

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

Be it remembered, that on this the 10th day of October 2023, 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
Paco Mendoza	Commissioner, Precinct No. 1
Pedro M. Morales	Commissioner, Precinct No. 2
Jose A. Solis	Commissioner, Precinct No. 3
Roberto Garza	Commissioner, Precinct No. 4
Mary Jayne Villarreal-Bonoan	Zapata County Clerk and Ex-Officio Clerk of Commissioners Court

VISITORS: Nellie Treviño, Ralph Treviño, Daniel Arriaga, Gabriela Gonzalez, Veronica Alanis, Delia Mendoza, Carlos Ramirez, Joseph Peña, and Manuel Gonzalez, Jr.

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 HON. MARY JAYNE VILLARREAL-BONOAN, COUNTY CLERK AND
EX-OFFICIO CLERK OF COMMISSIONERS COURT
INVOCATION BY REV. ROGER MILLER, COMMISSIONERS COURT CHAPLAIN
PLEDGE OF ALLEGIANCE**

COMMUNICATIONS

Judge Rathmell commented that we had welcomed rain this morning. Our lake levels are critical; is hoping that these rains will bring in more into our system and get our boat ramp operational. The last time our lake was full was 2010 or 2011 and it has been difficult since then as we have noticed the lack of visitors and fishermen.

There is one more hurdle to cross for the emergency funding, should be taken care of by next week and should be able to order equipment and start fixing water intake system and acquire excavating equipment.

Commissioner Morales stated that the Hawks won the game last Friday.

Commissioner Solis advised the public that there have been problems with illegal dumping in certain areas. Anything over 5 pounds is an arrestable offense.

ORDER APPROVING INVOICES

Motion was made by Commissioner Solis, seconded by Commissioner Garza, to approve invoices from September 22 – October 5, 2023 in the amount of \$918,948.40 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 TREASURER'S REPORT

Motion was made by Commissioner Solis, seconded by Commissioner Mendoza, to approve Treasurer's Report 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.

ORDER APPROVING CHECKS ISSUED

Motion was made by Commissioner Mendoza, seconded by Commissioner Solis, to approve checks issued from September 22 – October 5, 2023 in the amount of \$918,948.40 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.

TAX / ASSESSOR COLLECTOR'S REPORT

Tax Assessor/Collector's office reported Hotel-Motel tax collections in the amount of \$6,605.21 for the month of September with a year-to-date total of \$106,655.32. Net collections were \$119,953.63 with tax collections at a rate of 89.93%. Mrs. Mendoza advised the public that the home owners' program has ended.

PRESENTATION OF FUNDS RECEIVED FROM AUCTION CONDUCTED AUGUST 31, SEPTEMBER 7, AND 14, 2023

Chief Joe Peña reported that they recently had three other auctions. One for \$60,224.40; the second one for \$16,211.70, and the third one for \$67,657.50 for a total of \$144,093.60. These sales were A-liners and equipment. This will go into the asset forfeiture account.

NO ONE WAS PRESENT FOR THE FOLLOWING ITEM:

11. Presentation by AMT Auctions as requested by Felix Barrera, AMT Auctions.

UPDATE ON DELETED DELINQUENT TAX

Delia Mendoza, Tax Assessor Collector gave an update on delinquent tax accounts. She stated that she was there at the request of numerous tax payers, concerned citizens, and elected officials wanting information on tax accounts that were adjusted or zeroed out as not per the Property Tax Code. She stated that she did not go out and look for those accounts and did not know this was happening. On or about the 1st of May it came to her attention that there was a specific account with a zero balance and this account had a suit filed and judgment had been entered. The delinquent tax attorneys asked for a receipt on that account. On checking, she found that a partial payment had been made, but there was no balance due on this account. After some research into that day's activities, she found that there were other accounts that had the same type of partial payment with no balances remaining. All, but one, of these accounts had suit filed against them. All this transpired during the previous tax collector's office administration. Mrs. Mendoza then asked Mr. Jimmy Gonzalez, delinquent tax attorney, what steps needed to be taken. His response was to consult with our county attorney or the sheriff, being that there was some conflict, Mrs. Mendoza stated that she then turned to the judge and county auditor and explained the situation. The judge then contacted Texas Rangers and after discussing the predicament, the ranger suggested that they contact the FBI. The FBI requested hard drives to the computers and copies of receipts, statements, and any other documents on these accounts. As of February 2023, she still had no word on the outcome of the investigation. In August she was told that they had not found anything. Mrs. Mendoza would like to move on from this.

Judge Rathmell confirmed what Mrs. Mendoza stated. He added that this was public information and Mr. Uribe stated that someone wanting the information could request it in writing from the appropriate office.

Mr. Jimmy Gonzalez, with Linebarger, Goggan, Blair and Sampson, LLC, approached the court and stated that he and Mrs. Mendoza had discussed that they are looking into any other accounts where this may have occurred. They are protecting the court and tax payers. Mr. Gonzalez, confirmed to Mr. Uribe that once records are filed in District Court, they become public records. Information should be obtained from the District Clerk's Office.

NO ACTION WAS TAKEN IN THE FOLLOWING ITEM:

13 To adopt a plan of action to address Zapata County's FY2022 Operation Lone Star Grant Award Budget Amendment as requested by Hon. Joe Rathmell, County Judge.

ORDER APPROVING PAYMENT TO ZAPATA Q.A. INC.

Motion was made by Commissioner Garza, seconded by Commissioner Solis, to approve payment of \$2,005.00 to Zapata Q.A. Inc. for repairs done at the San Ygnacio Community Center as requested by Hon. Pedro Morales, Commissioner Pct. 2.

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

ORDER APPROVING TO TRANSFER JORGE H. FLORES

Motion was made by Commissioner Morales, seconded by Commissioner Mendoza, to approve to transfer Jorge H. Flores as Mechanic in Road and Bridge Department, 15-621- Slot #3, at \$15.00 per hour effective 10/2/2023 as requested by Hon. Pedro Morales, Commissioner Pct. 2.

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 COMMISSIONER MORALES TO CONSIDER USE OF OFFICE AT ZAPATA COUNTY PAVILION FOR USE BY JUSTICE OF THE PEACE PCT. 2

Motion was made by Commissioner Solis, seconded by Commissioner Mendoza, to table request by Commissioner Morales, to consider the use of the office at the Zapata County Pavilion for use by the Justice of the Peace Pct. 2.

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 NELLIE R. TREVIÑO TO APPROVE PAYMENT TO CHRISTOPHER HOLT

Motion was made by Commissioner Garza, seconded by Commissioner Solis, to table request by Nellie R. Treviño, to approve the payment in the amount for \$2,532.41 to Christopher Holt for the purchase of dog food and supplies for K-9 dog as requested by Nellie Trevino, Personnel Director.

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

ORDER APPROVING PAYMENT FOR TWO COMPUTERS FOR TAX OFFICE

Motion was made by Commissioner Solis, seconded by Commissioner Morales, to approve payment for two computers in the amount of \$3,497.20, to be paid from non- departmental line item as requested by Hon. Delia R. Mendoza, Tax Assessor.

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

**ORDER APPROVING TO ADJUST HOURLY RATE OF SEVERAL SLOTS
WITHIN FIRE DEPARTMENT GENERAL ORDER**

Motion was made by Commissioner Solis, seconded by Commissioner Mendoza, to approve to adjust the hourly rate of several slots within the Fire Dept. General order. No impact to the budget will occur as requested by Fire Chief Daniel Arriaga, Fire Department.

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

**ORDER TO TRANSFER, PROMOTE, AND HIRE SEVERAL EMPLOYEES
WITHIN FIRE DEPARTMENT**

Motion was made by Commissioner Morales, seconded by Commissioner Solis, to approve to transfer, promote, and hire several employees within the Fire Department as requested by Fire Chief Daniel Arriaga, Fire Department.

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

**ORDER ACCEPTING RESIGNATION OF ESMERALDA HERNANDEZ,
PARAMEDIC AND TO HIRE DANIELSON AGUILAR, PARAMEDIC**

Motion was made by Commissioner Solis, seconded by Commissioner Morales, to accept the resignation of Esmeralda Hernandez, Paramedic slot #16 and to hire Danielson Aguilar Paramedic to Slot #16 as requested by Fire Chief Daniel Arriaga.

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

ORDER APPROVING PURCHASE OF LAPTOP FOR FIRE DEPARTMENT

Motion was made by Commissioner Mendoza, seconded by Commissioner Solis, to approve to purchase a laptop computer for the Fire Department in the amount of \$2,935.34 from Non-Department as requested by Fire Chief Daniel Arriaga.

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

**ORDER APPROVING PROPOSAL FROM INTEGRITY STEEL WORKS
FOR REPAIRS AND MAINTENANCE OF JAIL LOCKS AND DOORS
AT ZAPATA COUNTY REGIONAL JAIL AND ZAPATA COUNTY JAIL**

Motion was made by Commissioner Morales, seconded by Commissioner Garza, to approve proposal from Integrity Steel Works for repairs and maintenance of jail locks and doors at Zapata County Regional Jail and Zapata County Jail. Total amount of proposal is \$9,458.95 as requested by Chief Carlos Q. Ramire, Sheriff's Office.

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

ORDER APPROVING PURCHASE OF MIXER

Motion was made by Commissioner Solis, seconded by Commissioner Morales, to approve the purchase of Mixer with two (2) year warranty for a total amount of \$7,847.75 for the Zapata County Regional Jail as requested by Chief Carlos Q. Ramirez, Sheriff's Office.

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

ORDER APPROVING PAY INCREASE FOR SERGIO CAVAZOS

Motion was made by Commissioner Mendoza, seconded by Commissioner Morales, to approve a pay increase for Sergio Cavazos from \$12.88 per hour to \$13.98 per hour (Slot #4) Mr. Cavazos has met all educational TCEQ requirements and has achieved a Wastewater Treatment Operator Class C License, funds to come from 08-600-41112 License Stipends) as requested by Ralph Treviño, Water Plant Director.

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

ORDER APPROVING PAY INCREASE FOR JOSE PEÑA

Motion was made by Commissioner Mendoza, seconded by Commissioner Solis, to approve a pay increase for Jose Pena from \$12.00 per hour to \$13.10 per hour (Slot #7). Mr. Pena has met all educational TCEQ requirements and has achieved a Wastewater Treatment Operator Class C license. Funds to come from 08-600-41112 License Stipends) as requested by Ralph Treviño, Water Plant Director.

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

ORDER APPROVING PAY INCREASE FOR JAVIER GARCIA

Motion was made by Commissioner Solis, seconded by Commissioner Mendoza, to approve a pay increase for Javier Garcia from \$11.37 per hour to \$12.00 per hour (Slot #10). Mr. Garcia has met all educational TCEQ requirements and has achieved a Wastewater Treatment Operator Class D license. Funds to come from 08-600-41112 License Stipends) as requested by Ralph Treviño, Water Plant Director.

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

ORDER APPROVING CONTRACT RENEWAL WITH AARC ENVIRONMENTAL

Motion was made by Commissioner Solis, seconded by Commissioner Garza, to approve contract renewal with AARC Environmental as requested by Ramon Montes, Airport Manager.

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

**ORDER TO CANCEL CONTRACT WITH SIDDONS-MARTIN
EMERGENCY GROUP, LLC. FOR TWO AMBULANCES AND GO WITH
TRINITY APPARATUS TO PURCHASE TWO AMBULANCES**

Motion was made by Commissioner Solis, seconded by Commissioner Mendoza, to approve cancelation of contract with Siddons-Martin Emergency Group LLC in the amount of \$380,728.00

for (2) ambulances for Zapata County Fire Department and Ambulance Service and pay cancelation fee in the amount of 10% or \$38,072.80 out of fund balance; and go with Trinity Apparatus to purchase 2 ambulances for a total of \$356,485.00, pending verification that ambulances are available as requested by Carl Esser, Esser & Company Consulting, LLC.

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

ORDER APPROVING PAYMENT OF INVOICE FOR ADMINISTRATIVE SERVICES FOR OPERATION LONE STAR

Motion was made by Commissioner Mendoza, seconded by Commissioner Solis, to approve payment of invoice #1 in the amount of \$33,500.00 for administrative services for Operation Lone Star through August 31, 2024 as requested by Dr. Rodney Rodriguez, Rodriguez Professional Business Solutions, LLC.

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

ORDER APPROVING USE OF ZAPATA COUNTY CENTER PARKING LOT FOR STRUTTER TURKEY LEG SALE FUNDRAISER EVENT

Moton was made by Commissioner Mendoza, seconded by Commissioner Solis, to approve the use of the Zapata Community Center parking lot on October 15, 2023 from 11 a.m. to 2 p.m. for a Strutter turkey leg sale fundraiser event as requested by Wanda Cuellar, Strutter Sponsor.

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

ORDER APPROVING PAYMENT OF INVOICES, CHANGE ORDER AND REVIEW STATUS OF ZAPATA COUNTY JAIL REPAIRS

Motion was made by Commissioner Mendoza, seconded by Commissioner Morales, to approve change order in the amount of \$6,626.00; payment of invoice for Frank Barragan in the amount of \$10,071; and payment for Premier Engineering for \$1,500.00, for repairs at the Zapata County Jail, to be paid out of non-department, as requested by Manuel Gonzalez, Premier Engineering.

Manuel Gonzalez, reported that the contractor has been moving along well and has completed half of the project which is 5 cells. During inspection they noticed areas that they did not include in original contract amount, but asked contractor to provide an estimate to repaint 28 bunk beds, 7 tables with benches, metal doors, and ceiling cracks in one of the cells and seal cracks in the attic as well; that comes out to an additional total of \$6,626.00 (change order).

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

ORDER APPROVING PAYMENT TO PREMIER ENGINEERING FOR CARDINAL AND CRANE STREET PROJECT

Motion was made by Commissioner Solis, seconded by Commissioner Mendoza, to approve payment of \$8,250.00 to Premier Engineering for Cardinal Street Project and approve payment 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 PAY \$8,000 TO PREMIER ENGINEERING AND
STATUS REVIEW OF EOC BUILDING**

Motion was made by Commissioner Solis, seconded by Commissioner Mendoza, to pay invoice for \$8,000 to Premier Engineering for electrical design of EOC building, as requested by Manuel Gonzalez, Premier Engineering.

Manuel Gonzalez stated that they submitted the completed set of plans for review to the agency. He got invoice from subcontractor/electrical contractor for \$8,000.00. Modification of EOC building include to replace entire roof, project is 3,800 sq. ft. and will be installing division wall that will not have access from either side, bullet proofing, backup generator for entire building, replace façade with composite, new EOC entrance. Proposing new tile floors, adding new restrooms, putting in new bunk rooms for when emergency center is being utilized, and providing conference room.

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

Manuel Gonzalez announced that Zapata County had applied for funding for raw water intake with Siesta Shores and both projects have been approved. Funding is \$1M for each entity to upgrade back up pumping system during low water conditions. A platform will be built at edge of water so that we can roll in electrical pump next to it with automatic transfer switch to use when needed.

**MOTION WAS MADE BY COMMISSIONER MENDOZA,
SECONDED BY COMMISSIONER SOLIS,
TO ENTER INTO EXECUTIVE SESSION AT 10:33 A.M.**

**MOTION WAS MADE BY COMMISSIONER SOLIS,
SECONDED BY COMMISSIONER MENDOZA,
TO RETURN TO REGULAR SESSION AT 11:10 A.M.**

**NO ACTION WAS TAKEN IN THE FOLLOWING ITEM DISCUSSED
IN EXECUTIVE SESSION:**

35/36 Consider a Report by Contract Counsel, Attorney Hector Uribe, of the legal duties and options the Zapata County Commissioners Court may have to address the findings relating to certain delinquent accounts, reported by the Tax Assessor Collector, Delia Mendoza to the Commissioners Court at their last held meeting on September 25, 2023 as requested by Hector Uribe, Legal Consultant.

Executive Session is requested pursuant to Texas Government Code Title 5, Sub Chapter D, Section 551.071, consultation with attorney).

ADJOURN

Motion to adjourn was made by Commissioner Solis, seconded by Commissioner Morales, 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