

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

Be it remembered, that on this the 12th day of April, A. D., 2010, 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. Rosalva Guerra	County Judge
Jose Emilio Vela	Commissioner, Precinct No. 1
Gabriel Villarreal	Commissioner, Precinct No. 2
Eddie Martinez	Commissioner, Precinct No. 3
Norberto Garza	Commissioner, Precinct No. 4
Saíd Alfonso Figueroa	County Attorney
Mary Jayne Villarreal-Bonoan	County Clerk

VISITORS: Sara Rocha, Bobbie Meza, Dr. Edmundo Garcia, Joel Ruiz, Carlos Treviño, Jr., Guillermo Saenz, Mario Gonzalez-Davis, Brian Martinez, Juan J. Meza, Roger W. Miller, Caleb Eaton, Nereida Garza, Jose F. Mendoza, Marco A. Serna, Patricio Hernandez, Peggy Umphres Moffett, Dr. Hildegardo E. Flores, Olga M. Flores, Alba Benavidez, Roosevelt Rodriguez, Saul Trejo, Maria E. Gutierrez, Adriana Barrera, Lorraine Rodriguez, Gina Barrera, Manuel Gonzalez, and Dora Mtz.-Ramos.

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

PRAYER BY REV. ROGER MILLER

**ORDER APPROVING MINUTES FOR MEETING OF MARCH 8,
AND MARCH 12, 2010**

Motion was made by Commissioner Vela, seconded by Commissioner Villarreal, to approve the Minutes of March 8, and March 12, 2010 as presented 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.

COMMUNICATIONS

Dr. Edmundo Garcia, Zapata County Medical Group, presented Commissioners' Court his monthly report. He stated that they had seen 185 patients in the month of March. (Report attached for the record.)

Dr. and Mrs. Hildegardo Flores expressed concerns and reservations regarding item #21 in which pens and a dipping vat for livestock would be constructed East on Hwy. 16 approximately 1/3 of a mile from their home. They foresee that the upwind would worsen and cause a problem with the quality of the air. They asked that the court not approve this project at this location. There are other suitable locations along Hwy. 16.

Commissioner Villarreal advised the court that this land is no longer available for leasing and there will be no action on this item.

DEPARTMENTAL REPORTS

Romeo Salinas, Zapata County Treasurer, was not presented at Commissioners' Court due to his attendance at a Treasurer's conference, however he submitted a written Treasurer's Report. (Report attached for the record.)

Caleb Eaton, Zapata County Extension Agent, presented Commissioners' Court with a written report. (Report attached for the record.)

ORDER APPROVING INVOICES

Motion was made by Commissioner Martinez, seconded by Commissioner Garza, to approve invoices, with corrections, as presented by Doroteo N. Garza, County Auditor.

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

ORDER APPROVING CONTRACT WITH GRANDE GARBAGE FOR SOLID WASTE COLLECTION AGREEMENT

Motion was made by Commissioner Vela, seconded by Commissioner Martinez, to approve the contract with Grande Garbage for the Solid Waste Collection Agreement, at a rate of \$25 per ton, as requested by Guillermo Saenz, Environmental Director & Patricio Hernandez, Grande Garbage Owner.

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

ORDER APPROVING APPLICATION FOR \$30,000 GRANT FROM TEXAS DEPARTMENT OF HEALTH FOR REMOUNT FOR A 2011 AMBULANCE

Motion was made by Commissioner Vela, seconded by Commissioner Garza, to approve application for a \$30,000.00 dollar grant from the Texas Department of Health for the remount for a 2011 ambulance as requested by Fire Chief Juan Jose Meza.

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

ORDER APPROVING CONSTRUCTION BIDS TO AUGMENT ZAPATA ELDERLY NUTRITION CENTER BUILDING

Motion was made by Commissioner Garza, seconded by Commissioner Martinez, to award construction bid to Rolando Bautista, being the lowest bidder, with a bid of \$25,700, to augment the Zapata Elderly Nutrition Center Building. Expansion includes handicap accessible restrooms, larger pantry, and additional office space. Expenses to be paid from Transportation Department-budget line item #10-500-392 as requested by Commissioner Jose Emilio Vela, Pct. 1.

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

ORDER REPLACING HERMILO GUZMAN'S POSITION AS BUS DRIVER AND APPROVE MARIA DEL SOCORRO GUTIERREZ IN SAME POSITION

Motion was made by Commissioner Vela, seconded by Commissioner Villarreal, to approve replacement of Hermilo Guzman's position as bus driver and approve Maria del Socorro Gutierrez in the same position. Full time (40 hrs per week @ \$7.55 per hour) as requested by Carmen R. Reyes, Nutrition Center Director.

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

ORDER ALLOWING RELAY FOR LIFE-ZAPATA COUNTY TO USE OSWALDO H. AND JUANITA G. RAMIREZ SHOWBARN ON APRIL 30, 2010 FOR ANNUAL EVENT

Motion was made by Commissioner Vela, seconded by Commissioner Garza, to allow the Relay of Life - Zapata County to use the Oswaldo H. & Juanita G. Ramirez Showbarn on April 30, 2010 for annual event as requested by Bobbie Meza, Event Chair and Nellie R. Treviño Event Co-Chair.

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

PRESENTATION BY ZAPATA COUNTY RESIDENT JOEL RUIZ CONCERNING PROPERTY IN SAN YGNACIO, TEXAS

A presentation by Zapata County resident Joel Ruiz was made concerning property owned by said resident at 401 Treviño Street (Lot 18, Block 5) in San Ygnacio, Texas and addressing the encroachment onto the County's Right of Way (Lincoln Avenue) in San Ygnacio, Texas as shown by a survey conducted by Premier Civil Engineering LLC. Mr. Ruiz showed discrepancies in survey. Mr. Manuel Gonzalez stated that tools used to conduct surveys will not make much of a difference in the survey and suggested that Mr. Ruiz have property surveyed. Some of the buildings are constructed on the property line (ROW).

MONTHLY BUSINESS REPORT OF ZAPATA COUNTY ECONOMIC DEVELOPMENT CENTER

Ms. Umphres Moffett submitted the monthly written report for the Zapata County Economic Development Center.

PRESENTATION OF SUPPLEMENTALS (MEDICAL) TO EMPLOYEES UNDER SECTION 125, (CAFETERIA PLAN) ON PRE-TAX BASIS AS REQUESTED BY IGNACIO R. SALAZAR, HEALTH CONSULTANT

(No one present to make presentation.)

ORDER APPROVING INSTALLATION OF SPEED HUMPS SECURITY LIGHTS

Motion was made by Commissioner Garza, seconded by Commissioner Martinez, to approve the installation of a speed bump on Lincoln Street in front of Mr. Eddie Bravo's house as requested by Commissioner Eddie Martinez, Pct. 3.

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

To: Non-Department	10-409-752	Special Material	\$10,000.00
From: General Fund	10-370-901	Royalty Fund	\$15,000.00
To: Non-Department	10-409-762	Contract Services	\$15,000.00

To meet budget requirements as requested by Zapata County Waterworks.

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:

From:	09-001-682	Syt Drainage Project	\$607,722.60
To:	39-650-311	Construction Pct. 2	\$607,722.60

To Meet Budget Requirements as requested by Doroteo N. Garza, 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:

From: Non-Department	10-409-335	Computer Hardware	\$12,440.00
To: Non-Department	10-409-759	Computer Consultant	\$12,440.00

To Meet Budget Requirements as requested by Doroteo N. Garza, 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:

From: Nutrition Program	38-647-330	Fuel & Lubricant	\$300.00
To: Nutrition Program	38-648-454	Repair & Maintenance	\$300.00
From: Nutrition Program	38-647-330	Fuel & Lubricant	\$300.00
To: Nutrition Program	38-649-454	Repair & Maintenance	\$300.00
From: Nutrition Program	38-648-392	Safety Service	\$300.00
To: Nutrition Program	38-648-467	Non-Food Consumable	\$300.00
From: Nutrition Program	38-647-336	Raw Food	\$500.00
To: Nutrition Program	38-647-467	Non Food Consumable	\$500.00
From: Nutrition Program	38-648-336	Raw Food	\$500.00
To: Nutrition Program	38-647-456	Equipment Maintenance	\$500.00
From: I & A Program	37-645-330	Fuel & Lubricant	\$1000.00
To: I & a Program	37-645-336	Repair & Maintenance	\$1000.00

To Meet Budget Requirements as requested by Carmen R. Reyes, Nutrition Director.

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

**ORDER APPROVING ADVERTISING FOR BIDS ON LINDA VISTA SUBDIVISION
DRAINAGE PROJECT**

Motion was made by Commissioner Garza, seconded by Commissioner Vela, to approve advertising for bids on Linda Vista Subdivision Drainage Project as requested by Commissioner Eddie Martinez, Pct 3.

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

ORDER APPROVING RESOLUTION TO CONFIRM METHOD OF SELECTING MEMBERS OF ZAPATA COUNTY APPRAISAL DISTRICT BOARD OF DIRECTORS

Motion was made by Commissioner Garza, seconded by Commissioner Martinez, to approve a resolution to confirm method of selecting members of the Zapata County Appraisal District Board of Directors as requested by Amada Gonzalez, Chief Appraiser. (The County selects 2 members and the school selects 3 members.)

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

ORDER APPROVING PLACING OF MANUEL BRAVO PLAQUE IN BRAVO PARK

Motion was made by Commissioner Martinez, seconded by Commissioner Vela, to approve placing of Manuel Bravo plaque in Bravo Park, plaque was donated by Bravo Family, as requested by Commissioner Eddie Martinez, Pct.3.

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

ORDER APPROVING HIRING OF HOMERO GONZALEZ IN SLOT #3, PRECINCT 4

Motion was made by Commissioner Vela, seconded by Commissioner Villarreal, to approve hiring of Homero Gonzalez in slot 3 Precinct 4. Laborer, at a rate of \$7.74 per hour as requested by Commissioner Norberto Garza, Pct. 4.

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

ORDER APPROVING EXTENSION OF (AEP) ELECTRIC UTILITY SERVICE TO END OF 6TH STREET IN FLORES ADDITION II

Motion was made by Commissioner Garza, seconded by Commissioner Villarreal, to approve extension of (AEP) electric utility service to the end of 6th Street in Flores Addition II, allowing for additional residential connections. Total cost- \$3,500 to be paid from Pct. 1 budget line item# 09-001-679 as requested by Commissioner Jose Emilio Vela, Pct. 1.

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

**ORDER RE-CERTIFYING ACTION APPROVED MARCH 2008 TO ASSIST ZCISD
TO PAVE ZAPATA SOUGH ELEMENTARY SCHOOL PARKING AREA
AND DRIVEWAY BY PROVIDING LABOR AND EQUIPMENT**

Motion was made by Commissioner Garza, seconded by Commissioner Martinez, re-certifying action approved in March, 2008 to assist ZCISD to pave the Zapata South Elementary School parking area and driveway by providing labor and equipment. Paving materials to be furnished by ZCISD as requested by Commissioner Jose Emilio Vela, Pct. 1.

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

**ORDER APPROVING PROPOSAL BY MARTINEZ ELECTRIC FOR LIGHTING NEW
LITTLE LEAGUE FIELD INCLUDING INSTALLATION OF SCOREBOARD DONATED
BY MR. DANIEL CRISP**

Motion was made by Commissioner Garza, seconded by Commissioner Garza, seconded by Commissioner Martinez, to approve proposal by Martinez Electric for lighting New Little League Field including installation of scoreboard donated by Mr. Daniel Crisp. Expenses to be paid from Flores Park project fund, budget line item # 10-001-506 as requested by Commissioner Jose Emilio Vela, Pct. 1.

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

**ORDER APPOINTING COMMITTEE MEMBERS TO NEGOTIATE WITH TIME
WARNER CABLE**

Motion was made by Commissioner Vela, seconded by Commissioner Villarreal, to appoint Commissioner Martinez, Commissioner Vela and Mr. Figueroa as committee to negotiate with Time Warner Cable regarding TV Antenna lease agreement with Zapata County. Time Warner Cable will produce lease by Friday, April 16, 2010.

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 COMMISSIONER GABRIEL
VILLARREAL, PCT. 2, TO RECONSIDER LEASING A 1 ACRE TRACT OF LAND EAST
ON HWY. 16 FOR 25 YEARS FROM MR. LEONARDO FLORES.
LAND WILL BE USED TO CONSTRUCT A CATTLE DIPPING VAT.
ZAPATA COUNTY WILL PAY A ONE TIME PAYMENT OF \$5,000.00 TO BE PAID FROM
THE ROYALTY FUND (10-370-901)**

**ORDER APPROVING PURCHASE OF LOTS NUMBER 194 AND 196, BLOCK 38 IN
TOWN OF SAN YGNACIO, TEXAS**

Motion was made by Commissioner Vela, seconded by Commissioner Garza, to approve purchase of Lots Number 194 and 196, Block Number 38 in the Town of San Ygnacio for the amount of \$25,000.00, following protocol as recommended by County Attorney, to be paid out of the Royalty Fund as requested by Commissioner Gabriel Villarreal, Pct. 2.

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

ORDER TO PURCHASE 2009 JOHN DEERE 5065 M TRACTOR WITH RHINO ROTARY CUTTER FROM WEAKS MARTIN IMPLEMENT COMPANY

Motion was made by Commissioner Garza, seconded by Commissioner Villarreal, to approve purchase of a 2009 John Deere 5065M Tractor with Rhino Rotary Cutter from Weaks Martin Implement Co. Mission, Texas for the amount of \$30,444.15 to be paid out of Pct. 2 Caliche Fund as requested by Commissioner Gabriel Villarreal, Pct. 2.

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

ORDER APPROVING PURCHASE OF 2010 F-150 FORD TRUCK

Motion was made by Commissioner Vela, seconded by Commissioner Garza, to approve purchase of a 2010 F-150 Ford Truck for \$15,240.00 to be paid out of Pct. 2 Caliche Fund as requested by Commissioner Gabriel Villarreal, Pct. 2.

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

ORDER APPROVING REQUEST FOR PERMISSION TO USE ZAPATA COUNTY COMMUNITY CENTER FOR OPERATION LONE STAR FOR ZAPATA COUNTY

Motion was made by Commissioner Garza, seconded by Commissioner Vela, to approve request for permission to use the Zapata County Community Center for the Operation Lone Star for Zapata County on the week of August 2-6, 2010 as requested by County Judge Rosalva Guerra.

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

ORDER APPROVING MATERIAL BIDS FOR BORDER COLONIA ACCESS PROGRAM 3RD CALL AND ORDER TO RE-BID FOR ASPHALTIC CEMENT PAVEMENT MIX, TYPE D

Motion was made by Commissioner Vela, seconded by Commissioner Martinez, to approve the lowest bidders, for material bids only, as recommended by Mario Gonzalez-Davis and as follows:

- Benavides Trucking for the Prime Coat Asphaltic Emulsion. \$4.40 / gallon**
- J & C Investments for the Flexible Base material Type "E". \$6.25 / cubic yard**
- 4 Big Construction & Enterprise, LLC for the
Portland Cement Concrete Class "C" \$90.00 / cubic yard**
- Hawk Ready Mix for the Reinforcing Steel No. 6 W2.9 x W2.9. \$0.28 / square foot**
- Hawk Ready Mix for the Reinforced Silt Fencing. \$1.45 / linear foot**

for the Border Colonia Access Program 3rd Call and Order to re-bid for Asphaltic Cement Pavement Mix Type "D" and use of trucks on hauling basis as requested by Mario Gonzales-Davis, County Project Coordinator.

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 PAVILION
FROM 7 A.M. TO 9 A.M. FOR ZAPATA TO LAREDO FUN RACE**

Motion was made by Commissioner Garza, seconded by Commissioner Martinez, to approve use of the Zapata County Pavilion from 7am to 9am on June 6, 2010 for the Zapata to Laredo Fun Race as requested by Michael Doyle.

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

**ORDER APPROVING UPGRADE OF GUILLERMO M. SAENZ, ENVIRONMENTAL
HEALTH SERVICE SUPERVISOR**

Motion was made by Commissioner Vela, seconded by Commissioner Garza, to approve upgrade of Guillermo M. Saenz-Environmental Health Service Supervisor from slot 2 to slot 1. He has completed all requirements and is now licensed as required by TCEQ to be effective 04/12/2010 as requested by Doroteo N. Garza, County Auditor.

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

**ORDER APPROVING UPGRADE OF ROBERTO BOTELLO FROM SLOT # 8
TO SLOT # 14, LUIS CUELLAR FROM SLOT # 13 TO SLOT # 8,
JOSE ESTRELLA FROM SLOT # 11 TO SLOT # 12, AND
ANGEL GARZA FROM SLOT # 12 TO SLOT # 2**

Motion was made by Commissioner Vela, seconded by Commissioner Martinez, to approve upgrade of Roberto Botello from Slot # 8 to Slot # 14, Luis Cuellar from Slot # 13 to Slot # 8, Jose Estrella from Slot # 11 to Slot # 12, and Angel Garza from Slot # 12 to Slot # 2 as requested by Guillermo Saenz, Environmental Director.

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

**ORDER APPROVING HIRING OF RICARDO SALDIVAR ON SLOT #11 FOR ZAPATA
COUNTY LANDFILL**

Motion was made by Commissioner Garza, seconded by Commissioner Vela, to approve to hire Ricardo Saldivar on Slot #11 for the Zapata County Landfill as requested by Guillermo Saenz, Environmental Director.

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 LOPEZ, JR. TO APPROVE RESOLUTION ON BEHALF OF LULAC COUNCIL #7 ON IMMIGRATION REFORM AS PART OF TEXAS BORDER COUNTIES

Motion was made by Commissioner Vela, seconded by Commissioner Martinez, to table request by Hector Lopez, Jr., to approve a Resolution on behalf of Lulac Council # 7 on Immigration Reform as part of Texas Border Counties.

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

ORDER APPROVING FAIR HOUSING PROCLAMATION

Motion was made by Commissioner Vela, seconded by Commissioner Villarreal, to approve the Fair Housing Proclamation as requested by Carlos Colina-Vargas, AICP & Associates.

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

NO ACTION WAS TAKEN ON REQUEST BY COMMISSIONER JOSE EMILIO VELA, PCT. 1, ON DISCUSSION OF PERSONNEL MATTERS

NO ACTION WAS TAKEN ON REQUEST BY COMMISSIONER JOSE EMILIO VELA, PCT. 1, ON CONSULTATION WITH LEGAL COUNSEL REGARDING LEGAL ISSUES IN CONNECTION WITH SAN YGNACIO IMPROVEMENT PROJECTS AND RELATED ISSUES

NO ACTION WAS TAKEN ON REQUEST BY COMMISSIONER JOSE EMILIO VELA, PCT. 1, ON CONSULTATION WITH LEGAL COUNSEL REGARDING LEGAL ISSUES IN CONNECTION WITH THE NEW FALCON TOWNSITE SUBDIVISION AND POSSIBLE EIGHT-LINER ENTERTAINMENT AND RELATED ISSUES

NO ACTION WAS TAKEN ON REQUEST BY ZAPATA COUNTY ROPING ARENA COMMITTEE ON DISCUSSION OF BID FOR PRE-ENGINEERED BUILDING

ORDER APPROVING TO RE-BID FOR PRE-ENGINEERED BUILDING

Motion was made by Commissioner Garza, seconded by Commissioner Martinez, to approve to re-bid for Pre-Engineered Building in order to clarify necessary specs required on building as requested by Zapata County Roping Arena Committee.

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 COMMISSIONER JOSE EMILIO VELA,
PCT. 1, REGARDING ITEMS 53 AND 54 IN EXECUTIVE SESSION**

ADJOURN

Motion to adjourn was made by Commissioner Garza, seconded by Commissioner Vela, 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.

ROSALVA GUERRA, COUNTY JUDGE
ZAPATA COUNTY, TEXAS

ATTEST:

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