

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

Be it remembered, that on this the 9th day of February, 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
	Mary Jayne Villarreal-Bonoan	County Clerk

VISITORS: Doroteo N. Garza, Ramiro V. Martinez, Mario Gonzalez-Davis, Nellie Treviño, Pastor Raul Hernandez, Juan Jose Meza, Oralia F. Lichtenberger, Miguel Treviño, Jr., Maria Elena S. Vela, Bill Vollbrath, Dahlia R. Lopez, Olga M. Flores Dr. Hildegardo E. Flores, James Umphres, Karran Westerman, Manuel I. Longoria, Dorothy Pizaña, Juan Alvaro Garza, Larry Sands II, Luis Gonzalez, Olga Elizondo, Matt Simms, Mike York, Jose F. Mendoza, Eloy R. Martinez, Amada Gonzalez, Delia Mendoza, San Juanita Sanchez, Eziquio G. Perez, Tania Castillo, Hector F. Lopez, Jr., and Paco Mendoza.

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 MARY JAYNE VILLARREAL-BONOAN, COUNTY CLERK

PLEDGE OF ALLEGIANCE

PRAYER BY PASTOR RAUL HERNANDEZ

ORDER APPROVING MINUTES FOR MEETING OF JANUARY 12, 2009

Motion was made by Commissioner Vela, seconded by Commissioner Villarreal, to approve the Minutes of **January 12, 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.

ORDER APPROVING BILLS, PAYROLL, AND MONTHLY REPORT

Motion was made by Commissioner Vela, seconded by Commissioner Villarreal, to approve bills, payroll, and monthly report as presented by Romeo Salinas, County Treasurer.

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

COMMUNICATIONS

Judge Guerra informed Commissioners' Court that the format of the Commissioners' Court Meeting Agenda is now different and divided into categories.

Judge Guerra communicated that District Attorney Alaniz came to visit and is requesting office space and is willing to take transfer from another department. He also submitted a list of equipment needed.

Judge Guerra thanked the EDC, Commissioner Joe Rathmell, and Peggy Umphres for the success of the workshop.

Commissioner Jose Emilio Vela thanked Judge Guerra and Commissioner Garza on the accomplishments on the landfill.

Nellie Treviño and Paco Mendoza requested to use the rotunda for a dinner to be held on February 18, 2009 for the Zapata County Fair parade marshals.

ORDER DENYING OPENING BIDS AND DENYING PROPOSALS IN RELATION TO PURCHASING ONE ACRE TRACT IN VICINITY OF CHIHUAHUA TO USE AS PUBLIC PARK

Motion was made by Commissioner Garza, seconded by Commissioner Villarreal, to deny opening bids and denying proposals in relation to the purchase of one (1) acre tract in vicinity of Chihuahua to use as public park 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 USE OF NEW LITTLE LEAGUE FIELD AT FLORES PARK TO HOST REGIONAL ZHS SOFTBALL TOURNAMENT IN MARCH 2009

Motion was made by Commissioner Garza, seconded by Commissioner Vela, to approve and authorize use of the new little league field at the Flores Park to host a regional ZHS softball tournament in March 2009 as requested by Jose Emilio Vela, County Commissioner, Pct. 1.

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

ORDER DENYING TAX ABATEMENT FOR OAKS AT FALCON HEIGHTS CONDOMINIUMS

Motion was made by Commissioner Vela, seconded by Commissioner Garza, to deny a tax abatement for the Oaks at Falcon Heights Condominiums as requested by Matt Simms.

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

ORDER ADOPTING AND ENFORCING BURN BAN PROCLAMATION

Motion was made by Commissioner Villarreal, seconded by Commissioner Vela, to adopt and enforce Burn Ban Proclamation, effective immediately 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.

UPDATE ON FLORES PARK PROJECT AND AUTHORIZATION TO PREPARE OPERATIONAL PLAN FOR NEWLY CONSTRUCTED SWIMMING POOL AND OTHER ADDITIONAL AMENITIES

Jose Lino reported that softball fields are complete and ready to use. Entire facility will be ready and operational after this week, except pool which is pending an electrical meter. Commissioner Vela asked for proposal or change order on lights and brick facade on concession stand.

ORDER APPROVING LOCATION OF MAIL BOXES FOR COURTHOUSE

Motion was made by Commissioner Vela, seconded by Commissioner Villarreal, to approve location of mail boxes for the courthouse. Mail boxes will be placed on West side of courthouse 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 MAIL CARRIER TO ACCEPT PARCELS AND ACCOUNTABLE MAIL

Motion was made by Commissioner Garza, seconded by Commissioner Rathmell, to appoint Elvia Chapa as mail carrier to accept parcels and accountable mail (mail requiring signatures) and be delivered to courthouse departments 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 STREET LIGHTS AND SPEED HUMPS

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

- a. 413 Bravo Street (between 4th & 7th)
- b. 1010 Villa (between 10th & Villa Street)
- c. 1912 Diaz (between 19th & 20th)

as requested by Norberto Garza, County Commissioner, Pct. 4;

installation of speed humps at the following locations:

- a. 1811 Del Mar Street
- b. Carla Street

as requested by Norberto Garza, County Commissioner, Pct. 4;

installation of street lights at the following locations:

- a. North Siesta Ln & Peña Lane
- b. Irene Drive
- c. 151 Military Drive
- d. Mission Lane and Monterrey Lane

as requested by Joseph Rathmell, County Commissioner, Pct. 3;

installation of street lights at the following locations:

- a. 704 Carla Street (Zapata townsite)
- b. 444 Park Drive (Falcon Lake Estates East)

as requested by Jose Emilio Vela, County Commissioner, Pct. 1;

installation of street hump to control speeding at Falcon Lake Estates East (Papaya Street) as requested by Jose Emilio Vela, Pct. 1;

installation of speed hump placed at 20th street towards Miraflores Street and Elm Street from 17th Street towards 24th Street as requested by Eziquio G. Perez.

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

**CLARIFICATION ON STATUS OF PAYMENT FOR PREVIOUSLY
APPROVED REQUEST OF \$15,000.00 PASSED BY
COMMISSIONERS COURT ON OCTOBER 14, 2008**

Motion was made by Commissioner Vela, seconded by Commissioner Villarreal, to clarify status of payment for previously approved request of \$15,000 passed by Commissioners Court on October 14, 2008 as item "T". Funds were requested in addition to previously approved 2008-2009 Fiscal Year Budget and are to come out of the Hotel/Motel Tax as requested by Paco Mendoza, Zapata County Chamber of Commerce.

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

**ORDER APPROVING SALARY INCREASE FOR SUCCESSFUL ACHIEVEMENT OF
CODE ENFORCEMENT INTERMEDIATE LICENSE FOR DOROTHY PIZAÑA**

Motion was made by Commissioner Garza, seconded by Commissioner Rathemell, to approve salary increase for successful achievement of Code Enforcement Intermediate License for Dorothy Pizaña from certification stipend 10-596-207. Salary from \$9.80 per hour to \$11.30 per hour. Effective January 1st, 2009 as requested by Juan Alvaro Garza, Environmental Supervisor.

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

**ORDER AWARDING BID FOR METAL BUILDING AT RECYCLING
CENTER FOR HORIZONTAL BALER**

Motion was made by Commissioner Vela, seconded by Commissioner Rathemell, to award bid to Fig Co Steel Building with a bid of \$42,000, being the lowest bidder, for the 60' x 40' x 20' metal building at the Recycle Center for the horizontal baler to be paid from restrictive account and matching grant account as requested by Hector Lopez, Jr., Recycling Department Supervisor.

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

**ORDER APPOINTING COUNTY HISTORICAL COMMISSION MEMBERS IN
ACCORDANCE TO CHAPTER 318 OF THE TEXAS GOVERNMENT CODE**

Motion was made by Commissioner Rathemell, seconded by Commissioner Garza, to approve County Historical Commission members in accordance with Chapter 318 of the Texas Government Code as requested by Rosalva Guerra, County Judge. Members are as follows: Hector Lopez, Jr., Alma Diana Canales, Leticia Salinas, Maria G. Davila, Beatriz M. Lopez, Dora A. Pacheco, Veronica Rivera, San Juana Alaniz, Gilberto Salinas, Roberto Moncivais, Omelia Zapata, and Belinda Bravo.

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

ORDER TO APPROVE APPOINTMENT OF FALCON LAKE PLANNING COMMISSIONERS IN ACCORDANCE WITH SENATE BILL 63

Motion was made by Commissioner Rathmell, seconded by Commissioner Vela, to approve appointment of the Falcon Lake Planning Commissioners in accordance with Senate Bill 63 (231.252) as requested by Rosalva Guerra, County Judge. Members appointed are Robert Collett, Karran Westerman, Bobby Holcomb, Eddie Martinez and Gilberto Davila, Sr.

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

ORDER APPROVING SELECTION OF PROFESSIONAL SERVICES OF ARCHITECT ROBERT MEZQUITI TO SUBMIT DESIGN PROPOSAL FOR ZAPATA COUNTY PROPERTY

Motion was made by Commissioner Garza, seconded by Commissioner Rathmell, to approve the selection of professional services of architect Robert Mezquiti, to submit design proposal for Zapata County property located on 17th Avenue to 26th Avenue between Glenn and Fresno Street and lots 6 through 43 inclusive, Block 200 of the Manuel Medina Addition 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 APPROPRIATIONS REQUEST LIST TO SUBMIT TO CONGRESSMAN HENRY CUELLAR

Motion was made by Commissioner Vela, seconded by Commissioner Rathmell, to approve appropriations request list to submit to Congressman Henry Cuellar 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 AUTHORIZING SAID ALFONSO FIGUEROA, COUNTY ATTORNEY, TO CONTACT ELSA RODRIGUEZ TO REMOVE THRIFT STORE BUILDING

Motion was made by Commissioner Garza, seconded by Commissioner Rathmell, to authorize Said Alfonso Figueroa, County Attorney, to contact Elsa Rodriguez to remove the Thrift Store building located in the Northeast side entrance of the town site of Zapata 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 FORMATION OF A COMPLETE COUNT COMMITTEE IN ZAPATA COUNTY FOR 2010 CENSUS

Motion was made by Commissioner Garza, seconded by Commissioner Rathmell, to approve the formation of a complete count committee in Zapata County for the 2010 Census. Said committee is to encourage and guide people to take test. Judge Guerra is also appointed to contact civic groups and choose members as requested by Sylvia Martinez, Partnership Specialist.

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

**ORDER APPROVING HIRING OF ADALBERTO MEJIA
AS JUSTICE OF THE PEACE BAILIFF**

Motion was made by Commissioner Garza, seconded by Commissioner Vela, to approve hiring of Adalberto Mejia as Justice of the Peace Bailiff as requested by Justice of the Peace Fernando Muñoz, Jr. Pct. 3 and Justice of the Peace Ana Guerra, Pct. 1.

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

ORDER DENYING TAX ABATEMENT FOR FALCON LANES BOWLING ALLEY

Motion was made by Commissioner Villarreal, seconded by Commissioner Vela, to deny tax abatement for Falcon Lanes Bowling Alley, retro-active to 2006 as requested by Angel Castañeda.

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

REPORTS AND PRESENTATIONS

**PRESENTATION BY CARLOS COLINA-VARGAS REGARDING GRANT
ELIGIBILITY FOR ZAPATA COUNTY**

Presentation was made by Carlos Colina-Vargas from Texas Energy Services Engineering Services regarding a 100% grant eligibility for Zapata County as requested by Jose Emilio Vela, County Commissioner, Pct. 1. Mr. Colina-Vargas explained that the grant was a pilot program of ORCA and grant is for \$500,000 for water and sewer projects. ORCA is applying to legislature for \$1.5 million. There is an application deadline of February 27, 2009. Commissioners' Court will have to hold a special meeting in order to approve a resolution for Zapata County to apply for said grant.

**PRESENTATION TO DISCUSS SUPPORT OF GATEWAY COMMUNITY
HEALTH CENTER, INC.'S FEDERAL APPLICATION TO CONTINUE
PROVISION OF PRIMARY MEDICAL SERVICES**

Presentation was made by Miguel Treviño, Jr. of Gateway Community Health Center, Inc. regarding federal application to continue provision of primary medical services. Mr. Treviño stated that Gateway Community Health Center Inc. is interested in applying for federal funds to run the local clinic. They serviced 28,000 patients in 2008. They would like to provide services to Jim Hogg and Zapata County, but do not want to compete with Community Action. They are interested in getting a letter of support from Zapata County (This is not an action item and Commissioners' Court action is needed to approve letter of support.)

**ZAPATA COUNTY MEDICAL GROUP MONTHLY REPORT
FOR JANUARY 2009**

Larry Sands II, Zapata County Medical Group Administrator, submitted the written report for January 2009. (Report attached to minutes.)

ECONOMIC DEVELOPMENT CENTER REPORT BY PEGGY UMPHRES

Peggy Umphres presented Commissioners' Court with an audit report that had been previously requested. She also submitted the Economic Development Center's monthly written report and thanked Commissioners' Court and everyone who attended the workshop.

ORDER APPROVING ADOPTION OF PROCLAMATION IN RECOGNITION OF MARRIAGE WEEK IN ZAPATA COUNTY

Motion was made by Commissioner Rathmell, seconded by Commissioner Vela, to approve adoption of Proclamation in recognition of Marriage Week in Zapata County from February 8-14, 2009 as requested by Albert Hernandez, Presentation Director, S.T.C.A.D.A..

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 AT 11:55 A.M. RETURNED TO REGULAR SESSION AT 1:50 P.M.

ORDER APPROVING REQUEST FOR BIDS FOR FENCE AND AUTHORIZING JUAN ALVARO GARZA TO GO WITH LOWEST BIDDER FOR PLACEMENT OF FENCE ON PROPOSED LANDFILL SITE IN SAN YGNACIO, TEXAS

Motion was made by Commissioner Vela, seconded by Commissioner Garza, to approve request for bids and authorize Juan Alvaro Garza to go with lowest bidder for placement of a fence on the proposed landfill site in San Ygnacio, Texas 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.

NO ACTION WAS TAKEN ON REQUEST BY DR. LARRY SANDS TO TAKE ACTION REGARDING INCOME FOR ZAPATA COUNTY MEDICAL GROUP

NO ACTION WAS TAKEN ON REQUEST BY ROSALVA GUERRA, COUNTY JUDGE TO RECEIVE BRIEFING FROM LEGAL COUNSEL AND POSSIBLE ACTION REGARDING PROTEST OF MIXED BEVERAGE PERMIT FOR FISHNETS BAR AND GRILL

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

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

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