

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

Be it remembered, that on this the 14th day of October, A. D., 2008, 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
Romeo Salinas	County Treasurer
Mary Jayne Villarreal-Bonoan	County Clerk

ABSENT: Saíd Alfonso Figueroa County Attorney

VISITORS: Ramiro V. Martinez, Mario Gonzalez-Davis, Nellie Treviño, Lucy Gutierrez, Amada Gonzalez, Rosalva Rendon, Paco Mendoza, Olga M. Flores, Hildegardo E. Flores, David Holcomb, Angel Garza, Juan J. Meza, Carlos Treviño, Jr., Roberta Meza, Dorothy Pizaña, Myrna B. Hernandez, Hector Lopez, Jr., Laura Guerra, Sylvia Mendoza, Jose F. Mendoza, Brad Gavit, Peggy Umphres-Moffett, and Lauro L. Gonzalez.

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

MEETING CALLED TO ORDER AT 9:00. M.

PLEDGE OF ALLEGIANCE

APPROVAL OF MINUTES FOR MEETING OF SEPTEMBER 8, 2008

Motion was made by Commissioner Garza, seconded by Commissioner Rathmell, to approve the Minutes of **September 8, 2008** 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 congratulated the Juvenile Justice Department on their receipt of a \$55,300.00 grant.

Tax Assessor Collector, Luis Lauro Gonzalez was congratulated on his official certification as Tax Assessor Collector.

Angel Garza, Retired Commissioner Pct. 2, commented on his previous request to allow retired County Employees to purchase life insurance through the county at the retirees expense.

However, the insurance company is not returning calls. Commissioner Garza thanked Commissioners' Court for the opportunity. Perhaps this can be addressed when it's time to renew the insurance policies.

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.

**DEPARTMENTAL REPORT BY CARLOS TREVIÑO
WATER/SEWER DIRECTOR**

Carlos Treviño, Water/Sewer Director submitted his report for collections in the Water and Sewer Departments from June through September 2008. Written report is attached for the record.

**ORDER APPROVING EMPLOYMENT OF JUAN JOSE BENAVIDES AS HEAVY
EQUIPMENT OPERATOR AND CDL DRIVER TO FILL VACATED SLOT AT
COUNTY ROAD AND BRIDGE DEPARTMENT**

Motion was made by Commissioner Garza, seconded by Commissioner Villarreal, to approve to employ Juan Jose Benavides, as heavy equipment operator, and CDL driver to fill newly vacated slot within County Road and Bridge Department (Pct.1) 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 TO TABLE REQUEST BY COMMISSIONER JOSE EMILIO VELA TO
APPROVE REQUEST FROM FAMILY MEMBERS AND HEIRS OF MR. LIBORIO
GONZALEZ, PROVIDING EGRESS AND REGRESS WITHIN COUNTY UTILITY
EASEMENT ENABLING ACCESS TO THEIR PROPERTY**

Motion was made by Commissioner Vela, seconded by Commissioner Villarreal, to TABLE request by Commissioner Jose Emilio Vela, Pct. 1, to approve a request from family members and heirs of Mr. Liborio Gonzalez (deceased), providing an egress and regress road within a county utility easement enabling access to their property.

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

**ORDER APPROVING PUBLIC NOTICE ADVERTISING PURCHASE OF
APPROXIMATELY ONE-ACRE LAND TRACT IN VICINITY OF FM 2687 AT
CHIHUAHUA TO BE DEVELOPED AS PUBLIC PARK**

Motion was made by Commissioner Garza, seconded by Commissioner Villarreal, to approve public notice advertising the purchase of an approximate one-acre land tract in the vicinity of FM 2687 at Chihuahua to be developed as a 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 DELETION OF BROKER AGENT FROM EXISTING HEALTH INSURANCE PLAN TO HELP LOWER PREMIUM RATES PAID BY COUNTY EMPLOYEES

Motion was made by Commissioner Garza, seconded by Commissioner Vela, to authorize deletion of broker agent from existing health insurance plan to help lower premium rates paid by county employees 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.

PRESENTATION BY GILBERTO SERNA, JR. AND CATALINA ZARAGOZA ON PROPOSED HEALTH INSURANCE RENEWAL FOR MERCY HEALTH PLANS

Gilberto Serna, Jr. and Catalina Zaragoza, of Mercy Health Plans, made a presentation on the proposed Health Insurance Renewal for Mercy Health Plans as requested by Romeo Salinas, County Treasurer. They also explained to the Court that if the County kept the broker there would be an 11% increase in premiums. However, if the broker is deleted then the increase is only 6.3%.

ORDER APPROVING PROPOSED HEALTH INSURANCE RENEWAL FOR MERCY HEALTH PLANS EFFECTIVE NOVEMBER 1, 2008 - OCTOBER 31, 2009

Motion was made by Commissioner Garza, seconded by Commissioner Rathmell, to approve proposed Health Insurance Renewal for Mercy Health Plans effective November 1, 2008 to October 31, 2009 as requested 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 AWARDING CONTRACT ON FALCON LAKE ESTATES WEST, PHASE I PAVING PROJECT TO RAPID HAUL, L.L.C.

Motion was made by Commissioner Rathmell, seconded by Commissioner Vela, to approve and award contract on the Falcon Lake Estates West, Phase I Paving Project to Rapid Haul, L.L.C., the lowest bidder as requested by Commissioner Joseph Rathmell, Pct. 3.

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

ORDER APPROVING ADVERTISING FOR BIDS TO CONSTRUCT PRE-ENGINEERED METAL BUILDING PAVILION FOR PRECINCT 4 PARK

Motion was made by Commissioner Rathmell, seconded by Commissioner Vela, to approve advertising for bids to construct a pre-engineered metal building pavilion for Pct. 4 park as requested by Commissioner Norberto Garza, Pct. 4.

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 IN SPECIAL ROAD AND BRIDGE DEPARTMENT 15-621

Motion was made by Commissioner Vela, seconded by Commissioner Rathmell, to approve line item transfers in Special Road and Bridge, Dept. 15-621 (County Shop), as follows to buy a new low-boy trailer for heavy equipment transport

FROM:	15-621-591 Building	\$25,000.00
	15-621-456 Maintenance	\$5,000.00
TO:	15-621-606 3 axle low-boy trailer	\$30,000.00

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 ACCEPTING RESIGNATION OF RAMIRO GARCILAZO III,
FIREFIGHTER/EMT AT ZAPATA COUNTY FIRE DEPARTMENT**

Motion was made by Commissioner Garza, seconded by Commissioner Vela, to approve and accept resignation of Ramiro Garcilazo III, firefighter/EMT at the Zapata County Fire Department as requested by Chief Juan Jose Meza.

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

**ORDER APPROVING TO REPLACE POSITION OF RAMIRO GARCILAZO
WITH A PARAMEDIC**

Motion was made by Commissioner Garza, seconded by Commissioner Vela, to approve to replace the position of Ramiro Garcilazo with a Paramedic at \$12.39 per hour, slot # 9 as requested by Chief Juan Jose Meza.

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

ORDER ACCEPTING RESIGNATION OF JUAN JOSE GUERRA

Motion was made by Commissioner Garza, seconded by Commissioner Vela, to approve and accept resignation of Juan Jose Guerra as requested by Chief Juan Jose Meza.

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

ORDER APPROVING TO HIRE PARAMEDIC IN JUAN JOSE GUERRA'S POSITION

Motion was made by Commissioner Garza, seconded by Commissioner Vela, to approve to hire a paramedic in Juan Jose Guerra's position at \$12.39 per hour as requested by Chief Juan Jose Meza.

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

ORDER APPROVING TO FUND TRAILERS FOR RECYCLING DEPARTMENT

Motion was made by Commissioner Rathmell, seconded by Commissioner Villarreal, to approve funding for trailers for the Recycling Department for the total bid amount of \$21,211.00 submitted by Shorty's being the lowest bidder. The STDC grant award is \$19,000, Zapata County approved to pay the difference between the bid amount and the grant as requested by Recycling Coordinator, Hector F. Lopez, Jr.

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

**ORDER APPROVING TRANSFER OF SERGIO MARTINEZ FROM COMMISSIONER
GARZA'S CREW TO RECYCLING DEPARTMENT**

Motion was made by Commissioner Garza, seconded by Commissioner Rathmell, to approve the transfer of Sergio Martinez from Commissioner Garza's crew to the Recycling Department as requested by Hector Lopez, 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 ROSALVA RENDON TO EXPLORE THE POSSIBILITY OF ACQUIRING SOME VANS FOR TRANSPORTATION TO LAREDO FOR DIALYSIS PATIENTS

ORDER APPROVING FUNDING REQUEST FOR ZAPATA COUNTY CHAMBER OF COMMERCE AND CONVENTION AND VISITORS CENTER

Motion was made by Commissioner Vela, seconded by Commissioner Rathmell, to approve funding request for the Zapata County Chamber of Commerce & Convention and Visitors Center in the amount of \$15,000.00 to be placed in an escrow fund for the following projects:

1. Computer equipment
2. Welcome Flag Display – Tourism Development
3. Electronic Sign

as requested by 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 TO TABLE REQUEST BY COUNTY ATTORNEY SAID ALFONSO FIGUEROA TO NAME ARGUS ENVIRONMENT CONSULTANTS, L.L.C., AS INSPECTOR FOR ENFORCEMENT OF ZAPATA COUNTY NOISE ORDINANCE ABATEMENT

Motion was made by Commissioner Garza, seconded by Commissioner Vela, to TABLE request by County Attorney Said Alfonso Figueroa, to name Argus Environmental Consultants, L.L.C., as inspector for the enforcement of the Zapata County Noise Ordinance Abatement.

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

ORDER APPROVING AUTHORIZATION TO MAINTAIN TCDRS PLAN PROVISIONS FOR PLAN YEAR 2009

Motion was made by Commissioner Rathmell, seconded by Commissioner Villarreal, to approve and maintain TCDRS plan Provisions for Plan year 2009 as requested 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 ZAPATA COUNTY AS CO-APPLICANT WITH ZISD AND EDC ON EDA 1 MILLION DOLLAR GRANT FOR HIGHER EDUCATION TECH CENTER

Motion was made by Commissioner Vela, seconded by Commissioner Rathmell, to approve Zapata County as co-applicant with ZISD and EDC on the EDA, 1 million dollar grant for Higher Education Tech Center as requested by Commissioner Joseph Rathmell and Mario Gonzalez-Davis.

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

ORDER APPROVING TO USE EDA GRANT FUNDS TOGETHER BUT SEPARATE WITH ORCA GRANT PROJECT AT ZAPATA COMMUNITY CENTER SITE

Motion was made by Commissioner Vela, seconded by Commissioner Rathmell, to approve to use EDA Grant Funds together but separate with the ORCA Grant project at the Zapata Community Center Site as requested by Joe Rathmell and Mario Gonzalez-Davis.

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

ORDER APPROVING AND AUTHORIZING ZAPATA COUNTY JUDGE AS CHIEF EXECUTIVE OFFICER TO ACT ON BEHALF OF ZAPATA COUNTY COMMISSIONERS COURT TO ENTER AND SIGN ANY AND ALL NEEDED AGREEMENTS AND FORMS ASSOCIATED WITH EDA GRANT AND ZAPATA COUNTY HIGHER EDUCATION ADVANCE TECHNOLOGY CENTER

Motion was made by Commissioner Vela, seconded by Commissioner Villarreal, to approve and authorize Rosalva Guerra, Zapata County Judge as Chief Executive Officer to act on behalf of the Zapata Commissioners Court to enter and sign any and all needed agreements and forms associated with the EDA Grant and the Zapata County Higher Education Advance Technology Center partners memorandums as requested by Joe Rathmell/ Mario Gonzalez-Davis.

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

NO ACTION WAS TAKEN ON REQUEST BY RAMIRO V. MARTINEZ, COUNTY CONSULTANT TO HIRE JEFF SNOWDEN (CAPEX) TO UPDATE THE REVENUE AND PAYMENT SCHEDULES PREPARED FOR THE TEXAS WATER DEVELOPMENT BOARD LOANS FOR THE WATER PLANT AND SEWER PLANT

ORDER AUTHORIZING CARLOS TREVIÑO, JR., WATER/SEWER DIRECTOR TO WRITE A WASTEWATER ORDINANCE

Motion was made by Commissioner Vela, seconded by Commissioner Villarreal, to authorize Carlos Treviño, Jr., Water/Sewer Director to write a Wastewater Ordinance in order to clarify state rules and regulations as requested by Carlos Treviño, Jr., Water/Sewer Director.

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

ORDER ADOPTING PROPOSED COMMISSIONERS' COURT MEETING DATES FOR FY 2008-2009

Motion was made by Commissioner Garza, seconded by Commissioner Vela, to adopt the proposed Commissioners' Court Meeting dates for FY 2008-2009

October 14, 2008 (Tuesday)	February 9, 2009	July 13, 2009
November 10, 2008	April 14, 2009 (Tuesday)	August 10, 2009
December 8, 2008	May 11, 2009	September 14, 2009
January 12, 2009	June 8, 2009	

requested by County Judge Rosalva Guerra.

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

ORDER APPROVING MEMORANDUM OF UNDERSTANDING BETWEEN ZAPATA COUNTY AND SUPREME COURT OF TEXAS FOR SUPPORT OF CONTINUITY OF COURT OPERATIONS IN EVENT OF EMERGENCY

Motion was made by Commissioner Garza, seconded by Commissioner Rathmell, to approve Memorandum of Understanding between Zapata County and the Supreme Court of Texas for Support of Continuity of Court Operations in the event of an emergency as requested by County Judge Rosalva Guerra.

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

ORDER APPROVING \$75,000 FOR ZAPATA COUNTY EXHIBIT HALL IN ACCORDANCE WITH APPROVAL FROM FEBRUARY 25TH, 2008 COMMISSIONERS' COURT MEETING

Motion was made by Commissioner Garza, seconded by Commissioner Rathmell, to approve \$75,000 for the Zapata County Exhibit Hall in accordance with approval from February 25th, 2008 Commissioners Court Meeting as requested by County Judge Rosalva Guerra.

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

ORDER APPROVING TEXAS MUNICIPAL LEAGUE FEE FOR ZAPATA FALCON ZONING COMMISSION FOR MEMBERSHIP PERIOD SEPTEMBER 1, 2008 - AUGUST 31, 2009

Motion was made by Commissioner Garza, seconded by Commissioner Rathmell, to approve payment of Texas Municipal League fee for the Zapata Falcon Zoning Commission for membership period September 1, 2008 – August 31, 2009 as requested by County Judge Rosalva Guerra. To be paid from 2007-2008 budget.

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

ORDER APPROVING DEMOLITION OF HOMES TO COMPLY WITH HOUSING PRESERVATION GRANT

Motion was made by Commissioner Villarreal, seconded by Commissioner Garza, to approve demolition of homes to comply with the Housing Preservation Grant as requested by County Judge Rosalva Guerra.

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 DAVID HOLCOMB TO APPROVE A RENEWAL OF THE OIL, GAS, AND MINERAL LEASE ON THE LANDS WHICH ZAPATA COUNTY OWNS MINERAL INTEREST

ORDER APPROVING KEIWIT CHANGE ORDER NUMBER ONE

Motion was made by Commissioner Garza, seconded by Commissioner Rathmell, to approve Keiwit change order number 1 as requested by Manuel Gonzalez, Premier Engineering. (See attachment for details.)

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

**ORDER APPROVING CHANGE ORDER FOR PRECINCT ONE,
PHASE TWO PAVING PROJECT**

Motion was made by Commissioner Garza, seconded by Commissioner Vela, to approve change order for Precinct 1, Phase 2 paving project, with the exclusion of number five 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 STREET LIGHTS FOR PRECINCT ONE

Motion was made by Commissioner Garza, seconded by Commissioner Villarreal, to approve street lights for Pct. 1 at the following locations:

1. 12th Ave at Flores Subdivision
2. 202 Lozano St. at Falcon Shores Subdivision
3. 316 Gonzalez St. at Falcon Shores Subdivision
4. Ave. B. at Lopeño Townsite
5. 1002 Delmar St. at Zapata Townsite;

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 INSTALLATION OF SECURITY LIGHT AT 1000 PINE AVE

Motion was made by Commissioner Garza, seconded by Commissioner Villarreal, to approve installation of a security light at 1000 Pine Ave., pole already exists a, 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 SPEED HUMP ON JENNINGS ROAD

Motion was made by Commissioner Garza, seconded by Commissioner Villarreal, to approve installation of a speed hump on Jennings Road 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 AT 1102 LAREDO
STREET, MEDINA ADDITION IN TOWN OF ZAPATA**

Motion was made by Commissioner Garza, seconded by Commissioner Villarreal, to approve installation of a security light at 1102 Laredo Street, Medina Addition 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 APPROVING INSTALLATION OF SECURITY LIGHT AT 2401 ELM
STREET IN TOWN OF ZAPATA**

Motion was made by Commissioner Garza, seconded by Commissioner Villarreal, to approve installation of a security light at 2401 Elm 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 APPROVING INSTALLATION OF ONE STREET LIGHT AT
FOLLOWING LOCATION**

Motion was made by Commissioner Garza, seconded by Commissioner Villarreal, to approve installation of one street light at each of the following locations:

1. 5120 Mc Allen Lane
2. Corner of Falcon and Pena Lane
3. Irene Drive

requested by Commissioner Joseph Rathmell, Pct. 3.

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

**ORDER TO MOVE INSTALLED SECURITY LIGHTS AT 1413 BRAVO TO 413
BRAVO BETWEEN 4TH STREET AND BRAVO**

Motion was made by Commissioner Garza, seconded by Commissioner Villarreal, to move the installed security lights at 1413 Bravo to 413 Bravo between 4th St. and Bravo approved on September 2008 meeting as requested by Commissioner Norberto Garza, Pct. 4.

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

**ORDER APPROVING TO MOVE INSTALLED SECURITY LIGHTS AT
1415 BRAVO TO 1102 ZAPATA AVENUE**

Motion was made by Commissioner Garza, seconded by Commissioner Villarreal, to move the installed security lights at 1415 Bravo to 1102 Zapata Ave. approved on September 2008 meeting as requested as by Commissioner Norberto Garza, Pct. 4.

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

**ORDER APPROVING A SECURITY LIGHT ON 1510 ALAMO STREET
AND GUERRERO STREET**

Motion was made by Commissioner Garza, seconded by Commissioner Villarreal, to approve security light on 1510 Alamo St. and Guerrero St., pole already exists as requested by Commissioner Norberto Garza, Pct. 4.

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

**ORDER APPROVING RESOLUTION TO SUPPORT AND PARTICIPATE IN SOUTH
TEXAS DEVELOPMENT COUNCIL AND CONFIRM APPOINTMENT OF JUDGE
ROSALVA GUERRA AND COMMISSIONER JOSEPH RATHMELL AS
REPRESENTATIVES FROM COUNTY OF ZAPATA TO SERVE ON BOARD OF
DIRECTORS OF SOUTH TEXAS DEVELOPMENT COUNCIL**

Motion was made by Commissioner Garza, seconded by Commissioner Villarreal, to approve Resolution to support and participate in the South Texas Development Council and confirm the appointment of Judge Rosalva Guerra and Commissioner Joseph Rathmell 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 1, 2008 to September 30, 2009 as requested by County Judge Rosalva Guerra.

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

**ORDER APPROVING AND ADOPTING PROCLAMATION RECOGNIZING
NOVEMBER 2008 AS “HOME CARE AND HOSPICE MONTH”**

Motion was made by Commissioner Vela, seconded by Commissioner Villarreal, to approve and adopt a Proclamation to recognize November 2008 as “Home Care and Hospice Month” in the State of Texas as requested by County Judge Rosalva Guerra.

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

ORDER APPROVING 2009 INDIGENT FORMULA GRANT RESOLUTION

Motion was made by Commissioner Vela, seconded by Commissioner Garza, to approve the 2009 Indigent Defense Formula Grant Resolution, Zapata County is eligible for \$11,422.00 as requested by County Judge Rosalva Guerra.

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

**ORDER APPROVING RESOLUTION PROVIDING THAT GOODS-IN-TRANSIT AS
DEFINED IN HOUSE BILL 621 FROM 80TH LEGISLATIVE SESSION**

Motion was made by Commissioner Vela, seconded by Commissioner Garza, to approve resolution providing that goods-in-transit, as defined in House Bill 621 from the 80th Legislative Session, will be subject to Zapata County property taxes as requested by County Judge Rosalva Guerra.

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

**ORDER APPROVING RESOLUTION TO ADD WHOLESALE USERS PROVISION IN
EXISTING WATER CONSERVATION AND DROUGHT CONTINGENCY PLAN**

Motion was made by Commissioner Garza, seconded by Commissioner Villarreal, to approve a resolution to add wholesale users provision in existing water conservation and drought contingency plan 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 AND ADOPTING RESOLUTION IN SUPPORT OF
OPERATION LINEBACKER CONGRESSIONALLY MANDATED FUNDS**

Motion was made by Commissioner Garza, seconded by Commissioner Vela, to approve and adopt resolution in support of Operation Linebacker Congressionally mandated funds as requested by Captain Alonzo Lopez, Sheriff’s Office.

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

**ORDER APPROVING AND ADOPTING RESOLUTION AUTHORIZING
SUBMISSION OF APPLICATION FOR GRANT FROM HOME
INVESTMENT PARTNERSHIP PROGRAMS OF TEXAS DEPARTMENT
OF HOUSING AND COMMUNITY AFFAIRS**

Motion was made by Commissioner Vela, seconded by Commissioner Garza, to approve and adopt a resolution authorizing the submission of an application for a grant from the HOME Investment Partnerships Program of the Texas Department of Housing and Community Affairs, and authorizing the County Judge to act as the representative of Zapata County in all matters pertaining to the County's participation in the HOME Investment Partnerships Program as requested by County Judge Rosalva Guerra.

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

REPORTS/PUBLIC PARTICIPATION

**ZAPATA COUNTY MEDICAL GROUP MONTHLY REPORT FOR SEPTEMBER 2008
BY INDIGENT HEALTH CARE DIRECTOR MIKE CHAPA**

Mr. Mike Chapa, Indigent Health Care Director, submitted his written report for the Zapata County Medical Group for September 2008. Zapata County Medical Group was able to return \$670,000 to the County to make up the budget shortfall that existed when Zapata County Medical Group took over the clinic.

PRESENTATION OF ECO-FUEL SYSTEMS

Mr. Ben Talamantes made a presentation of the Eco-Fuel Systems. He stated that these fuel enhancers average 10%-12% increase in fuel mileage for all types of vehicles including heavy equipment.

**REPORT BY DR. SANDS REGARDING DIALYSIS FACILITY;
\$670,000 SHORTFALL OF FUNDS RETURNED TO ZAPATA COUNTY
AND FUTURE USE OF \$670,000; AND CURRENT EMS SERVICES**

Dr. Sands reported that he had been in contact with Liberty Dialysis and Dr. Patel, the nephrologist regarding a dialysis clinic. He would like to propose to Zapata County that they accept a building behind the clinic and advance \$650,000 to start on the construction of the building. Another building could be leased during the construction and dialysis can start within two weeks. It will take approximately \$500,000 to dialyze the patients that need to be dialyzed in a year. The vendor will not start unless they have the money to start and they can't get the money because it takes Medicaid/Medicare almost 11 months to get the licensing. Five hundred thousand (of the \$650,000) will be paid back and \$150,000 go to the independent manager at Liberty. Currently there are approximately 25 individuals from Zapata County being dialyzed three times a week. In the end it would cost the county \$150,000 to get a brand new building. Dr. Sands will also try to get private donations in in the amount of 1.2 million dollars to build a 12 pod facility.

Dr. Sands reported that the \$670,000 shortfall of funds had been returned to Zapata County and suggested that the \$670,000 be used as an insentive to continue to do what they are doing plus the dialysis clinic.

Dr. Sands reported that he had an incidents where the ambulance could not transport patients from the clinic unless the patient was at home and not at the clinic.

Chief Meza clarified that trauma patients cannot be transported from a controlled environment if there aren't enough units to cover the county. At this time there are only two working units available.

Dr. Sands stated All Saints ambulance services recently began providing services but are only available Monday - Saturday 8 a.m. - 6 p.m.

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

Peggy Umphres-Moffett, submitted her written report for the Zapata County Economic Development Center. Zapata County continues to see increased business expansions and new business development activity. Stew Walker, Project Manager, TXDOT briefed the Court on the Falcon Lake Development Park Project.

**MONTHLY CHAMBER OR COMMERCE REPORT
REQUESTED BY ZAPATA COUNTY CHAMBER OF COMMERCE
(No one present to give report.)**

**REPORT ON ZAPATA COUNTY LANDFILL CASE AND TAKE APPROPRIATE
ACTION REQUESTED BY MR. HECTOR URIBE**

Hector Uribe reported on the Zapata County Landfill contested case. He has requested an expedited hearing so process can start on preliminary hearings. Mr. Uribe requested that further discussion be held in Executive Session.

ORDER TO ENTER INTO EXECUTIVE SESSION

Motion was made by Commissioner Rathmell, seconded by Commissioner Garza, 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.

**REPORT ON WORKSHOP SET FOR UPDATES ON LOCAL ISSUES/PROJECTS
CONCERNS REQUESTED BY RAMIRO V. MARTINEZ**

Mr. Martinez will set up workshop and give his report on local issues/projects and concerns at a later date.

APPROVAL OF LINE ITEM TRANSFERS

Motion was made by Commissioner Villarreal, seconded by Commissioner Vela, to approve the following line item transfers:

FROM:	Royalty Fund	10-370-901	\$10,000.00
TO:	Special Materials	10-409-751	\$10,000.00
FROM:	Royalty Fund	10-370-901	\$20,000.00
TO:	Sp. Contract Serv.	10-409-761	\$20,000.00
FROM:	Royalty Fund	10-370-901	\$10,000.00
TO:	Special Materials	10-409-752	\$10,000.00

FROM:	Royalty Fund	10-370-901	\$20,000.00
TO:	Sp. Contract Serv.	10-409-762	\$20,000.00
FROM:	Royalty Fund	10-370-901	\$10,000.00
TO:	Special Materials	10-409-753	\$10,000.00
FROM:	Royalty Fund	10-370-901	\$20,000.00
TO:	Sp. Contract Serv.	10-409-763	\$20,000.00
FROM:	Royalty Fund	10-370-901	\$10,000.00
TO:	Special Materials	10-409-754	\$10,000.00
FROM:	Royalty Fund	10-370-901	\$20,000.00
TO:	Sp. Contract Serv.	10-409-764	\$20,000.00

as requested by Carlos Treviño, Jr., Water/Sewer Director.

ADJOURN

Motion to adjourn was made by Commissioner Villarreal, 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