

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

Be it remembered, that on this the 11th day of October, A. D., 2011, 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:

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

ROLL CALL BY MARY JAYNE VILLARREAL-BONOAN, COUNTY CLERK

PRESENT:

Hon.	Norberto Garza	Commissioner, Precinct No. 4, Presiding
	Jose Emilio Vela	Commissioner, Precinct No. 1
	Mary Jayne Villarreal-Bonoan	County Clerk

NO QUORUM WAS PRESENT

MEETING WAS RECESSED UNTIL 5:00 P.M.

MEETING CALLED TO ORDER AT 5:00 P. M.

ROLL CALL BY MARY JAYNE VILLARREAL-BONOAN, COUNTY CLERK

PRESENT:

Hon.	Eddie Martinez	Commissioner, Precinct No. 3, Presiding
	Jose Emilio Vela	Commissioner, Precinct No. 1
	Norberto Garza	Commissioner, Precinct No. 4
	Mary Jayne Villarreal-Bonoan	County Clerk

ABSENT:

Hon.	Joseph Rathmell	County Judge
	Gabriel Villarreal	Commissioner, Precinct No. 2
	Saíd Alfonso Figueroa	County Attorney

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

PLEDGE OF ALLEGIANCE

PRAYER BY REV. ROGER MILLER

**ORDER APPROVING MINUTES FOR MEETING OF SEPTEMBER 12, 2011
AND SEPTEMBER 19, 2011**

Motion was made by Commissioner Vela, seconded by Commissioner Garza, to approve the Minutes of September 12, 2011 and September 19, 2011, 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.

PUBLIC PARTICIPATION REGARDING SEWER CONCERNS IN FOUR SEASONS

Residents of Four Seasons were present to express their concerns regarding sewer problems. Richard Whitney, spokes person for the residents addressed the Commissioners' Court and stated that the 30 year-old system is inadequate. Raw water surfaces during peak seasons and sewer water floods some areas and also drains into Falcon Lake. The dump station was underwater during last years flood. TCEQ has been notified and a TCEQ agent will be in the area. The property owner has refused to sign paperwork which would allow the County to maintain sewage system and streets. Presently the park is private property and the Count has no jurisdiction.

PUBLIC PARTICIPATION REGARDING ASSIGNMENT OF SERVICE REPRESENTATIVE AGENTS TO BLUE CROSS AND BLUE SHIELD

Robert Laurel and Blas Martinez, Jr., addressed the Court regarding item #17 to assign Service Representative Agents to Blue Cross and Blue Shield. Commissioner Vela stated the Zapata County had voted to terminate the former agent and if this proposal was to approve a broker he was going to vote deny the item because the County is presently insured by Blue Cross and Blue Shield through Texas Association of Counties.

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 TREASURER'S REPORT

Motion was made by Commissioner Garza, seconded by Commissioner Vela, to approve the Treasurer's Report, pending explanation of expenses by Carlos Treviño, Jr., Zapata County Water Works, as presented 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.

RISK MANAGEMENT & WORKERS COMPENSATION UPDATE

Requested by Victor Uvalle, Risk Management Consultant, Texas Association of Counties
(Mr. Uvalle was unable to attend.)

NO ACTION WAS TAKEN ON REQUEST BY ROGELIO TREVIÑO OF WORKFORCE SOLUTIONS FOR SOUTH TEXAS REGARDING DISCUSSION ON RESCISSION OF SPACE ORIGINALLY OFFERED BY ZAPATA COUNTY WORKFORCE SOLUTIONS FOR SOUTH TEXAS BOARD TO OPERATE A WORKFORCE SOLUTIONS WORKFORCE CENTER AT ZAPATA COUNTY ADVANCE EDUCATION CENTER AND NEW OPTIONS BY ZAPATA COUNTY

**ORDER TO TABLE REQUEST BY JUAN F. AGUILERA, ESCAMILLA, PONECK & CRUZ
LLP REGARDING PLAN OF FINANCE TO ISSUE TAX EXEMPT OBLIGATIONS TO PAY
CERTAIN COUNTY ROAD IMPROVEMENTS AND RELATED LIABILITIES**

Motion was made to Commissioner Vela, seconded by Commissioner Garza, to Table request by Juan F. Aguilera, of Escamilla, Poneck & Cruz, LLP, regarding a plan of finance to issue tax exempt obligations to pay certain county road improvements and related liabilities; and other matters incident and related thereto as requested by Juan F. Aguilera, 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 APPROVING PAYMENT OF MEMBERSHIP FEES IN AMOUNT OF \$734.15 TO RIO
GRANDE REGIONAL WATER PLANNING GROUP**

Motion was made by Commissioner Vela, seconded by Commissioner Garza, to approve the payment of membership fees in the amount \$734.15 to the Rio Grande Regional Water Planning Group 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 TO FILL JOB VACANCY WITHIN PRECINCT 1 - SPECIAL ROAD
AND BRIDGE DEPARTMENT, SLOT #1 WITH TEMPORARY EMPLOYEE**

Motion was made by Commissioner Garza, seconded by Commissioner Vela, to approve to fill job vacancy within Precinct 1 - Special Road and Bridge Department, Slot #1 with a temporary employee at \$8.25 per hour 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.

**ORDER ACCEPTING RESIGNATION FROM ZAPATA SPECIAL ROAD AND BRIDGE
DEPARTMENT EMPLOYEE LEROY RAMIREZ AND APPROVE TO FILL VACANCY WITH
JOSE D. MEDINA, JR.**

Motion was made by Commissioner Vela, seconded by Commissioner Garza, to accept the resignation from Zapata Special Road and Bridge Department employee, Leroy Ramirez, Slot #9 and approve to fill vacancy with Jose D. Medina, Jr. at \$9.17 per hour as CDL Driver 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.

**ORDER APPROVING 2001 REVISED ZAPATA COUNTY CEMETERY
MAP INCLUDING NEWLY OBTAINED AREA TO BE USED FOR
ADDITIONAL BURIAL PLOTS**

Motion was made by Commissioner Vela, seconded by Commissioner Garza, to approve the 2001 revised Zapata County Cemetery Map, including the newly obtained area to be used for additional burial plots as requested by Hon. Jose E. Vela, Commissioner, Pct. 1 and Belinda Bravo, Zapata County Clerk's Office.

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

ORDER DENYING REQUEST BY COMMISSIONER GARZA TO ASSIGN JERRY GARCIA AND MARIO TREVIÑO AS ZAPATA COUNTY'S REPRESENTATIVE AGENTS TO BLUE CROSS & BLUE SHIELD AND AUTHORIZE COUNTY JUDGE TO SIGN ALL RELEVANT DOCUMENTS THERETO

Motion was made by Commissioner Garza, seconded by Commissioner Vela, to deny request by Commissioner Norberto Garza, Pct. 2, to assign Jerry Garcia and Mario Treviño as Zapata County's Service Representative Agents to Blue Cross & Blue Shield and authorize the County Judge, Joe Rathmell, to sign all relevant documents and any other matters incident thereto.

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

ORDER APPROVING NAMING OF SAN YGNACIO NUTRITION CENTER GABRIEL VILLARREAL SENIOR CITIZENS NUTRITION CENTER

Motion was made by Commissioner Vela, seconded by Commissioner Garza, to approve the naming of the new San Ygnacio Nutrition Center Gabriel Villarreal Senior Citizens Nutrition Center as requested by Hon. Norberto Garza, Commissioner Pct. 4 and Wally Gonzalez.

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

ORDER APPROVING RESIGNATION OF GUADALUPE ARAMBULA FROM ZAPATA COUNTY FIRE DEPARTMENT EFFECTIVE SEPTEMBER 30, 2011

Motion was made by Commissioner Vela, seconded by Commissioner Garza, to approve the resignation of Guadalupe Arambula from the Zapata County Fire Department, effective September 30, 2011 as requested by Juan Jose Meza, Zapata County Fire Chief.

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

ORDER APPROVING EMPLOYMENT OF AN EMT FOR SLOT #29 AT \$10.29 PER HOUR

Motion was made by Commissioner Garza, seconded by Commissioner Vela, to approve the employment of an EMT for slot # 29 at \$10.29 per hour, the position has been advertised for a period of two (2) weeks as requested by Juan Jose Meza, Zapata County Fire Chief.

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

ORDER APPROVING NEW ACCIDENT PREVENTION PLAN TO ADHERE TO TEXAS ASSOCIATION OF COUNTIES GUIDELINES

Motion was made by Commissioner Garza, seconded by Commissioner Vela, to approve the new Accident Prevention Plan to adhere to Texas Association of Counties Guidelines as requested by Hon. Joe Rathmell, County Judge & Brian Martinez, Executive Clerk.

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

ORDER APPROVING "NORTH SIDE STEPS OF ZAPATA COUNTY COURTHOUSE" AS DESIGNATED AREA OF COURTHOUSE WHERE SALES ARE TO TAKE PLACE AS PER TEXAS PROPERTY CODE 51.002

Motion was made by Commissioner Vela, seconded by Commissioner Garza, to approve the North "North side steps of Zapata County Courthouse" as the designated area of the courthouse where sales are to take place as per the Texas Property Code 51.002 as requested by Hon. Joe Rathmell, County Judge and 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 INTERLOCAL AGREEMENT BETWEEN LUBBOCK COUNTY, TEXAS AND ZAPATA COUNTY, TEXAS PURSUANT TO FAIR DEFENSE ACT, TEXAS CODE OF CRIMINAL PROCEDURE 26.004(b) AND TEXAS GOVERNMENT CODE CHAPTER 791

Motion was made by Commissioner Vela, seconded by Commissioner Garza, to approve an interlocal agreement between Lubbock County, Texas, (acting through the Regional Public Defender for Capital Cases) and Zapata County, Texas. This Agreement is made pursuant to the Fair Defense Act, Texas Code of Criminal Procedure 26.044(b), and Texas Government Code Chapter 791 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.

NO ACTION WAS TAKEN ON REQUEST BY CARLOS TREVIÑO, JR., WATER PLANT MANAGER, REGARDING FUNDING FOR REPAIRS AND/OR REPLACEMENT TO PUMP NUMBER ONE AT RAW WATER INTAKE

ORDER APPROVING RENEWAL OF AREA AGENCY ON AGING OF SOUTH TEXAS DEVELOPMENT COUNCIL'S VENDOR AGREEMENT

Motion was made by Commissioner Vela, seconded by Commissioner Garza, to approve renewal of Area Agency on Aging of the South Texas Development Council's Vendor Agreement as requested by Hon. Joe Rathmell, County Judge and Nancy Rodriguez, Area Agency on Aging.

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

ORDER APPROVING USE OF ZAPATA COUNTY COURTHOUSE PARKING LOT TO HOLD TAKE BACK PILL EVENT

Motion was made by Commissioner Garza, seconded by Commissioner Vela, to approve the use of the Zapata County Courthouse parking lot to hold the Take Back Pill event to be held on Saturday, October 29, 2011 from 10:00 a.m.-2:00 p.m. The event is a bi-annual event sponsored by the Zapata County Community Coalition, in collaboration with DEA, as requested by Nedina "Nina" V. Gutierrez, Program Coordinator, SCAN, Inc. & the Zapata County Community Coalition.

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 EMPLOYEE JOSE LUIS HERRERA AS PERMANENT EMPLOYEE IN SLOT #4 AT ENVIRONMENTAL DEPARTMENT

Motion was made by Commissioner Vela, seconded by Commissioner Garza, to approve hiring of temporary employee, Jose Luis Herrera, as permanent employee in slot #4 at the Environmental Department as requested by Martin Guillermo Saenz, Environmental Department.

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

ORDER APPROVING HIRING TEMPORARY EMPLOYEE MARTIN JUAREZ, JR. AS PERMANENT EMPLOYEE IN SLOT #5 AT ENVIRONMENTAL DEPARTMENT

Motion was made by Commissioner Garza, seconded by Commissioner Vela, to approve hiring of employee, Martin Juarez, Jr., As permanent employee in Slot #5 at the Environmental Department as requested by Martin Guillermo Saenz, Environmental Department.

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 LIGHTS

Motion was made by Commissioner Garza, seconded by Commissioner Vela, to approve the installation of street lights at the following locations:

- a. 515 Falcon Shores Drive-Falcon Shores Addition
- b. Corner of 6th St. and Costa Rica-Flores Addition II
- c. 309 2nd Street-Flores Addition I
- d. 203 2nd Street-Flores Addition I
- e. 101 1st Street-Flores Addition I
- f. 1005 Elm Street- Zapata Town site
- g. 401 Glenn Street-Zapata Town site

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.

Motion was made by Commissioner Garza, seconded by Commissioner Vela, to approve the installation of a street light at the following location:

- a. 125 Trinity Lane in Zapata
- b. 1301 Mahogany Ave.

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.

Motion was made by Commissioner Garza, seconded by Commissioner Vela, to approve the installation of street lights at the following locations:

- a. 508 Hawk Street-Falcon Mesa
- b. 1713 Pascual Lane-Siesta Shores
- c. 302 Roma (behind McDonald's)
- d. 153 Madison
- e. 197 Madison

as requested by Hon. 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 Vela, to approve the installation of street lights at the following addresses:

- a. 1813 Alamo
- b. 1509 Zapata
- c. 1510 Villa

as requested by Hon. 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.

ORDER APPROVING RESOLUTION IN SUPPORT OF LOCAL BORDER SECURITY PROGRAM

Motion was made by Commissioner Garza, seconded by Commissioner Vela, to approve a resolution in support of the Local Border Security Program as requested by Mario Elizondo, 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 RESOLUTION FOR "TEXANS FEEDING TEXANS: HOME DELIVERED MEAL GRANT PROGRAM" FROM TEXAS DEPARTMENT OF AGRICULTURE

Motion was made by Commissioner Vela, seconded by Commissioner Garza, to approve a resolution for the "Texans Feeding Texans: Home Delivered Meal Grant Program" from the Texas Department of Agriculture as requested by Rosie Gonzalez, Grant Writer-Nutrition Center.

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 JUDGE RATHMELL REGARDING APPROVAL OF FY2012 INDIGENT DEFENSE COMMISSION FORMULA GRANT RESOLUTION

Motion was made by Commissioner Vela, seconded by Commissioner Garza, to Table request by Hon. Joe Rathmell, County Judge, regarding approval of the FY2012 Indigent Defense Commission Formula Grant Resolution 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.

NO ACTION WAS TAKEN ON REQUEST BY JUDGE RATHMELL AND MR. ROBERTO MONTES OF THE HISTORICAL COMMISSION REGARDING PROCLAMATION IN SUPPORT OF COMMEMORATING 2013 AS 60TH ANNIVERSARY OF RELOCATION OF SEVERAL ZAPATA COUNTY COMMUNITIES

ADJOURN

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