

**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 July, 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
Saíd Alfonso Figueroa	County Attorney
Mary Jayne Villarreal-Bonoan	County Clerk

ABSENT:

Norberto Garza	Commissioner, Precinct No. 4
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VISITORS: Romeo Salinas, Doroteo N. Garza, Mario Gonzalez-Davis, Sara Rocha, Nellie R. Treviño, Rick Srameck, Efrain Morales, Jose F. Mendoza, Roger Miller, Delia Mendoza, Monica Mendoza, Luis L. Mendoza, Juan J. Meza, Dr. and Mrs. Hildegardo Flores, Patricia L. Ramirez, Maria E. Gutierrez, Roberta Meza, Paco Mendoza, Karran Westerman, Luis Calderon, Laura Garza, Manuel Gonzalez.

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

MEETING CALLED TO ORDER AT 9:01 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 JUNE 14, 2010

Motion was made by Commissioner Vela, seconded by Commissioner Martinez, to approve the Minutes of June 14, 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, presented Commissioners' Court his monthly report. He stated that the numbers are running steady. Dr. Cigarroa is talking of coming in on Wednesdays, however, remodeling of the urgent care side of the clinic will be required. Dr. Garcia would require a long term contract with Dr. Cigarroa. Commissioner Vela asked Dr. Garcia if the dialysis center is needed and advised that the Community Action building is for sale. Dr. Garcia responded that the dialysis center is important and the Community Action building is adequate. (Report attached for the record.)

Commissioner Martinez stated that the bank is not budging on the offer by Zapata County to purchase the CACST Health Clinic.

Monica Mendoza, Zapata County Fair Association President, presented Commissioners' Court with the 2010 Zapata County Fair Association Report. (Report attached for the record.)

Maria E. Gutierrez, Maintenance Supervisor, reported on the leaks in the courthouse building. She advised Commissioners' Court that Alejandro Gonzalez would be at the courthouse on Wednesday, July 14, 2010 with a special camera to x-ray leak areas and determine the problem.

Karran Westerman reported on the fireworks display on the 4th of July. She stated that she received \$2,230.00 in donations and ordered \$2,000.00 worth of fireworks. Excess donations were used for other supplies.

Dr. Hildegardo Flores commented on item #32 and plead for Commissioners' Court to reconsider said item and proposed that the board be allowed to put a group of volunteers together to run the museum until October and to leave the entities separate. He stated that our museum will be very unique with many learning opportunities.

Dr. Flores also commented on item #26 and suggested that the building behind the museum be pressure washed and re-roofed instead of stuccoed in an effort to save money. Commissioner Vela stated that he believed that there was mold in the buildings. Mario Gonzalez-Davis, Project Manager, also stated that the roof needs to be fixed first. One of the buildings will be used as restroom and will be addressed in Phase II of the construction.

Delia Mendoza of the County Tax Collector's office commented that there are problems in the second floor with children climbing the on rails while parents are conducting business at the tax office. It was suggested that signs be displayed advising parents to keep children off the rails; it was also suggested that the security guard be advised of the problem so he can address parents when necessary.

Departmental Reports

Luis Lauro Gonzalez, Zapata County Tax Assessor/Collector, reported that the tax office collected \$17,823.57 in Hotel Motel Tax fees and \$147,559.66 in tax fees, being 97% collections for the month of June.

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

ORDER APPROVING INVOICES

Motion was made by Commissioner Martinez, seconded by Commissioner Villarreal, to approve invoices, with corrections, as presented 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.

ZAPATA COUNTY ECONOMIC DEVELOPMENT CENTER (ZEDC) MONTHLY REPORT

Ms. Peggy Umphres- Moffett, ZEDC President, gave report for the Zapata County Economic Development Center. Zapata County has 364 businesses which include all new businesses. Dr. Maldonado is working on an agreement with the school for enrollments for the technology center.

Departmental Reports (continuation)

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

ORDER APPROVING TO REPAINT FIRE DEPARTMENT

Motion was made by Commissioner Vela, seconded by Commissioner Villarreal, to approve to repaint the Fire Department at a cost of \$12,892.00 to be paid out of line items #10-543-336 (Repairs and Maintenance) and 10-543-400 (Contract Services) as requested by J.J. Meza, Fire Chief.

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

ORDER ACCEPTING RESIGNATION OF ROEL GONZALEZ, JR. AND EZEQUIEL RAMIREZ AND ORDER ALLOWING CHIEF MEZA TO HIRE REPLACEMENTS

Motion was made by Commissioner Martinez, seconded by Commissioner Villarreal, to accept the resignation of Roel Gonzalez, Jr. and Ezequiel Ramirez and order allowing Chief Meza to hire two replacements. Salary ranging from a minimum of \$10.36 per hour to a

maximum of \$12.39 per hour, depending on certification and experience as requested by J.J. Meza, Fire Chief.

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

**ORDER APPROVING RENEWAL OF ANNUAL CONTRACTUAL
AGREEMENT BETWEEN ZAPATA COUNTY AND TEXAS AGRICULTURE
EXTENSION
SERVICE PREDATORY CONTROL PROGRAM**

Motion was made by Commissioner Vela, seconded by Commissioner Villarreal, to approve the renewal of the annual contractual agreement between Zapata County and the Texas Agriculture Extension Service Predatory Control 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.

**ORDER APPROVING EXTENSION OF LEASE AGREEMENT BETWEEN
PALADAR PETROLEUM AND ZAPATA COUNTY**

Motion was made by Commissioner Vela, seconded by Commissioner Martinez, to approve the extension of the lease agreement between Paladar Petroleum and Zapata County, with recommendations as presented, 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 ALLOWING LITTLE LEAGUE ASSOCIATION TO USE PARK LIGHTS

Motion was made by Commissioner Martinez, seconded by Commissioner Vela, to allow the Little League Association to use the park lights 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 INCREASE OF COLLECTION OF OPTIONAL COUNTY
FEES PER CHAPTER 502 OF THE TRANSPORTATION CODE**

Motion was made by Commissioner Vela, seconded by Commissioner Villarreal, to approve to increase the collection of optional county fees from \$5.00 to \$10.00, effective January 1, 2011, as per Chapter 502 of the Transportation Code, 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 HIRING OF RICARDO LEE RAMIREZ,
WELDER/LABOR/MAINTENANCE IN SLOT #6 ROAD AND BRIDGE
DEPARTMENT**

Motion was made by Commissioner Vela, seconded by Commissioner Martinez, to approve hiring of Ricardo Lee Ramirez, Welder/Labor/Maintenance in slot #6 Road and Bridge Department, line item #15-012-157. Precinct #2 at \$8.60 per hour 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 TO EXPLORE OPTIONS TO CANCEL CONTRACT
FOR PURCHASE OF ROAD PAVING MACHINE KNOWN AS "ZIPPER"**

Motion was made by Commissioner Vela, seconded by Commissioner Villarreal, to explore the option to cancel contract for purchase of road paving machine known as "Zipper" and defray the cost to minimize shortfall for FY 2011 budget 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 EMPLOYEE TRANSFER FROM PRECINCT ONE
SPECIAL ROAD AND BRIDGE DEPARTMENT SLOT #1 TO SLOT #8**

Motion was made by Commissioner Martinez, seconded by Commissioner Villarreal, to approve employee transfer from Precinct 1, Special Road and Bridge Department employee slot #1 (Carlos Ramirez) to slot #8 at \$10.50 per hour and hire replacement (Martin Arredondo, Jr.) at \$8.25 per hour to fill open slot 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 COUNTY POLICY FOR HAULING HEAVY BRUSH
AND CUTTINGS FROM RESIDENTIAL AREAS**

Motion was made by Commissioner Villarreal, seconded by Commissioner Martinez, to approve the County Policy for hauling heavy brush and cuttings from residential areas, policy is to exclude tree trunks, 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 TO CONVERT GLENN STREET INTO
A ONE-WAY STREET**

Motion was made by Commissioner Villarreal, seconded by Commissioner Vela, to approve to convert Glenn Street into a one-way street extending from 1st Avenue to 3rd Avenue

and to install a speed hump to secure pedestrians crossing to the playing fields and pool 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 EMPLOYEE TRANSFER FROM PRECINCT ONE
SPECIAL ROAD AND BRIDGE DEPARTMENT SLOT #3 TO SLOT #2
RECYCLING DEPARTMENT**

Motion was made by Commissioner Martinez, seconded by Commissioner Villarreal, to approve employee transfer from Precinct 1, Special Road and Bridge Department employee slot #3 (Homero Guzman) to slot #2 at Recycling Department due to resignation and fill open slot at the Special Road and Bridge with a certified CDL driver at \$10.25 per hour 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 ADVERTISING LOCALLY FOR ONE-ACRE TRACT
IN VICINITY OF FLORES PARK**

Motion was made by Commissioner Villarreal, seconded by Commissioner Martinez, to approve to advertise locally for one-acre tract in the vicinity of Flores Park to be used as a bird sanctuary required in compliance with TPWD grant award 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 MARIO GONZALEZ-DAVIS, PROJECT
MANAGER, TO APPROVE QUOTE FROM MATA CONSTRUCTION FOR
LABOR AND MATERIALS TO STUCCO EAST AND WEST SIDE OF EXISTING
COMMUNITY CENTER**

Motion was made by Commissioner Martinez, seconded by Commissioner Vela, to table request by Mario Gonzalez-Davis, Project Manager, to approve quote from Mata Construction Company for labor and materials to stucco the east and west side of the existing Community Center to match the north side already completed.

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 MARIO GONZALEZ-DAVIS, PROJECT
MANAGER, TO APPROVE QUOTE FROM MATA CONSTRUCTION
COMPANY FOR LABOR AND MATERIALS TO STUCCO EXTERIOR OF TWO
BUILDINGS BEHIND THE ZAPATA COUNTY MUSEUM**

Motion was made by Commissioner Martinez, seconded by Commissioner Vela, to table request by Mario Gonzalez-Davis, Project Manager, to approve the quote from Mata Construction Company for labor and materials to stucco the exterior of two (2) buildings behind the Zapata County Museum to match the museum exterior.

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

**ORDER APPROVING PURCHASE OF 2006 FORD F-250 TRUCK
FROM SHERIFF'S IMPOUND**

Motion was made by Commissioner Vela, seconded by Commissioner Villarreal, to approve the purchase of a 2006 Ford F-250 truck from the Sheriff's impound for the purchase price of \$6,500.00, funding to be obtained from line item #80-600-336 as requested by Carlos Treviño, Jr., Water Plant Manager.

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

**ORDER APPROVING 4TH QUARTER PAYMENT FOR ZAPATA
COUNTY CHAMBER OF COMMERCE**

Motion was made by Commissioner Martinez, seconded by Commissioner Villarreal, to approve the 4th quarter payment of \$35,000.00 for the Zapata County Chamber of Commerce as requested by Paco Mendoza, ZC Chamber of Commerce Director.

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

**ORDER APPROVING EMPLOYMENT OF TEMPORARY EMPLOYEE
IN PRECINCT FOUR**

Motion was made by Commissioner Martinez, seconded by Commissioner Villarreal, to approve the employment of a temporary employee in Precinct 4 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 TO TABLE REQUEST BY COMMISSIONER EDDIE MARTINEZ TO ENTER INTO AGREEMENT WITH ZAPATA COUNTY CHAMBER OF COMMERCE BOARD OF DIRECTORS TO TRANSFER CHAMBER OF COMMERCE STAFF TO ZAPATA COUNTY MUSEUM

Motion was made by Commissioner Martinez, seconded by Commissioner Vela, to table request by Commissioner Eddie Martinez, to enter into agreement with the Zapata County Chamber of Commerce Board of Directors to transfer Chamber of Commerce staff to the Zapata County Museum.

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 COMMISSIONER EDDIE MARTINEZ TO AUTHORIZE THE ZAPATA COUNTY CHAMBER OF COMMERCE STAFF THE OPTION TO JOIN THE ZAPATA COUNTY'S INSURANCE AND RETIREMENT PLAN AT THEIR EXPENSE. PENDING APPROVAL OF ITEM #32 FROM THE ZAPATA COUNTY COMMISSIONERS' COURT AND ZAPATA COUNTY CHAMBER OF COMMERCE BOARD OF DIRECTORS

ORDER APPROVING PURCHASE OF BROCE RCT 2010 SWEEPER

Motion was made by Commissioner Martinez, seconded by Commissioner Vela, to approve the purchase of Broce RCT 2010 Sweeper for the amount of \$41,400.000. \$29,400.00 to be paid out of Precinct 2 Caliche Fund (15-012-593) and \$12,000.00 to be paid out of Precinct 2 Road Construction Fund (15-012-554) 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 DORA RAMOS, DISTRICT CLERK, TO AWARD ZAPATA COUNTY ROPING ARENA BID

Motion was made by Commissioner Martinez, seconded by Commissioner Villarreal, to table request by Dora Ramos, District Clerk, to award the Zapata County Roping Arena bid. (The lowest bidder was Fig-Co with a bid of \$364,329.00.)

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

ORDER AWARDING BID FOR PRECINCT 4 PARK CANOPIES

Motion was made by Commissioner Martinez, seconded by Commissioner Vela, to award bid for Precinct 4 park canopies to Fig-Co with a bid of \$71,643, being the lowest bidder, 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 TO CEREMONIALLY RENAME U.S. HIGHWAY 83
(MAIN STREET)**

Motion was made by Commissioner Martinez, seconded by Commissioner Villarreal, to approve to ceremonially rename U.S. Highway 83 extending from 1st Avenue to Morales Avenue with the name of “Main Street” 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 TO CEREMONIALLY RENAME U.S. HIGHWAY 16
(HAWK PRIDE AVENUE)**

Motion was made by Commissioner Villarreal, seconded by Commissioner Martinez, to approve to ceremonially rename U.S. Highway 16 extending from the intersection of U.S. Highway 83 and U.S. Highway 16 to 20th Street with the name of “Hawk Pride Avenue” as requested by County Judge Rosalva Guerra.

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

ORDER APPROVING SPEED HUMPS AND SECURITY LIGHT

Motion was made by Commissioner Martinez, seconded by Commissioner Vela, to approve installation of a speed hump between 13th and 16th on Villa Street 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.

Motion was made by Commissioner Martinez, seconded by Commissioner Vela, to approve the installation of a security light at 2208 Elm Street in the town of Zapata 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.

Motion was made by Commissioner Martinez, seconded by Commissioner Vela, to approve the installation of speed humps at the following locations:

- a. Vicki Lane and Falcon Lane
- b. Monterrey Lane and Carrizo Lane

as requested by Commissioner Eddie Martinez, Pct. 3.

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 Vela, to approve the following line item transfers:

From:	Info. & Assistance Program	37-645-330	Fuel & Lubricant	\$1,500.00
To:	Info. & Assistance Program	37-645-336	Repairs & Maintenance	\$1,500.00

to meet budget requirements as requested by Carmen R. Reyes, Nutrition Program Director.

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 Vela, to approve the following line item transfers:

From:	Pct. 1 Paving Projects	10-370-901	Royalty Funds	\$15,000.00
To:	Pct. 1 Paving Projects	10-409-751	Special Materials	\$15,000.00

From:	Pct. 1 Paving Projects	10-370-901	Royalty Funds	\$25,000.00
To:	Pct. 1 Paving Projects	10-409-761	Special Contract Services	\$25,000.00

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

The above motion was, being put to a vote, was approved by the affirmative vote of Commissioners Martinez, Vela and Villarreal. Judge Guerra voted against. Motion carried.

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

From:	Water Plant	80-600-441	Water Purchase	\$15,600.00
To:	Water Plant	80-600-589	Equipment	\$15,600.00

From:	Water Plant	80-600-335	Computer Expense	\$4,200.00
To:	Water Plant	80-600-205	Uniforms	\$4,200.00

From:	Water Plant	80-600-443	Electricity	\$20,000.00
To:	Water Plant	80-600-336	Repairs & Maintenance	\$20,000.00

to meet budget requirements as requested by Carlos Treviño, Jr., 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 Martinez, seconded by Commissioner Vela, to approve the following line item transfers:

From:	Constable #1	10-550-454	Maintenance/Repairs	\$1,000.00
To:	Constable #1	10-550-310	Supplies	\$1,000.00

From:	Constable #1	10-550-330	Fuel/Lubricants	\$1,500.00
To:	Constable #1	10-550-310	Supplies	\$1,500.00

to meet budget requirements as requested by Adalberto Mejia, Constable #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 VELA, SECONDED BY
COMMISSIONER VILLARREAL, TO ENTER INTO EXECUTIVE SESSION**

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

**ORDER AUTHORIZING COUNTY ATTORNEY TO ACCEPT \$5,064.52 AS
SETTLEMENT OFFER FOR MEDICAL GRADE OXYGEN**

Motion was made by Commissioner Vela, seconded by Commissioner Villarreal, to authorize Said Alfonso Figueroa, County Attorney, to accept a settlement offer made by Airgas in the amount of \$5,064.52 to be paid from the tobacco fund as requested by Said A. Figueroa, County Attorney.

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 Villarreal, 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