

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

Be it remembered, that on this the 12th day of October, A. D., 2010, 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
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, Doroteo N. Garza, Mario Gonzalez-Davis, Audie Hernandez, Nellie R. Treviño, Brian Martinez, Juan J. Meza, Bobbie Meza, Maria I. Gutierrez, Nico Gutierrez, Teofilo Vela, Jr., Caleb Eaton, Sandy J. Pippin-Gomez, Roger Miller, Rosie Gonzalez, Carmen Reyes, Jose F. Mendoza, Blanca Guerrero Salazar, Maria E. Gutierrez, Josefina Villarreal, Aida Garcia, Alicia Orfila, Luis L. Gonzalez, Delia Mendoza, Alicia C. Villarreal, and Diana C. Villarreal.

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 REV. ROGER MILLER

**ORDER APPROVING MINUTES FOR MEETING OF SEPTEMBER 13 AND
SEPTEMBER 21, 2010**

Motion was made by Commissioner Martinez, seconded by Commissioner Garza, to approve the Minutes of September 13, 2010 and September 21, 2010 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

Dr. Edmundo Garcia, Zapata County Medical Group, was not present for the meeting, but turned in report to Commissioner Martinez. (No copy was provided for the record.)

Audie Hernandez announced that she had received an e-mail from David York requesting that Zapata County release property not used in sewer project due to livestock issues.

DEPARTMENTAL REPORTS

Carlos Treviño, Jr., Waterworks Manager, submitted the Annual Collections Report for the waterworks department. (Copy attached for the record.)

Fire Chief J.J. Meza informed the court that he had temporarily hired Manuel Ramon because there are three employees out on sick leave and the Fire Department is short handed on one shift.

Fire Chief Meza further stated that Pct. 1, Park Street needs repairs. Fema allocated \$46,000 for said repairs and flood damage. Manuel Gonzalez has the information required.

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

Mr. Eaton also presented Commissioners' Court with a report and Power Point Presentation on the 2010 Beef Improvement Program Interpretation.

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

MONTHLY BUSINESS REPORT OF ZAPATA COUNTY ECONOMIC DEVELOPMENT CENTER

Peggy Umphres Moffett, ZCEDC President, gave a monthly business report of the Zapata County Economic Development Center (ZCEDC). She stated that Zapata is seeing low business activity due to the negative publicity. Commissioner Vela recommended a feasibility study for an international bridge.

ORDER APPROVING NAMING NEWLY CONSTRUCTED HIGHER EDUCATION BUILDING AS "ZAPATA COUNTY HIGHER EDUCATION CENTER"

Motion was made by Commissioner Garza, seconded by Commissioner Villarreal, to approve naming the newly constructed higher education building as the "Zapata County Higher Education Center" as requested by 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 USE OF JUANITA AND O.H. RAMIREZ EXHIBIT HALL FOR AWARDS PRESENTATION AND SUPPER FOR ZAPATA COUNTY TICK RIDERS (USDA)

Motion was made by Commissioner Vela, seconded by Commissioner Garza, to approve the use of the Juanita and O.H. Ramirez Exhibit Hall for the Awards Presentation and Supper for the Zapata County Tick Riders (USDA) as requested by Nico Gutierrez, USDA.

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

ORDER APPROVING AIREVAC SERVICES TO BE OFFERED TO COUNTY EMPLOYEES

Motion was made by Commissioner Garza, seconded by Commissioner Martinez, to allow AirEvac services to be offered to county employees at an annual rate of \$45.00 per household, services would be effective 15 days from enrollment, as requested by Brice Calahan, AirEvac Sales Manager.

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

ORDER APPROVING USE OF EITHER PAVILION OF COMMUNITY CENTER FOR ZUMBA MARATHON FOR FUND-RAISING EFFORTS FOR LITE OF HOPE FOUNDATION

Motion was made by Commissioner Garza, seconded by Commissioner Martinez, to approve use of either the Pavilion or the Community Center for a Zumba Marathon on October 30, 2010 from 9 a.m. - 12 p.m., for fund-raising efforts for the Lite of Hope Foundation as requested by Nina Gutierrez, Zumba Member.

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

ORDER APPROVING USE OF PAVILION NOVEMBER 14 FOR ANNUAL MARIACHI BOOSTER CLUB JAMAICA

Motion was made by Commissioner Garza, seconded by Commissioner Villarreal, to approve use of Pavilion on November 14, 2010 for the annual Mariachi Booster Club Jamaica as requested by Victor Garza, Mariachi Booster Club President.

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

ORDER APPROVING PURCHASE OF M1-1-NE X-RAY MACHINE TO REPLACE OLD MACHINE IN AMOUNT OF \$34,330 TO BE FUNDED FROM TOBACCO FUNDS

Motion was made by Commissioner Garza, seconded by Commissioner Villarreal, to approve the purchase of a M1-1-Ne X-Ray machine to replace the old machine, in the amount of \$34,330.00 to be funded with the Tobacco Funds as requested by Dr. Edmundo Garcia, MD & 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 REQUEST FOR VEHICLE IN ORDER TO PROVIDE COMPUTER SERVICES TO DEPARTMENTS OUTSIDE THE MAIN COURTHOUSE

Motion was made by Commissioner Martinez, seconded by Commissioner Vela, to approve request for a vehicle in order to provide computer services to departments outside the main courthouse, contingent on vehicle availability, as requested by Rene Garcilazo, Computer Consultant.

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

**ORDER APPROVING REPLACEMENT OF MARIA G. GONZALEZ WITH
ANNABEL SALAZAR**

Motion was made by Commissioner Villarreal, seconded by Commissioner Garza, to approve replacement of Maria G. Gonzalez, who resigned on August 27, 2010, and to hire Annabel Salazar as the replacement for 2 hours a day @ \$7.25 an hour as requested by Carmen R. Reyes, Nutrition Center.

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

**NO ACTION OF REQUEST BY GUILLERMO SAENZ,
ENVIRONMENTAL DEPARTMENT, TO HIRE JESUS JARAMILLO (SLOT 13)
AT SAN YGNACIO LANDFILL AS PERMANENT EMPLOYEE AT \$7.84 PER HOUR
(Request was withdrawn by Guillermo Saenz, Environmental Department.)**

**ORDER APPROVING TRANSFER OF MARIA YANIRA SALINAS (SLOT 3) TO SLOT
2 AND TRANSFER OF AMALIA NAVARRO (SLOT 6) TO SLOT 3**

Motion was made by Commissioner Garza, seconded by Commissioner Vela, to approve transfer of Maria Yanira Salinas (slot 3) \$8.03 to (slot 2) \$8.91 an hour and transfer Amalia Navarro (slot 6) 7.25 to (slot 3) \$8.03 an hour as requested by Aida Garcia, Zapata County Library Director.

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

ORDER APPROVING HIRING OF EMPLOYEE FOR SLOT 6 AT \$7.25 PER HOUR

Motion was made by Commissioner Villarreal, seconded by Commissioner Garza, to approve hiring of employee for vacant (slot 6) at \$7.25 an hour as requested by Aida Garcia, Zapata County Library Director.

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

**ORDER APPROVING HIRING OF TEMPORARY SECRETARY FOR MISSY GARZA
WHILE ON MATERNITY LEAVE FOR J.P. PRECINCT 4, CLEMENTE GUTIERREZ**

Motion was made by Commissioner Garza, seconded by Commissioner Martinez, to approve hiring of temporary secretary for Missy Garza while on maternity leave for J.P. Pct. 4 Clemente Gutierrez as requested by Nellie Trevino, Zapata County Personnel Director.

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

**ORDER APPROVING ADDITION OF BUILDINGS NOT CURRENTLY INSURED BY
IBC INSURANCE AGENCY COMMERCIAL PROPERTY POLICY TO INCLUDE
NEWLY CONSTRUCTED BUILDINGS TO POLICY**

Motion was made by Commissioner Vela, seconded by Commissioner Garza, to approve addition of buildings not currently insured by the IBC Insurance Agency Commercial Property Policy

and to include the newly constructed buildings to the policy, pending the final appraisal from the Zapata County Appraisal District as requested by Nellie Trevino, Zapata County Personnel Director.

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

ORDER APPROVING ZAPATA COUNTY INSURANCE RENEWAL FOR FISCAL YEAR 2010-2011

Motion was made by Commissioner Garza, seconded by Commissioner Martinez, to approve the Zapata County Insurance Renewal for Fiscal Year 2010-2011 as requested by Nellie Trevino, Zapata County Personnel Director.

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

ORDER APPROVING CHANGE ORDER NO. 4 FOR ZAPATA COUNTY WATER TREATMENT PLANT

Motion was made by Commissioner Vela, seconded by Commissioner Villarreal, to approve Change Order No. 4 for the Zapata County Water Treatment Plant improvements, to be paid out of construction fund, as requested by Jacob Rathmell, Rathmell Engineers. (Changes attached for the record.)

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 PARK ON DELMAR STREET BETWEEN COUNTY NUTRITION CENTER AND FOOD PANTRY AS "SOUTH DELMAR PARK"

Motion was made by Commissioner Garza, seconded by Commissioner Martinez, to approve naming the newly constructed park on Delmar Street between the County Nutrition Center and the County Food Pantry as the "South Delmar Park" as requested by 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 RESOLUTION FOR 2011 INDIGENT DEFENSE GRANT PROGRAM

Motion was made by Commissioner Vela, seconded by Commissioner Garza, to approve the Resolution for the 2011 Indigent Defense Grant Program as requested by Sara Rocha, Court Coordinator.

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

**ORDER APPROVING RESOLUTION FOR “TEXANS FEEDING TEXANS:
DELIVERED MEAL GRANT PROGRAM” FROM TEXAS DEPARTMENT OF
AGRICULTURE**

Motion was made by Commissioner Vela, seconded by Commissioner Villarreal, to approve a resolution for the "Texans Feeding Texans: Home Delivered Meal Grant Program" from the Texas Department of Agriculture as requested by Rosalinda Gonzalez, Zapata County Nutrition Program.

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

**ORDER APPROVING RESOLUTIONS FOR USDA &
LAS PALMAS PROJECTS**

Motion was made by Commissioner Garza, seconded by Commissioner Vela, to approve the resolutions for USDA & Las Palmas 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 RESOLUTIONS FOR USDA &
WASTE WATER TREATMENT PLANT**

Motion was made by Commissioner Vela, seconded by Commissioner Garza, to approve the resolutions for USDA & Waste Water Treatment Plant 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 PROCLAMATION FOR TEXAS ASSOCIATION
FOR HOME CARE AND HOSPICE**

Motion was made by Commissioner Villarreal, seconded by Commissioner Martinez, to approve a proclamation for Texas Association for Home Care & Hospice 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 INSTALLATION OF STREET/SECURITY LIGHTS
AND SPEED HUMPS**

Motion was made by Commissioner Garza, seconded by Commissioner Villarreal, to approve installation of the following street lights in Precinct 1.

1. 158 Veleno Rd. (Singer Lane)
2. 115 Flores - Nicholson Addition
3. 435 Falcon Shores Dr. - Nicholson Addition
4. 501 Glenn Street - Zapata Town Site
5. 415 Falcon Shores Dr. — Nicholson Addition

as requested by 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 Garza, seconded by Commissioner Villarreal, to approve installation of a speed hump on Madison near the RV Park as requested by 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 Garza, seconded by Commissioner Villarreal, to approve installation of the following street lights in Precinct 3:

- Falcon & Carrizo
- 5114 McAllen Lane
- Swole & Siesta Lane
- 347 Cuellar

as requested by 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 Garza, seconded by Commissioner Villarreal, to approve to install speed humps between 7th & 10th on Bravo as requested by 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 Garza, seconded by Commissioner Villarreal, to approve to request a 1000 watt flood light at the corner of 17th & Glenn Street as requested by 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 Garza, seconded by Commissioner Villarreal, to approve installation of the following security lights in Precinct 4:

- 1303 Ramireño (existing pole)
- 1708 Juarez
- 1812 2nd Street
- 515 Villa

as requested by 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 GARZA, SECONDED BY
COMMISSIONER VILLARREAL TO ENTER INTO EXECUTIVE SESSION**

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

**ORDER APPROVING TRANSFER OF WATER WORKS ADMINISTRATIVE
ASSISTANT, WITH SALARY, TO COUNTY MUSEUM, EFFECTIVE IMMEDIATELY**

Motion was made by Commissioner Vela, seconded by Commissioner Villarreal, to approve transfer of Water Works Administrative Assistant, Myrna Bustamante, with salary and benefits, to County Museum, effective immediately and report to Museum Board, as requested by Carlos Trevino Jr., Waterworks Manager.

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

**ORDER APPROVING SETTLEMENT WITH INDIVIDUAL IN REFERENCE TO
DAMAGES TO PRIVATE PROPERTY IN AN AMOUNT NOT TO EXCEED \$500.00**

Motion was made by Commissioner Martinez, seconded by Commissioner Vela, to approve settlement with individual in reference to damages to private property, in an amount not to exceed \$500.00 to be paid from Parks Project, Pct. 3 as requested by 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.

**ORDER AUTHORIZING LEGAL COUNCIL TO COORDINATE WITH RESPONSIBLE
PARTIES REGARDING EXHUMATION OF INDIAN BURIAL**

Motion was made by Commissioner Vela, seconded by Commissioner Garza, to authorize legal council to coordinate with responsible parties regarding the San Ygnacio, Texas Street and Drainage Improvements Project and exhumation of Indian Burial Mound located in said town and any matters incident thereto as requested by Fortunato Paredes, Attorney at Law, Escamilla, Poneck & Cruz, LLP.

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

**ORDER AUTHORIZING LEGAL COUNCIL TO SEND CORRESPONDENCE
REGARDING RECONSIDERATION OF LAND LEASE AGREEMENT WITH TCI
CABLEVISION OF SOUTH TEXAS D/B/A HERITAGE CABLEVISION D/B/A
COMCAST OF TEXAS I, INC. D/B/A TIME WARNER INC. INVOLVING A
TELECOMMUNICATIONS TOWER LOCATED ON COUNTY PROPERTY**

Motion was made by Commissioner Garza, seconded by Commissioner Vela, to authorize legal council to send correspondence regarding reconsideration of land lease agreement with TCI Cablevision of South Texas d/b/a Heritage Cablevision d/b/a Comcast of Texas I, Inc. d/b/a Time Warner Inc. involving a Telecommunications Tower located on County Property and any other matter

incident thereto as requested by Fortunato Paredes, Attorney at Law, Escamilla, Poneck & Cruz, LLP.

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 FORTUNATO PAREDES,
ATTORNEY AT LAW, ESCAMILLA, PONECK & CRUZ, LLP, REGARDING
STATUS REPORT REGARDING CAUSE NUMBER 7506; ZAPATA COUNTY, TEXAS
V. JOEL RUIZ AND MARIA RUIZ; IN THE 49TH JUDICIAL DISTRICT COURT,
ZAPATA COUNTY, TEXAS**

**NO ACTION WAS TAKEN ON REPORT ON SOLID WASTE FEASIBILITY STUDY
CONDUCTED BY GARCIA & WRIGHT AND POSSIBLE ACTION TO ACQUIRE
PROPERTY AS PER RECOMMENDATIONS MADE BY ENGINEER AS REQUESTED
BY RAUL GARCIA, GARCIA & WRIGHT CONSULTING ENGINEERS, INC.**

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.

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