

**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 January, A. D., 2013, 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
	Saíd Alfonso Figueroa	County Attorney
	Celica A. Rodriguez,	Sitting in for Mary Jayne Villarreal- Bonoan, County Clerk

ABSENT: Mary Jayne Villarreal-Bonoan County Clerk (attending Annual Clerk's Conference in College Station.)

VISITORS: Romeo Salinas, Triunfo Gonzalez, Mario Gonzalez-Davis, Auddy Hernandez, Nellie R. Treviño, Brian J. Martinez, Juan J. Meza, Maria I. Gutierrez, David M. Brown, Luis L. Gonzalez, Karen Garcia, Jan Williams, Joyce Currington, Alonso M. Lopez, Raymundo Del Bosque, Jr., Ramon Montes, Chale Ramirez, Hector Garcia, Diana Villarreal Cuellar, Jose Peña, Sean Kamber, Peggy Umphres Moffett, and Manuel Gonzalez.

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 CELICA A. RODRIGUEZ, CHIEF DEPUTY COUNTY CLERK

INVOCATION BY AUDDY HERNANDEZ

PLEDGE OF ALLEGIANCE

**ORDER APPROVING MINUTES OF DECEMBER 10, 2012 AND
DECEMBER 21, 2012**

Motion was made by Commissioner Vela, seconded by Commissioner Villarreal, to approve

the Minutes of **December 10, 2012 and December 21, 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.

MONTHLY REPORT OF ZAPATA FAMILY MEDICAL CLINIC

Mr. Sean Kamber of Laredo Medical Center presented Commissioners Court with the monthly report for December 2012. The clinic is now using a special hand held device that produces results in approximately 12 minutes.

MONTHLY REPORT BY ZAPATA COUNTY TAX ASSESSOR/COLLECTOR

Luis Lauro Gonzalez, Zapata County Tax Assessor/Collector, reported that last year's collections reached 79%. No other deposits have been made for Hotel/Motel Tax.

ORDER APPROVING INVOICES

Motion was made by Commissioner Garza, seconded by Commissioner Martinez, to approve invoices as presented by Triunfo Gonzalez, County Auditor. Commissioner Vela clarified item on page 29.

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

ORDER APPROVING CHECKS ISSUED

Motion was made by Commissioner Martinez, seconded by Commissioner Garza, to approve checks issued as requested by Hon. Romeo Salinas, County Treasurer. Commissioner Vela clarified item on page 29.

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 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 ON CLASSES OFFERED THIS SEMESTER AT ZAPATA COUNTY ADVANCED EDUCATION CENTER

A presentation was made by Dr. David Brown, Dean of the Zapata County Advanced Education Center. Dr. Brown stated that classes are being offered for this semester and 26 students registered for Distance Learning, however, no high school students enrolled. The Zapata Economic Development Center is working on grants. School funding has run out. Dr. Brown was going to

utilize funds donated by a local family, however, the family does not want the funds to be used for salaries.

Dr. Brown resigns effective today, if grant comes in, he can be contacted or they can hire someone else. Dr. Brown and Victor Gonzalez will continue to wait for grants to come in. They will start and set up classes that are going to begin. The County Attorney explained that they cannot provide funds for him. The court will be kept informed of what happens.

**UPDATE AND STATUS REPORT BY FLORES AUDITING PLLC
REGARDING A REQUESTED AUDIT FOR SPECIAL
ACCOUNT NUMBER 1098977 APPROVED AUGUST 2012**

No action was taken on request by Commissioner Vela regarding request for an update and status report by Flores Auditing PLLC regarding a requested audit for special account number 1098977 which was approved August 2012. Commissioner Vela stated that the audit has not been done. The audit was approved and he would like a report as soon as possible. Checks from the Marshall's office stopped coming in to the Treasurer's Office. Commissioner Vela further stated, that as a concerned citizen, he would like to see this done. The audit is for 2009-2012 and Commissioner Martinez and Triunfo Gonzalez will get together with Jorge Martinez and work on the requested audit.

**ORDER APPROVING EXTENSION OF WATER SERVICE TO AGUA DULCE
RANCHETTE SUBDIVISION**

Motion was made by Commissioner Garza, seconded by Commissioner Vela, to approve the extension of water service to the Agua Dulce Ranchette Subdivision as requested by Hon. Joe Rathmell, County Judge. There is an existing utility easement through these ranchettes and water service will be extended from Zapata Hotshot to Old Zapata Hwy 83 for 816 feet of line.

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

**ORDER ASSIGNING ADDITIONAL DUTY OF TRANSPORTATION DEPARTMENT
DIRECTOR TO BRIAN MARTINEZ**

Motion was made by Commissioner Garza, seconded by Commissioner Martinez, to approve to assign the additional duty of Transportation Department Director to Brian Martinez as requested by Joe Rathmell, County Judge. Mrs. Laura Guerra retired, therefore, Judge Rathmell requests that this position be eliminated and assign said duties to Brian Martinez. Judge Rathmell suggests that Brian Martinez be given a stipend in the amount of \$4,000.00 for a total salary of \$32,225.00.

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 TO ESTABLISH A POLICY FOR TRANSFER OF OWNERSHIP OF ANY PROPERTY ON ZAPATA COUNTY PROPERTY TAX ROLL AND TO SET MINIMUM STANDARDS AND/OR GUIDELINES FOR THESE PROPOSED PROPERTY TRANSFERS IN ACCORDANCE WITH PROPERTY AND TAX LAWS OF THE STATE OF TEXAS

No action was taken on request by Commissioner Vela regarding request to establish a policy for the transfer of ownership of any property on the Zapata County Property Tax Roll and to set minimum standards and/or guidelines for these proposed property transfers in accordance with the property and tax laws of the State of Texas. Commissioner Vela spoke to Webb County Tax Assessor Collector, Pat Barrera. Appraisal District needs to make changes in transfer of ownership procedures.

ORDER APPROVING FUNDING FOR ONE YEAR IN AN AMOUNT OF \$45,000.00 (\$3,750.00 PER MONTH) FOR OPERATION OF BOYS AND GIRLS CLUB MATCHING FUNDING ALREADY APPROVED BY ZAPATA COUNTY INDEPENDENT SCHOOL DISTRICT

Motion was made by Commissioner Garza, seconded by Commissioner Villarreal, to approve funding for one year in the amount of \$45,000.00 (\$3,750.00 per month) for the monthly operation of the Boys and Girls Club, thereby, matching funding already approved by Zapata County Independent School District. Funding to be continued monthly, paid from the Tobacco Fund and having as a prerequisite a quarterly financial report from the Boys and Girls Club Board of Directors as requested by Hon. 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 LEASE AGREEMENT WITH ZAPATA COUNTY APPRAISAL DISTRICT

Motion was made by Commissioner Garza, seconded by Commissioner Vela, to approve a lease agreement with the Zapata County Appraisal District, with no changes, as requested by Hon. 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 CHANGES TO PERSONNEL AS PRESENTED BY SHERIFF ALONSO M. LOPEZ

Motion was made by Commissioner Garza, seconded by Commissioner Martinez, to approve changes to personnel at Zapata County Sheriff's Office, as requested by Hon. Alonso M. Lopez, County Sheriff.

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

Ray del Bosque reported on Regional and Federal Inmates

Ray Del Bosque gave a brief report on monies received for Regional and Federal inmates as follows:

Regional	Federal
October \$95,000.00	October \$16,080.00
November \$80,432.42	November \$16,080.00
December \$93,498.52	December \$23,800.00

ORDER APPROVING MATCHING FUNDS FROM TOBACCO SETTLEMENT FUND IN AN AMOUNT OF \$10,000.00 PAYABLE TO SOUTH TEXAS FOOD BANK FOR ZAPATA KIDS CAFÉ

Motion was made by Commissioner Garza, seconded by Commissioner Martinez, to approve matching funds from the Tobacco Settlement fund in the amount of \$10,000.00 payable to the South Texas Food Bank for the Zapata Kids Café. Border Patrol and other agencies will be brought in to teach the children about the dangers of tobacco use as requested 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.

ORDER APPROVING ADVERTISEMENT FOR ONE WATER PLANT OPERATOR TRAINEE POSITION TO BE FUNDED FROM SLOT #20

Motion was made by Commissioner Garza, seconded by Commissioner Martinez, to approve the advertisement for one (1) Water Plant Operator Trainee position. This position will be funded from slot #20 at a starting salary of \$10.18 per hour 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 PAY INCREASE FOR WATER PLANT SUPERVISOR DOMINGO CASTAÑEDA WHO HAS FULFILLED TCEQ EDUCATIONAL REQUIREMENTS AND HAS ACHIEVED A CLASS B WATER PLANT OPERATOR'S LICENSE

Motion was made by Commissioner Garza, seconded by Commissioner Vela, to approve a pay increase for Water Plant Supervisor Domingo Castañeda from \$14.45 per hour to \$16.45 per hour. Mr. Castañeda has fulfilled all TCEQ educational requirements and has successfully achieved a Class B Water Plant Operator's license as requested by Carlos Treviño, Jr., Water Plant Manager. To be paid out of line item 80-600-227 for increase for license stipend.

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

**ORDER APPROVING A ZERO DOLLAR AMOUNT CHANGE ORDER FOR
ZAPATA COUNTY TEXAS DEPARTMENT OF TRANSPORTATION
UTILITY RELOCATION PROJECT**

Motion was made by Commissioner Vela, seconded by Commissioner Garza, to approve a zero dollar amount change order for the Zapata County Texas Department of Transportation Utility Relocation Project 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 PURCHASE OF NEW BUS FOR NUTRITION CENTER
THROUGH TEXAS DEPARTMENT OF TRANSPORTATION**

Motion was made by Commissioner Garza, seconded by Commissioner Martinez, to approve the purchase of a new 8 passenger bus in an amount of \$38,000.00 for the Nutrition Center through the Texas Department of Transportation, to be paid from reimbursed monies, as requested by Nellie 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 INSTALLATION OF SPEED HUMP AT 5408 MERCEDES LANE

Motion was made by Commissioner Vela, seconded by Commissioner Garza, to approve the installation of a speed hump at 5408 Mercedes Lane 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 LINE ITEM TRANSFERS

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

From: 49 th District Court	10-435-462	Equipment Rental	\$2,000.00
To: District Clerk	10-450-462	Equipment Rental	\$2,000.00
From: 49 th District Clerk	10-432-311	Equipment Rental	\$850.00
To: District Clerk	10-450-462	Equipment Rental	\$850.00
From: 49 th District Court	10-435-335	Equipment	\$2,550.00
To: District Clerk	10-450-462	Equipment Rental	\$2,550.00
From: 49 th District Court	10-432-335	Equipment	\$200.00
To: District Clerks	10-450-311	Postage	\$200.00

as requested by Hon. Jose A. Lopez, 49th District Judge.

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 REINSTATEMENT OF PARK FUNDING FOR TEXAS PARKS AND RECREATION PROGRAM OF TEXAS PARKS AND WILDLIFE DEPARTMENT

Motion was made by Commissioner Garza, seconded by Commissioner Vela, to approve a resolution in support of reinstatement of park funding for the Texas Parks and Recreation Program of the Texas Parks and Wildlife Department as requested by Carlos Colina-Vargas, Colina-Vargas & Associates.

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

Mario Gonzalez-Davis addressed Commissioners' Court and stated that the hang gliders are planning the annual trip to Zapata.

Mr. Hector Uribe also addressed the Court and stated that funding of education took a cut and he will now have to try to access monies from the Senate.

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

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

**NO ACTION WAS TAKEN IN EXECUTIVE SESSION
(NO ITEM IN AGENDA FOR EXECUTIVE SESSION)
THIS SESSION WAS FOR CONSULTATION WITH ATTORNEY ONLY**

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