

**THE STATE OF TEXAS
COUNTY OF ZAPATA**

IN THE COMMISSIONERS COURT OF ZAPATA COUNTY, TEXAS

Be it remembered, that on this the 26th day of September, 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
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

ABSENT:

Jose Emilio Vela	Commissioner, Precinct No. 1
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VISITORS: Romeo Salinas, Said A. Figueroa, Triunfo Gonzalez, Nellie R. Treviño, Monica Alanis, Brian Martinez, Juan J. Meza, Victor Villarreal, Maria I. Gutierrez, Paco Mendoza, Roger Miller, Eric Haner, Jose F. Mendoza, Laura Garza, Manuel Gonzalez, Jr., Berta Gonzalez, M. Amesquita, Delia Mendoza and Armando Guerra.

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**

**INVOCATION BY PASTOR ROGER MILLER, COMMISSIONERS COURT
CHAPLAIN**

PLEDGE OF ALLEGIANCE

COMMUNICATIONS

Brian Martinez thanked the Court for the 7 years of service. He also stated that on behalf of Zamorales, he would like to request the use of the Community Center the last week of November for the Zamorales Annual fund raiser.

Commissioner Elizondo stated that she is organizing a Fall Halloween Festival for the community. Spaces are \$20 and the money is going to the Christmas fund and for a dinner for the elderly.

Judge Rathmell commented that we got 4-1/2" of much needed rain. Commissioner Garza added that the County may need to obtain easements for arroyos in order to be able to clean and maintain them.

Commissioner Elizondo asked Joyce Currington, of the Zapata County News, to publish that the trash trailer will be at the pavilion on the 2nd and last Friday of the month.

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.

PRESENTATION ON USDA HOME LOAN PROGRAM

Eric Haner, USDA Housing Specialist, made a presentation on USDA Home Loan Program for very low, low and moderate income households. There is 100% financing at 2.875% interest on 33-38 year loans. Income limits apply, however, if an applicant goes over the limit there are other options available. They come to Zapata on the last Thursday of every month. They also offer assistance for tap fees for water and sewage connections.

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

ORDER APPROVING FUNDING FOR INSTALLATION OF PHONE LINES AT SHERIFF'S DEPARTMENT TO TRANSITION TO TIME WARNER COMMUNICATIONS FROM AT&T

Motion was made by Commissioner Martinez, seconded by Commissioner Garza, to approve funding, not to exceed \$20,000, from Royalties for the installation of phone lines at the Sheriff's Department to transition to Time Warner Communications from AT&T 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 2016-2017 SHERIFFS AND CONSTABLES FEES

Motion was made by Commissioner Martinez, seconded by Commissioner Garza, to approve 2016-2017 Sheriffs and Constables Fees as presented, with no changes, 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 UPDATE OF BILLING FOR AMBULANCE REPORTS

Motion was made by Commissioner Martinez, seconded by Commissioner Elizondo, to approve update of billing for ambulance reports to increase from \$6.00 to \$12.00 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 TO APPROVE AND ACCEPT RESIGNATION OF MARIA LILIA MONCIVAIS AND ALLOW CHIEF MEZA TO HIRE A PARAMEDIC

Motion was made by Commissioner Martinez, seconded by Commissioner Garza, to approve and accept resignation of Maria Lilia Moncivais Slot #16 (\$10.83 per hour) and to allow Chief Meza to hire a Paramedic at \$12.39 per hour with difference to come from incentive pay (10-543-107) 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 ADDITIONAL FUNDING FOR ZAPATA COUNTY CHAMBER OF COMMERCE FROM HOTEL MOTEL TAX FUND FOR 2017 TEXAS B.A.S.S. NATION CHAMPIONSHIP FISHING TOURNAMENT

Motion was made by Commissioner Martinez, seconded by Commissioner Garza, to approve additional funding for the Zapata County Chamber of Commerce in the amount of \$9,500.00 from the Hotel Motel Tax Fund from fiscal year 2015-2016 funds, for the 2017 Texas B.A.S.S. Nation Championship Fishing Tournament. Tournament will take place on February 16-18, 2017 and is projected to bring in an estimated 225 adult anglers and \$157,000.00 in revenue to the community of Zapata as requested by Paco Mendoza, Zapata Co. 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 PROPOSED WATER AND SEWER RATE STUDY

Motion was made by Commissioner Martinez, seconded by Commissioner Garza, to approve the proposed water and sewer rate study and increase water rate from \$11.75 to \$13.51 and sewer rate from \$16.22 to \$18.22 as requested by 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 TO APPROVE CONTRACT AMENDMENT FOR WASTEWATER PLANT

Motion was made by Commissioner Garza, seconded by Commissioner Martinez, to approve the contract amendment for the wastewater plant as presented as requested by 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 REPLAT OF LOTS 4 AND 5 BLOCK 12 OF THE MANUEL MEDINA ADDITION

Motion was made by Commissioner Garza, seconded by Commissioner Elizondo, to approve the replat of lots 4 and 5 of Block 12 Manuel Medina Addition as requested by 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 CONSIDERATION AND ACCEPTANCE OF TWDB PROJECTS COMPLETION

Motion was made by Commissioner Garza, seconded by Commissioner Elizondo to approve and accept TWDB projects completion as follows:

CID01-Falcon Lake Estates East Sanitary Sewer Imp. Phase III Final Insp 6/24/2015
CID02-Veleño & Ramirez Rd. Sanitary Sewer Improvements Final Insp 5/19/15
CID03-Four Seasons & Falcon Lakeshore Final Insp 8/31/16

as requested by 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 THE SUBMISSION OF USDA GRANT WITH ZAPATA COUNTY COMMISSIONERS COURT AS GRANT SPONSOR

Motion was made by Commissioner Garza, seconded by Commissioner Martinez, to approve the submission of a USDA grant with the Zapata County Commissioners Court as the grant sponsor as requested by Ramiro Hernandez, Boys & Girls Club of Zapata.

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

ORDER APPROVING RENAMING OF NORTH PARK TO VETERANS PARK

Motion was made by Commissioner Martinez, seconded by Commissioner Elizondo, to approve renaming North Park in precinct 4 to Veterans Park 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 APPOINTING FELIX GARCIA AND JORGE ALBERTO GARCIA AS CO-CHAIRS OF A COMMITTEE ORGANIZED TO OVERSEE PLANNING OF VETERANS PARK DEDICATION CEREMONY

Motion was made by Commissioner Elizondo, seconded by Commissioner Garza, to appoint Felix Garcia and Jorge Alberto Garcia as co-chairs of a committee organized to oversee the planning of a Veterans Park dedication ceremony along with local veterans and county residents 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 ANNUAL AGREEMENT BETWEEN SERVING CHILDREN AND ADULTS IN NEED (SCAN) AND ZAPATA COUNTY

Motion was made by Commissioner Garza, seconded by Commissioner Martinez, to approve the annual agreement between Serving Children and Adults In Need (SCAN) and Zapata County for the use of office space and utilities as requested by Magdalena Amesquita, SCAN.

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

ORDER APPROVING PROPOSED EASEMENT BETWEEN ZAPATA COUNTY COMMUNITY CENTER AND THE BOYS AND GIRLS CLUB TO UPGRADE, MAINTAIN AND INSTALL AN OVERHEAD POWER LINE

Motion was made by Commissioner Martinez, seconded by Commissioner Elizondo, to approve easement between the Zapata County Community Center & the Boys and Girls Club to upgrade, maintain, and install an overhead power line for reliability purposes in the town of Zapata as requested by Felix Rodriguez III, Senior Right of Way Agent-AEP Texas.

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

ORDER APPROVING LINE ITEM TRANSFERS

Motion was made by Commissioner Martinez, seconded by Commissioner Elizondo, to approve the following line item transfer to meet departmental needs.

	<u>DEPARTMENT</u>	<u>LINE ITEM</u>	<u>FUND</u>	<u>AMOUNT</u>
FROM	County Clerk	10-403-310	Office Supplies	\$680
TO	County Clerk	10-403-427	Travel	\$680

as requested by Hon. Mary Jane Villarreal Bonoan, County Clerk.

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 Elizondo, to approve the following line item transfer to meet departmental needs.

	<u>DEPARTMENT</u>	<u>LINE ITEM</u>	<u>FUND</u>	<u>AMOUNT</u>
FROM	County Attorney	10-475-454	Vehicle Expense	\$3000
TO	County Attorney	10-475-392	Misc. Expense	\$3000

as requested by Hon. Said A. Figueroa, County Attorney.

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 Elizondo, to approve the following line item transfer to meet departmental needs.

	<u>DEPARTMENT</u>	<u>LINE ITEM</u>	<u>FUND</u>	<u>AMOUNT</u>
FROM	Zapata Co. Public Library	10-650-330	Fuel	\$1300
TO	Zapata Co. Public Library	10-650-310	Office Supplies	\$1300
FROM	Zapata Co. Public Library	10-650-427	Travel	\$1000
TO	Zapata Co. Public Library	10-650-310	Office Supplies	\$1000
FROM	Zapata Co. Public Library	10-650-462	Repairs & Maintenance	\$500
TO	Zapata Co. Public Library	10-650-310	Office Supplies	\$500
FROM	Zapata Co. Public Library	10-650-462	Repairs & Maintenance	\$500
TO	Zapata Co. Public Library	10-650-463	Books	\$500

as requested by Aida R. Garcia, Library Director.

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 ELIZONDO,
TO ENTER INTO EXECUTIVE SESSION**

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

**ORDER APPROVING AND AUTHORIZING COUNTY ATTORNEY TO FINALIZE
PARTIAL RELEASE OF UTILITY EASEMENT IN EXCHANGE FOR ACQUIRING
ADDITIONAL EASEMENT IN RETURN**

Motion was made by Commissioner Martinez, seconded by Commissioner Elizondo, to approve and authorize County Attorney Figueroa to finalize a partial release of a Utility Easement located at Las Palmas Subdivision in exchange for acquiring additional easement in return as requested by Manuel Gonzalez, Premier Engineering. [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 Martinez, seconded by Commissioner Garza, 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-
BONOAN, COUNTY CLERK AND
EX-OFFICIO CLERK OF THE
COMMISSIONERS COURT OF
ZAPATA COUNTY, TEXAS