

**THE STATE OF TEXAS  
COUNTY OF ZAPATA**

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

Be it remembered, that on this the 10<sup>th</sup> day of June, 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, Nellie R. Trevino, Monica Alanis, Brian J. Martinez, Juan J. Meza, Maria I. Gutierrez, Roger Miller, Luis L. Gonzalez, Delia Mendoza, Gustavo Martinez, Betty M. Lopez, Jose F. Mendoza, Manuel Gonzalez, Jr., Anselmo Trevino, Jr., and Elmo Lopez, 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 AND  
EX-OFFICIO CLERK OF THE COMMISSIONERS COURT**

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

**PLEDGE OF ALLEGIANCE**

**COMMUNICATIONS**

Charlie Avaritt commented on the upcoming BBC hand glider event. It is at no cost to the County. Commissioner Garza will assist with the mowing for Monday's event. Mr. Avaritt requested that the County Attorney review contract agreement.

Commissioner Vela thanked the student volunteer group for cleaning up the park. He also thanked Mr. Shreck for heading this and Mrs. Raquel Martinez, and Ms. Cortes for their participation.

Mr. Aurelio Villarreal donated \$200 for the crew who cleaned the alley.

Commissioner Elizondo commented that she has four trash trailers. Commissioner Vela stated that a schedule should be established. Judge Rathmell and Commissioner Garza added that the fee needs to be set. An item will be placed on the agenda for next meeting.

**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 TREASURER'S REPORT**

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

#### **TAX / ASSESSOR COLLECTOR'S REPORT**

Luis L. Gonzalez, Tax Assessor/Collector, reported collections of Motel-Hotel Tax in an amount of \$14,601.77 for YTD total of \$118,737.27 and tax collections in an amount of \$179,380.55 for a total of 88.15%.

#### **REPORT ON ARM ENROLLMENT FOR 2016-2017**

Brian Martinez reported on the ARM Enrollment for 2016-2017. He stated that all machines have been paid and accounted for and everyone has brought in the money.

#### **PRESENTATION ON NEW HELPING HANDS OF ZAPATA LOGO AND STATUS OF PANTRY**

Brian Martinez reported that a new logo for Helping Hands of Zapata was created. Approximately 511 families have been serviced, plus give-outs by Commissioner Elizondo. Emergency items are also available. Vaccinations will also be available in the near future.

#### **ORDER APPROVING NEW GROUND LEASE BETWEEN ZAPATA COUNTY AND GATEWAY COMMUNITY HEALTH CENTER, INC. FOR 25 YEAR EXTENSION OPTION**

Motion was made by Commissioner Martinez, seconded by Commissioner Garza, to approve a new ground lease between Zapata County and Gateway Community Health Center Inc. for a term of 25 years extension option at a lease amount of \$1.00 per year with option to renew at the end of 25 year term. County Attorney is to review for approval as requested by Elmo Lopez, Jr., CEO Gateway Community Health Center, Inc.

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

#### **ORDER APPROVING TAX RESALE BIDS RECEIVED ON TAX RESALE PROPERTIES**

Motion was made by Commissioner Garza, seconded by Commissioner Vela, to approve tax resale bids received on tax 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 APPROVING TAX RESALE RESOLUTION FOR  
TAX RESALRE PROPERTIES**

Motion was made by Commissioner Garza, seconded by Commissioner Vela, to approve 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 APPROVE TO TRANSFER \$15,000 FROM TOBACCO FUND TO  
FIRE DEPARTMENT REPAIR/MAINTENANCE LINE ITEM**

Motion was made by Commissioner Elizondo, seconded by Commissioner Martinez, to approve to transfer \$15,000 from Tobacco Fund to Fire Department repair/maintenance line item 10-543-457 as requested by Fire Chief Meza, Fire Department.

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 JUDGE RATHMELL REGARDING  
USE OF FUNDS FROM HOTEL/MOTEL TAX  
TO MEET BUDGET REQUIREMENTS**

Motion was made by Judge Rathmell, seconded by Commissioner Martinez, to table request by Judge Rathmell regarding use of funds from Hotel/Motel Tax in an amount of \$12,000 to meet budget requirements 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 ORDER BY BOARD OF TRUSTEES OF  
ZAPATA COUNTY INDEPENDENT SCHOOL DISTRICT CALLING  
AN ELECTION TO BE HELD NOVEMBER 8, 2016 FOR PURPOSE OF  
ELECTING FOUR TRUSTEES**

Motion was made by Commissioner Martinez, seconded by Commissioner Vela, to approve an order by the Board of Trustees of the Zapata County Independent School District calling an election to be held on November 8, 2016 for the purpose of electing four (4) trustees as requested 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 RESIGNATION OF ARMANDO DEL BOSQUE  
FROM ZAPATA COUNTY WASTEWATER DEPARTMENT**

Motion was made by Commissioner Garza, seconded by Commissioner Vela, to approve the resignation of Armando Del Bosque from Zapata County Wastewater Department effective May 20, 2016 as requested by Carlos Trevino, Water Plant Manager.

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

**ORDER APPROVING TO AMEND ALEGRIA PLAT**

Motion was made by Commissioner Vela, seconded by Commissioner Garza, to approve to amend Alegria Plat as requested by Manuel Gonzalez, Jr., Premier Engineering.

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

**THE FOLLOWING ITEM WAS DISCUSSED IN EXECUTIVE SESSION**

19. To discuss and take possible action regarding personnel matters at the Zapata County Water Plant and Wastewater Department as requested by Hon. Norberto Garza, Commissioner Pct. 4.

**ORDER TO TABLE REQUEST BY KYLE EDGE OF ITB UTILITY, LCC  
REGARADING DISCUSSION TO AUTHORIZE FOR TX MOBILITE, LLC  
TO OPERATE AND MAINTAIN COMMUNICATIONS FACILITIES  
IN COUNTY OF ZAPATA**

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

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

**ORDER APPROVING INSTALLATION OF FLOOD LIGHT AT 451 FM**

Motion was made by Commissioner Martinez, seconded by Commissioner Garza, to approve to install a 100 watt flood light at 451 FM rear trailer (red), Sheriff's Firing Range as requested by Hon. Olga Elizondo, 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 THE FOLLOWING LINE ITEM TRANSFERS**

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

	DEPARTMENT	LINE ITEM	FUND	AMOUNT
<b>FROM</b>	County Treasurer	10-497-310	Office Supplies	\$1,900.00
<b>TO</b>	County Treasurer	10-497-427	Workshops & travel exp.	\$1,900.00

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.

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

	DEPARTMENT	LINE ITEM	FUND	AMOUNT
<b>FROM</b>	49 <sup>th</sup> District Court	10-435-427	Travel	\$2,200.00
<b>TO</b>	49 <sup>th</sup> District Court	10-435-462	Equipment Rental	\$2,200.00

as requested 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.

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

	DEPARTMENT	LINE ITEM	FUND	AMOUNT
<b>FROM</b>	Non-Department	10-409-336	Supplies General	\$2,000.00
<b>TO</b>	Non-Department	10-409-335	Computer Hardware	\$2,000.00
<b>FROM</b>	Non-Department	10-409-336	Supplies General	\$1,318.22
<b>TO</b>	Non-Department	10-518-336	Supplies General	\$1,318.22

as requested 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.

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

	DEPARTMENT	LINE ITEM	FUND	AMOUNT
<b>FROM</b>	Wastewater Dept.	08-602-589	Equipment's	\$4,735.49
<b>TO</b>	Wastewater Dept.	08-602-0121	Sewer Plant Overtime	\$4,735.49
<b>FROM</b>	Wastewater Dept.	08-602-569	Improvements	\$1,318.22
<b>TO</b>	Wastewater Dept.	08-602-0121	Sewer Plant Overtime	\$1,318.22

as requested by Carlos Treviño, Jr., Water Plant Manager.

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 ENTER INTO EXECUTIVE SESSION**

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

**ORDER TO TABLE REQUEST BY COMMISSIONER GARZA REGARDING  
DISCUSSION OF PERSONNEL MATTERS AT ZAPATA COUNTY WATER PLANT  
AND WASTEWATER DEPARTMENT**

Motion was made by Commissioner Martinez, seconded by Commissioner Elizondo, to table request by Commissioner Garza regarding discussion of personnel matters at the Zapata County Water Plant and Wastewater Department as requested by Hon. Norberto Garza, Commissioner Pct. 4. *[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 Elizondo, 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.

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JOSEPH RATHMELL, COUNTY JUDGE  
OF ZAPATA COUNTY, TEXAS

ATTEST:

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