

**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 January, 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.	Joseph Rathmell	Commissioner, Precinct No. 3, Presiding
	Jose Emilio Vela	Commissioner, Precinct No. 1
	Gabriel Villarreal	Commissioner, Precinct No. 2
	Saíd Alfonso Figueroa	County Attorney

ABSENT:

Hon.	Rosalva Guerra	County Judge
	Norberto Garza	Commissioner, Precinct No. 4
	Mary Jayne Villarreal-Bonoan	County Clerk

VISITORS: Celica A. Rodriguez, Nellie R. Treviño, Mario Gonzalez-Davis, Romeo Salinas, Doroteo N. Garza, Juan J. Meza, Arnold Mendoza, Arnold Mendoza, Jr., Geraldine Janowski, Stanley Janowski, Sada Montes-Burnham, Glen Hickey, Gayla Hickey, David Holcomb, Avon Hatfield, Michael W. Dickerson, Consuelo R. Villarreal, Mike Chapa, Sylvia Martinez, Dorothy Pizaña, E. Villarreal, Preston Taylor, Harold Meeks, Priscilla Meeks, Gerardo Rodriguez, Robert Jaramba, Maria M. Garcilazo, John O. Smith, Amada Villarreal-Garza, Maria Elena S. Vela, James Umphres, Carlos Treviño, Jr., Roberta Meza, Edna Umphres, Raul Hernandez, Larry Sands, Marco Serna, Eddie Torres, and Monica L. Benavides.

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

CALLED MEETING TO ORDER AT 9:00. M.

PRAYER BY PASTOR ROGER MILLER

PLEDGE OF ALLEGIANCE

COMMUNICATIONS

J.J. Meza reported that in 2008 the Fire Department received 1,695 EMS calls and there have been 62 EMS calls to date in 2009. He also reported that he had his first certified fire fighter for 2009.

Mario Gonzalez-Davis reported that the airport paving project has been completed as of January 8, 2009. The paving bond was \$905,520, the cost of the project with the county crew's labor cost \$750,000 for a savings of approximately \$200,000 less \$50,000 for said equipment to be purchased by the County.

REPORTS/PUBLIC PARTICIPATION

ZAPATA COUNTY MEDICAL GROUP MONTHLY REPORT FOR DECEMBER 2008

Mr. Mike Chapa, Indigent Health Care Director, submitted his written report for the Zapata County Medical Group for December 2008. He reported that money has been coming in and a \$20.00 co-pay has been implemented on a voluntary basis to offset cost to run the facility.

CONCERNED CITIZENS REPORT REGARDING SEXUAL ORIENTED BUSINESS BY AMADA GARZA-VILLARREAL

Mrs. Garza presented an additional 300 signature list of persons opposing the sexual oriented business to Commissioner Rathmell. Mrs. Garza also read the Texas Alcoholic Commission rules on the application for the alcoholic beverages.

Mr. Jerry Rodriguez also presented a list with additional signatures. He stated that some of the winter Texans attending church services were considering other options before coming to Zapata.

Mr. Eddie Torres, of TABC stated that sexually oriented businesses (referring to the one location in question) cannot have sexually graphic material in its premises because it is not permitted and the business would have to turn in their permit if said material were in the premises. Torres advised that any citizen can file a complaint.

Mrs. Avon Hatfield stated that there was a higher crime rate against girls/women and values of properties go down.

PRESENTATION ON FORMATION OF COMPLETE COUNT COMMITTEE IN ZAPATA COUNTY FOR 2010 CENSUS

Ms. Sylvia Martinez, Partnership Specialist, made a presentation regarding the upcoming the 2010 U.S. Census. She stated that the questionnaire has been reduced to a 10 minute survey. Testing will be on January 20th in Laredo, Texas for training.

QUARTERLY REPORT FOR ZAPATA COUNTY CONVENTION AND VISITORS BUREAU

Karran Westerman presented the treasurer's quarterly report for the Zapata Convention and Visitors Bureau. They received \$5,000 from the Hotel Motel Tax fund.

REPORT ON ANNUAL EXPENSES FOR HISTORICAL COMMISSION FOR FY 2008

Leticia Salinas gave the annual expense report for the Historical Commission for FY 2008.

ORDER APPROVING INVOICES

Motion was made by Commissioner Vela, seconded by Commissioner Villarreal, to approved invoices as presented by County Treasurer Romeo Salinas.

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

ORDER APPROVING MINUTES FOR MEETING OF DECEMBER 8, 2008 AND DECEMBER 15, 2008

Motion was made by Commissioner Vela, seconded by Commissioner Villarreal, to approve the Minutes of **December 8, 2008 and December 15, 2008** as presented by Celica A. Rodriguez, Chief Deputy County Clerk for 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 PURCHASE OF PICK-UP TRUCK FROM ROAD CONSTRUCTION

Motion was made by Commissioner Vela, seconded by Commissioner Villarreal, to approve the purchase of a pick-up truck from account 15-012-554, Road Construction. Cost will not exceed \$17,000.00 as requested by Commissioner Gabriel Villarreal, 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 SECURITY LIGHT

Motion was made by Commissioner Vela, seconded by Commissioner Villarreal, to approve installation of a security light at 405 W. 20th Street in the town of Zapata, Texas as requested by Commissioner Gabriel Villarreal, Pct. 2.

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 JUSTICE OF THE PEACE FERNANDO MUÑOZ, JR. PCT. THREE TO HIRE ADALBERTO MEJIA AS COURTROOM BAILIFF

Motion was made by Commissioner Vela, seconded by Commissioner Villarreal, to TABLE the request by Justice of the Peace Fernando Muñoz, Jr., Pct. 3 to hire Alberto Mejia as courtroom bailiff to fill vacancy. To be used by all precincts and County Judge.

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

ORDER APPOINTING KARRAN WESTERMAN TO FALCON ZONING COMMITTEE

Motion was made by Commissioner Vela, seconded by Commissioner Villarreal, to appoint Karran Westerman to replace Robert Amaya as recommended by Commissioner Vela. Other members will remain the same.

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

ORDER APPOINTING MEMBERS TO HISTORICAL COMMISSION COMMITTEE

Motion was made by Commissioner Vela, seconded by Commissioner Villarreal, to appoint members to the Historical Commission Committee as follows: Gilberto Salinas, Viviana Moncivais, Omelia Zapata and Roberto Montes as recommended by Ms. Salinas.

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

ORDER APPROVING HIRING OF GILBERT SANCHEZ AS TREATMENT OPERATOR TRAINEE AT WASTEWATER TREATMENT PLANT

Motion was made by Commissioner Villarreal, seconded by Commissioner Vela, to approve hiring of Gilberto Sanchez as a treatment operator trainee at the Wastewater treatment plant for slot 9, vacant position, at a starting salary of \$8.80 per hour as requested by Utilities Director Carlos Treviño, Jr. and Wastewater Supervisor Eloy Chapa, Jr.

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 KARRAN WESTERMAN
REGARDING PURCHASE OF WATER RIGHTS FOR ZAPATA COUNTY FROM
RIO GRANDE WATER COMMISSION**

**ORDER TO TABLE REQUEST BY ELCINA BUCK AND ROBERT KLINE
TO PASS ORDINANCE DECLARING A “NO WAKE AREA” FROM
FOUR SEASON RESORT TO BEACON LODGE**

Motion was made by Commissioner Vela, seconded by Commissioner Villarreal, to TABLE request by Elcina Buck and Robert Kline to pass an ordinance declaring a “No Wake Area” from Four Season Resort to Beacon Lodge.

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 ELCINA BUCK AND ROBERT KLINE
TO PAVE ROAD TO LAKEFRONT RESORT**

**NO ACTION WAS TAKEN ON REQUEST BY SADA MONTES-BURNHAM
TO CONSTRUCT A SIDEWALK FROM VILLARREAL
ELEMENTARY TO 13TH STREET**

**ORDER TO TABLE REQUEST BY ANGEL CASTAÑEDA ON COUNTY AND
SCHOOL TAX ABATEMENT ON FALCON LANES**

Motion was made by Commissioner Vela, seconded by Commissioner Villarreal, to TABLE request by Angel Castaneda on County and School tax abatement on Falcon Lanes, retroactive to 2006.

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

ORDER APPROVING ECO-FUEL SYSTEM

Motion was made by Commissioner Vela, seconded by Commissioner Villarreal, to approve the Eco-fuel system fuel enhancers at the cost of \$250 - \$400 per vehicle. Each department will accept or deny the fuel enhancers depending on their budget .

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 CARLOS COLINA-VARGAS TO AUTHORIZE
APPLICATION OR APPLICATIONS TO THE STATE OF TEXAS HAZARD
MITIGATION GRANT PROGRAM FOR ACQUISITION AND DRAINAGE RELIEF
IMPROVEMENTS IN MEDINA ADDITION, AUTHORIZE COMMITMENT OF
LOCAL MATCH AND AUTHORIZE FIRM OF CARLOS COLINA-VARGAS TO
PREPARE APPLICATION MATERIALS**

ORDER TO TABLE REQUEST BY DAVID HOLCOMB TO APPROVE RENEWAL OF OIL, GAS AND MINERAL LEASE ON LANDS ON WHICH ZAPATA COUNTY OWNS MINERAL INTEREST

Motion was made by Commissioner Vela, seconded by Commissioner Villarreal, to TABLE request by David Holcom for renewal of the oil, gas, and mineral lease on the lands on which Zapata County owns mineral interest. Commissioner Rathmell suggested that they use the lease prepared by Mr. Pete Saenz as a guide. The new offer is \$500 per acre for a three year lease. Mr. Figueroa is to get in contact with Mr. Holcomb.

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 LARRY SANDS TO TAKE ACTION REGARDING INCOME FOR ZAPATA COUNTY MEDICAL GROUP

Motion was made by Commissioner Villarreal, seconded by Commissioner Vela, to TABLE request by Dr. Larry Sands to take action regarding income for Zapata County Medical Group.

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 Vela, seconded by Commissioner Villarreal, to approve line item transfer from Consulting and Engineering Non-Department (10-409-730) \$30,000.00 to Jury Fund Non-Department (10-409-485) \$30,000.00 to meet budget requirements as requested by County Auditor Doroteo Garza.

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 Villarreal, seconded by Commissioner Vela, 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 Vela, seconded by Commissioner Villarreal, 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 PASSING A PERMITTING REGULATION FOR SEXUALLY ORIENTED BUSINESSES

Motion was made by Commissioner Vela, seconded by Commissioner Villarreal, to pass a permitting regulation for sexually oriented businesses within the county effective immediately as requested by County Attorney Said A. Figueroa.

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

**MOTION TO RECESS UNTIL TUESDAY, JANUARY 13, 2009 AT 9:00 A.M.
WAS MADE BY COMMISSIONER VELA, SECONDED BY
COMMISSIONER VILLARREAL**

**HON. JOSEPH RATHMELL, COMMISSIONER OF PRECINCT 3,
CALLED MEETING TO ORDER ON TUESDAY, JANUARY 13, 2009 AT 9:00. M.**

**MINUTES OF MEETING OF ZAPATA COUNTY COMMISSIONERS COURT
FOR JANUARY 13, 2009
AS PREPARED BY MR. HECTOR URIBE ARE ATTACHED**

ADJOURN

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