

**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 May, A.D., 2017, 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
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, Triunfo Gonzalez, Juan J. Meza, Nellie R. Treviño, Daniel Arriaga, Roger Miller, Aaron Cruz, Mary E. Prezaz, Karran Westerman, Cipriana Wells, Eileen Lead, and Carlos Treviño, 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 REV. ROGER MILLER
PLEDGE OF ALLEGIANCE**

COMMUNICATIONS

Judge Rathmell congratulated the High School baseball team for doing well this season.

Commissioner Elizondo commented that there was a Dia Del Niño celebration in San Ygnacio held by the San Ygnacio Ladies Club. An artist by the name of Pier visited San Ygnacio for inspiration from the bird sanctuary. He will be creating some sculptures.

Chief Meza stated that the health fair was a success and many agencies participated.

PUBLIC COMMENT

Karran Westerman addressed the court and asked if the Proclamation for the Zapatans of the Year had been prepared. The celebration will be held on May 21, 2017 at 3:00 p.m. at the courthouse rotunda.

ORDER APPROVING INVOICES

Motion was made by Commissioner Mendoza, seconded by Commissioner Garza, to approve invoices with the addition of Waterworks P.O. #1398455 for \$2,000.00 for purchase of a 2006 F-150 pick-up truck 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 Mendoza, 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 \$12,005.43 for a year to date total of \$83,561.64 and tax collections in an amount of \$161,331.47 for a total of 84.24% total collections.

ORDER APPROVING DONATION OF U.S. FLAG TO BE FLOWN AT ZAPATA COUNTY CEMETERY IN MEMORY OF OMAR C. PREZAZ

Motion was made by Commissioner Garza, seconded by Commissioner Mendoza, to approve donation of a U.S. flag by Mary E. Prezaz to be flown at the Zapata County Cemetery in memory of Omar C. Prezaz, Sr., deceased as requested by Mary E. Prezaz.

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

No one was present for item #10. Presentation on Primerica as requested by Michelle Galvan, Primerica.

PRESENTATION ON IBC MINTROPOLIS

Javier A. Ramirez, IBC Bank representative, gave a brief presentation on the IBC MINTROPOLIS Program. This is an incentive program for schools. Villarreal Elementary will participate, it is basically a full functioning community, within the school, with its own officials, bank, and grocery store.

ORDER APPROVING AGREED ORDER BETWEEN ZAPATA COUNTY AND TEXAS COMMISSION ON ENVIRONMENTAL QUALITY FOR ENFORCEMENT CASE NO. 54054

Motion was made by Commissioner Mendoza, seconded by Commissioner Martinez, to approve Agreed Order between Zapata County and the Texas Commission on Environmental Quality for Enforcement Case No. 54054. The fine is \$21,770 to be paid in 35 payments of \$622 per month. There is also a 3 month compliance that needs to be met, as it was not met at the end of 2016.

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

ORDER APPROVING PREMIER ENGINEERING'S SUBMISSION FOR PAYMENT TO USDA FOR ZAPATA WASTEWATER TREATMENT PLANT EXPANSION

Motion was made by Commissioner Garza, seconded by Commissioner Mendoza, to approve Premier Engineering's submission for payment to USDA for the Zapata Wastewater Treatment Plant Expansion in the amount of \$340,908.00 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 SCHEDULE, FEES AND PRIVATE RENTAL AGREEMENTS FOR GUADALUPE AND LILIA MARTINEZ SWIMMING POOL COMPLEX

Motion was made by Commissioner Martinez, seconded by Commissioner Garza, to approve the schedule, fees, and private rental agreement, and to allow rental for private rentals for the Guadalupe and Lilia Martinez Swimming Complex as requested by Hon. Paco Mendoza, Commissioner Pct. 1.

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

ORDER APPROVING COST OF REPAIRS FOR GUADALUPE AND LILIA MARTINEZ SWIMMING COMPLEX BATHROOM FACILITIES

Motion was made by Commissioner Martinez, seconded by Commissioner Mendoza, to approve the cost of repairs for the Guadalupe and Lilia Martinez Swimming Complex bathroom facilities in the amount of \$4,704 for material and labor as requested by Hon. Paco Mendoza, Commissioner Pct. 1.

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

ORDER APPROVING USE OF THE BENITO JUAREZ BUILDING TO HOUSE THE BOYS AND GIRLS CLUB OF ZAPATA COUNTY SAN YGNACIO BRANCH

Motion was made by Commissioner Garza, seconded by Commissioner Martinez, to approve the use of the Benito Juarez building to house the Boys and Girls Club of Zapata County San Ygnacio branch as requested by Hon. Paco Mendoza, Commissioner Pct.1.

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

ORDER APPROVING PUBLIC NOTICE TO BE PUBLISHED WITH LOCAL NEWSPAPERS ADVERTISING COMMUNITY OF ANIMAL AND FOWL ORDINANCE

Motion was made by Commissioner Martinez, seconded by Commissioner Garza, to approve a public notice to be published with local newspapers advising the community of the Animal and Fowl Ordinance, specifically Section 17: Dogs running at large prohibited and to implement stricter enforcement of the ordinance as requested by Hon. Paco Mendoza, Commissioner 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 HIRE TEMPORARY EMPLOYEE FOR 6 WEEKS AT JUSTICE OF THE PEACE PRECINCT 2 OFFICE

Motion was made by Commissioner Mendoza, seconded by Commissioner Martinez, to approve to hire a temporary employee for 6 weeks and not to exceed 4 hours per day as requested by Hon. Juana Maria Gutierrez, Justice of the Peace, Pct. 2.

The above motion, being put to a vote, was approved by the affirmative vote of Commissioner Mendoza, Martinez, and Elizondo, Commissioner Garza abstained. Motion carried.

ORDER APPROVING REQUEST BY CONSTABLE DANNY ARRIAGA FOR \$1,200 FOR FUEL TO FINISH YEAR

Motion was made by Judge Rathmell, seconded by Commissioner Mendoza, to approve request by Hon. Danny Arriaga, Constable Precinct 2 for \$1,200 for fuel from maintenance and operations to finish the year.

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

ORDER APPROVING REQUEST TO TRANSFER \$10,000 FROM TOBACCO FUND TO REPAIRS AND MAINTENANCE

Motion was made by Commissioner Garza, seconded by Commissioner Mendoza, to approve request to transfer \$10,000.00 from Tobacco Fund to repairs and maintenance (10-543-457) 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 RESIGNATION OF ALDO S. SANCHEZ FROM ZAPATA COUNTY WATERWORKS METER DEPARTMENT

Motion was made by Commissioner Mendoza, seconded by Commissioner Garza, to approve resignation of Aldo S. Sanchez from Zapata County Waterworks Meter Department 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.

ORDER APPROVING TO HIRE JESSE LEE GARCILAZO AS METER READER FOR ZAPATA COUNTY WATER WORKS

Motion was made by Commissioner Mendoza, seconded by Commissioner Garza, to approve the hiring of Jesse Lee Garcilazo for the position of meter reader for Zapata County Waterworks, slot # 15 at the rate of \$9.07 per hour 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.

ORDER APPROVING REVIEW AND INVOICES FOR PHELPS SEWER IMPROVEMENT PROJECT

Motion was made by Commissioner Martinez, seconded by Commissioner Mendoza, to approve review and approve invoices in the amount of \$23,493.98 for the Phelps Sewer Improvement Project. Contractor has installed 938 linear feet of sewer pipe. Project is approximately 20% complete. Contractor has encountered 648 linear feet of rock excavation which

puts that item at 64%. Sewer line B has been completed and working on sewer main gravity line C. Projected date of completion is September 1, 2017 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.

ORDER APPROVING REVIEW AND INVOICES FOR VELEÑO LIFT STATION

Motion was made by Commissioner Mendoza, seconded by Commissioner Martinez, to approve review and approve invoices for the Veleño lift station relocation. Work is in progress 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.

ORDER APPROVING AND AWARDED BID FOR VALLE VERDE CURB AND GUTTER PROJECT TO RAID HAUL LLC

Motion was made by Commissioner Garza, seconded by Commissioner Mendoza, to approve and award bid for Valle Verde curb and gutter project to Rapid Haul LLC, being the lowest bidder with a bid of \$88,942.0 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.

ORDER APPROVING REPLAT FOR ROYAL VILLAGE UNIT 1 ON CARLA STREET

Motion was made by Commissioner Martinez, seconded by Commissioner Mendoza, to approve the replat for Royal Village Unit 1 on Carla Street 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.

ORDER APPROVING LINE ITEM TRANSFER

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

	Department	Line item	Fund	Amount
From:	Fire Department	10-543-330	Fuel	\$5,000.00
To:	Fire Department	10-543-457	Repairs & Maintenance	\$5,000.00

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.

**MOTION WAS MADE BY COMMISSIONER MENDOZA,
SECONDED BY COMMISSIONER GARZA,
TO ENTER INTO EXECUTIVE SESSION**

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

**ORDER AUTHORIZING ATTORNEY TO PROCEED WITH CAUSE NO 5:15 CV 288
TOVAR VS. ZAPATA COUNTY**

Motion was made by Commissioner Mendoza, seconded by Commissioner Martinez, to authorize attorney to proceed with Cause No. 5:15 CV 288 Tovar vs. Zapata County 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.

[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
OF ZAPATA COUNTY, TEXAS

ATTEST:

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