

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

Be it remembered, that on this the 14<sup>th</sup> day of November, 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:

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

**ROLL CALL BY MARY JAYNE VILLARREAL-BONOAN, COUNTY CLERK**

**PRESENT:**

Hon.	Joseph Rathmell	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:** Romeo Salinas, Triunfo Gonzalez, Mario Gonzalez-Davis, Auddy Hernandez, Nellie R. Treviño, Carlos Treviño, Jr., Brian Martinez, Juan J. Meza, Jose R. Garcia, Joyce Currington, Esperanza Saucedo, Steve Gutierrez, Laura R. Ramirez, Antonio A. Mendoza, Eduardo A. Lopez, Jr., Teofilo Vela III, Gerardo Gutierrez III, Avon Hatfield, Mundo Flores, Diana Cuellar Villarreal, Maria Eugenia Guerra, Jose F. Mendoza, and Robeto O. Montes.

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

**PLEDGE OF ALLEGIANCE**

**ORDER APPROVING MINUTES FOR MEETING OF OCTOBER 10, 2011**

Motion was made by Commissioner Vela, seconded by Commissioner Martinez, to approve the Minutes of October 10, 2011, with name correction on page 4, 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**

Commissioner Vela thanked Commissioner Villarreal for getting caliche for Zapata County.

Mundo Flores, Jr. addressed Commissioners' Court and advised that he has a program called Journey To Recovery. It is a 12 month program to help drug and alcohol dependencies. Participants attend class from 7 - 9 and also attend church services. They operate on donations and have 6 active participants in less than one month. Mr. Flores offered the services to the courts for those needing to complete community service hours.

Judge Rathmell stated that there was a very good turn out at the Veteran's event.

**DEPARTMENTAL REPORTS**

Carlos Treviño, Jr., Zapata County Waterworks Director, reported on revenues for FY 2010-2011:

Sewer. ....	\$ 725,434.29
Water. ....	<u>\$2,319,218.05</u>
Total. ....	\$3,044,652.34

Mr. Treviño also commented on a public project regarding tire pick-up that is taking place. Tires can be deposited at the water plant yard behind the fire department from 8 - 5, Monday through Friday, next Saturday will be the final day for this project.

J.J. Meza, introduced Mr. Manuel Ramirez, who will be instructing the EMT Program by LCC. Mr. Ramirez stated that he is hoping the program will start in January 2012 at the new tech facility. Certain requirements must be met in order for participants to attend. The more students that participate the lesser the cost per student. Basic CPR training will also be available.

Luis Lauro Gonzalez, Zapata County Tax Assessor/Collector, reported that the tax office collected \$20,985.60 in Hotel Motel Tax fees and \$10,280,164.74 in tax collections for a rate of 63% collections.

**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.

Steve Gutierrez of Azteca Economic Development and Preservation Corporation addressed Commissioners' Court. Mr. Gutierrez explained the services provided by the VITA program and is requesting a permanent site and in-kind donations in order to provide free copies of income tax returns to tax payers. The program is free of charge to tax payers. Last year they were housed at the public library, however there was a fee for copies. A training certification course will also be provided for volunteers.

**ORDER APPROVING INVOICES**

Motion was made by Commissioner Garza, seconded by Commissioner Martinez, 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.

**REPORT ON INFRASTRUCTURE AND CLASSES FOR ZAPATA COUNTY  
TECHNICAL AND ADVANCED EDUCATION CENTER**

Dr. David Brown, Dean for Zapata County Technical and Advanced Education Center, reported that the fiber optic equipment is purchased and prepared for installation. The first test will take place on December 15 and should be up and running by January 15. They are working with several colleges. Classes will be face to face and distance learning. Laredo Community College will offer all distance learning classes here. There is no limit on number of students. The contractor will be here on Wednesday, November 16. Remedial classes will be available as well as training for jobs coming into this area.

**REPORT ON ECONOMIC DEVELOPMENT SURVEY BY REBA-KISNER**

Mr. Steve Jones of Reba-Kisner reported on the Economic Development survey that was mailed out by Chamber of Commerce. (Report attached for the record.)

**ORDER APPROVING MEMORANDUM OF AGREEMENT BETWEEN  
MARIA F. VILLARREAL AND ZAPATA COUNTY**

Motion was made by Commissioner Vela, seconded by Commissioner Villarreal, to approve a memorandum of agreement between Maria F. Villarreal and Zapata County 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 APPOINTING NEW MEMBER TO BOARD OF DIRECTORS OF ZAPATA  
COUNTY APPRAISAL DISTRICT**

Motion was made by Commissioner Villarreal, seconded by Commissioner Martinez, to appoint Commissioner Vela, as board member to the Board of Directors of the Zapata County Appraisal District 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 AUTHORIZING PAYMENT IN AMOUNT OF \$15,000.00  
FOR FISCAL YEAR 2011-2012 FOR SOUTH TEXAS COUNCIL  
ON ALCOHOL AND DRUG ABUSE (STCADA)**

Motion was made by Commissioner Villarreal, seconded by Commissioner Martinez, to authorize payment in the amount of \$15,000.00 for fiscal year 2011-2012 for the South Texas

Council on Alcohol and Drug Abuse (STCADA) as requested by Romeo Rodriguez, STCADA, Director.

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

**ORDER APPROVING AGREEMENT BETWEEN ZAPATA COUNTY AND SERVING CHILDREN AND ADOLESCENTS IN NEED, INC. (SCAN)**

Motion was made by Commissioner Villarreal, seconded by Commissioner Martinez, to approve agreement between Zapata County and Serving Children and Adolescents in Need, Inc. (SCAN) 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 NAME CHANGE OF ZAPATA COUNTY ADVANCED EDUCATION CENTER TO ZAPATA COUNTY TECHNICAL AND ADVANCED EDUCATION CENTER**

Motion was made by Commissioner Vela, seconded by Commissioner Martinez, to approve the name change of the Zapata County Advanced Education Center to Zapata County Technical and Advanced Education Center 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 LETTER OF CREDIT TO ESTABLISH STAND BY TRUST FUND FOR FINANCIAL ASSURANCE FOR CLOSURE AND POST CLOSURE OF SAN YGNACIO LANDFILL NO. 783 IN AMOUNT OF \$495,004 AND CLOSED LANDFILL NO. 1528 IN AMOUNT OF \$249,227 AS REQUIRED BY TCEQ**

Motion was made by Commissioner Garza, seconded by Commissioner Martinez, to approve the letter of credit to establish stand by trust fund for the financial assurance for the closure and post closure of San Ygnacio Landfill No. 783 in the amount of \$495,004 and closed landfill no. 1528 in the amount of \$249,227 as required by TCEQ, Deborah Wisneski, Financial Analyst, 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.

**ORDER APPROVING HIRING OF JUAN CARLOS SOLIS, JR., TO FILL SLOT #1 OF ZAPATA COUNTY SPECIAL ROAD AND BRIDGE DEPARTMENT PRECINCT ONE**

Motion was made by Commissioner Vela, seconded by Commissioner Martinez, to approve to hire Juan Carlos Solis, Jr., to fill slot #1 of the Zapata County Special Road and Bridge Department, Precinct 1 at \$8.25 per hour as requested by Hon. Jose E. Vela, Commissioner Pct.1.

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

**ORDER APPROVING AUTHORIZATION TO PROCURE PROPOSALS FOR ANIMAL VETERINARY SERVICE IN ZAPATA COUNTY**

Motion was made by Commissioner Garza, seconded by Commissioner Martinez, to approve authorization to procure proposals for animal veterinary service in Zapata County for at least once weekly due to high demand from our local pet owners and ranchers as requested by Hon. Jose E. Vela, Commissioner Pct. 1.

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

**ORDER ADOPTING PROPOSED CHANGE OF VISION INSURANCE COVERAGE OFFERED TO ZAPATA COUNTY EMPLOYEES**

Motion was made by Commissioner Martinez, seconded by Commissioner Garza, to adopt the proposed change of the vision insurance coverage offered to Zapata County employees, to take effect January 1, 2012 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 USE OF OSWALDO H. AND JUANITA G. RAMIREZ EXHIBIT HALL ON NOVEMBER 19, 2011 FOR 4H PROSPECT SHOW**

Motion was made by Commissioner Garza, seconded by Commissioner Vela, to approve the use of the Oswaldo H. and Juanita G. Ramirez Exhibit Hall on November 19, 2011 for the 4-H Prospect Show as requested by Joe Garza.

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 3, 2011 FOR THE USDA TICK INSPECTOR ANNUAL HOLIDAY LUNCHEON**

Motion was made by Commissioner Garza, seconded by Commissioner Martinez, to approve the use of the Oswaldo H. and Juanita G. Ramirez Exhibit Hall on December 3, 2011 for the USDA Tick Inspector annual holiday luncheon as requested by Teofilo Vela, USDA Tick Inspector & Francisco Mendoza, County Shop.

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

**ORDER ALLOWING USE OF OSWALDO H. AND JUANITA G. RAMIREZ EXHIBIT HALL NOVEMBER 16, 17, 22 AND 23, 2011 FOR ZAPATA COUNTY HISTORICAL COMMISSION'S QUINCEAÑERA BALL PRACTICE**

Motion was made by Commissioner Villarreal, seconded by Commissioner Garza, to allow the use of the Oswaldo H. and Juanita G. Ramirez Exhibit Hall on November 16, 17, 22 and 23, 2011 for the Zapata County Historical Commission's Quinceañera Ball practice as requested by Laura Ramirez, Historical Commission Treasurer.

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

**ORDER APPROVING TRANSFER OF MONIQUE BARRERA FROM SLOT #3 TO  
SLOT #2 ENVIRONMENTAL DEPARTMENT**

Motion was made by Commissioner Villarreal, seconded by Commissioner Martinez, to approve transfer of Monique Barrera from Slot #3 to Slot #2 Environmental Department as requested by Guillermo Saenz, Environmental Department.

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

**ORDER APPROVING TRANSFER OF LUIS HERRERA FROM SLOT #4 TO SLOT #3  
ENVIRONMENTAL DEPARTMENT**

Motion was made by Commissioner Martinez, seconded by Commissioner Garza, to approve transfer of Luis Herrera from Slot #4 to Slot #3 Environmental Department as requested by Guillermo Saenz, Environmental Department.

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 GUILLERMO SAENZ OF ENVIRONMENTAL  
DEPARTMENT TO HIRE LUIS GARZA AS PERMANENT EMPLOYEE IN SLOT #3**

Motion was made by Commissioner Martinez, seconded by Commissioner Garza, to table request by Guillermo Saenz of the Environmental Department to hire Luis Garza as permanent employee.

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

**REQUEST BY JUAN CRUZ OF ESCAMILLA, PONECK AND CRUZ, LLP TO DISCUSS  
AND /OR TAKE ACTION TO AUTHORIZE LAW FIRM OF ESCAMILLA, PONECK  
AND CRUZ, LLP TO INITIALIZE JUDICIAL COURT PROCEEDINGS AGAINST M1  
SOLUTIONS INC. FOR LAPTOPS AND ACCESSORY EQUIPMENT OWED BY M1  
SOLUTIONS TO ZAPATA COUNTY SHERIFF'S DEPARTMENT WAS ADDRESSED  
IN EXECUTIVE SESSION**

**ORDER APPROVING INSTALLATION OF STREET LIGHTS AND STREET HUMPS**

*Mr. Tony Mendoza addressed Commissioners' Court regarding this item, he stated that the street lights were expensive and the cost added up. He further commented on the speed humps and stated that said humps hinder the operation of emergency vehicles.*

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

- a. 602 Fresno Street, Zapata town site
- b. 371 Gonzalez Street, Falcon Shores Subdivision

- c. 212 Lozano Street, Falcon Shores Subdivision
- d. 332 Gonzalez Street, Falcon Shores Subdivision
- e. 301 2<sup>nd</sup> Street, Flores Addition
- f. 708 Glenn Street, Zapata town site
- g. 205 3<sup>rd</sup> Street, Flores Addition (to replace deleted street light previously approved at 401 Glenn Street.)

as requested by Hon. Jose E. Vela, Commissioner 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 Villarreal, seconded by Commissioner Garza, to approve installation of speed hump a the following location:

- a. Ramireño Street between 2<sup>nd</sup> and 5<sup>th</sup> Streets

as requested by Hon. Jose E. Vela, Commissioner 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 Villarreal, seconded by Commissioner Garza, to approve installation of street light at the following locations:

- a. 1301 Mahogany Avenue, Zapata town site

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

- a. Zapata County Cemetery
- b. 206 Ann Street (behind McDonald's)
- c. 5102 N. Siesta Lane
- d. 5205 Pacual
- e. 5307 Salvador Lane
- f. 406 Irene

as requested by Hon. Eddie Martinez, Commissioner Pct. 3.

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 installation of speed hump a the following location:

- a. 5411 Kenneth Lane (Siesta Shores)
- b. 5307 Salvador
- c. 5323 Laredo Lane

as requested by Hon. Eddie Martinez, Commissioner Pct. 3.

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 installation of street lights at the following locations:

- a. 1416 Ramireño
- b. 1702 2<sup>nd</sup> Street & Zapata

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.

Motion was made by Commissioner Villarreal, seconded by Commissioner Garza, to approve installation of speed hump at the following location:

- a. 1505 1<sup>st</sup> Street between Roma & Guerrero
- b. 1801 2<sup>nd</sup> Street on the corner of Ramireño between 1<sup>st</sup> & 2<sup>nd</sup>
- c. 602 Zapata between 4<sup>th</sup> & Ramireño

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 APPROVING RESOLUTION TO APPROVE 2012 INDIGENT DEFENSE FORMULA GRANT PROGRAM**

Motion was made by Commissioner Villarreal, seconded by Commissioner Garza, to approve a resolution to approve the 2012 Indigent Defense Formula Grant Program as requested by Hon. Joseph Rathemell, County Judge.

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

#### **ORDER APPROVING PROCLAMATION COMMEMORATING THE 60<sup>TH</sup> ANNIVERSARY OF RELOCATION OF COMMUNITIES WITHIN ZAPATA COUNTY**

Motion was made by Commissioner Vela, seconded by Commissioner Villarreal, to approve a proclamation commemorating the 60<sup>th</sup> anniversary of the relocation of communities within Zapata County as requested by Hon. Jose E. Vela, Commissioner Pct. 1.

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

#### **COMMUNICATIONS**

Commissioner Eddie Martinez, stated that he had been informed by Ismael Hinojosa of the Gateway Clinic that IRS did not approve of the offer made by Zapata County.



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

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

**NO ACTION WAS TAKEN ON REQUEST BY JUAN CRUZ OF ESCAMILLA, PONECK  
AND CRUZ, LLP TO DISCUSS AND /OR TAKE ACTION TO AUTHORIZE LAW FIRM  
OF ESCAMILLA, PONECK AND CRUZ, LLP TO INITIALIZE JUDICIAL COURT  
PROCEEDINGS AGAINST M1 SOLUTIONS INC. FOR LAPTOPS AND ACCESSORY  
EQUIPMENT OWED BY M1 SOLUTIONS TO ZAPATA COUNTY SHERIFF'S  
DEPARTMENT**

**ORDER ACCEPTING TITLE TO PARCEL OF LAND FROM SIESTA SHORES  
WATER CONTROL AND IMPROVEMENT DISTRICT AS DESCRIBED IN VOLUME  
646 PAGE 209 AT NO COST TO ZAPATA COUNTY**

Motion was made by Commissioner Vela, seconded by Commissioner Garza, to approve and accept the title to a parcel of land from the Siesta Shores Water Control and Improvement District, as described in Volume 646, Page 209, at no cost to Zapata County, for the operation and maintenance of Lift Station G. This will take effect upon signing and recording of document as requested by Hon. Said A. 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 CONTRACT FOR WATER BETWEEN ZAPATA COUNTY  
WCID ADJUDICATION NUMBER 0803-008 (HIGHWAY 16 WATER DISTRICT) AND  
ZAPATA COUNTY WATER WORKS DATED JULY 27, 2011**

Motion was made by Commissioner Garza, seconded by Commissioner Villarreal, to approve contract for water between Zapata County WCID adjudication number 0803-008 (Highway Water District) and Zapata County Water Works dated July 27, 2011 to take effect December 31, 2011 as requested by Hon. Said A. Figueroa, County Attorney.

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 JUAN CRUZ OF ESCAMILLA, PONECK  
& CRUZ, LLP FOR DISCUSSION AND POSSIBLE ACTION REGARDING CAUSE NO.  
7,779 ZAPATA COUNTY VS. SATTERFIELD & PONTIKES CONSTRUCTION, INC.  
49<sup>TH</sup> JUDICIAL COURT OF ZAPATA COUNTY TEXAS AND ANY MATTERS  
INCIDENT THEREOF**

**NO ACTION WAS TAKEN ON REQUEST BY JUAN CRUZ OF ESCAMILLA,  
PONECK & CRUZ, LLP FOR DISCUSSION AND POSSIBLE ACTION  
CONCERNING M-1 SOLUTIONS INC'S DISPUTE AS TO MONIES ALLEGEDLY  
OWED TO M1 SOLUTIONS FOR WORK PERFORMED FOR ZAPATA COUNTY  
SHERIFF'S OFFICE AS WELL AS LAPTOPS AND ACCESSORY EQUIPMENT  
OWED BY M1 SOLUTIONS TO ZAPATA COUNTY SHERIFF DEPARTMENT  
AND ANY MATTER INCIDENT THERETO**

**ADJOURN**

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