

**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 March, 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: Romeo Salinas, Doroteo N. Garza, Ramiro V. Martinez, Mario Gonzalez-Davis, Nellie Treviño, Hector Uribe, Juan J. Meza, Paco Mendoza, Avon Hatfield, Gilberto Martinez, Maria Luisa Villarreal, Manuel M. Garcia, Jr., Angel Garza, Mike Chapa, David Holcomb, Phillip Reed, Juan Cotera, and Robert Mezquiti.

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 REV. ROGER MILLER

**ORDER APPROVING MINUTES FOR MEETING OF FEBRUARY 9, 2009,
FEBRUARY 17, 2009 AND FEBRUARY 25, 2009**

Motion was made by Commissioner Vela, seconded by Commissioner Garza, to approve the Minutes of **February 9, 2009, February 17, 2009 and February 25, 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 thanked Conoco-Phillips for contribution to Zapata County.

Judge Guerra advised that the gates at County Fair grounds, between the arena and exhibit hall will be closed. Only participants will be allowed.

DEPARTMENTAL REPORTS

Carlos Treviño, Zapata County Waterworks Manager, gave his quarterly report for waterworks collections as follows:

October 2008	\$165,409.28
November 2008	\$140,201.98
December 2008	\$178,175.75
January 2009	\$186,006.95
For a total of	\$669,793.96

Luis Lauro Gonzalez, Zapata County Tax Assessor/Collector, reported that his office collected \$661,605.60 in the month of February 2009, this amount was for taxes only.

Romeo Salinas, Zapata County Treasurer, presented his treasurer’s report and stated that rates were being paid at 1% and renewals are coming in at a lower rate. He will try to move monies around. (Written report is attached.)

ORDER APPROVING REASSIGNMENT OF AMBULANCE FROM ZAPATA COUNTY MEDICAL GROUP TO ZAPATA COUNTY FIRE DEPARTMENT

Motion was made by Commissioner Garza, seconded by Commissioner Villarreal, to approve reassignment of the ambulance from Zapata County Medical Group to Zapata County Fire Department as requested 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 TO APPROVE DEMOLITION DILAPIDATED BUILDING (OLD LIONS CLUB) AND MAKE LOCATION AVAILABLE FOR PROPOSED HEAD START CENTER UNDER A TMC GRANT

Motion was made by Commissioner Vela, seconded by Commissioner Rathmell, to approve demolition of dilapidated building (Old Lions Club) and make location available for proposed Head Start Center under TMC Grant 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 ADOPTING CJD RESOLUTION FOR GRANTS

Motion was made by Commissioner Garza, seconded by Commissioner Rathmell, to adopt the CJD Resolution for the following grants:

- a. 1478811 Juvenile Justice Alternative
- b. 2171401 Juvenile Diversion Project
- c. 2174901 Juvenile Probation Liaison Officer

as requested by Sandy Pippin-Gomez, Chief Juvenile Probation Officer.

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

PRESENTATION BY PHILLIP REED OF COTERA & REED ARCHITECTS

Presentation was made by Phillip Reed of Cotera & Reed Architects regarding the proposed scope of work and fees for the design of the 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. Mr. Reed advised the court that they would like to meet for further discussion and come back with a Master Plan.

ORDER APPROVING RESOLUTION OF LEGISLATIVE AND GOVERNMENT RELATIONS AGENDA FOR 2009 - 81ST SESSION OF TEXAS LEGISLATURE

Motion was made by Commissioner Vela, seconded by Commissioner Villarreal, to approve resolution of the legislative and government relations agenda for the 2009 - 81st Session of the Texas Legislature as requested by Hector Uribe.

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

ORDER APPROVING PROCLAMATION OF MARCH 2009 AS MENTAL RETARDATION AND DEVELOPMENTAL DISABILITIES AWARENESS MONTH

Motion was made by Commissioner Vela, seconded by Commissioner Garza, to approve proclamation of March 2009 as Mental Retardation and Developmental Disabilities Awareness Month as requested by Cindy Buruato, Border Region MHMR.

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

QUARTERLY REPORT FOR CHAMBER OF COMMERCE

Paco Mendoza, Executive Director of Chamber of Commerce, presented the Commissioners' Court with the Quarterly Report for the Chamber of Commerce. (Report attached for the record.)

ANNOUNCEMENTS

Mary Capello announced that TMC will be hosting the 1st Golf Tournament on April 4, 2009 at the Laredo Casa Blanca Golf Course to raise funds to supplement services in the South Texas Region. For more information go to tmcgolf.com

Ms. Capello also informed the court that Ryan Guillen and Judith Zaffirini are applying for the E-rate Bill in the next Legislative session.

ORDER TO APPROVE PAYMENT FOR ZAPATA COUNTY MEDICAL GROUP FOR MONTH OF APRIL 2009

Motion was made by Commissioner Rathmell, seconded by Commissioner Vela, to approve payment to Zapata County Medical Group for the month of April 2009 and wait for further information or report by Zapata Medical Group as requested by ZCMG Staff.

Dr. Sands also submitted a written report for the month of February.

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

ORDER TO ENTER INTO EXECUTIVE SESSION

Motion was made by Commissioner Garza, seconded by Commissioner Villarreal, to enter into Executive Session.

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

ORDER TO RETURN TO OPEN SESSION

Motion was made by Commissioner Garza, seconded by Commissioner Vela, to return to Open Session.

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

**ORDER AUTHORIZING PREMIER CIVIL ENGINEERING TO IDENTIFY
EASEMENT AT FALCON MESA**

Motion was made by Commissioner Rathmell, seconded by Commissioner Garza, to authorize Premier Civil Engineering to identify easement in property in Falcon Mesa Subdivision as requested by property owners of Falcon Mesa Subdivision.

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

**ORDER APPROVING AMENDMENT OF ZAPATA COUNTY ORDINANCE PASSED
JANUARY 12, 2009, REGULATING SEXUALLY ORIENTED BUSINESSES TO
CORRECT TYPOGRAPHICAL ERRORS**

Motion was made by Commissioner Vela, seconded by Commissioner Villarreal, to approve amendment of Zapata County Ordinance passed on January 12, 2009, regulating Sexually Oriented Businesses to correct typographical errors found in Section 5-15-210 and 5-15-311 regulating hours of operation . The ordinance has been amended to read 12 p.m. to 2 a.m. 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 LEASE FOR MINERAL EXPLORATION AT
ROMEO T. FLORES PARK AND SURROUNDING LANDS
SUBJECT TO CHANGES AND CONDITIONS**

Motion was made by Commissioner Garza, seconded by Commissioner Rathmell, to approve lease for mineral exploration at the Romeo T. Flores Park and surrounding County lands subject to the following changes and conditions:

change #5 (a) ... pay lessor the posted market price... to... pay lessor the valuation as set forth by the Houston Ship Channel Prices ...

change #9 ... not more than 640 surface acres... to... not more than 160 surface acres...

change #24 ...deepest formation drilled ... to deepest formation produced...

as requested by Said Alfonso Figueroa, Zapata County Attorney.

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

**ORDER APPROVING INSTALLATION OF PERIMETER FENCE AROUND
COMPLETED AMENITIES AT ROMEO T. FLORES PARK**

Motion was made by Commissioner Vela, seconded by Commissioner Villarreal, to approve the recommendation of the architect to install perimeter fence to secure Romeo T. Flores Park as requested by Jose Emilio Vela, County Commissioner, Pct. 1. No action was taken on proposed change orders.

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

**ORDER APPROVING NEW ECONOMY VEHICLE FOR
ZAPATA COUNTY LIBRARIAN**

Motion was made by Commissioner Garza, seconded by Commissioner Vela, to approve a new economy vehicle for the Zapata County Librarian, up to a cost of \$16,000 to be paid by the four commissioners. A vehicle account will be created to make payment of said vehicle 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 APPROVING TEMPORARY POSITION AN ZAPATA
COUNTY MAINTENANCE DEPARTMENT TO REPLACE EMPLOYEE
ON TEMPORARY MEDICAL LEAVE**

Motion was made by Commissioner Garza, seconded by Commissioner Rathmell, to approve a temporary position at the Zapata County Maintenance Department to replace employee on temporary medical leave 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 APPROVING NAMING NEWLY CONSTRUCTED SWIMMING POOL
FACILITY "GUADALUPE AND LILIA MARTINEZ SWIMMING COMPLEX"**

Motion was made by Commissioner Vela, seconded by Commissioner Villarreal, to approve naming the newly constructed swimming pool facility, "Guadalupe and Lilia Martinez Swimming Complex" 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 APPROVING INSTALLATION OF ONE (1) WATER METER FROM
EAST HWY 16 WATER DISTRICT TO PROVIDE SERVICE AT
BUSTAMANTE CEMETERY**

Motion was made by Commissioner Garza, seconded by Commissioner Villarreal, to approve installation of one (1) water meter from East Hwy. 16 Water District to provide service at the Bustamante Cemetery 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 APPROVING \$50,000.00 TO FUND REPAIR OF SEWER LINE IN FLORES
PARK AND INSTALL WATER LINE FROM WATER PLANT TO 12TH STREET**

Motion was made by Commissioner Rathmell, seconded by Commissioner Garza, to approve request by Mario Gonzalez-Davis, Project Coordinator and Carlos Treviño, Jr., Water/Sewer Director, to approve \$50,000.00 to fund repair of sewer line in Flores Park (\$30,000.00) and to install water line from south corner of existing water plant to 12th street (\$20,000.00). Funds will be paid from Royalties Reserves.

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

**ORDER APPROVING RE-PLAT OF VELEÑO ESTATES SUBDIVISION EXCEPT
BLOCK 5, LOTS 1, 2, AND 3 AND BLOCK 6, LOTS 1 THRU 9**

Motion was made by Commissioner Vela, seconded by Commissioner Garza, to approve the re-plat of Veleño Estates Subdivision except for block 5, lots 1, 2, & 3 and block 6, lots 1 thru 9 as requested by Jacob Rathmell, P.E. and Mario Gonzalez-Davis, Project Coordinator.

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

**ORDER APPROVING SALARY INCREASE FOR WATER PLANT OPERATOR
JASON JESSE DURAN, SLOT #29, FROM \$10.61 TO \$13.04 FOR COMPLETING
TCEQ OPERATOR LICENSING REQUIREMENT FOR CLASS C OPERATOR**

Motion was made by Commissioner Garza, seconded by Commissioner Vela, to approve a salary increase for water plant operator Jason Jesse Duran, slot #29, from \$10.61/hr to \$13.04/hr. Mr. Duran has successfully completed TCEQ operator licensing requirements for a Class C operator, funding to be secured from line item 80-600-227 as requested by Carlos Trevino, Jr., Water/Sewer Director.

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 NOEMI Y. SOLIS PEÑA TO
WAIVE FEES FOR USE OF PAVILION FOR FUND-RAISER ON MAY 8, 2009
FOR MEDICAL EXPENSES FOR JOSE L. RODRIGUEZ**

**ORDER APPROVING REQUEST TO HIRE MANUEL GONZALEZ, ENGINEER TO
SURVEY AND IDENTIFY METES AND BOUNDS OF CASCABEL STREET
ON EAST END OF RAMIREÑO PLAT**

Motion was made by Commissioner Vela, seconded by Commissioner Villarreal, to approve the request to hire Manuel Gonzalez, Engineer, to survey and to identify the metes and bounds of Cascabel Street on the East end of the Ramireño plat as established by U.S. Government and to develop said street to provide access to owners of adjoining lots, to be paid from account 10-409-730 as requested by Gabriel Villarreal, County Commissioner, Pct. 2.

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

**ORDER APPROVING PURCHASE OF NEW FORD 150, 4 DOOR TRUCK
FOR PRECINCT #3 AND TO TRANSFER \$12,000 FROM ACCOUNT 15-013-590
TO ACCOUNT 15-013-602**

Motion was made by Commissioner Garza, seconded by Commissioner Vela, to approve to purchase a new Ford 150, 4 door truck for Precinct # 3 and to transfer \$12,000.00 from account 15-013-590 to account 15-013-602 as requested by Joseph Rathmell, County Commissioner, Pct. 3.

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

**ORDER APPOINTING JOSEPH RATHMELL TO SERVE ON RIO BRAVO
RESOURCE CONSERVATION AND DEVELOPMENT**

Motion was made by Commissioner Garza, seconded by Commissioner Vela, to appoint Commissioner Joseph Rathmell, a member of Commissioners' Court, to serve on the Rio Bravo Resource Conservation and Development (RC&D) as requested by Joseph Rathmell, County Commissioner, Pct. 3.

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

**ORDER APPROVING PURCHASE OF NEW FORD F-150 FOR PRECINCT #4
FROM ACCOUNT #15-014-595**

Motion was made by Commissioner Rathmell, seconded by Commissioner Villarreal, to approve purchase of a new Ford F-150 for Precinct 4 from account # 15-014-595 as requested by

Norberto Garza, County 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 \$5,000 FROM GRANT MATCHING FUND FOR CIRA INTERLOCAL AGREEMENT AND REMIT FUNDS TO TAC AS APPROVED IN JUNE 9TH, 2008 COMMISSIONERS' COURT MEETING

Motion was made by Commissioner Villarreal, seconded by Commissioner Garza, to approve \$5,000 from Grant Matching Fund for the CIRA Interlocal Agreement and remit funds to TAC as approved in the June 9th, 2008 Commissioner Court Meeting 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 TO TABLE REQUEST BY ZAPATA COUNTY DEVELOPMENT CENTER TO ACCEPT BUILDING PROGRAM SUBMITTED BY EDUCATION STEERING COMMITTEE FOR ZAPATA COUNTY ADVANCED TECHNOLOGY CENTER

Motion was made by Commissioner Garza, seconded by Commissioner Rathmell, to Table request by Zapata County Development Center to accept the building program submitted by the Education Steering Committee for the Zapata County Advanced Technology Center.

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

ORDER APPROVING FINAL REQUEST FROM PRECINCT ONE - 2009 STREET LIGHTING BUDGET

Motion was made by Commissioner Garza, seconded by Commissioner Villarreal, to approve final request for Pct. 1 - 2009 lighting budget to serve the following locations:

- a. 139 Flores Street – Falcon Shores Subdivision
- b. Avenue B and 4th Street – Lopeño Community
- c. 12th Avenue – front of laundry business
- d. 111 Ramirez Rd. – Zapata town site

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 APPROVING LINE ITEM TRANSFER FROM ACCOUNT 10-002-667 TO ACCOUNT 10-002-392

Motion was made by Commissioner Garza, seconded by Commissioner Villarreal, to approve line item transfer from account 10-002-667 \$15,000.00 to account 10-002-392 (Parks Pct. 2) as requested by Gabriel Villarreal, County Commissioner, Pct. 2.

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 HUMP BETWEEN 3RD STREET AND ZAPATA STREET

Motion was made by Commissioner Garza, seconded by Commissioner Villarreal, to approve installation of a speed hump between 3rd Street and Zapata Street as requested by Norberto Garza, County Commissioner, Pct. 4.

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

**MONTHLY ZAPATA COUNTY ECONOMIC DEVELOPMENT
CENTER BUSINESS REPORT**

Peggy Umphres, Zapata County Economic Development Center, gave an unofficial monthly business report. Ms. Umphres thanked Commissioners' Court for allowing the EDC to use office space at the Community Center. She advised the court that with their approval, the Vision Plan would have an information booth at the County Fair to inform the public of things that are coming. The board meeting was cancelled due to illness, but as soon as they meet she will provide the court with an official report.

**ORDER APPROVING RESOLUTION AUTHORIZING SUBMISSION OF
APPLICATION FOR COLONIA CONSTRUCTION FUNDING TO ORCA FOR SEWER
SYSTEM IMPROVEMENTS IN COLONIA LINDA VISTA**

Motion was made by Commissioner Garza, seconded by Commissioner Vela, to approve resolution authorizing the submission of an application for Colonia Construction funding to the Office of Rural Community Affairs (ORCA) for sewer system improvements in Colonia Linda Vista as requested by Carlos Colina-Vargas and Commissioner Joseph Rathmell.

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

COMMUNICATIONS

Nellie R. Treviño, communicated to Commissioners' Court that Judge Guerra had attended the District 12 Continuing Education Conference for County Officials in Laredo and was in receipt of her Certificate wherein she has successfully completed .55 CEU's.

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