

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

Be it remembered, that on this the 11<sup>th</sup> day of July, A. D., 2011, 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
Jose Emilio Vela	Commissioner, Precinct No. 1
Gabriel Villarreal	Commissioner, Precinct No. 2
Norberto Garza	Commissioner, Precinct No. 4
Saíd Alfonso Figueroa	County Attorney
Mary Jayne Villarreal-Bonoan	County Clerk

**ABSENT:** Eddie Martinez Commissioner, Precinct No. 3

**VISITORS:** Triunfo Gonzalez, Audie Hernandez, Maria I. Gutierrez, J.J. Meza, Brian Martinez, Jose Mendoza, Roger Miller, Luis Lauro Gonzalez, Hector Uribe, Nellie R. Treviño, Marco A. Serna, Craig D. Bigler, Dr. Edmundo Garcia, M.D., Delia Mendoza, Caleb Eaton, Joyce Currington, Karran Westerman, George Rusty Meurer, Avon Hatfield, Ramiro Garcia, Roberta Meza, Carmen Reyes, Laura Guerra, Yolanda Mena, Myrna Bustamante, Manuel Uribe, Antonio Mendoza, Alicia C. Villarreal, Diana Cuellar Villarreal, Brandon Blum, Edna Garcia, and Carlos Treviño, Jr.

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

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

**PLEDGE OF ALLEGIANCE**

**PRAYER BY ROGER MILLER**

**ORDER APPROVING MINUTES FOR MEETING OF JUNE 13, 2011**

Motion was made by Commissioner Vela, seconded by Commissioner Villarreal, to approve the Minutes of June 11, 2011 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.

**ZAPATA COUNTY MEDICAL CENTER'S MONTHLY REPORT**

Dr. Edmundo Garcia, Zapata County Medical Group, presented Commissioners' Court his monthly report for June. He reported that he received a letter from Dr. Cigarroa showing interest in leasing a 1870 sq. ft. area in the clinic to offer cardiology services. Dr. Cigarroa is willing to pay \$1,000 flat fee per month. Dr. Garcia also stated that his current running operation expenses do not exceed his original bid. (Report is attached for the record.)

Dr. Hildegardo Flores reported on the inauguration of the museum. He reported that at least 200 persons attended. He stated that the success of the museum was due to the efforts of many people. Dr. Flores and Mrs. Hatfield thanked the commissioners and the county work crews that helped. They also thanked Roxie Elizondo and Brian Martinez from the judge's office for their assistance.

### **DEPARTMENTAL REPORTS**

Karran Westerman, President - American Legion Auxiliary, reported on the fireworks display. The Auxiliary received \$3,000 from Zapata County. Total expenses were \$3,033.42. Ms. Westerman commented that honor society students helped her with the display, Judge Rathmell suggested that professionals be used in the future.

George Rusty Meurer, attorney for Maria Luisa Fernandez, briefly addressed the court regarding item #20, which is a request to promote Rosalinda Guzman from Clerk 1 slot #5 (\$9.63 per hour) to Administrative Assistant (\$10.89 per hour) to be funded from remaining funds in Slot #2. Mr. Meurer stated that there is a pending grievance filed by Maria Luis Fernandez which should be addressed before taking action on this item. Mr. Figueroa advised that this item should be discussed in executive session.

Manuel Garcia thanked Commissioners' Court on behalf of the Marine Corp League for allowing the use of the Oswaldo and Juanita G. Ramirez Exhibit Hall for the wrestling competition to raise funds for scholarships.

Luis Lauro Gonzalez, Zapata County Tax Assessor/Collector, reported that the tax office collected \$18,695.03 in Hotel Motel Tax fees and \$147,840.91 in tax collections. A total of \$137,026.50 have been collected to date on Hotel Motel Tax fees.

Caleb Eaton, Zapata County Extension Agent, presented Commissioners' Court with the monthly written report for June 2011. (Report attached for the record.)

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

### **ORDER APPROVING INVOICES**

Motion was made by Commissioner Vela, seconded by Commissioner Garza, to approve invoices as presented by Triunfo Gonzalez, County Auditor.

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 Vela, seconded by Commissioner Villarreal, to approve Treasurer's Report as presented 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.

**PRESENTATION OF SERVICES OFFERED BY KOOL SMILES DENTISTRY**

Edna Garcia, Community Outreach Kool Smiles, gave presentation on the services offered by Kool Smiles Dentistry.

**ORDER TO LEAVE OPTIONAL FEES FOR TEXAS DEPARTMENT OF TRANSPORTATION AS THEY ARE**

Motion was made by Commissioner Vela, seconded by Commissioner Villarreal, to leave optional fees for Texas Department of Transportation as they are 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 APPROVING COST ESTIMATE FROM MATA CONSTRUCTION FOR RESURFACING OF ZAPATA COUNTY COMMUNITY CENTER**

Motion was made by Commissioner Vela, seconded by Commissioner Garza, to approve the cost estimate of \$18,810.00 from Mata Construction for the resurfacing of the Zapata County Community Center, amount to be paid from A.R.M. fund. line item #10-370-903. Zapata County will also purchase the materials from the A.R.M. fund line item #10- 70-903 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 TO TABLE REQUEST BY COMMISSIONER VELA FOR APPROVAL OF PROPOSED REDISTRICTING PLAN PREPARED BY ROLANDO RIOS AND ASSOCIATES ALLOWING TO IDENTIFY NEW ZAPATA COUNTY PRECINCT BOUNDARIES**

Motion was made by Commissioner Garza, seconded by Commissioner Vela, to table request by Hon. Jose E. Vela, Commissioner Pct. 1, for approval of proposed redistricting plan prepared by Rolando Rios and Associates allowing to identify the new Zapata County Precinct boundaries and comply with the 2010 Zapata County Census.

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

**ORDER APPROVING DEMOLITION OF OLD WELCOME TO ZAPATA SIGN**

Motion was made by Commissioner Garza, seconded by Commissioner Villarreal, to approve the demolition of the old Welcome to Zapata sign at the north entrance of Zapata as requested by Hon. Gabriel Villarreal, Commissioner Pct. 4.

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 COMMISSIONER GARZA TO RENAME THE  
ZAPATA TOWN PLAZA TO VETERANS PLAZA**

Motion was made by Commissioner Villarreal, seconded by Commissioner Garza, to table request by Hon. Norberto Garza, Commissioner Pct. 4, to rename the Zapata Town Plaza to Veterans Plaza. (Tony Mendoza addressed the court and stated that the plaza is a landmark of the community and that renaming the plaza is out of order. Mr. Mendoza asked the commissioners to reconsider before deciding on this matter.)

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

**ORDER APPROVING TO REPLACE BATTING CAGE AND DUGOUTS AT LITTLE  
LEAGUE BASEBALL AND SOFTBALL FIELDS IN PRECINCT 4**

Motion was made by Commissioner Garza, seconded by Commissioner Villarreal, to approve to replace the batting cage and dugouts at the Little League Baseball and Softball Fields in Precinct 4, totaling \$12,800 for labor and \$7,474.85 for material 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.

**ORDER TO TABLE REQUEST BY BORDER COMMUNICATIONS, INC.  
REQUESTING PERMISSION TO BURY FIBER OPTIC CABLES WITHIN  
RIGHT-OF-WAY OF ZAPATA COUNTY ROADS**

Motion was made by Commissioner Vela, seconded by Commissioner Villarreal, to table request by Stephen W. Andrews, P.E., Border Communications, Inc., requesting permission to bury fiber optic cables within the right-of-way of Zapata County roads. The cable route will enter Zapata County right-of-way at the intersection of 20<sup>th</sup> Street and Hwy 16 near Zapata High School. The roads are identified as 20<sup>th</sup> Street, Miraflores Street, Alamo Street, and Evergreen.

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

**ORDER TO TAKE NO ACTION ON REQUEST BY MANUEL URIBE, ZAPATA  
COUNTY VETERAN'S OFFICER, TO APPROVE USE OF COUNTY VAN**

Motion was made by Commissioner Garza, seconded by Commissioner Villarreal, to take no action on request to use a county van available through the Zapata County Elderly Transportation Services Department to transport Zapata veterans as requested by Manuel Uribe, Zapata County Veteran's Officer. (Van is not property of Zapata County.)

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

**ORDER TO DENY PAY INCREASE FOR RIGOBERTO CANTU  
(Increase to be included in 2011-2012 proposed budget)**

Motion was made by Commissioner Vela, seconded by Commissioner Villarreal, to **deny** request by Carlos Treviño, Jr., Water Plant Director, to approve a pay increase for Rigoberto Cantu

from \$9.41 to \$11.91, slot #26. Mr. Cantu has successfully completed all TCEQ academic requirements for a Class D Water Plant Operator's License. Increase is to be included in the 2011-2012 proposed budget. Funding to be obtained from line item #80-600-0227 License Stipends.

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

**ORDER APPROVING PURCHASE OF VEHICLE FOR CODE ENFORCEMENT DEPARTMENT**

Motion was made by Commissioner Villarreal, seconded by Commissioner Vela, to approve the purchase of a vehicle for Code Enforcement Department, not to exceed \$20,000 from line item #10-596-392 Contract Services as requested by Zaragoza Rodriguez IV, Code Enforcement Department.

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

**ORDER APPROVING APPOINTMENT OF ELECTION JUDGES AND ALTERNATE JUDGES FOR A TERM OF TWO YEARS**

Motion was made by Commissioner Garza, seconded by Commissioner Villarreal, to approve appointment of Elections Judges and Alternate Judges for a term of two (2) years beginning July 2011 and ending June 2013, as follows:

**ELECTIONS JUDGES AND ALTERNATE JUDGES APPOINTED FOR A TERM OF 2 (TWO) YEARS (JULY 2011 - JUNE 2013)**

Precinct 1 Courthouse	Presiding Judge Alternate Judge	Norma B. Salinas Irene Morales
Precinct 1A Falcon	Presiding Judge Alternate Judge	Maria Emma Muñoz Anayansi M. Muñoz
Precinct 1B Lopeño	Presiding Judge Alternate Judge	Maria Thelma Ramon Jesse Ramon
Precinct 2 Pavilion	Presiding Judge Alternate Judge	Thelma Sanchez Guadalupe Hughes
Precinct 2A San Ygnacio	Presiding Judge Alternate Judge	Susana Solis Maria Virginia Salazar
Precinct 3 Community Center	Presiding Judge Alternate Judge	Trinidad Salazar Edgerton Omelia Zapata
Precinct 4 Annex	Presiding Judge Alternate Judge	Rosa Ena Saenz Zaragoza Rodriguez III
Early Voting Ballot Board	Presiding Judge Alternate Judge	Roberto O. Montes Corina Solis

as requested by Doroteo N. Garza, Democratic Party Chairman.

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

**ORDER TO DENY INCREASE IN SALARIES FOR PARAMEDICS**

Motion was made by Commissioner Vela, seconded by Commissioner Villarreal, to deny request by J.J. Meza, Fire Department, to increase salaries from \$12.39 to \$12.64 of 3 paramedics that received their Fire Fighter Certifications, Victor Villarreal, Heberto J. Serna, and Robert Wilkerson as requested by J.J. Meza, Fire Department. Increases are to be included in the 2011-2012 proposed budget.

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

**ORDER APPROVING SOLID WASTE ORDINANCE**

Motion was made by Commissioner Vela, seconded by Commissioner Villarreal, to approve the Solid Waste Ordinance, effective September 1, 2011, as requested by Hector Uribe, Legal Consultant.

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 URIBE TO APPROVE SOLID WASTE CONTRACT BETWEEN ZAPATA COUNTY AND GRANDE GARBAGE**

Motion was made by Commissioner Garza, seconded by Commissioner Vela, to table request by Hector Uribe, Legal Consultant, to approve the Solid Waste contract between Zapata County and Grande Garbage.

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

**ORDER APPROVING TRANSFER OF DANNY ARAMBULA FROM SLOT #5 TO SLOT #11**

Motion was made by Commissioner Garza, seconded by Commissioner Villarreal, to approve transfer of Danny Arambula from slot #5 at \$7.74 per hour to slot #11 at \$8.20 per hour at the animal shelter as requested by Guillermo Saenz, Environmental Department Director.

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

**ORDER APPROVING TO HIRE TEMPORARY EMPLOYEE ARLO DE LOS SANTOS AT SAN YGNACIO LANDFILL AS PERMANENT EMPLOYEE**

Motion was made by Commissioner Vela, seconded by Commissioner Villarreal, to approve to hire temporary employ Arlo De Los Santos at the San Ygnacio Landfill as a permanent employee in slot #13 at \$7.84 per hour as requested by Guillermo Saenz, Environmental Department Director.

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

### **ORDER APPROVING INSTALLATION OF SECURITY LIGHTS**

Motion was made by Commissioner Vela, seconded by Commissioner Villarreal, to approve the installation of the following security lights:

- a. 105 Hidalgo Street in San Ygnacio
- b. 1204 Laredo Avenue in San Ygnacio

as requested by Hon. Gabriel Villarreal, 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 Vela, seconded by Commissioner Villarreal, to approve the installation the final four (4) security lights from the precinct 4 2010-2011 allotment 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.

### **LINE ITEM TRANSFERS**

Motion was made by Commissioner Villarreal, seconded by Commissioner Garza, to approve the following line item transfer:

From: Non-Department	10-409-311	Postage Express Freight	\$3,000.00
To: Non-Department	10-409-481	Dues & State Fees	\$3,000.00

to meet budget requirements 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.

Motion was made by Commissioner Garza, seconded by Commissioner Villarreal, to approve the following line item transfer:

From: Non-Department	10-409-768	Autopsy	\$3,803.00
To: Justice of the Peace	10-455-412	Autopsy	\$3,813.00

to meet budget requirements as requested by Bobby Meza, Deputy 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 Villarreal, seconded by Commissioner Garza, to approve the following line item transfer:

From: District Clerk	10-450-311	Postage Express Freight	\$345.00
To: District Clerk	10-450-457	Equipment Repairs	\$345.00

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 Villarreal, to approve the following line item transfer, in order to meet budget requirements, previously approved during Commissioners Court of June 13, 2011

From: Non-Department	10-409-736	Retiree Health Insurance	\$25,000.00
To: Environmental Health	10-595-456	Repairs & Maintenance	\$25,000.00

as requested by Bobbie Meza, Deputy 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 Villarreal, to approve the following line item transfer:

From: Non-Department	10-409-737	Economic Development Center	\$40,000.00
To: Non-Department	10-409-730	Consulting & Engineering Fees	\$40,000.00

to meet budget requirements as requested by Triunfo Gonzalez, 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 Villarreal, seconded by Commissioner Garza, to approve the following line item transfer:

From: Recycling	10-598-427	Travel	\$1,500.00
To: Recycling	10-598-456	Maintenance	\$1,500.00

to meet budget requirements as requested by Laura Garza, Recycling Department.

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 Villarreal, seconded by Commissioner Garza, to approve the following line item transfers:

From: Constable Pct. 1	550-10-310	Supplies	\$284.03
To: Constable Pct. 1	550-10-330	Fuel	\$284.03
From: Constable Pct. 1	550-10-454	Repairs	\$120.00
To: Constable Pct. 1	550-10-330	Fuel	\$120.00

to meet budget requirements as requested by Adalberto Mejia, Constable Pct. 1.

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 approve the following line item transfer:

From: Non-Department	10-409-444	Electrical	\$25,000.00
To: Waste Water	08-602-443	Electrical	\$25,000.00

to meet budget requirements and to be included in 2011-2012 budget as requested by Carlos Treviño, Jr., 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 RESOLUTION FORMALLY ACCEPTING COMPLETION OF ZAPATA COUNTY WATERWORKS WATER TREATMENT PLANT EXPANSION**

Motion was made by Commissioner Vela, seconded by Commissioner Villarreal, to approve resolution formally accepting the completion of the Zapata County Waterworks Water Treatment Plant Expansion, TWDB Project ID #61275 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.

**MOTION WAS MADE BY COMMISSIONER VELA,  
SECONDED BY COMMISSIONER GARZA,  
TO ENTER INTO EXECUTIVE SESSION**

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

**ORDER TO TAKE NO ACTION ON REQUEST BY CARLOS TREVIÑO, JR., WATER PLANT MANAGER, TO PROMOTE ROSALINDA GUZMAN**

Motion was made by Commissioner Vela, seconded by Commissioner Garza, to take no action, due to economic reasons, on request by Carlos Treviño, Jr., Water Plant Manager, to promote Rosalinda Guzman from Clerk 1 slot #5 (\$9.63 per hour) to Administrative Assistant (\$10.89 per hour). Funding to be obtained from remaining funds in Slot #2.

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

**ORDER AUTHORIZING REIMBURSEMENT TO ZAPATA COUNTY RESIDENT WHO SUFFERED LOSSES AS A RESULT OF ALLEGED SEWAGE BACK FLOW SPILLAGE**

Motion was made by Commissioner Vela, seconded by Commissioner Garza, to authorize reimbursement, under settlement negotiation, to Zapata County resident who suffered losses as a result of alleged sewage back flow spillage 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.

**ADJOURN**

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

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JOSEPH RATHMELL, COUNTY JUDGE  
ZAPATA COUNTY, TEXAS

ATTEST:

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