

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

Be it remembered, that on this the 13th day of October, A. D., 2009, 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
Joseph Rathmell	Commissioner, Precinct No. 3
Norberto Garza	Commissioner, Precinct No. 4
Saíd Alfonso Figueroa	County Attorney
Romeo Salinas	County Treasurer
Mary Jayne Villarreal-Bonoan	County Clerk

VISITORS: Romeo Salinas, Doroteo N. Garza, Mario Gonzalez-Davis, Nellie Treviño, Hector Uribe, Roberta Meza, Mark Nickel, Tony Webber, Brian Martinez, Allen Hodge, Cruz C. Torres, Jesse A. Harrison, Nancy Romero, Maria Elena Vela, Dora Mtz. Ramos, Eddie Martinez, Jose F. Mendoza, Paco Mendoza, Veronica G. Bustamante, Liborio (Larry) Mares, Jr., Maria E. Gutierrez, Antonio A. Mendoza, Tirso H. Amesquita, Karran Westermann, and Juan J. Meza.

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

SILENT PRAYER

**ORDER APPROVING MINUTES FOR MEETING OF AUGUST 10 , 2009
AND AUGUST 27 , 2009**

Motion was made by Commissioner Vela, seconded by Commissioner Garza, to approve the Minutes of August 10, 2009 and August 27, 2009 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

Judge Guerra announced that the drug free pep rally will be at 6:00 p.m. on Wednesday, October 14, 2009.

Dr. Edmundo Garcia thanked Commissioners' Court for giving him the opportunity to serve the community . He stated that they had seen 379 patients in 11 days. Doctors are paying rent and are seeing indigent patients. He has also communicated with Ed Romero of LMG about caring for patients that need

to be transported to Laredo. Patients needing other services are referred to Laredo first then to San Antonio. He further stated that this is a family medical office with extended hours.

Commissioner Vela commended Dr. Garcia for his efforts.

DEPARTMENTAL REPORTS

Carlos Treviño, Water Plant Director, reported that his department has collected \$928,715.70 for the last quarter for both water and sewer. Water collections for the year were \$1,840,742.60 and sewer collections for the year were \$533,819.68 for a combined annual total of \$2,374,562.28.

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

ORDER PROCLAIMING OCTOBER 2009 AS DISABILITY EMPLOYMENT AWARENESS MONTH IN ZAPATA COUNTY

Motion was made by Commissioner Vela, seconded by Commissioner Villarreal, proclaiming October 2009 as Disability Employment Awareness Month in Zapata County as requested by Border Region MHMR

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

ORDER PROCLAIMING OCTOBER 6 -10, 2009 AS MENTAL HEALTH AWARENESS WEEK

Motion was made by Commissioner Vela, seconded by Commissioner Villarreal, proclaiming October 6 -10, 2009 as Mental Health Awareness Week as requested by Border Region MHMR.

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

PRESENTATION BY DEBBIE ENRIQUEZ ON NATIONWIDE 457 PLAN

Presentation was made by Debbie Enriquez, retirement planning specialist on Nationwide 457 Plan. She stated that the plan is similar to a 401K. There is no match and the employee may withdraw the money. There is a minimum of \$10 per pay period. The money goes to an investment of the employees choice. Changes are allowed. There is no cost to the county. While employed, the employee may borrow against this money or may withdraw money for emergency purposes. There are 49 participating entities in South Texas.

ORDER APPROVING AGREEMENT BETWEEN ZAPATA COUNTY AND SOUTHWEST MUSEUM SERVICES FOR DESIGN, FABRICATION, AND INSTALLATION OF EXHIBITS AT ZAPATA COUNTY MUSEUM OF HISTORY

Motion was made by Commissioner Garza, seconded by Commissioner Vela, to approve the agreement between Zapata County (on behalf of the Board of Directors of the Zapata County Museum of History) and Southwest Museum Services for the design, fabrication, and installation of exhibits at the Zapata County Museum of History, Mr. Figueroa has reviewed the agreement, as requested by Zapata County Museum of History Board of Directors. Mr. Webber showed commissioners' court a power point presentation.

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

DEPARTMENTAL REPORTS

Luis Lauro Gonzalez, Zapata County Tax Assessor/Collector, presented Commissioners Court with the September 2009 report. He reported that the tax office collected \$18,197.99 in hotel/motel taxes and \$41,991.38 in County collections. The tax office has collected a total of \$19,552,647.45 for the year.

Romeo Salinas, Zapata County Treasurer, presented Commissioners' Court with a written Treasurer's Report, attached for the record.

ORDER APPROVING INVOICES

Motion was made by Commissioner Rathmell, seconded by Commissioner Garza, to approve invoices 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 RESOLUTION IN WHICH ZAPATA COUNTY WILL PURSUE ENERGY EFFICIENCY AND CONSERVATION BLOCK GRANTS (EFCBG) MADE AVAILABLE THROUGH AMERICAN RECOVERY AND REINVESTMENT ACT (ARRA) OF 2009

Motion was made by Commissioner Vela, seconded by Commissioner Villarreal, to approve a resolution in which Zapata County will pursue Energy Efficiency and Conservation Block Grants (EFCBG) made available through the American Recovery and Reinvestment Act (ARRA) of 2009 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 HIRING OF PREMIER ENGINEERING FOR BOND PAVING PROJECT IN FALCON MEZA SUBDIVISION

Motion was made by Commissioner Vela, seconded by Commissioner Garza, to approve the hiring of Premier Engineering for the Bond Paving Project in the Falcon Meza Subdivision as requested by Commissioner Joseph Rathmell, Pct. 3.

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

ORDER APPOINTING JOE MEDRANO TO SERVE ON BOARD OF EDC

Motion was made by Judge Rosalva Guerra, seconded by Commissioner Villarreal, to appoint Joe Medrano to serve on the Board of the EDC as requested by Commissioner Joseph Rathmell, Pct.

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

ORDER APPROVING PURCHASE A PA SYSTEM FOR COUNTY EXTENSION AGENT'S OFFICE

Motion was made by Commissioner Garza, seconded by Commissioner Vela, to approve the purchase of a PA System for the County Extension Agent's Office, each commissioner will contribute \$500 out of their park budget, as requested by Commissioner Joseph Rathmell, Pct. 3.

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

ORDER APPROVING USE OF OSWALDO H. AND JUANITA G. RAMIREZ EXHIBIT HALL ON DECEMBER 5 FOR ZAPATA YOUTH FOOTBALL LEAGUE BANQUET AND DANCE

Motion was made by Commissioner Garza, seconded by Commissioner Rathmell, to approve use of the Oswaldo H. and Juanita G. Ramirez Exhibit Hall on December 5, 2009 for the Zapata Youth Football League Banquet and Dance as requested by Zapata County Convention & Visitors' Bureau.

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

ORDER TO DENY REQUEST BY CATHERINE PRINCE, DC CONSTRUCTION, TO LOWER FEES AT ZAPATA COUNTY LANDFILL TO ALLOW DC CONSTRUCTION CONTINUED ENTRANCE DURING DURATION OF DEMOLITION OF OLD ZAPATA SOUTH ELEMENTARY SCHOOL

Motion was made by Commissioner Garza, seconded by Commissioner Rathmell, to deny request by Catherine Prince, DC Construction to lower fees at the Zapata County Landfill to allow DC Construction continued entrance during the duration of the demolition of the old Zapata South Elementary School.

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

ORDER APPOINTING JOSE FRANCISCO MENDOZA TO BE IN CHARGE OF NICK GUTIERREZ 4-H ARENA

Motion was made by Commissioner Garza, seconded by Commissioner Villarreal, to appoint Jose Francisco Mendoza, to be in charge of the Nick Gutierrez 4-H Arena. Mr. Mendoza will appoint a five (5) member committee to serve for a two (2) year term, 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 TO KEEP PAYMENT SCHEDULE FOR HEALTH INSURANCE FOR ZAPATA COUNTY RETIREES AS IS

Motion was made by Commissioner Vela, seconded by Commissioner Villarreal, to approve to keep payment schedule for the health insurance for Zapata County retirees as is as requested by Nellie R. Treviño, Personnel Director.

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

ORDER APPROVING INTERLOCAL AGREEMENT FOR EMERGENCY 911 PUBLIC SAFETY ANSWERING POINT SERVICES

Motion was made by Commissioner Garza, seconded by Commissioner Rathmell, to approve the Interlocal Agreement for the Emergency 911 Public Safety Answering Point Services as requested by Nancy Romero, 911 Program Specialist.

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

ORDER APPROVING INTERLOCAL AGREEMENT FOR EMERGENCY 911 AUTOMATIC LOCATION INFORMATION MAINTENANCE SERVICES

Motion was made by Commissioner Garza, seconded by Commissioner Rathmell, to approve the Interlocal Agreement for the Emergency 911 Automatic Location Information Maintenance Services as requested by Nancy Romero, 911 Program Specialist.

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

ORDER APPROVING SINGLE PLAT FOR DOLLAR GENERAL STORE

Motion was made by Commissioner Garza, seconded by Commissioner Vela, to approve a single plat for the Dollar General Store as requested by Mario Gonzalez-Davis, Zapata County Project Coordinator.

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 MANUEL GONZALEZ, PREMIER ENGINEERING TO AWARD CONSTRUCTION CONTRACT FOR JENNINGS ROAD PROJECT

Motion was made by Commissioner Villarreal, seconded by Commissioner Vela, to table request by Manuel Gonzalez, Premier Engineering, to award construction contract for the Jennings Road 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 EXTENSION OF SIX INCH WATER LINE BY ZAPATA COUNTY WATERWORKS TO SERVE AREA OF OVER 5 ACRES ALONG 40' EASEMENT CONVEYED TO ZAPATA COUNTY FROM SHARE 4

Motion was made by Commissioner Rathmell, seconded by Commissioner Garza, to approve the extension of a six inch water line by the Zapata County Waterworks, to serve an area(s) of over 5 acres along the 40' easement conveyed to Zapata County from share 4, 100 acres of the Jose Cuellar et. al., approximately 900 ft. Materials will cost an estimated amount of \$8,137.92 and will be paid by Mrs. Cuellar (Trinidad and Eugenia Cuellar), landowner. The additional 900' loop will be paid by the County out of the royalty funds. Labor will be provided by waterworks as requested by Mario Gonzalez-Davis, Project Coordinator, and Carlos Treviño, Zapata County Waterworks Director.

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

ORDER APPROVING RESOLUTION FOR ZAPATA COUNTY HEALTH CENTER SPECIAL FUND

Motion was made by Commissioner Garza, seconded by Commissioner Rathmell, to approve a resolution for the Zapata County Health Center Special Fund as requested by Doroteo 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 INSTALLATION OF STREET/SECURITY LIGHTS IN PRECINCT 3

Motion was made by Commissioner Villarreal, seconded by Commissioner Garza, to approve street lights at the following locations:

- Olmos Street in Lakefront Lodge
- Davis Street in Siesta Shores
- 201 Irene Drive
- Madison Street
- 406 Ann Drive (Buenvista Subdivision)

as requested by Commissioner Joseph Rathmell, Pct. 3.

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

ORDER APPROVING INSTALLATION OF STREET/SECURITY LIGHTS IN PRECINCT 4

Motion was made by Commissioner Villarreal, seconded by Commissioner Garza, to approve installation of street lights at the following locations:

- between 10th and 13th on 1015 Diaz
- 907 Roma Street
- 20th Avenue and Hidalgo Boulevard

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 INSTALLATION OF SPEED HUMPS FOR TRAFFIC CONTROL

Motion was made by Commissioner Villarreal, seconded by Commissioner Garza, to approve installation of speed humps for traffic control at the following locations:

- 505 Delmar St. (Zapata Townsite)
- 218 Lozano St. (Nicholson Addition)

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 INSTALLATION OF STREET LIGHTS IN PRECINCT 1

Motion was made by Commissioner Villarreal, seconded by Commissioner Garza, to approve installation of street lights at the following locations:

- 705 Glenn Street (Zapata Townsite)
- 307 Fresno Street (Zapata Townsite)
- 305 Gonzalez Street (Nicholson Subdivision)
- 501 Elm Street (Zapata Townsite)
- 1109 Delmar Street (Zapata Townsite)

as requested by 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 RESOLUTION OF SUPPORT FOR GCI, INC.

Motion was made by Commissioner Villarreal, seconded by Commissioner Garza, to approve a resolution of support for the GCI, Inc. proposal as requested by Hector Uribe, Legislative Consultant. Resolution as presented to Commissioners' Court will be corrected to exclude the last paragraph; unemployment rate is 12.4%, and the county judge will be designated as the representative for Zapata County.

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 ANDY MATA TO GIVE UPDATE AND STATUS REPORT ON PHASE II OF ROMEO T. FLORES PARK PROJECT

Motion was made by Commissioner Garza, seconded by Commissioner Villarreal, to table request by Andy Mata, to give update and status report on the Phase II of the Romeo T. Flores Park Project as requested by Andy Mata.

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

JUDGE ANNOUNCED THAT COMMISSIONERS' COURT HAD RETURNED TO REGULAR SESSION

ORDER AUTHORIZING SAID ALFONSO FIGUEROA, COUNTY ATTORNEY, TO CONTACT TIME WARNER COMMUNICATIONS ON POSSIBLE AGREEMENT/LEASE OF TOWER LOCATED ON COUNTY PROPERTY

Motion was made by Commissioner Vela, seconded by Commissioner Garza, to authorize Said Alfonso Figueroa, County Attorney, to contact Time Warner Communications on possible Agreement/Lease of tower located on county property for the purpose of cable television and other services as requested by Doroteo Garza, County Auditor.

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

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