

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

Be it remembered, that on this the 17th day of February, A. D., 2009, the Commissioners Court of Zapata County, Texas, convened in **SPECIAL 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
Joseph Rathmell	Commissioner, Precinct No. 3
Saíd Alfonso Figueroa	County Attorney

ABSENT:

Hon. Norberto Garza	Commissioner, Precinct No. 4
Mary Jayne Villarreal-Bonoan	County Clerk

VISITORS: Celica A. Rodriguez, Doroteo N. Garza, Mario Gonzalez-Davis, Nellie Treviño, Hector Lopez, Jr., Delia Mendoza, Dr. Sands, Alonzo Lopez, Rene Garcilazo, Oralia Litchenberger, Miguel Treviño, Jr., Mike Chapa, Dr. Satish Patel, Dr. Larry Sands, Dr. Ernest Cabrera, Larry Sands II, and Carlos Colina-Vargas.

WHEREUPON, the following Orders and Proceedings were had by said Court, to-wit:

CALLED MEETING TO ORDER AT 9:00 A. M.

**ROLL CALL BY CELICA A. RODRIGUEZ, CHIEF DEPUTY COUNTY CLERK
PRESENT FOR MARY JAYNE VILLARREAL-BONOAN, COUNTY CLERK**

**ORDER APPROVING LETTER OF SUPPORT FOR APPLICATION BEING
SUBMITTED BY GATEWAY COMMUNITY HEALTH CENTER, INC.**

Motion was made by Commissioner Vela, seconded by Commissioner Villarreal, to approve letter of support for the application being submitted by Gateway Community Health Center, Inc. to the Health Resources and Services Administration of the Department of Health and Human Services for a Service Area Competition HRSA 09-214 grant as requested by Miguel Treviño, Jr.

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

**ORDER AUTHORIZING ZAPATA COUNTY FAIR ASSOCIATION TO CLOSE
GLENN STREET AND FRESNO STREET DURING COUNTY FAIR**

Motion was made by Commissioner Vela, seconded by Commissioner Villarreal, to approve and authorize the Zapata County Fair Association to close Glenn Street and Fresno Street during the County Fair to provide transportation to and from parking lots to the gates as requested by Anna Holcomb, Zapata County Fair Association. One way access was approved but Sheriff's Office will be in conjunction with County Fair Association to get best solution/plan to coordinate.

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 NOEMI Y. SOLIS PEÑA REQUESTING
WAIVER FOR USE OF PAVILION TO ORGANIZE A FUND-RAISER FOR
CANCER PATIENT JOSE LUIS RODRIGUEZ**

Motion was made by Commissioner Rathmell, seconded by Commissioner Vela, to table request by Noemi Y. Solis Peña to request waiver for the use of the Pavilion to organize a fund-raiser for a cancer patient Jose Luis Rodriguez. (Item was tabled for more information.)

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

**ORDER APPOINTING COUNTY HISTORICAL MEMBER IN ACCORDANCE WITH
CHAPTER 318 OF TEXAS GOVERNMENT CODE**

Motion was made by Commissioner Villarreal, seconded by Commissioner Vela, to appoint Hector Lopez, Sr. as county historical member in accordance with Chapter 318 of the Texas Government Code as requested by Rosalva Guerra, County Judge.

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

**ORDER APPROVING PARTITION ON 2ND FLOOR, SUITE 243 FOR
DISTRICT ATTORNEY'S OFFICE**

Motion was made by Commissioner Vela, seconded by Commissioner Villarreal, to approve request by Rosalva Guerra, County Judge, to accommodate District Attorney's Office space wherever they prefer, either front or back of maintenance department and approve partition on 2nd floor, Suite 243 for District Attorney's office. District Attorney Alaniz will help fund additional repairs.

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

**ORDER AUTHORIZING STUDY TO INITIATE APPLICATION FOR NEW
LANDFILL AND TO HIRE ENGINEER ROBERT HERDS**

Motion was made by Commissioner Villarreal, seconded by Commissioner Vela, to approve and authorize study to initiate application for new landfill and approve hiring engineer Robert Herds as requested by Rosalva Guerra, County Judge.

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

**ORDER APPROVING USE OF ROYALTY ACCOUNT FOR NECESSARY FUNDING
FOR BASE BID FOR CONSTRUCTION OF ZAPATA COUNTY MUSEUM**

Motion was made by Commissioner Rathmell, seconded by Commissioner Vela, to approve the use of royalty account #3000007 for necessary funding for base bid for construction of Zapata County Museum and provide the order to proceed as requested by Rosalva Guerra, County Judge.

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

**ORDER APPOINTING MARIO GONZALEZ-DAVIS AS ENVIRONMENTAL REVIEW
OFFICER FOR ORCA RURAL TECH CENTER GRANT RTC-803**

Motion was made by Commissioner Rathmell, seconded by Commissioner Villarreal, to appoint Mario Gonzalez-Davis as Environmental Review Officer for the ORCA (Office Rural

Community Affairs) Rural Tech Center grant RTC-803 as requested by Rosalva Guerra, County Judge.

The above motion, being put to a vote, was approved by the affirmative vote of Commissioners Rathmell, Villarreal, and Judge Guerra. Commissioner Vela voted against. Motion Carried.

**ORDER APPROVING GIFT DEED FROM MRS. JOSE J. CHAVEZ FOR
TWO LOTS IN SIESTA SHORES**

Motion was made by Commissioner Rathmell, seconded by Commissioner Vela, to accept gift deed from Mrs. Chavez, widow of Jose J. Chavez for two (2) lots in Siesta Shores as requested by Said Alfonso Figueroa, County Attorney.

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

**ORDER APPROVING INCREASE OF INDIGENT ATTORNEY FEES FOR
COUNTY COURT FROM \$150.00 TO \$250.00**

Motion was made by Commissioner Vela, seconded by Commissioner Rathmell, to approve increase of indigent attorney fees for County Court from \$150.00 to \$250.00 effective February 17, 2009 as requested by Rosalva Guerra, County Judge.

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 VELA, SECONDED BY
COMMISSIONER VILLARREAL TO ENTER INTO EXECUTIVE SESSION**

RETURNED TO REGULAR SESSION AT 11:37 A.M.

**ORDER TO TABLE REQUEST BY ROSALVA GUERRA, COUNTY JUDGE TO
CONSIDER RENEWAL AND/OR RENEGOTIATING OF CONTRACT WITH ZAPATA
COUNTY MEDICAL CLINIC AND/OR ZAPATA MEDICAL GROUP**

Motion was made by Commissioner Villarreal, seconded by Commissioner Rathmell, to table request by County Judge Rosalva Guerra, to consider the renewal and/or renegotiating of the contract with Zapata County Medical Clinic and /or Zapata Medical Group.

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

**NO ACTION WAS TAKEN IN EXECUTIVE SESSION ON REQUEST BY DR. SANDS
TO RECEIVE BRIEFING FROM LEGAL COUNSEL TO TAKE ACTION
REGARDING THE INCOME FOR THE ZAPATA COUNTY MEDICAL GROUP**

**ORDER APPROVING AGREEMENT TO FUND ZAPATA COUNTY MEDICAL
GROUP SO LONG AS THERE ARE FUNDS AVAILABLE IN SPECIAL ACCOUNT**

Motion was made by Commissioner Rathmell, seconded by Commissioner Vela, to approve agreement by Zapata County that so long as there are funds being brought into the special account and profit is sufficient to fund, the County is agreeing , from here to the expiration of the contract (September 2009), to pay the \$165 per hour. The County will have 100% access to the special account.

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

ORDER APPROVING ADOPTION OF RESOLUTION AUTHORIZING SUBMISSION OF A TEXAS COMMUNITY DEVELOPMENT BLOCK GRANT APPLICATION TO ORCA FOR GRANT ASSISTANCE FOR RENEWABLE ENERGY DEMONSTRATION PILOT PROGRAM

Motion was made by Commissioner Vela, seconded by Commissioner Villarreal, to approve adoption of resolution authorizing the submission of a Texas Community Development Block Grant application to the ORCA for grant assistance for the Renewable Energy Demonstration Pilot Program as requested by Rosalva Guerra, County Judge.

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

REPORT ON DIALYSIS CENTER BY DR. PATEL

Dr. Patel reported on the dialysis center. There are approximately 32 local patients that have to go out of town for dialysis. The proposal is to provide a facility that will service 75-100 patients for the next 5-15 years.

ORDER TO TABLE REQUEST BY PEGGY UMPHRES, ZAPATA COUNTY ECONOMIC DEVELOPMENT CENTER TO DISCUSS POSSIBLE ARRANGEMENT WITH ZAPATA COUNTY TO FACILITATE ESTABLISHMENT OF DIALYSIS CENTER FOR BENEFIT OF ZAPATA COUNTY RESIDENTS

Motion was made by Commissioner Rathmell, seconded by Commissioner Vela, to table request by Peggy Umphres, Zapata County Economic Development Center to discuss possible arrangement with Zapata County to facilitate the establishment of a dialysis center for the benefit of Zapata County residents as requested by Peggy Umphres, Zapata County Economic Development Center.

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

COMMUNICATIONS

Judge Guerra communicated that there are no more funds left over from Sesquicentennial Celebration to use for County Fair expenses. This was reported to the Judge by Alonzo Lopez on behalf of Sheriff Gonzalez.

Commissioner Vela reported that Jimmy Thomas will be having surgery and he would like to replace him.

ADJOURN

Motion to adjourn was made by Commissioner Vela, seconded by Commissioner Villarreal, 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