

**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 May, A. D., 2012, 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	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
	Mary Jayne Villarreal-Bonoan	County Clerk

ABSENT: Saíd Alfonso Figueroa County Attorney

VISITORS: Romeo Salinas, Triunfo Gonzalez, Mario Gonzalez-Davis, Auddy Hernandez, Nellie R. Treviño, Brian J. Martinez, J.J. Meza, Luis L. Gonzalez, Delia Mendoza, Jeffrey S. Boroczky, Antonio Amar, Jose F. Mendoza, Maria I. Gutierrez, Anna Juarez, Paco Mendoza, Paul Garza, Fortunato Paredes, Juan Cruz, Peggy U. Moffett, Manuel Gonzalez, and Maria E. Gutierrez.

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

INVOCATION BY REV. ROGER MILLER, KING'S WAY CHURCH

PLEDGE OF ALLEGIANCE

ORDER APPROVING MINUTES OF APRIL 10, 2012 AND APRIL 13, 2012

Motion was made by Commissioner Vela, seconded by Commissioner Martinez, to approve the Minutes of April 10, and April 13, 2012 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.

REPORTS / PRESENTATIONS / PUBLIC PARTICIPATION

LITTLE LEAGUE FINANCIAL REPORT

Mr. Ramiro Hernandez gave the Little League Financial Report. (Report attached for the record.)

BOYS AND GIRLS CLUB OUTLOOK REPORT

Mr. Ramiro Hernandez presented an outlook for the Summer months of the Boys and Girls Club. (Report attached for the record.)

DEPARTMENTAL REPORTS

Luis Lauro Gonzalez, Zapata County Tax Assessor/Collector, reported that the tax office collected \$10,084.67 in Hotel Motel Tax fees and \$141,931.67 in tax collections for the month of April.

Brian J. Martinez, presented Commissioners' Court the Annual Safety Award which was awarded to Zapata County by 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 Martinez, seconded by Commissioner Garza, to approve Treasurer's Report 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.

PRESENTATION TO INFORM PUBLIC ON NEWLY FUNDED PROGRAM TO ASSIST DISADVANTAGED AND DISABLED RESIDENTS

Commissioner Vela, gave a brief presentation informing the public on a newly funded program to assist disadvantaged and disabled residents under the South Texas Development Council in collaboration with the Zapata County Commissioner's Court as requested by Hon. Jose E. Vela, Commissioner Pct. 1.

PRESENTATION BY COUNTY AUDITOR TRIUNFO GONZALEZ AND ARTURO GARCIA WITH TIME WARNER CABLE

Mr. Triunfo Gonzalez and Mr. Arturo Garcia, addressed Commissioners' Court regarding internet service. Mr. Garcia stated that Time Warner Cable could improve the speed of our internet by replacing any copper lines with fiber optics. Time Warner covers costs of infrastructure. Presentation requested by Triunfo Gonzalez, County Auditor.

REPORT ON CORRECTIVE MEASURES REGARDING COUNTY SHOP

Mr. Triunfo Gonzalez addressed Commissioners' Court regarding corrective measures at the County Shop. He stated that the County Shop is using two different systems for time record keeping. Measures are being taken to correct this matter.

ZAPATA COUNTY MEDICAL CLINIC REPORT FOR MARCH

Ed Romero reported 875 patient encounters in April. Two employees have been replaced and the office manager position has been filled. The bone density testing equipment is now in place.

Presentation by Operation Lone Star 2012, July 23-27, 2012 as requested by Manuel Ramirez.
(No one present for this presentation)

PRESENTATION ON ZONING FOR CONSERVATION EASEMENTS

Mr. Hector Uribe addressed Commissioners' Court regarding the zoning for conservation easements. A Master Plan has been adopted and zoning ordinances will prevent future development in certain areas to reduce risks. Dr. Tangum will be providing a study and plans of the zoned areas.

Report on the Zapata County Higher Education Center as requested by
David Brown, Dean ZTAC.
(Dr. Brown was unavailable to give report.)

**ORDER APPROVING REPLACEMENT OF CURRENT CALL MANAGER
(PHONE SYSTEM)**

Motion was made by Commissioner Garza, seconded by Commissioner Martinez, to approve the replacement of the current call manager (phone system) for the Zapata County Courthouse as requested by Rene Garcilazo, County Computer Technician.

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

**ORDER APPROVING PRELIMINARY PROPOSAL FOR CREATION OF A RENAL
DIALYSIS CENTER**

Motion was made by Commissioner Garza, seconded by Commissioner Vela, to approve a preliminary proposal for the creation of a Renal Dialysis Center to treat and serve our local Zapata County patients as requested by Hon. Jose E. Vela, Commissioner Pct. 1 and Mr. Jeff Boroczky, DaVita Representative.

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

**ORDER APPROVING TO HIRE ESTEBAN GARZA AT SPECIAL ROAD AND
BRIDGE DEPARTMENT**

Motion was made by Commissioner Garza, seconded by Commissioner Martinez, to approve to hire Esteban Garza in slot #5 Special Road and Bridge Department Pct. 2 at \$8.00 an hour 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.

ORDER TO FILL COUNTY CEMETERY POSITION TEMPORARILY

Motion was made by Commissioner Garza, seconded by Commissioner Villarreal, to approve to fill County Cemetery position temporarily, pending the return of employee from sick leave, and be paid from cemetery funds, 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.

ORDER APPROVING HOURS OF OPERATION FOR BOAT RAMP PARK

Motion was made by Commissioner Vela, seconded by Commissioner Garza, to approve hours of operation for the Boat Ramp Park. Opening to be set at 6:00 a.m. and closing at 10:00 p.m. 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.

ORDER TO ENTER IN AN ARBITRAGE CALCULATION AGREEMENT BETWEEN ZAPATA COUNTY AND BNY MELLON FOR SERIES 2000 CERTIFICATE OF OBLIGATION AND SERIES 2005 LIMITED TAX REFUND BONDS

Motion was made by Commissioner Vela, seconded by Commissioner Garza, to approve to enter in an Arbitrage Calculation Agreement between Zapata County and BNY Mellon for Series 2000 Certificate of Obligation & Series 2005 Limited Tax Refunded Bonds with fees of \$4,500.00 each for a total of \$9,000.00, to be paid from legal consulting fees, as requested 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 INTERGOVERNMENTAL TRANSFER IN AMOUNT OF \$300,000.00 TO TEXAS HEALTH AND HUMAN COMMISSION TO FUND MEDICAID SUPPLEMENTAL PAYMENT TO LAREDO MEDICAL CENTER

Motion was made by Commissioner Martinez, seconded by Commissioner Garza, to approve an Intergovernmental Transfer in the amount of \$300,000.00 to the Texas Health and Human Commission to fund Medicaid Supplemental Payment to Laredo Medical Center as requested 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, REVIEWING AND ACCEPTING PROPOSAL BY GARZA ROOFING

Motion was made by Commissioner Garza, seconded by Commissioner Martinez, to approve, review and accept proposal by Garza Roofing, Mr. Paul Garza, in the amount of \$14,387.56 to repair

damages to county building due to hail and water damage 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 GRANT APPLICATION FOR LOCAL PROJECT GRANT IN AMOUNT OF \$30,000.00

Motion was made by Commissioner Garza, seconded by Commissioner Martinez, to approve the grant application for the Local Project Grant in the amount of \$30,000.00 to be used for a remount for an ambulance 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 PURCHASE OF NEW JAWS-OF-LIFE IN AMOUNT OF \$18,705.00 FROM TOBACCO FUND

Motion was made by Commissioner Martinez, seconded by Commissioner Vela, to approve purchase of new Jaws-of-Life in the amount of \$18,705.00 from the Tobacco fund 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 MARIO A. MARTINEZ, ZAPATA COUNTY PARAMEDIC AND TO FILL SLOT #20

Motion was made by Commissioner Garza, seconded by Commissioner Martinez, to accept the resignation of Mario A. Martinez, Zapata County Paramedic, and to fill slot #20, left vacant by his resignation, at \$12.39 an hour 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 ADDITIONAL FUNDING PAYABLE TO ZAPATA COUNTY CHAMBER OF COMMERCE FOR BASS CHAMPS SOUTH TEXAS REGION FISHING TOURNAMENT

Motion was made by Commissioner Garza, seconded by Commissioner Martinez, to approve additional funding in the amount of \$5,100.00 out of the Hotel Motel Tax and made payable to the Zapata County Chamber of Commerce for the Bass Champs South Texas Region Fishing Tournament (3 of 4 for 2012). Tournament will take place on May 18-19, 2012 as requested by Paco Mendoza, CEO 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 APPROVING ADDITIONAL FUNDING PAYABLE TO ZAPATA COUNTY CHAMBER OF COMMERCE FOR BUD LIGHT TRAIL OPEN TEAM FISHING TOURNAMENT

Motion was made by Commissioner Vela, seconded by Commissioner Martinez, to approve additional funding in the amount of \$1,200.00 out of Hotel Motel Tax and made payable to the Zapata County Chamber of Commerce for the Bud Light Trail Open Team Fishing Tournament (1 of 2 for 2012). Tournament will take place on May 26-27, 2012 as requested by Paco Mendoza, CEO 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 APPROVING BID/PROPOSAL BY BENAVIDES TRUCKING TO CONSTRUCT COMMERCIAL CHAIN LINK FENCE REQUIRED ON SEWER PLANT EXPANSION PROPERTY

Motion was made by Commissioner Martinez, seconded by Commissioner Vela, to approve the bid/proposal by Benavides Trucking in the amount of \$12,585.00 (labor cost only) for the construction of the perimeter commercial chain link fence (2,500 l.f.) as required on the Sewer Plant expansion property (8.54 acres) purchased late last year to meet the TCEQ new buffer requirements as requested by Mario Gonzalez-Davis, Project Coordinator.

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

ORDER APPROVING PURCHASE OF TWO EASEMENTS FROM GERSON GUZMAN AND LYNDIA C. SALAZAR NEEDED FOR FLORES 2 ADDITION COLONIA SEWER PROJECT

Motion was made by Commissioner Garza, seconded by Commissioner Vela, to approve the purchase of two (60 x 280.65) easements, from Gerson Guzman and Lynda C. Salazar, for the amount of \$10,000.00 needed for the Flores 2 Addition Colonia Sewer Project Contract No. 711325 as requested by Mario Gonzalez-Davis, Project Coordinator.

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

ORDER AUTHORIZING MARIO GONZALEZ-DAVIS AND COMMISSIONER VELA TO NEGOTIATE PURCHASE OF PART OF LOT 433 AND 434 IN FALCON LAKE ESTATES EAST FROM RITA I. RAMIREZ

Motion was made by Commissioner Martinez, seconded by Commissioner Garza, to authorize Mario Gonzalez-Davis and Commissioner Vela, to negotiate the purchase of part of lot 433 and lot 434 in Falcon Lake Estates East from Rita I. Ramirez in which Zapata County has a 23.4' drainage easement (2008) and limits the use of the rest of the lot as requested by Mario Gonzalez-Davis, Project Coordinator.

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

**ORDER APPROVING THE HIRING OF ARMANDO DEL BOSQUE AS
COLLECTION OPERATOR TRAINEE AT WASTEWATER COLLECTION SYSTEM
SLOT #9 VACANT POSITION**

Motion was made by Commissioner Villarreal, seconded by Commissioner Martinez, to approve the hiring of Armando Del Bosque as a collection operator trainee at the Wastewater collection system for slot #9 vacant position at a starting salary of \$10.25 per hour as requested by Carlos Treviño, Utilities Director & Eloy Chapa, Wastewater Supervisor.

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 PAVILION FOR ZAPATA
COUNTY MIDDLE SCHOOL 8TH GRADE BANQUET**

Motion was made by Commissioner Vela, seconded by Commissioner Villarreal, to approve the use of the Zapata County Pavilion for the Zapata County Middle School 8th Grade Banquet as requested by Gabriela Montes, Zapata Middle School.

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

**ORDER APPROVING REQUEST FOR PERMISSION TO ALLOW
SOUTHERN SANITATION TO DISPOSE OF ZAPATA COUNTY WASTE
ONLY IN SAN YGNACIO LANDFILL**

Motion was made by Commissioner Martinez, seconded by Commissioner Garza, to approve request for permission to allow Southern Sanitation to dispose of Zapata County waste only in the San Ygnacio landfill, pending permits by County, as requested by Antonio Amar, Southern Sanitation.

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

**ORDER ALLOWING SOUTHERN SANITATION TO PROVIDE WASTE
COLLECTION/LITTER CONTROL SERVICE TO COUNTY AT NO CHARGE TO
NEWLY BUILT ZAPATA COUNTY BOAT RAMP PARK**

Motion was made by Commissioner Vela, seconded by Commissioner Garza, to allow Southern Sanitation to provide waste collection/litter control service to the County, at no charge, to the newly built Zapata County Boat Ramp Park as requested by Antonio Amar, Southern Sanitation.

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

**ORDER APPROVING REQUEST FOR PERMISSION TO INSTALL AERIAL FIBER
OPTIC CABLE ALONG POTRERITOS ROAD**

Motion was made by Commissioner Martinez, seconded by Commissioner Villarreal, to approve request for permission to install aerial fiber optic cable along Potreritos Road. The aerial cable will start at the intersection of U.S. Highway 83 and Potreritos Road and proceed along Potreritos Road on the existing power poles for approximately 3,200 feet to the American Tower site

at lot 57. This cable enables Border to Border to provide additional capacity for the American Tower cell phone site and offer high-speed internet to residents along Potreritos Road between Highway 83 and the tower site as requested by Bert Walling, Border to Border Communications.

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

ORDER AWARDING REQUEST FOR QUALIFICATION NUMBER 2012-001 FOR A MOLD ASSESSMENT CONSULTATION TO BEST QUALIFIED RESPONDENT AS DETERMINED BY ZAPATA COUNTY COMMISSIONERS COURT AND AUTHORIZE ZAPATA COUNTY JUDGE TO NEGOTIATE CONTRACT

Motion was made by Commissioner Vela, seconded by Commissioner Garza, to award Request for Qualification Number 2012-001 for a Mold Assessment consultant to the best qualified respondent as determined by the Zapata County Commissioners Court and to authorize the Zapata County Judge to negotiate a contract with said respondent as requested by Fortunato Paredes, Attorney at Law, 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 DIRECTING ZAPATA COUNTY AUDITOR TO SOLICIT REQUEST FOR QUALIFICATIONS FOR MOLD REMEDIATION CONTRACTOR ON MATTERS RELATING TO ZAPATA COUNTY COURTHOUSE AND ANY MATTERS INCIDENT THERETO

Motion was made by Commissioner Vela, seconded by Commissioner Martinez, to direct the Zapata County Auditor to solicit request for qualifications for a mold remediation contractor on matters relating to the Zapata County courthouse and any matters incident thereto as requested by Fortunato Paredes, Attorney at Law, 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 INSTALLATION OF STREET LIGHT AT 615 FALCON AVENUE

Motion was made by Commissioner Martinez, seconded by Commissioner Garza, to approve installation of a street light at 615 Falcon Avenue 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.

LINE ITEM TRANSFERS

Motion was made by Commissioner Vela, seconded by Commissioner Garza, to approve the following line item transfer, to meet budget requirements.

From: Non-Department	10-409-730	Consultants	\$8,000.00
To: Judge's Office	10-400-400	Indigent Defense	\$8,000.00

as requested by Roxana Elizondo, Court Coordinator.

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 meet budget requirements.

From: Public Library	10-650-464	Periodicals	\$1,000.00
To: Public Library	10-650-427	Travel	\$1,000.00
From: Public Library	10-650-330	Fuel	\$800.00
To: Public Library	10-650-427	Travel	\$800.00

as requested by Aida Garcia, Zapata County Library 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 Garza, seconded by Commissioner Martinez, to approve the following line item transfers, to meet budget requirements:

From: Z.C. Constable Pct. 1	10-550-205	Uniforms	\$250.00
To: Z.C. Constable Pct. 1	10-550-427	Travel	\$250.00
From: Z.C. Constable Pct. 1	10-550-310	Supplies	\$200.00
To: Z.C. Constable Pct. 1	10-550-427	Travel	\$200.00
From: Z.C. Constable Pct. 1	10-550-330	Lubricants	\$300.00
To: Z.C. Constable Pct. 1	10-550-427	Travel	\$300.00
From: Z.C. Constable Pct. 1	10-550-205	Uniforms	\$300.00
To: Z.C. Constable Pct. 1	10-550-454	Repairs	\$300.00

as requested by Adalberto Mejia, Constable 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 the following line item transfer, to meet budget needs:

From: Z.C. Extension	10-665-427	Travel	\$1,000.00
To: Z.C. Extension	10-665-310	Supplies	\$1,000.00

as requested by Rosa Icela Mejia, Zapata County Extension Service.

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 FY 2012

Motion was made by Commissioner Garza, seconded by Commissioner Vela, to approve a resolution in support of Local Border Security Program FY 2012 as requested by Hon. Sigifredo Gonzalez, Jr., Zapata County Sheriff.

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

REPORT ON 2012 CERTIFIED PRELIMINARY VALUES ESTIMATES

Amada Gonzalez, Chief Appraiser, reported the 2012 Preliminary Values Estimate as \$1,644,280,893.00. Ms. Gonzalez stated that values show a decrease due to Zapata production being down and gas prices are also down and Zapata is primarily a gas producing county.

STATUS REPORT BY OUTSIDE COUNSEL REGARDING CAUSE NO. 7929; ZAPATA COUNTY, TEXAS V. REIM CONSTRUCTION INC.; IN THE 49TH JUDICIAL DISTRICT COURT, ZAPATA COUNTY TEXAS

Mr. Fortunato Paredes, Attorney at Law with Escamilla, Poneck & Cruz, LLP reported that a Default Judgement in the amount of \$48,500.00 had been granted in Cause No. 7929; Zapata County, Texas v. REIM Construction Inc.; In the 49th District Judicial District Court, Zapata County, Texas as requested by Fortunato Paredes, Attorney at Law, Escamilla, Poneck & Cruz, LLP.

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.

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