

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

Be it remembered, that on this the 14<sup>th</sup> day of June, 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
Norberto Garza	Commissioner, Precinct No. 4
Saíd Alfonso Figueroa	County Attorney
Mary Jayne Villarreal-Bonoan	County Clerk

**VISITORS:** Audie Hernandez, Dr. Edmundo Garcia, Joel Ruiz, Carlos Treviño, Jr., Mario Gonzalez-Davis, Brian Martinez, Juan J. Meza, Roger W. Miller, Caleb Eaton, Nereida Garza, Jose F. Mendoza, Marco A. Serna, Peggy Umphres Moffett, Manuel Gonzalez, Enrique Mejia III, Juan Gonzalez, Amada Gonzalez, Eloy R. Martinez, Fortunato Paredes, Karran Westerman, Michael Tracy, Hector Uribe, Amparo Montes-Gutierrez, Olga M. Flores, Dr. Hildegardo E. Flores, and Charles M. Bryant.

**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**

**PLEDGE OF ALLEGIANCE**

**PRAYER BY REV. ROGER MILLER**

**ORDER APPROVING MINUTES FOR MEETING OF MAY 10, 2010**

Motion was made by Commissioner Vela, seconded by Commissioner Villarreal, to approve the Minutes of May 10, 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 they had seen 840 patients in the month of May. They continue to work with specialists out of Laredo and are encouraging doctors to come in. They are also trying to adapt to the economic changes. (Report attached for the record.)

Juan Gonzalez, MAG Grant Writing, offered grant writing services to the county.

Karran Westerman, advised Commissioners' Court that she had called the judge's office requesting an item for the agenda regarding funding for fireworks for the 4<sup>th</sup> of July. Ms. Westerman was advised that agenda requests should be made in writing.

## **DEPARTMENTAL REPORTS**

Luis Lauro Gonzalez, Zapata County Tax Assessor/Collector, reported that the tax office collected \$102,025.45 for the month of May. Also collected were \$12,385.29 in Hotel Motel Tax funds.

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

Brian Martinez, Zapata County Judge's Office reported that he has received notice that the SECO Stimulus Block grant was approved. There will be savings of about \$3,000.00 per month.

Romeo Salinas, Zapata County Treasurer, was not present at Commissioners' Court due to attending a Treasurer's conference, however he submitted a written Treasurer's Report. (Report attached for the record.)

## **ORDER APPROVING INVOICES**

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

## **ORDER APPROVING INSTALLATION OF SPEED HUMPS AND/OR SECURITY LIGHTS**

Motion was made by Commissioner Garza, seconded by Commissioner Martinez, to approve installation of a speed hump at 4<sup>th</sup> Street in Flores Addition 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.

Motion was made by Commissioner Garza, seconded by Commissioner Martinez, to approve installation of a security light at 790 Vista Hermosa 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.

Motion was made by Commissioner Garza, seconded by Commissioner Martinez, to approve installation of a speed hump at corner of Monterrey and Pharr in Siesta Shores 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.

Motion was made by Commissioner Garza, seconded by Commissioner Martinez, to approve installation of a 4-way stop at the intersection of Falcon and Carrizo in Siesta Shores 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.

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

1. between 13<sup>th</sup> and 16<sup>th</sup> on Ramireño

2. between 13<sup>th</sup> and 16<sup>th</sup> on Falcon Street
  3. between 10<sup>th</sup> and 13<sup>th</sup> on Ramireño
- 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.

#### **LINE ITEM TRANSFERS**

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

From: County Auditor	10-495-310	Office Supplies	\$3,000.00
To: County Auditor	10-496-427	Workshop & Travel	\$3,000.00

to meet budget requirements 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.

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

From: Pct. 2 Gabriel Villarreal	10-002-398	Bird Sanctuary Feed/Supplies	\$7,000.00
To: Pct. 2 Gabriel Villarreal	10-002-392	Parks Pct. 2	\$7,000.00

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

From: Nutrition Program	38-649-392	Misc. & Safety Services	\$300.00
To: Nutrition Program	38-648-392	Misc. & Safety Services	\$300.00
From: Nutrition Program	38-648-330	Fuel & Lubricants	\$500.00
To: Nutrition Program	38-647-589	Center Equipment	\$500.00
From: Nutrition Program	38-648-330	Fuel & Lubricants	\$500.00
To: Nutrition Program	38-647-456	Vehicle Maintenance	\$500.00
From: Nutrition Program	38-648-336	Raw Food	\$500.00
To: Nutrition Program	38-647-467	Non Food Consumables	\$500.00
From: Nutrition Program	38-647-427	Travel	\$500.00
To: Nutrition Program	38-647-392	Safety Services	\$500.00
From: Nutrition Program	38-647-330	Fuel & Lubricants	\$500.00
To: Nutrition Program	38-648-454	Repairs & Maintenance	\$500.00

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

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

#### **ORDER APPROVING PURCHASE OF EKG MONITOR**

Motion was made by Commissioner Vela, seconded by Commissioner Martinez, to approve the purchase of an EKG Monitor for the amount of \$10,000.00 to be paid from the Tobacco Fund as requested by Chief Juan J. Meza.

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

**ORDER APPROVING CONTRACT WITH CAMERON COUNTY, TEXAS FOR HOUSING INMATES AT ZAPATA COUNTY JAIL**

Motion was made by Commissioner Garza, seconded by Commissioner Martinez, to approve contract with Cameron County, Texas for the housing of inmates at the Zapata County Jail as requested by Sheriff Sigifredo Gonzalez.

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

**ORDER APPROVING TO HIRE MRS. AMPARO MONTES-GUTIERREZ AS MUSEUM CURATOR**

Motion was made by Commissioner Vela, seconded by Commissioner Martinez, to approve the hiring of Mrs. Amparo Montes-Gutierrez as the Museum Curator for the Zapata County Museum of History, at a salary of \$30,000.00 per year, plus fringe benefits effective July 1, 2010 as per the recommendation of Dr. Hildegardo Fores, Chairman of the ZCM. Mrs. Gutierrez salary is to be paid partially from Commissioner Martinez Parks fund (10-063-394) until the end of the fiscal year.

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

**UPDATE AND STATUS REPORT ON THE VARIOUS PROJECTS BY ZAPATA COUNTY WATERWORKS AND ZAPATA COUNTY WASTEWATER DEPARTMENT AS REQUESTED BY CARLOS TREVIÑO, JR., WATERWORKS MANAGER**  
(This item was presented in the May 14, 2010 Regular Meeting)

**REPORT OF ZAPATA COUNTY SCAN**

Fina Villarreal presented Commissioners' Court with a report of the Zapata County SCAN, (Serving Children and Adolescent in Need, Inc.). (Copy attached for the record).

**ORDER APPROVING AGREEMENT BY AND BETWEEN ZAPATA COUNTY AND SERVING CHILDREN AND ADOLESCENTS IN NEED, INC. (SCAN)**

Motion was made by Commissioner Vela, seconded by Commissioner Garza, to approve an agreement by and between Zapata County and Serving Children and Adolescents in Need, Inc. (SCAN) as requested by Fina Villarreal, SCAN.

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. Umphres Moffett, ZEDC President, submitted the monthly written report for the Zapata County Economic Development Center.

**PRESENTATION BY COLONIAL LIFE**

Ignacio Salazar and Esther Quiroga, gave a presentation of an employee benefit plan offered by Colonial Life. They will come in and make a medical bridge assessment then offer proposal to cover deductible. Other portable programs are also available. They will make arrangements to meet with departments.

**NO ACTION ON REQUEST BY LOCAL RESIDENT REGARDING ERRONEOUS APPRAISAL OF HOMESTEAD**

(as requested by Commissioner Jose Emilio Vela, Pct. 1)

**ORDER APPROVING REQUEST TO ADOPT DISTRICT COURT MANAGEMENT AND PRESERVATION SERVICE FROM DEFENDANTS CONVICTED OF AN OFFENSE IN DISTRICT COURT**

Motion was made by Commissioner Garza, seconded by Commissioner Martinez, to approve request to adopt District Court record management and preservation service from defendants convicted of an offense in District Court effective June 15, 2010 as requested by Dora Ramos, District Clerk.

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

**ORDER APPROVING REQUEST TO ADOPT A DISTRICT RECORD ARCHIVE FEE OF NOT MORE THAN \$5.00 AS PER GOVERNMENT CODE 51.305**

Motion was made by Commissioner Garza, seconded by Commissioner Martinez, to approve request to adopt a District record archive fee of not more than \$5.00 as per Government Code 51.305 effective June 15, 2010 as requested by Dora Ramos, District Clerk.

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

**ORDER AUTHORIZING MANUEL GONZALEZ TO PREPARE WORDING FOR BID FOR CONSTRUCTION OF METAL ROOF FOR ROPING ARENA AND ORDER TO ALLOW COMMITTEE TO CONTINUE WITH ORIGINAL PLANS**

Motion was made by Commissioner Martinez, seconded by Commissioner Garza, to authorize Manuel Gonzalez to prepare wording for bid for the construction of the metal roof for the roping arena and to allow the committee to continue with the original plans as requested by Jose F. Mendoza, Zapata County Shop.

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

**ORDER AWARDING BID FOR LINDA VISTA PROJECT**

Motion was made by Commissioner Vela, seconded by Commissioner Villarreal, to award bid for the Linda Vista Project, to the lowest bidder being Guzman - Juarez Backhoe with a bid in the amount of \$330,997.89 as recommended and 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 WASTEWATER ORDINANCE FOR COUNTY OF ZAPATA**

Motion was made by Commissioner Villarreal, seconded by Commissioner Garza, to approve a Wastewater Ordinance for the County of Zapata as requested Carlos Treviño, Jr., Waterworks Manager.

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

**ORDER APPROVING ADVERTISEMENT FOR LICENSED WASTEWATER OPERATOR AND /OR OPERATOR TRAINEE FOR ZAPATA COUNTY WASTEWATER PLANT**

Motion was made by Commissioner Martinez, seconded by Commissioner Vela, to approve the advertisement for a licensed Wastewater Operator and/or Operator Trainee for the Zapata County Wastewater Plant with the requirement that the new applicant must have a CDL license as requested by Carlos Treviño, Jr., Waterworks Manager.

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

**ORDER APPROVING SCHEDULE FOR PICK UP OF RESIDENTIAL BRANCHES BY COUNTY WORKERS IN EACH PRECINCT**

Motion was made by Commissioner Vela, seconded by Commissioner Villarreal, to approve schedule for pickup of residential tree branches by county workers in each precinct once a month as follows:

- Precinct 1: Week 1
- Precinct 2: Week 4
- Precinct 3: Week 3
- Precinct 4: Week 2

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 PUBLISHING OF GUIDELINES REGARDING PICKUP OF CUT BRANCHES**

Motion was made by Commissioner Vela, seconded by Commissioner Garza, to approve publishing of guidelines regarding pickup of cut branches 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 A POLICY DEALING WITH DAMAGES CAUSED BY ZAPATA COUNTY WATERWORKS DEPARTMENT AND ZAPATA COUNTY WASTEWATER DEPARTMENT**

Motion was made by Commissioner Garza, seconded by Commissioner Martinez, to approve a new policy dealing with any damages caused by Zapata County Waterworks Department and the Zapata County Wastewater Department 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 PURCHASE OF AN F-150 TRUCK FOR PRECINCT 2**

Motion was made by Commissioner Garza, seconded by Commissioner Martinez, to approve the purchase of an F-150 truck for Precinct 2 from line item 15-012-593 (Caliche), purchase price under \$15,500.00, 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 ALLOWING RETIREES TO KEEP LIFE INSURANCE AND DENTAL/VISION INSURANCE UPON RETIREMENT**

Motion was made by Commissioner Garza, seconded by Commissioner Martinez, to allow retirees to keep life insurance and dental/vision insurance upon retirement 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 REQUEST FOR PROPOSALS FOR DENTAL/VISION PLAN  
FOR 2010 - 2011**

Motion was made by Commissioner Garza, seconded by Commissioner Martinez, to approve request for proposals for dental/vision plan for 2010-2011 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 RESOLUTION FOR RIO GRANDE INTERNATIONAL  
STUDY CENTER**

Motion was made by Commissioner Vela, seconded by Commissioner Garza, to approve a Resolution for the Rio Grande International Study Center 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.

**MOTION WAS MADE BY COMMISSIONER GARZA, SECONDED BY  
COMMISSIONER VILLARREAL, TO ENTER INTO EXECUTIVE SESSION**

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

**ORDER AUTHORIZING COUNTY JUDGE TO ENTER INTO AN EARNEST MONEY  
CONTRACT TO PURCHASE LOTS AND ORDER APPROVING COST ALLOCATION  
FOR SURVEY**

Motion was made by Commissioner Vela, seconded by Commissioner Villarreal, to authorize Zapata County Judge to enter into an Earnest Money Contract with the Jerry Lee Cords Trust to purchase Lots One Hundred Ninety-Four (194) and One Hundred Ninety-Six (196) in Block Number Thirty-Eight (38) in San Ygnacio, Texas from said Trust at a cost of \$25,000.00 and authorizing the Zapata County Judge to execute all relevant documents and also allow cost allocation for survey of property as requested by Juan Cruz, Escamilla, Poneck & Cruz, L.L.P.

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

**ORDER AUTHORIZING LEGAL COUNCIL TO PROCEED WITH ZAPATA  
COUNTY'S LEASE AGREEMENT WITH TCI CABLEVISION OF SOUTH TEXAS**

Motion was made by Commissioner Vela, seconded by Commissioner Garza, to authorize legal council to proceed with Zapata County's lease agreement with TCI Cablevision of South Texas and any matter incident thereto as requested by Juan Cruz, Escamilla, Poneck, & Cruz, L.L.P.

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

**ORDER AUTHORIZING LEGAL COUNCIL TO RESPOND TO RIVER PIERCE  
PROPERTIES FOUNDATION IN CONNECTION WITH SAN YGNACIO  
IMPROVEMENTS PROJECTS**

Motion was made by Commissioner Vela, seconded by Commissioner Martinez, to authorize legal council to respond to River Pierce Properties Foundation in connection with the San Ygnacio Improvement Projects as requested by Juan Cruz, Escammilla, Poneck & Cruz, L.L.P.

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

**ORDER TO PROCEED TO FILE DECLARATORY JUDGEMENT ACTION IN CONNECTION WITH LOT 18, BLOCK 5 IN SAN YGNACIO TOWNSITE, ZAPATA COUNTY TEXAS**

Motion was made by Commissioner Vela, seconded by Commissioner Martinez, to proceed to file a declaratory judgement action in connection with Lot 18, Block 5 in the San Ygnacio Townsite, Zapata County, Texas also known as 401 Treviño Street, San Ygnacio, Texas as requested by Juan Cruz, Escamilla, Poneck and Cruz, L.L.P.

*Enrique Mejia III, with Mejia Land Surveys addressed Commissioner's Court and clarified that what Mr. Ruiz had received from Zapata County is not a survey, it's an exhibit. Manuel Gonzalez, Jr., Premier Engineering, stated that research and field work has been prepared. Mr. Ruiz was asked to get an independent survey. Parties would then compare findings and make revisions if necessary.*

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

**ORDER TO TERMINATE CONTRACT WITH HECTOR URIBE, CPC, AND HIRE HIM AS NEEDED**

Motion was made by Commissioner Martinez, seconded by Commissioner Garza, to terminate contract with Hector Uribe, CPC, and hire him as needed 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.

**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.

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ROSALVA GUERRA, COUNTY JUDGE  
ZAPATA COUNTY, TEXAS

ATTEST:

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