

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

Be it remembered, that on this the 22nd day of July A. D., 2013, 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
	Eddie Martinez	Commissioner, Precinct No. 3
	Norberto Garza	Commissioner, Precinct No. 4
	Saíd Alfonso Figueroa	County Attorney
	Mary Jayne Villarreal-Bonoan	County Clerk

ABSENT: Gabriel Villarreal Commissioner, Precinct No. 2

VISITORS: Triunfo Gonzalez, Brian J. Martinez, Juan J. Meza, Maria I. Gutierrez, Joyce Currington, Luis Lauro Gonzalez, Delia Mendoza, Nellie Treviño, Joaquin Gutierrez, David Quin, Cristina Garcia, Elsie Martinez, Arturo Garza, Selissa Lopez, Delynda Sandejo, Nadya Mercado, Lily Garza, Andrea Garza, Theresa Villarreal, Roxy Galvan, Norma Ramirez, Claudia Garza, Lauro Garza, Christopher Rincon, Carlos Villarreal, Charles Davenport, Norma Villarreal-Arellano, Carlos Treviño, 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 MARY JAYNE VILLARREAL-BONOAN, COUNTY CLERK

PLEDGE OF ALLEGIANCE

COMMUNICATIONS

David Quin of Private Power Pool (P3) made a presentation on P3 2012 Procurement and 2014-2016 Contract Update. (Attached for the record).

Coach Javier Ramirez, approached the Court with the District 341 / Section 4 Champs, the Zapata girls softball team. Judge Rathmell congratulated the team for winning 3 games in a row. They will be traveling to Louisiana later this week.

Mrs. Norma Ramirez-Arellano, also approached the Court and thanked the Commissioners for their support for the girls softball team.

Ramiro Hernandez with Zapata County Little League gave the Court a run-down of the financial report for the All-Star League. Total expenditures amounted to \$32,120.89 and they have a balance of \$2,854.40 in the account.

Furthermore, Mr. Hernandez also gave a brief update on the Boys and Girls Club. There are currently 235 enrolled members in Zapata with an average of 107 per day. San Ygnacio has 64 enrolled members with an average of 24 members per day. A total of 2068 meals were served last month. Mr. Hernandez stated that the membership fee may go up from \$10.00 to 20.00 per month in the future.

ORDER APPROVING INVOICES

Motion was made by Commissioner Garza, seconded by Commissioner Martinez, 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 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.

ORDER TO TABLE ITEMS REQUESTED BY HECTOR URIBE, ATTORNEY AT LAW

Motion was made by Commissioner Garza, seconded by Commissioner Martinez, to table request by Hector Uribe regarding the Annual June review of franchise agreement with Patricio Hernandez, doing business as Grande Collection Company, for the collection of solid waste in Zapata County

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 Martinez, to table request by Hector Uribe regarding the discussion and possible legal action concerning the collection of franchise fees owed by the utility companies for counties with Type A municipal powers.

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

NO ACTION ON REQUEST BY JUDGE RATHMELL AND NELLIE TREVIÑO, PERSONNEL DIRECTOR, TO TRANSFER DEPARTMENT 10-561-SLOT #10 TO DEPARTMENT 10-561-SLOT #37

Motion was made by Commissioner Vela, however motion was rescinded.

No action was taken on request by Hon. Joe Rathmell and Nellie Treviño, Personnel Director, regarding transfer of department 10-561-slot #10 to department 10-561-slot #37.

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

ORDER APPROVING AGREEMENT BETWEEN ZAPATA COUNTY AND AIREVAC LIFETEAM TO ALLOW ZAPATA COUNTY EMPLOYEES FULL MEMBERSHIP AND PAYROLL DEDUCTION OF MEMBERSHIP DUES

Motion was made by Commissioner Martinez, seconded by Commissioner Garza, to approve an agreement between Zapata County and AirEvac Lifeteam in order to allow Zapata County employees full membership and payroll deduction of membership dues as requested by Hon. Joe 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 CONTRIBUTION FUNDS TOWARDS TxDOT FEES FOR EL CAMINO REAL DE LOS TEJAS NATIONAL TRAIL SIGNAGE FOR LOS CORRALITOS RANCH AND TREVIÑO URIBE RANCHO

Motion was made by Commissioner Garza, seconded by Commissioner Martinez, to approve contribution funds in a total amount of \$1,000 from Commissioners Court towards TxDot fees for El Camino Real de los Tejas National Trail signage for the Los Corralitos Ranch and the Treviño Uribe Rancho as requested by Hon. Joe 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 TRANSFER OF \$25,000.00 FROM LINE ITEM 10-370-903 (A.R.M.) TO 10-409-465 (COUNTY PROPERTY REPAIRS/CONST. MISC.)

Motion was made by Commissioner Vela, seconded by Commissioner Martinez, to approve the transfer of \$25,000.00 from line item 10-370-903 (A.R.M.) to line item 10-409-465 (County Property Repairs/Const. Misc) as requested by Hon. Joe Rathmell, County Judge.

County Treasurer, Romeo Salinas, addressed the Court at the end of meeting and this item (13) was revisited, the following corrections were made for the transfer of \$25,000.00:

From: 10-370-903 A.R.M To: 10-409-405

From: 10-409-405 To: 10-409-465 (County Property Repairs / Const. Misc.)

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

ORDER APPROVING PROPOSAL BY BORDER TO BORDER COMMUNICATIONS TO PROVIDE INTERNET SERVICE TO LOPEÑO LEARNING CENTER

Motion was made by Commissioner Martinez, seconded by Commissioner Garza, to approve a proposal by Border to Border communications to provide internet service to the Lopeño Learning Center at a reduced minimal cost as requested by Hon. Jose E. Vela, Commissioner Pct. 1.

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

ORDER TO HIRE ROMEO GARZA

Motion was made by Commissioner Garza, seconded by Commissioner Vela, to approve to hire Romeo Garza in slot #2, Parks, Buildings, Construction (10-002-107), Pct. 2 at \$9.00 per hour as requested by Hon. Gabriel Villarreal, Commissioner Pct. 3.

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

ORDER TO HIRE NEW TEMPORARY EMPLOYEES FOR HIGHWAY 16 PROJECT FROM VACANT SPECIAL ROAD AND BRIDGE SLOT #4

Motion was made by Commissioner Martinez, seconded by Commissioner Vela, to approve to hire new temporary employees for the Highway 16 Project from vacant Special Road and Bridge slot #4 as requested by Hon. Norberto Garza, 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 CONSOLIDATION OF ALL ELECTION DAY POLLING PLACES FOR ELECTION TO BE HELD NOVEMBER 5, 2013

Motion was made by Commissioner Vela, seconded by Commissioner Martinez, to approve consolidation of all election day polling places of Election to be held November 5, 2013 to one polling place located at the Zapata County Courthouse, 200 E. 7th Ave., Building "B", Zapata, Texas. Consolidation shall be for this election only and is requested in an effort to save on election costs as requested by Hon. 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 PAY INCREASE OF \$1.27 PER HOUR FOR RODOLFO GUERRA, JR. FOR COMPLETING TCEQ REQUIREMENTS AND ACHIEVING TEXAS "D" LICENSE AS WATER PLANT OPERATOR

Motion was made by Commissioner Vela, seconded by Commissioner Garza, to approve a pay increase of \$1.27 an hour for Rodolfo Guerra, Jr. Mr. Guerra has completed all TCEQ requirements and has achieved a Texas "D" License as a Water Plant Operator. Funding to be obtained from line item 0227 License Stipends as requested by Carlos Treviño, Water Plant Manager.

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

ORDER ACCEPTING RESIGNATION OF MANUEL RAMON AND ALLOW ZAPATA COUNTY FIRE DEPARTMENT TO HIRE REPLACEMENT PARAMEDIC AND/OR PARAMEDIC FIREFIGHTER

Motion was made by Commissioner Garza, seconded by Commissioner Martinez, to accept the resignation of Manuel Ramon and allow the Zapata County Fire Department to hire a replacement paramedic and/or paramedic firefighter as requested by Juan J. Meza, Chief - Zapata County Fire Department.

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 FAIR GROUNDS FOR CARSON BARNES CIRCUS FEBRUARY 2014

Motion was made by Commissioner Martinez, seconded by Commissioner Garza, to approve the use of the Zapata County Fairgrounds for the Carson Barnes Circus on the first Monday of February 2014 as requested by Charles Davenport, Carson Barnes Circus.

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

NO ACTION WAS TAKEN ON REQUEST BY JOAQUIN GUTIERREZ OF THE ROCK DISTRIBUTION REGARDING PURCHASE OF CARDBOARD FROM ZAPATA COUNTY RECYCLING DEPARTMENT

NO ACTION WAS TAKEN ON REQUEST BY GUILLERMO SAENZ, ENVIRONMENTAL DEPARTMENT, REGARDING HIRING OF TEMPORARY ANTONIO SALINAS IN SLOT #12 AT \$8.00 PER HOUR AT THE SAN YGNACIO LANDFILL

ORDER APPROVING INCREASE OF SHERIFFS' AND CONSTABLES' FEES FOR 2014

Motion was made by Commissioner Vela, seconded by Commissioner Garza, to approve increase of Sheriffs' and Constables' fees for 2014 as authorized by Texas Local Government Code Section 118.131 as requested by Juan H. Navarro, Lieutenant - Zapata County 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 GRANT PROPOSAL OF PURCHASE OF BUS FOR NUTRITION CENTER

Motion was made by Commissioner Vela, seconded by Commissioner Martinez, to approve the grant proposal of the purchase of bus for the Nutrition Center as proposed by TxDot 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 TO APPROVE 2013-2014 HEALTH INSURANCE RENEWAL

Motion was made by Commissioner Vela, seconded by Commissioner Martinez, to approve the 2013-2014 Health Insurance Renewal (Plan 1200) 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 LIVE MUSIC AT COUNTY PARKS DURING INAUGURAL
“CLASH OF THE CLASSES”**

Motion was made by Commissioner Garza, seconded by Commissioner Martinez, to approve live music, from 9:00 p.m. to 1:00 a.m., at county parks during the inaugural “Clash of the Classes” as requested by Corando Barrera, Founder Clash of the Classes.

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

Motion was made by Commissioner Garza, seconded by Commissioner Martinez, to install a speed hump at the following address:

- a. 270 Lozano Street (Falcon Shores Subdivision)

as requested by Hon. Jose E. Vela, Commissioner 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 Garza, seconded by Commissioner Martinez, to install a speed hump at the following address:

- a. 21st Street between Carla Street and Del Mar Street in Zapata

as requested by Hon. Gabriel Villarreal, 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 Garza, seconded by Commissioner Martinez, to install a speed hump at the following address:

- a. 2803 North Siesta Lane

as requested by Hon. Eddie Martinez, Commissioner 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 Garza, seconded by Commissioner Martinez, to install a speed hump at the following address:

- a. 1407 Juarez

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 LINE-ITEM TRANSFERS

Motion was made by Commissioner Garza, seconded by Commissioner Martinez, to approve the following line-item transfer for the purchase of uniforms and other law enforcement supplies.

From: County Attorney	10-475-310	Office Supplies	\$3,000.00
To: County Attorney	10-475-392	Misc. Main. Exp.	\$3,000.00

as requested by Said Alfonso 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 Garza, to approve the following line item transfer:

From: Library	10-650-427	Workshop/Travel	\$1,500.00
To: Library	10-650-310	Office Supplies	\$1,500.00
From: Library	10-650-462	Repairs/Maintenance	\$1,000.00
To: Library	10-650-335	Computer Maintenance	\$1,000.00
From: Library	10-650-330	Fuel	\$500.00
To: Library	10-650-463	Books	\$500.00

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 Garza, to approve the following line item transfer in order to meet budget needs:

From: Environmental	10-595-330	Fuel	\$10,000.00
To: Environmental	10-595-456	Maintenance	\$10,000.00

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**

**ORDER TO TABLE REQUEST BY HECTOR URIBE, ATTORNEY AT LAW,
REGARDING ENFORCEMENT OF FRANCHISE AGREEMENT BETWEEN
PATRICIO HERNANDEZ DBA GRANDE GARBAGE COLLECTION COMPANY**

Motion was made by Commissioner Garza, seconded by Commissioner Martinez, to table request by Hector Uribe, Attorney at Law, regarding the discussion and possible legal action concerning the enforcement of the Franchise Agreement between Patricio Hernandez, doing business as Grande Garbage Collection Company, and failure by the Grantee to pay fees owed to the Grantor. *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 TABLE REQUEST BY HECTOR URIBE, ATTORNEY AT LAW,
REGARDING LEGAL ACTION CONCERNING COLLECTION OF FRANCHISE FEES
OWED BY UTILITY COMPANIES WITH TYPE A MUNICIPALITIES**

Motion was made by Commissioner Garza, seconded by Commissioner Martinez, to table request by Hector Uribe, Attorney at Law, regarding the discussion and possible legal action concerning the collection of franchise fees owed by utility companies for counties with Type A municipal powers as requested by Hector Uribe, Attorney at Law.

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.

**NO ACTION WAS TAKEN ON REQUEST BY NELLIE TREVIÑO, PERSONNEL
DIRECTOR, ON DISCUSSION AND POSSIBLE LEGAL ACTION REGARDING THE
INSURANCE CLAIM ON THE ZAPATA COUNTY LIBRARY, SAN YGNACIO CIVIC
CENTER, AND ZAPATA COUNTY COMMUNITY CENTER**

*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 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