

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

Be it remembered, that on this the 8th day of February, A. D., 2010, 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. Rosalva Guerra	County Judge
Jose Emilio Vela	Commissioner, Precinct No. 1
Gabriel Villarreal	Commissioner, Precinct No. 2
Eddie Martinez	Commissioner, Precinct No. 3
Mary Jayne Villarreal-Bonoan	County Clerk

ABSENT:

Hon. Norberto Garza	Commissioner, Precinct No. 4
Saíd Alfonso Figueroa	County Attorney

VISITORS: Romeo Salinas, Hector Uribe, Carlos Treviño, Jr., Jacob Rathmell, Guillermo Saenz, Doroteo N. Garza, Mario Gonzalez-Davis, Nellie Treviño, Brian Martinez, Juan J. Meza, Roger W. Miller, Caleb Eaton, Karran Westerman, Nereida Garza, Jose F. Mendoza, Bobbie Meza, Adriana Barrera, Alma Gracia, and Gina Barrera.

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

PLEDGE OF ALLEGIANCE

PRAYER BY REV. ROGER MILLER

COMMUNICATIONS

Dr. Edmundo Garcia, Zapata County Medical Group, presented Commissioners' Court the monthly report. He stated that patient numbers are holding steady. Pediatric population is assigned to pediatricians in Laredo or Mrs. Plattner. Dr. Garcia stated that there is a problem seeing Dr. Stanley's patients unless they are okayed by Dr. Stanley first. (Report attached for the record.)

Judge Guerra announced that Guillermo Saenz is the first person in the history of Zapata County to acquire a Class A MSW Operator License issued by TCEQ.

DEPARTMENTAL REPORTS

Luis Lauro Gonzalez, Zapata County Tax Assessor/Collector, reported that the tax office collected \$16,287,053.19 dropping 1% from last year's 93% and \$19,044.18 was collected in Hotel Motel Tax funds.

Romeo Salinas, Zapata County Treasurer, presented Commissioners' Court with a written Treasurer's Report. (Report attached for the record.)

Caleb Eaton, Zapata County Extension Agent, presented Commissioners' Court with a written 2009 Annual Report and update on the Extension Office. (Report attached for the record.)

ORDER APPROVING MINUTES FOR MEETING OF JANUARY 11, 2010

Motion was made by Commissioner Vela, seconded by Commissioner Villarreal, to approve the Minutes of January 11, 2010 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 Vela, seconded by Commissioner Martinez, to approve invoices, with corrections, as presented by Doroteo N. Garza, County Auditor.

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

COMMUNICATIONS

Adriana Barrera, with the Texas A & M Colonia Program thanked the County Judge and Commissioners' Court. She introduced Gina Barrera and Alma Gracia and gave a brief report on services provided by the program.

MONTHLY BUSINESS REPORT OF ZAPATA COUNTY ECONOMIC DEVELOPMENT CENTER

Peggy Umphres Moffett, ZCEDC President, was not present to give report at the time this item was called, however a written report was turned in at the County Clerk's office for the record. (Report attached for the record.)

YEARLY REPORT FOR HISTORICAL COMMISSION COMMITTEE

Leticia Salinas, Chairperson, Zapata County Historical Commission, was not present. Written report was submitted to Commissioners' Court for the record.

PRESENTATION ON LION HEART ASSURANCE SOLUTIONS

Presentation on Lion Heart Assurance Solutions was made by Glen Starnes.

ORDER AUTHORIZING POSTMASTER TO INSTALL MAILBOXES AT DISCRETION OF POSTMASTER AND FOLLOWING FEDERAL GUIDELINES

Motion was made by Commissioner Vela, seconded by Commissioner Martinez, to authorize U.S. Postmaster of Zapata County to install mailboxes at discretion of postmaster and following federal guidelines as requested by Commissioner Jose Emilio Vela, Pct. 1.

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

ORDER APPROVING TO RETAIN INSPECTOR TO INSPECT ZAPATA COUNTY MUSEUM AFTER RECEIVING REPORT BY CONTRACTOR

Motion was made by Commissioner Vela, seconded by Commissioner Villarreal, to approve to retain inspector to inspect Zapata County Museum building after receiving report by contractor as requested by Commissioner Jose Emilio Vela, Pct. 1.

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

ORDER APPROVING INSTALLATION OF SPRINKLER SYSTEM AT SOFT BALL AND LITTLE LEAGUE FIELDS

Motion was made by Commissioner Vela, seconded by Commissioner Villarreal, to approve installation of sprinkler system at soft ball and little leaguer fields, to be paid from parks as requested by Commissioner Norberto Garza, Pct. 4.

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

ORDER APPROVING PURCHASE OF DUMP TRUCK FOR SAN YGNACIO LANDFILL

Motion was made by Commissioner Villarreal, seconded by Commissioner Martinez, to approve purchase of dump truck for San Ygnacio Landfill at the approximate price of \$12,400.00 as requested by Guillermo Saenz, Environmental Director.

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

ORDER APPROVING USE OF OSWALDO H. AND JUANITA G. RAMIREZ EXHIBIT HALL ON MARCH 7TH - 14TH, 2010

Motion was made by Commissioner Martinez, seconded by Commissioner Vela, to approve use of the Oswaldo H. and Juanita G. Gutierrez Exhibit Hall on March 7th - 14th, 2010 as requested by Monica Mendoza, Zapata County Fair Association.

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

ORDER APPROVING USE OF OSWALDO H. AND JUANITA G. RAMIREZ EXHIBIT HALL MARCH 6TH, 2010 FOR DOG SHOW

Motion was made by Commissioner Villarreal, seconded by Commissioner Martinez, to approve use of the Oswaldo H. and Juanita G. Ramirez Exhibit Hall on March 6th, 2010 for Dog Show.

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

ORDER APPROVING ZAPATA COUNTY HISTORICAL COMMISSION MEMBERS

Motion was made by Commissioner Villarreal, seconded by Commissioner Martinez, to approve recommendation of Zapata County Historical Commission members, as follows: Hector Hugo Gonzalez, Efrain Cavazos, Norma Mendoza, Elsa Rodriguez, Minerva Salazar, Javier Gutierrez and Armando Pacheco. Recommendations for new members due to present members not meeting requirements of attendance and failing to contribute to the business of the commission as requested by Maria G. Davila, Vice-Chairperson, Zapata County Historical Commission.

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

ORDER APPROVING PREPARATION OF DRAFT OF BUILDING PERMIT FEES

Motion was made by Commissioner Martinez, seconded by Commissioner Villarreal, to approve preparation of draft of building permit fees as requested by Zaragoza Rodriguez IV, Code Enforcement Officer.

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

**ORDER APPROVING 2750 YARDS OF CALICHE FOR
ZAPATA COUNTY CEMETERY**

Motion was made by Commissioner Vela, seconded by Commissioner Villarreal, to approve 2750 yards of caliche for Zapata County Cemetery at \$7.55 per yard (material and hauling) to be paid from line item 20-800-336 in the amount of \$20,762.50 as requested by Jose Mendoza, County Shop Foreman.

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

**ORDER APPROVING CHANGE ORDER NO. 2 FOR ZAPATA COUNTY
WATERWORKS WATER TREATMENT PLANT PROJECT**

Motion was made by Commissioner Vela, seconded by Commissioner Villarreal, to approve Change Order No. 2 for the Zapata County Waterworks Water Treatment Plant Project. There were \$46,911.00 incurred for items that were added, this will come out of the loan as part of the contract as requested by Carlos Treviño, Jr., Water Plant Director and Rathmell Engineering.

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

**ORDER APPROVING TERMINATION OF EMPLOYMENT FOR ALFREDO
HERNANDEZ FROM ZAPATA COUNTY WATERWORKS**

Motion was made by Commissioner Vela, seconded by Commissioner Villarreal, to approve termination of employment for Alfredo Hernandez from Zapata County Water Works. Mr. Hernandez has been absent without leave and without notification to the office for a period of more than two weeks and this constitutes abandonment of his position, as requested by Carlos Treviño, Jr., 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 LEGAL SERVICES CONTRACT WITH LAW FIRM OF
ESCAMILLA & PONECK, INC.**

Motion was made by Commissioner Villarreal, seconded by Commissioner Vela, to approve legal services contract with the law firm of Escamilla & Poneck, Inc. for legal services as requested by Rosalva Guerra, 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 COUNTY OF ZAPATA, TEXAS
AUTHORIZING SIGNATORS FOR RURAL TECHNOLOGY GRANT PROGRAM
CONTRACT NO. RTC-803**

Motion was made by Commissioner Vela, seconded by Commissioner Martinez, to approve resolution for the County of Zapata, Texas authorizing the County Judge, Treasurer and Auditor as signators for the Rural Technology Grant Program Contract No. RTC-803 as requested by Mario Gonzalez-Davis, Project Coordinator.

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

**ORDER APPROVING INSTALLATION OF SPEED HUMPS / BUMPS
AND STREET / SECURITY LIGHTS**

Motion was made by Commissioner Villarreal, seconded by Commissioner Martinez, to approve installation of a security light at west end of Juarez Avenue in San Ygnacio as requested by Commissioner Gabriel Villarreal, 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 Villarreal, seconded by Commissioner Martinez, to approve installation of a speed bump at 2201 Glenn Street in the Town of Zapata as requested by Commissioner Gabriel Villarreal, 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 Villarreal, seconded by Commissioner Martinez, to approve installation of a security light at the corner of the Zapata County Airport road and Hwy. 16 as requested by Commissioner Gabriel Villarreal, 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 Villarreal, seconded by Commissioner Martinez, to approve installation of street lights at the following locations:

- a. Eleventh Avenyue between Glenn and Fresno Street (townsite)
- b. 700 block of Glenn Street (townsite)

as requested by Commissioner Jose Emilio Vela, Pct. 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 Villarreal, seconded by Commissioner Martinez, to approve installation of street humps at the following locations:

- a. Park Drive between Yucca and Cardinal Street (FLEE)
- b. Gonzalez Street between Martinez and Flores (Falcon Shores)
- c. Guerrero Street at Morales Subdivision (Chihuahua)

as requested by Commissioner Jose Emilio Vela, Pct. 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 Villarreal, seconded by Commissioner Martinez, to approve installation of security at the following locations:

- a. 1211 Medina
- b. 1515 Guerrero

as requested by Commissioner Norberto Garza, Pct. 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 Villarreal, seconded by Commissioner Martinez, to approve installation of speed humps at the following locations:

- a. 1105 Villa
- b. 4th and Zapata
- c. 412 Medina Avenue

as requested by Commissioner Norberto Garza, Pct. 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 Villarreal, seconded by Commissioner Martinez, to approve installation of street lights at the following locations:

- a. 2002 McAllen (Siesta Shores)
- b. 5321 Laredo Lane
- c. 206 Crane (Falcon Mesa)

as requested by Commissioner Eddie Martinez, Pct. 3.

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 Villarreal, seconded by Commissioner Martinez, to approve installation of speed humps at the following locations:

- a. 407 Eagle Street
- b. 5434 Garry Lane
- c. 5114 Grande Lane and Siesta Lane
- d. 2317 County Road (Falcon Lake Estates West)

as requested by Commissioner Eddie Martinez, Pct. 3.

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 Villarreal, seconded by Commissioner Martinez, to approve the following line item transfer:

From: Water Works	10-370-901	Royalty Fund	\$13,000.00
To: Water Works	10-409-764	Contract Services	\$13,000.00
From: Water Works	10-370-901	Royalty Fund	\$30,000.00
To: Water Works	10-409-763	Contract Services	\$30,000.00]
From: Water Works	10-370-901	Royalty Fund	\$10,000.00
To: Water Works	10-409-753	Special Material	\$10,000.00

to meet budget requirements as requested by Carlos Treviño, Jr., Water/Waste Water 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 VELA, SECONDED BY COMMISSIONER VILLARREAL, TO ENTER INTO EXECUTIVE SESSION

MOTION WAS MADE BY COMMISSIONER VILLARREAL TO RETURN TO REGULAR SESSION AND WAS APPROVED BY THE AFFIRMATIVE VOTE OF ALL MEMBERS OF THE COURT

ORDER AUTHORIZING LEGAL COUNCIL OF ESCAMILLA AND PONECK, INC. TO REPLY AND TAKE NECESSARY ACTION REGARDING CONTEMPLATED LEGAL ACTION IN CONNECTION WITH SAN YGNACIO STREET AND DRAINAGE IMPROVEMENT PROJECT

Motion was made by Commissioner Martinez, seconded by Commissioner Vela, to authorize legal council of Escamilla and Poneck, Inc., to reply and take necessary action regarding contemplated legal action in connection with the San Ygnacio Street and Drainage Improvement Project, as discussed in closed session.

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 COUNTY AUDITOR DOROTEO GARZA AND NELLIE R. TREVIÑO, PERSONNEL DIRECTOR, REGARDING PAYMENT FOR DAMAGES ON VEHICLE DUE TO POT HOLE LOCATED ON 1600 BLOCK OF ROMA STREET

Motion was made by Commissioner Vela, seconded by Commissioner Villarreal, to table request by County Auditor Doroteo Garza and Nellie R. Treviño, Personnel Director, regarding payment for damages to vehicle due to pot hole located on 1600 block of Roma Street.

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

COMMUNICATIONS

Carlos Treviño, Jr., Water/Waste Water Director and Eloy Chapa, Waste Water Supervisor, advised Commissioners' Court on certain expenses that were questioned. There are 24 lift stations in the County at present time. Pumps and motors are easily damaged, there is no control over the lines and the repairs have to be made. Different lift stations need repairs every month. The department does not have the equipment or man power to do the repairs. Commissioner Vela suggested that Jeff Snowden prepare a repair guide. Another recommendation is to purchase a vacuum truck in order for the County to do the repairs instead of hiring independent contractors.

ADJOURN

Motion to adjourn was made by Commissioner Villarreal, 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.

ROSALVA GUERRA, COUNTY JUDGE
ZAPATA COUNTY, TEXAS

ATTEST:

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