

**THE STATE OF TEXAS
COUNTY OF ZAPATA**

IN THE COMMISSIONERS COURT OF ZAPATA COUNTY, TEXAS

Be it remembered, that on this the 23rd day of September, A.D., 2019, 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, Said A. Figueroa, Triunfo Gonzalez, Nellie R. Trevino, Monica Alanis, Juan J. Meza, Danny Arriaga, Roger Miller, Carlos Villarreal, Chad Riley, Chris Cano, Daniel Trevino, Joyce Currington, Leslie Vela, Ramona Martinez, Jorge Dovalina, Jr., Adriana Figueroa, Dora Mtz. Castañon, Michael Finger, Mama Finger, and Manuel Gonzalez.

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 commented that FSA funds are available for ranchers suffering due to the drought conditions. He also commented that a border wall meeting took place in Laredo and Congressman Cuellar was in attendance, also funding is in place for the North Zapata wall.

Carlos Villarreal presented the Court with a resolution for review.

ORDER APPROVING INVOICES

Motion was made by Commissioner Mendoza, seconded by Commissioner Garza, to approve invoices in the amount of \$684,712.93, 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 CHECKS ISSUED

Motion was made by Commissioner Garza, seconded by Commissioner Mendoza, to approve checks issued in the amount of \$681,705.03 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.

REPORT ON BOYS AND GIRLS CLUB OF ZAPATA

Leslie Vela, C.E.O of the Boys and Girls Club reported that Summer ended with a bang as the kids held a talent show. They will be having a back to school program. A basketball benefit camp was held for Julie Duran. They also had a plat sale, among the cooks were Mario Garcia, Ramon Montes and Manuel "Papo" Longoria.

PRESENTATION BY HYDRO-PRO SOLUTIONS ON WATER METERS

Chris Philips of Hydro-Pro Solutions gave a presentation to the court on the commercial water meters. Zapata County has a total of 3,755 meters installed. (Presentation package attached.)

RETIRMENT OF ANDRES BOTELLO FROM ZAPATA COUNTY EFIRE DEPARTMENT

Mr. Andres Botello was recognized for his retirement from Zapata County Fire Department after 34 years of service. Mr. Botello was not present.

ORDER APPROVING USE OF COUNTY FACILITIES BY RAM NUTRITION SERVICES FOR USDA CHILD ADULT CARE FOOD PROGRAM (CACFP)

Motion was made by Commissioner Martinez, seconded by Commissioner Elizondo, to approve the use of the county facilities by RAM Nutrition Services for the USDA Child Adult Care Food Program (CACFP).

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

ORDER APPROVING LETTER OF SUPPORT FOR UNITED MIGRANT OPPORTUNITY SERVICES (UMO) HEAD START/EARLY HEAD START FOR FUNDING APPLICAITON

Motion was made by Commissioner Martinez, seconded by Commissioner Garza, to approve a letter of support for UMOs Head Start/Early Head Start for funding application 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 ADOPTING RULES AND PROCEDURES FOR OPERATION OF ZAPATA COUNTY GUN RANGE

Motion was made by Commissioner Martinez, seconded by Commissioner Mendoza, to approve and adopt new rules and procedures regarding the operation of the Zapata County Gun Range. Use of Zapata County Gun Range is for the exclusive use of law enforcement activities by Zapata County Sheriff's Office and other agencies 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 REQUESTING RFP'S FOR FUTURE PROJECTS ADMINISTRATION AND REVIEW OF ACTIVE COLONIA TXCDBG GRANTS

Motion was made by Commissioner Garza, seconded by Commissioner Elizondo, to approve request for RFP's for future Colonia TXCDBG grant projects administration. Triunfo

Gonzalez reported on the ongoing projects at Las Cruces, Falcon Mesa (Raven and Pelican), Falcon Mesa (Cardinal and Crane). (See attachment)

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

**ORDER APPROVING REIMBURSEMENT OF TAXES COLLECTED
DURING FISCAL YEAR 2012 TO 2017 DUE TO OUTCOME OF LAWSUITS**

Motion was made by Commissioner Martinez, seconded by Commissioner Mendoza, to approve reimbursement of taxes collected during fiscal year 2012 to 2017 in the amount of \$121,680.25 (USAC \$97,547.25 and Valerus Compression \$24,132.90) due to the outcome of lawsuits styled Cause No. 8200, 8410, 8782, 9240, 10004, 8206, and 8427 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.

**TO APPROVE REQUEST FOR PAYMENT OF \$64,536.000 FOR PURCHASE OF
PIPE HUNTER SEWER CLEANER FOR THE SEWER PLANT**

Requested by Nellie Treviño, Personnel Director.

No action was taken on this item.

**ORDER TO PURCHASE NECESSARY DEVICES FOR iDOCKET
JUDGES BENCH SYSTEM FOR ZAPATA COUNTY DISTRICT CLERK'S OFFICE
AND 49TH DISTRICT COURT**

Motion was made by Commissioner Garza, seconded by Commissioner Elizondo, to approve to purchase necessary devices (computers, monitors, etc.) for iDocket Judges Bench System for the Zapata County District Clerk's Office and the 49th District Court. Invoices in the amount of \$4,975.93 to be paid from the Technology Fund #62-582-392 to have this program available by October 1, 2019 as requested by Dora Mtz. Castañon, District Clerk.

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

**ORDER TO DENY REQUEST TO PURCHASE VEHICLE
FOR ZAPATA COUNTY THROUGH BUY BOARD TO BE TRANSFERRED
TO ZAPATA COUNTY APPRAISAL DISTRICT**

Motion was made by Commissioner Martinez, seconded by Commissioner Mendoza, to deny request to approve purchase of vehicle for Zapata County through Buy Board to be transferred to Zapata County Appraisal District, with reimbursement 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 ACCEPTING RESIGNATION OF FIRE FIGHTER/PARAMEDIC,
MAURO RAMON, EFFECTIVE SEPTEMBER 25, 2019 AND
RESIGNATION OF FIRE FIGHTER/PARAMEDIC
BENJAMIN MARTINEZ, EFFECTIVE SEPTEMBER 8, 2019**

Motion was made by Commissioner Mendoza, seconded by Commissioner Martinez, to accept the resignation of Fire Fighter/Paramedic Mauro Ramon, effective September 25, 2019 and

the resignation of Fire Fighter/Paramedic Benjamin Martinez, effective September 8, 2019 as requested by Fire Chief, J.J. Meza.

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

**ORDER APPROVING TO MOVE GABRIELA I. GONZALEZ FROM
SLOT 12 TO SLOT 21**

Motion was made by Commissioner Garza, seconded by Commissioner Mendoza, to approve to move Gabriela I. Gonzalez, from slot #12 to slot #21 as Lieutenant, effective September 23, 2019 as requested by Fire Chief, J.J. Meza.

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

ORDER APPROVING REQUEST TO HIRE FIRE FIGHTER/PARAMEDIC

Motion was made by Commissioner Garza, seconded by Commissioner Martinez, to approve request to hire a Fire Fighter / Paramedic on slot #12, slot #24 and slot #25 at \$12.94 per hour as requested by Fire Chief, J.J. Meza.

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

**ORDER APPROVING PURCHASE OF NEW WATER INTAKE PUMP
AS PER ESTIMATE/PROPOSAL**

Motion was made by Commissioner Garza, seconded by Commissioner Mendoza, to approve purchase of a new water intake pump as per estimate/proposal for the amount of \$78,600 from RAMSA Electromechanic Inc., 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 APPROVING REVIEW OF BID AND AWARD CONTRACT
FOR COLORADO ACRES SEWER IMPROVEMENT PROJECT**

Motion was made by Commissioner Garza, seconded by Commissioner Mendoza, to approve review of bids and award contract to 4 Big Construction, being the lowest bidder, with a bid for the amount of \$295,289.02 for the Colorado Acres Sewer Improvement Project 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 APPROVING INVOICE FOR ZAPATA COUNTY WASTEWATER
TREATMENT PLANT AND REVIEW OF PROJECT**

Motion was made by Commissioner Mendoza, seconded by Commissioner Martinez, to approve invoice in the amount of \$162,048.37 payable to EJDCD (retainage remaining \$329,345.05) for the Zapata County Wastewater Treatment Plant as requested by Manuel Gonzalez, Premier Engineering.

Mr. Gonzalez reported retainage was left behind until all items are completed; some completed items include security lighting, air filtration, air conditioning unit, water that went into control room was also addressed. Sulphur dioxide has been scheduled to be completed although it was not part of the contract and chlorine chamber has been repaired. Keys to rooms have been handed over to operators. Screen on clarifier on drain will be addressed, but was not part of the

contract. All items on contract have been completed. Pending are other requests that were not part of the contract. Grounds will be re-graded and vegetation placed.

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

ORDER APPROVING RIGHT OF WAY USE TO INSTALL AN INTERCONNECTION WATERLINE BETWEEN ZAPATA COUNTY AND SIESTA SHORES

Motion was made by Commissioner Martinez, seconded by Commissioner Mendoza, to approve Right of Way (ROW) use to install an interconnection waterline between Zapata County and Siesta Shores 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 APPROVING CLOSURE OF RATHMELL DRIVE FROM LINCOLN STREET TO EAST FENCE LINE OF BOYS AND GIRLS CLUB ON OCTOBER 31, 2019 FOR TRUNK OR TREAT EVENT

Motion was made by Commissioner Mendoza, seconded by Commissioner Elizondo to approve the closure of Rathmell Drive from Lincoln Street to the East fence line of the Boys and Girls Club on October 31, 2019 from 4:00 p.m. until 9:00 p.m. for the Trunk or Treat event as requested by Leslie Vela, C.E.O. Boys and Girls Club.

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 Mendoza, to approve the following line item transfer to meet departmental needs:

	DEPARTMENT	LINE ITEM	FUND	AMOUNT
FROM	Commissioner Pct. 2	10-002-428	Travel Pct. 2	\$984.21
TO	Commissioner Pct. 2	10-002-392	Parks Pct. 2	\$984.21

as requested by Hon. Olga M. Elizondo, 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 Mendoza, to approve the following line item transfers to meet departmental needs:

	DEPARTMENT	LINE ITEM	FUND	AMOUNT
FROM	Commissioner Pct. 4	10-004-430	Travel	\$392.58
TO	Commissioner Pct. 4	10-004-395	Parks	\$392.58
FROM	Commissioner Pct. 4	10-004-310	Supplies	\$1,000.00
TO	Commissioner Pct. 4	10-004-395	Parks	\$1,000.00

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.

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

	DEPARTMENT	LINE ITEM	FUND	AMOUNT
FROM	Adult Probation	10-572-310	Supplies	\$1,800.00
TO	Adult Probation	10-572-310	Parks Pct. 2	\$1,800.00

as requested by Jennifer Lozano, Adult Probation.

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 ELIZONDO,
TO ENTER INTO EXECUTIVE SESSION**

Before entering Executive Session, Commissioner Elizondo commented that she spoke to Jim Allison and she was told that it is not the Courts place to be listening to disputes in the departments where elected officials are involved. Judge Rathmell said given the nature of the dispute it was important for the Commissioners to hear the matter and employees want to have a way to be understood; the Court has that authority and it can become the county's problem because there may be allegations of liability.

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

NO ACTION WAS TAKEN ON ITEMS DISCUSSED IN EXECUTIVE SESSION

To address dispute between Tax Assessor Deputy Clerk and Zapata County Tax Assessor as requested by Hon. Joe Rathmell, County Judge. *Closed Session/Executive Session is requested pursuant to Texas Government Code Title 5, Subchapter D, Section 551.071/551.074(A)(B) Consultation with Attorney, Personnel Matters.*

To discuss Personnel Matters regarding the approval of an extended leave of absence request as requested by Nellie Treviño, Personnel Director. *Closed Session/Executive Session is requested pursuant to Texas Government Code Title 5, Subchapter D, Section 551.071/551.074(A)(B) Consultation with Attorney, Personnel Matters.*

ADJOURN

Motion to adjourn was made by Commissioner Mendoza, 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