

**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 September A. D., 2013, 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
	Eddie Martinez	Commissioner, Precinct No. 3
	Norberto Garza	Commissioner, Precinct No. 4
	Saíd Alfonso Figueroa	County Attorney
	Mary Jayne Villarreal-Bonoan	County Clerk

VISITORS: Triunfo Gonzalez, Brian J. Martinez, Juan J. Meza, Maria I. Gutierrez, Mario Gonzalez-Davis, Joyce Currington, Luis Lauro Gonzalez, Roger Miller, Nellie R. Treviño, Jose F. Mendoza, Juan H. Navarro, Leo Cuellar, Sr., Diana Cuellar Villarreal, Joe Peña, Clyde Buley, Jorge Flores, and Hector Uribe.

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

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

ROLL CALL BY MARY JAYNE VILLARREAL-BONOAN, COUNTY CLERK

INVOCATION BY REV. ROGER MILLER

PLEDGE OF ALLEGIANCE

ORDER APPROVING MINUTES OF AUGUST 12, 2013 AND AUGUST 26, 2013

Motion was made by Commissioner Martinez, seconded by Commissioner Vela, to approve the Minutes of **August 12, 2013**, and **August 26, 2013**, with corrections, 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 stated that Achievement Awards would be presented to summer pool workers Miguel Almaraz, Christina Valdez and Erika Hernandez.

Chief Meza asked the Court to observe a moment of silence in memory of 9/11. A proclamation will be presented at a later date.

MONTHLY REPORT OF ZAPATA FAMILY MEDICAL CLINIC

Mr. Sean Kamber of Laredo Medical Center gave the monthly report for August 2013. Mr. Kamber stated that figures remain similar to last month. They are still working on implementation of electronic records. All is going well. He also informed the Court that Mr. Romero is no longer at the clinic. They are aware of the current financial changes and they are trying to work with physicians.

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 CHECKS ISSUED

Motion was made by Commissioner Martinez, seconded by Commissioner Garza, to approve checks issued as requested 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.

ORDER APPROVING TREASURER'S REPORT

Motion was made by Commissioner Vela, seconded by Commissioner Villarreal, to approve Treasurer's 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.

ORDER APPROVING ANNUAL AUDIT FOR FISCAL YEAR 2013

Motion was made by Commissioner Garza, seconded by Commissioner Martinez, to approve the annual audit for fiscal year 2013 as requested by Hon. Joe Rathmell, County Judge and Jorge Flores, Flores Auditing, PLLC.

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

ORDER APPROVING TRANSFER IN AMOUNT OF \$2,500.00 FROM A.R.M.

Motion was made by Commissioner Garza, seconded by Commissioner Vela, to approve a transfer in the amount of \$2,500.00 from line item 10-370-903 (A.R.M.) To 10-409-446 (Garbage) 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 PAYMENT OF WEEKLY ZAPATA RISING BANNER IN ZAPATA COUNTY NEWS

Motion was made by Commissioner Vela, seconded by Commissioner Villarreal, to approve the payment of the weekly Zapata Rising banner in the Zapata County News at \$50.00 per week 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 PAYMENT IN AMOUNT OF \$6,200 TO CALIXTO RODRIGUEZ FOR MATERIALS/LABOR AT ZAPATA COUNTY POOL

Motion was made by Commissioner Vela, seconded by Commissioner Garza, to approve payment in the amount of \$6,200.00 to Calixto Rodriguez for materials/labor at the Zapata County pool, to be paid out of the line item 10-370-903 (A.R.M.) 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.

REQUEST BY HON. GABRIEL VILLARREAL REGARDING RENEGOTIATION OR TERMINATION OF CONTRACT OF ENGAGEMENT WITH HECTOR URIBE, ATTORNEY AT LAW WAS HEARD IN EXECUTIVE SESSION

ORDER APPROVING ACCEPTANCE FOR TEXAS DEPARTMENT OF TRANSPORTATION'S ROUTINE AVIATION MAINTENANCE PROGRAM FOR FISCAL YEAR 2014

Motion was made by Commissioner Garza, seconded by Commissioner Martinez, to approve the acceptance for the Texas Department of Transportation's routine Aviation Maintenance Program for fiscal year 2014, identified as TxDot Project AM2014ZAPA and TxDot CSJ No. M14-21ZAPA, with a match of up to \$50,000.00 as requested by Charles Avaritt, Airport Manager.

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

ORDER APPROVING AND ADOPTING ORDINANCE CONCERNING COLLECTION OF FRANCHISE FEES OWED BY UTILITY COMPANIES FOR COUNTIES WITH TYPE "A" MUNICIPAL POWERS

Motion was made by Commissioner Garza, seconded by Commissioner Martinez, to approve and adopt the ordinance concerning the collection of franchise fees owed by utility companies for counties with type "A" municipal powers (this ordinance emphasizes the right to change the franchise fees) as requested by Hector Uribe, Attorney at Law.

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

ORDER APPROVING INCREASE OF COUNTY CLERK'S RECORDS ARCHIVE FEE FROM \$5.00 TO \$10.00 EFFECTIVE OCTOBER 1, 2013 - SEPTEMBER 1, 2019

Motion was made by Commissioner Martinez, seconded by Commissioner Villarreal, to approve the increase of County Clerk's Records Archive Fee (other than court fees) from \$5.00 to \$10.00 effective October 1, 2013 and revert back to \$5.00 on September 1, 2019 as per Article 2 HB1513 as requested by Hon. 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 INCREASE OF COUNTY CLERK'S RECORDS MANAGEMENT AND PRESERVATION FEE FROM \$5.00 TO \$10.00 EFFECTIVE OCTOBER 1, 2013 - SEPTEMBER 1, 2019

Motion was made by Commissioner Martinez, seconded by Commissioner Villarreal, to approve the increase of the County Clerk's Records Management and Preservation Fee (other than court fees) from \$5.00 to \$10.00 effective October 1, 2013 and revert back to \$5.00 on September 1, 2019 as per Article 2 HB1513 as requested by Hon. 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 INCREASE OF DISTRICT CLERK'S RECORDS ARCHIVE FEE FROM \$5.00 TO \$10.00 EFFECTIVE OCTOBER 1, 2013 - SEPTEMBER 1, 2019

Motion was made by Commissioner Garza, seconded by Commissioner Martinez, to approve the increase of District Clerk's Records Archive Fee (other than court fees) from \$5.00 to \$10.00 effective October 1, 2013 and revert back to \$5.00 on September 1, 2019 as per Article 2 HB1513 as requested by Hon. Dora A. Martinez, District Clerk .

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

ORDER APPROVING INCREASE OF DISTRICT CLERK'S RECORDS MANAGEMENT AND PRESERVATION FEE FROM \$5.00 TO \$10.00 EFFECTIVE OCTOBER 1, 2013 - SEPTEMBER 1, 2019

Motion was made by Commissioner Garza, seconded by Commissioner Martinez, to approve the increase of District Clerk's Records Management and Preservation Fee (other than court fees) from \$5.00 to \$10.00 effective October 1, 2013 and revert back to \$5.00 on September 1, 2019 as per Article 2 HB1513 as requested by Hon. Dora A. Martinez, District Clerk.

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

**ORDER APPROVING PROPOSED HOLIDAY SCHEDULE FOR
FISCAL YEAR 2013-2014**

Motion was made by Commissioner Martinez, seconded by Commissioner Garza, to approve a proposed Holiday Schedule for fiscal year 2013-2014 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 THE PROPOSED COMMISSIONERS COURT MEETING
SCHEDULE FOR FISCAL YEAR 2013-2014**

Motion was made by Commissioner Martinez, seconded by Commissioner Vela, to approve the proposed Commissioners Court Meeting Schedule for fiscal year 2013-2014 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.

**ORDER APPROVING GULF COAST UTILITY SERVICES TO RECONCILE ZAPATA
COUNTY UTILITY BILLS TO IDENTIFY OVER CHARGES AND RECOVER MONEY
FOR ZAPATA COUNTY**

Motion was made by Commissioner Martinez, seconded by Commissioner Vela, to approve Gulf Coast Utility Services to reconcile Zapata County Utility bills (electric, telephone, ads, water) to identify overcharges and recover the money for Zapata County. Services done on a contingency bases. No refund = no charge. Approval is subject to County Attorney researching previous contract and overseeing the services provided, as requested by Clyde Buley, Gulf Coast Utility Services.

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

**ORDER APPROVING SUPPORT AND PARTICIPATION IN SOUTH TEXAS
DEVELOPMENT COUNCIL AND CONFIRMING RE-APPOINTMENT OF
REPRESENTATIVE FROM ZAPATA COUNTY TO SERVE ON BOARD OF
DIRECTORS**

Motion was made by Commissioner Vela, seconded by Commissioner Garza, to approve the support and participation in the South Texas Development Council and confirming re-appointment of Judge Rathmell and Commissioner Martinez, as representatives from the County of Zapata, Texas, to serve on the Board of Directors of the South Texas Development Council for the period of October 2013 to September 2014 as requested by Juan Rodriguez, Texas Development Council.

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

**ORDER APPROVING RESOLUTION OF SUPPORT FOR ZAPATA ECONOMIC
DEVELOPMENT CORPORATION**

Motion was made by Commissioner Martinez, seconded by Commissioner Garza, to approve a Resolution of Support for Zapata Economic Development Corporation to acknowledge and act in

cooperation with Zapata County Officials to develop capacity for economic development in a rural county setting and implement projects as identified in the South Texas Development Council's Comprehensive Economic Development Strategy (CEDS) for the completion of an economic development strategy for the region sponsored by a grant from the U.S. Economic Development Administration. There is an 80/20 match, however ZEDC is not committing the county in any way, as requested by Peggy U. Moffett, President & CEO-Zapata Economic Development Corporation.

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

ORDER APPROVING LINE-ITEM-TRANSFERS

Motion was made by Commissioner Martinez, seconded by Commissioner Garza, to approve the following line-item-transfers:

FROM:	Juvenile Probation	10-570-512	Juvenile Detention	\$1,500.00
TO:	Juvenile Probation	10-570-427	Workshops/Travel Exp.	\$1,500.00
FROM:	Juvenile Probation	10-570-512	Juvenile Detention	\$1,500.00
TO:	Juvenile Probation	10-570-310	Supplies	\$1,500.00

in order to meet budget requirements as requested by Sandy J. Pippin-Gomez, Juvenile Probation Chief.

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

FROM:	Wastewater	08-602-227	License Stipends	\$5,000.00
TO:	Wastewater	08-602-121	Overtime	\$5,000.00
FROM:	Wastewater	08-602-341	Chlorine & Chemicals	\$1,000.00
TO:	Wastewater	08-602-121	Overtime	\$1,000.00
FROM:	Wastewater	08-602-443	Electricity	\$4,000.00
TO:	Wastewater	08-602-121	Overtime	\$4,000.00

in order to meet budget requirements as requested by Eloy Chapa, Wastewater Supervisor/Chief Operator.

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 Martinez, seconded by Commissioner Garza, to approve the following line item transfer:

FROM:	Special Rd & Bridge	15-621-427	Workshop & Travel	\$1,500.00
TO:	Special Rd & Bridge	15-621-351	Repairs & Maint. Sup.	\$1,500.00

in order to meet budget requirements as requested by Jose Francisco Mendoza, County Shop Supervisor.

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 Martinez, seconded by Commissioner Garza, to approve the following line-item-transfer:

FROM:	County Clerk	10-403-484	Elections	\$2,550.00
TO:	Equipment Rental	10-403-351	Equipment Rental	\$2,550.00

in order to meet budget requirements as requested by Hon. 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.

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

FROM:	Water Plant	80-600-569	Improvements	\$950.00
TO:	Water Plant	80-600-205	Uniforms	\$950.00

in order to meet budget requirements as requested by Carlos Treviño, Water Plant Manager.

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 GARZA,
SECONDED BY COMMISSIONER VILLARREAL,
TO RETURN TO REGULAR SESSION**

ORDER APPROVING TO RENEGOTIATE CONTRACT WITH HECTOR URIBE

Motion was made by Commissioner Martinez, seconded by Commissioner Garza, to renegotiate contract of engagement with Hector Uribe, Attorney at Law, 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.

**ORDER AUTHORIZING COUNTY ATTORNEY TO SEEK ANY AND ALL LEGAL
REMEDIES REGARDING INSURANCE PROPERTY CLAIM ON ZAPATA COUNTY
COMMUNITY CENTER, SAN YGNACIO CIVIC CENTER, SAN YGNACIO JUSTICE
OF THE PEACE PCT 2 OFFICE AND SAN YGNACIO LIBRARY**

Motion was made by Commissioner Garza, seconded by Commissioner Martinez, to authorize County Attorney to seek and an all legal remedies regarding insurance property claim on the Zapata County Community Center, San Ygnacio Civic Center, San Ygnacio Justice of the Peace, Pct. 2 Office and the San Ygnacio Library. *Executive Session is requested pursuant to Texas Government Code Title 5, Sub Chapter D, Section 551.071 - Consultation with Attorney and Section 551.072 - Real Property 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.

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.

JOSEPH RATHMELL, COUNTY JUDGE
ZAPATA COUNTY, TEXAS

ATTEST:

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