

**THE STATE OF TEXAS
COUNTY OF ZAPATA**

IN THE COMMISSIONERS COURT OF ZAPATA COUNTY, TEXAS

Be it remembered, that on this the 8th of March 2021, 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
Jose A. Solis	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: Nellie Trevino, Ralph Trevino, Raul Yeagley, Delia Mendoza, Lisa Paul, Rick Benavides, Sammy Luera, and Jesse Rodriguez.

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
PLEDGE OF ALLEGIANCE**

COMMUNICATIONS

Judge Rathmell reported that the county has been very busy last few weeks trying to get everyone in the community vaccinated. He thanked all the volunteers for their assistance. The first batch of Johnson and Johnson vaccines will be here this week. Second dose of Moderna vaccine will be administered on Friday. He thanked his staff for all the hard work registering the public for vaccines.

Commissioner Mendoza reported that over 1000 persons were vaccinated last week. He also thanked all the volunteers who have been there.

Judge Rathmell also reported that there was a problem with the fish population at the boat ramp due to the freezing temperatures. Commissioner Solis thanked everyone that assisted in the cleanup. Most of the fish affected were Tilapia which cannot withstand the cold temperatures.

Judge Rathmell commented that new governor's orders are taking place. There is no mask mandate in place, mandates will depend on hospital occupancy percentage rates of covid-19 cases. Mask orders can no longer be mandated or enforced. Businesses, however, can require masks, though, it can become a trespassing issue. Zapata County buildings are being used for vaccination and testing. Nutrition Center will continue with home delivered meals. The library will open soon.

Romeo Salinas will continue requiring the use of a mask according to CDC recommendations.

Covid-19 Report: 16,190 tested
1,538 positives
10 pending
31 deaths
6.51% hospitalization in Webb County

PUBLIC PARTICIPATION

Paul Yeagley addressed the court regarding item #13 to prohibit discharging of firearms in parcels under 10 acres of land. The property being discussed is between San Ygnacio and Ramireño. A high-powered rifle was discharged and hit a house. Mr. Yeagley presented the court with a detailed reference material.

ORDER APPROVING INVOICES

Motion was made by Commissioner Mendoza, seconded by Commissioner Garza, to approve invoices in the amount of \$1,043,783.99 and, include invoice payable to D&D Welding in the amount of \$6,224.72, and invoice payable to Figco in the amount of \$25,000 for repairs done for storm damages 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 Solis, 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 Garza, seconded by Commissioner Solis, to approve checks issued in the amount of \$1,043,783.99 and, include invoices payable to D&D Welding in the amount of \$6,224.72, and invoice payable to Figco in the amount of \$25,000 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

Tax Assessor/Collector's office reported Hotel-Motel tax collections in the amount of \$3,548.16 for the month of February with a year-to-date total of \$22,422.87. Tax collections at a rate of 80.86% for a total base tax collected of \$4,596,043.10.

PRESENTATION TO RECORD IN COMMISSIONERS COURT MINUTES THE DISTRICT CLERK'S CERTIFICATION OF APPOINTMENT OF TRIUNFO GONZALEZ AS COUNTY AUDITOR FOR ZAPATA COUNTY

Presentation was made to record in the Commissioners Court minutes the District Clerk's certification of the appointment of Triunfo Gonzalez, as County Auditor for Zapata County, Texas pursuant to Texas Local Government Code 84.003 (b) and 152.031(b) as requested by Triunfo Gonzalez, County Auditor.

**PRESENTATION OF ANNUAL REPORT/PARKS GRANT UPDATE/
CONFERENCE CERTIFICATE PRESENTATION**

Presentation of Annual Report/Parks Grant Update/Conference Certificate presentation was made by Jesus F. Rodriguez and Sammy Luera of AgriLife Extension. The year was slow due to COVID-19 pandemic. Sammy Luera applied for a grant to benefit non-urban smaller communities. Preliminary application was submitted, he will keep the court up to date.

**ORDER APPROVING OVERTIME PAYMENT TO COUNTY EMPLOYEES
FOR EXTRA WORK DUE TO COVID-19 RELATED SERVICES**

Motion was made by Commissioner Mendoza, seconded by Commissioner Garza, to approve overtime payment to county employees for extra work due to COVID related services 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 PAYMENT TO MARTINEZ ELECTRICAL SERVICES, LLC

Motion was made by Commissioner Garza, seconded by Commissioner Solis, to approve payment to Martinez Electrical Services, LLC in the amount of \$15,997.17 for repairs to the Zapata County Arena as requested by Nellie Trevino, Personnel Director.

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

**ORDER APPROVING CONTRACT BETWEEN ZAPATA COUNTY AND
TEXAS ASSOCIATION OF BASS CLUBS AND USE OF OPEN-AIR PAVILION
AND COUNTY COMMITMENT OF \$10,000.00**

Motion was made by Commissioner Elizondo, seconded by Commissioner Solis, to approve a contract between Zapata County and the Texas Association of Bass Clubs for the Annual State Championship Bass Tournament and use of open-air pavilion and county commitment of \$10,000 as requested by James Bendele, Falcon Lake Tackle.

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

**ORDER APPROVING ESSER & COMPANY CONSULTING, LLC
CONTRACT FOR MANAGING ZAPATA COUNTY 2020
COUNTY TRANSPORTATION INFRASTRUCTURE FUND AND
COORDINATE WITH TxDOT PHARR DISTRICT OFFICE**

Motion was made by Commissioner Mendoza, seconded by Commissioner Garza, to approve Esser & Company Consulting, LLC Contract for Managing the Zapata County 2020 County Transportation Infrastructure Fund and to coordinate with the TxDOT Pharr District Office as requested by Carl Esser, Esser & Company Consulting, LLC.

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

**ORDER APPROVING RESOLUTION DESIGNATING PREMIER ENGINEERING
AS SERVICE PROVIDER FOR 2021 COLONIA CONSTRUCTION FUND
TxCDBG COMMUNITY DEVELOPMENT FUND APPLICATION
AND PROJECT RELATED ENGINEERING SERVICES**

Motion was made by Commissioner Mendoza, seconded by Commissioner Solis, to approve a Resolution designating Premier Engineering as service provider for the 2021 Colonia Construction Fund TxCDBG Community Development fund application and project related engineering services as requested by Jessica Baltodano, Grant Works.

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 Garza, seconded by Commissioner Mendoza, to approve the following line item transfer to meet department needs:

	DEPARTMENT	LINE ITEM	FUND	AMOUNT
FROM	Tax Office	010-33449-499	Scanning and Preservation	\$2,500.00
TO	Tax Office	010-45749-499	Equipment Maintenance	\$2,500.00

as requested by Delia Mendoza, Tax Assessor.

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 ENTER INTO EXECUTIVE SESSION**

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

ORDER ADOPTING SECTION 235.022 OF THE LOCAL GOVERNMENT CODE

Motion was made by Commissioner Mendoza, seconded by Commissioner Elizondo, to adopt Section 235.022 of the Local Government Code – (*AUTHORITY TO REGULATE. To promote the public safety, the commissioners court of a county by order may prohibit or otherwise regulate the discharge of firearms and air guns on lots that are 10 acres or smaller and are located in the unincorporated area of the county in a subdivision.*) 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 ADOPTING RESOLUTION CERTIFYING DELINQUENT WATER SERVICE
CHARGES AND ALL ATTACHED EXHIBITS AND ORDER AUTHORIZING JUAN
CRUZ AND ASSOCIATES TO SEEK ANY AND ALL LEGAL REMEDIES TO
COLLECT DELINQUENCIES OF SHADY HAVEN, LLC**

Motion was made by Commissioner Mendoza, seconded by Commissioner Garza, to adopt a resolution certifying delinquent water service charges and all attached exhibits and order authorizing Juan Cruz and associates to seek any and all legal remedies to collect delinquencies of Shady Haven LLC, any other matters incident thereto; as requested by Juan Cruz, J Cruz & Associates.

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

[Closed Session/Executive Session is requested pursuant to Texas Government Code Title 5, Subchapter D, Section 551.071 (A)(B) (Consultation with Attorney).

ADJOURN

Motion to adjourn was made by Commissioner Garza, seconded by Commissioner Mendoza, 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