSIONERS COURT OF ZAPATA COUNTY, TEXAS

Be it remembered, that on this the 23rd day of May, A.D., 2016, 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
Olga M. Elizondo	Commissioner, Precinct No. 2
Eddie Martinez	Commissioner, Precinct No. 3
Norberto Garza	Commissioner, Precinct No. 4
Mary Jayne Villarreal-Bonoan	County Clerk and Ex-Officio Clerk of the Commissioners Court

VISITORS: Romeo Salinas, Triunfo Gonzalez, Jr., Monica Alanis, Brian Martinez, Juan J. Meza, Nellie R. Treviño, Maria I. Gutierrez, Paco Mendoza, Jose F. Mendoza, Obed Alaniz, Hector Sanchez, Marion Belk, Daniel Palm, Jorge Oyervides, Mauro Ramon, Daniel D. Arriaga, Elva Gonzalez, Adriana Villarreal, Luis L. Gonzalez, Ray Del Bosque, Mary Davis, Selina-Roxanne Davis, Delia Mendoza, Joe Peña, and Betty Lopez.

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 AND
EX-OFFICIO CLERK OF THE COMMISSIONERS COURT
PLEDGE OF ALLEGIANCE**

COMMUNICATIONS

Brian Martinez reported that no one has come forward for ARM Ordinance.

Brian Martinez also informed the Court that a Texas Border Coalition member needs to be appointed.

He also commented that watermelons will be distributed at the pavilion today (5/23/2016). The food pantry now has a new logo.

The Court presented plaques to Hector Sanchez, Romeo Benavidez and Obed Alaniz for selfless actions to protect and save lives of fire victims of a fire that took place in Siesta Shores.

ORDER APPROVING INVOICES

Motion was made by Commissioner Martinez, seconded by Commissioner Garza, to approve invoices as presented by Triunfo Gonzalez.

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

ORDER APPROVING CHECKS ISSUED

Motion was made by Commissioner Martinez, seconded by Commissioner Garza, to approve checks issued as requested 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.

UPDATE ON EMERGENCY ROOM CLINIC

An update on the emergency room clinic facility was made. The fire department would not be able to open said clinic on their own, they would need to have a doctor. Plan B would be to privatize the clinic. Dr. Belk and three other doctors would be here 24/7.

ORDER APPROVING TO APPLY FOR USE OF TAC RISK CONTROL REIMBURSEMENT PROGRAM FUNDS FOR PURCHASE OF NEW SHERIFF'S OFFICE PATROL CAR

Motion was made by Commissioner Vela, seconded by Commissioner Garza, to approve to apply for the use of TAC Risk Control Reimbursement Program Funds for the purchase of a new Sheriff's Office patrol car as requested by Honorable 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 AND ALLOWING FIRE CHIEF MEZA TO HIRE AND PAY TEMPORARY REPLACEMENT OUT OF FIRE DEPARTMENT SLOT #7 WHILE FULL-TIME EMPLOYEE IS OUT

Motion was made by Commissioner Garza, seconded by Commissioner Martinez, to approve and allow Fire Chief Meza to hire and pay a temporary replacement out of Fire Department Slot #7 whenever full time employee is out. Temporary will not surpass part time hours as requested by Chief J.J. Meza, Fire Chief.

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

ORDER APPROVING AND ACCEPTING RETIREMENT OF ROMEO BENAVIDES AND PRESENTATION OF RETIREMENT PLAQUE

Motion was made by Commissioner Garza, seconded by Commissioner Martinez to approve and accept the retirement of Romeo Benavides and present a Retirement Plaque for years of service as requested by Nellie Treviño, Personnel Director.

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

ORDER APPROVING ADDITIONAL FUNDING OF \$6,000 FROM HOTEL-MOTEL TAX FUND TO ZAPATA COUNTY CHAMBER OF COMMERCE FOR SUN COUNTRY BASS CLUB FISHING TOURNAMENT

Motion was made by Commissioner Vela, seconded by Commissioner Martinez, to approve additional funding in the amount of \$6,000.00 from the Hotel-Motel Tax fund payable to the Zapata County Chamber of Commerce for the Sun Country Bass Club Fishing Tournament, Event will host 42 teams and attract approximately 120 visitors for 6 days. Event will take place Sunday, September 25, 2016 through Friday, September 30, 2016 as requested by Paco Mendoza, Zapata County Chamber of Commerce.

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 PAVILION FOR HEALTH FAIR

Motion was made by Commissioner Martinez, seconded by Commissioner Garza, to approve request to use the pavilion for a Health Fair on May 29, 2016 as requested by Joe Peña, Sheriff's Office.

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 GUSTAVO MARTINEZ OF LINEBARGER, GOGGAN, BLAIR AND SAMPSON, LLP REGARDING DISCUSSION AND ACTION OF TAX RESALE BIDS RECEIVED ON TAX RESALE PROPERTIES

Motion was made by Commissioner Martinez, seconded by Commissioner Garza, to table request by Gustavo Martinez of Linebarger, Goggan, Blair & Samson, LLP, regarding discussion and action on tax resale bids received on tax resale properties.

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 GUSTAVO MARTINEZ OF LINEBARGER, GOGGAN, BLAIR AND SAMPSON, LLP REGARDING DISCUSSION AND ACTION OF TAX RESALE RESOLUTION FOR RESALE PROPERTIES

Motion was made by Commissioner Martinez, seconded by Commissioner Garza, to table request by Gustavo Martinez of Linebarger, Goggan, Blair & Samson, LLP, regarding discussion and action on tax resale resolution for resale properties as requested by Gustavo Martinez, Linebarger, Goggan, Blair & Sampson, LLP.

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 KYLE EDGE, ITB UTILITY, LLC REGARDING DISCUSSION TO AUTHORIZE FOR TX MOBILITE, LLC TO OPERATE AND MAINTAIN COMMUNICATIONS FACILITY IN COUNTY OF ZAPATA

Motion was made by Commissioner Martinez, seconded by Commissioner Garza, to table request by Kyle Edge of ITB Utility, LLC, regarding discussion to authorize for Tx Mobilite, LLC to operate and maintain communications facilities in the County of Zapata as requested by Kyle Edge, ITB Utility, LLC.

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

THE FOLLOWING ITEMS WERE DISCUSSIONED IN EXECUTIVE SESSION

17. Consultation with attorney regarding possible legal action on courthouse settlement as requested by Honorable Joseph Rathmell, County Judge.

18. Report on findings on Judge's Office time sheet audit. Action regarding correction of time sheets to reflect audit results as requested by Triunfo Gonzalez, County Auditor.

19. To discuss personal matters regarding employee status at the Zapata County Fire Department as requested by Nellie Treviño, Personnel Director.

ORDER APPROVING SPEED HUMP AND LINE ITEM TRANSFER

Motion was made by Commissioner Martinez, seconded by Commissioner Garza, to approve the following speed hump:

a. 2308 Brazos St.
as requested by Hon. Olga M. Elizondo, Commissioner Pct. 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 following line item transfer to meet departmental needs:

	DEPARTMENT	LINE ITEM	FUND	AMOUNT
TO	Commissioner Pct. 4	10-004-310	Supplies	\$2,600.00
FROM		10-004-430	Travel	\$2,600.00

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

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

ORDER APPROVING RESOLUTION TO REPEAL LOCAL SALES TAX EXEMPTION ON TELECOMMUNICATION SERVICES

Motion was made by Commissioner Vela, seconded by Commissioner Garza, to approve a Resolution to repeal the local sales tax exemption on Telecommunication Services as requested by Honorable 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 RESOLUTION FOR AN STDC GRANT APPLICATION TO IMPLEMENT RECYCLING PROGRAM FOR PLASTICS

Motion was made by Commissioner Garza, seconded by Commissioner Vela, to approve a Resolution for an STDC grant application to implement Recycling Program for plastics as requested by Guillermo Saenz, Environmental Department.

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 GARZA,
SECONDED BY COMMISSIONER VELA,
TO ENTER INTO EXECUTIVE SESSION**

**MOTION WAS MADE BY COMMISSIONER GARZA,
SECONDED BY COMMISSIONER MARTINEZ,
TO RETURN TO REGULAR SESSION**

MOTION TO TAKE NO ACTION ON CONSULTATION WITH ATTORNEY REGARDING POSSIBLE LEGAL ACTION ON COURTHOUSE SETTLEMENT

Motion was made by Judge Rathmell, seconded by Commissioner Vela, to take no action on consultation with attorney regarding possible legal action on courthouse settlement as requested by Honorable Joseph Rathmell, County Judge. *[Executive Session is requested pursuant to Texas Government Code Title 5, Sub Chapter D, Section 551.071 (Consultation with Attorney).*

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

ORDER APPROVING FINDINGS ON JUDGE'S OFFICE TIME SHEET AUDIT AND REFLECT AUDIT RESULTS ON THE RECORD

Motion was made by Commissioner Martinez, seconded by Commissioner Vela, to approve findings on Judge's Office time sheet audit and reflect and correct audit results on the record as requested by Triunfo Gonzalez, County Auditor. *[Executive Session is requested pursuant to Texas Government Code Title 5, Sub Chapter D, Section 551.071 (Consultation with Attorney).*

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

ORDER TO DENY EXTENDED LEAVE AS DISCUSSED IN EXECUTIVE SESSION RELATING TO PERSONNEL MATTERS REGARDING EMPLOYEE STATUS AT ZAPATA COUNTY FIRE DEPARTMENT

Motion was made by Commissioner Martinez, seconded by Commissioner Garza, to deny extended leave request as discussed in executive session relating to personnel matters regarding employee status at the Zapata County Fire Department as requested by Nellie Treviño, Personnel Director. *[Executive Session is requested pursuant to Texas Government Code Title 5, Sub Chapter D, Section 551.071 (Consultation with Attorney).*

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
OF ZAPATA COUNTY, TEXAS

ATTEST:

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