

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

Be it remembered, that on this the 28<sup>th</sup> day of May 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
	Mary Jayne Villarreal-Bonoan	County Clerk

**VISITORS:** Triunfo Gonzalez, Romeo Salinas, Mario Gonzalez-Davis, Auddy Hernandez, Nellie R. Treviño, Brian J. Martinez, Juan J. Meza, Maria I. Gutierrez, Roger Miller, Mike Chapa, Joyce Currington, Diana C. Villarreal, Luis Lauro Gonzalez, Carolyn Arnold, Judith Barrera, Vicky Garcia, Vicki Anderson, Annis Hicks, Ruth Mandeny, Louise Smith, Gary Smith, Fortunato Paredes, Howard Lietz, and Ramiro Hernandez.

**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**

**PLEDGE OF ALLEGIANCE**

**COMMUNICATIONS**

J.J. Meza, Fire Chief, informed the Court that they are collecting 60% of Medicare/Medicaid payments and 40% is self-pay.

Delia Mendoza, addressed the court as a resident of Zapata County and commented on the situation on 27<sup>th</sup> and Morales Street. There is trash, dead animals, furniture and other debris, she is hoping to find a solution. She stated that the lots are owned by Lilia Martinez, her sisters and their heir(s). Mrs. Gonzalez should be contacted and asked to clear the property for baseball practice.

Commissioner Villarreal stated that he has contacted law enforcement, however, no effort has been made and no citations have been issued.

Judge Rathmell agreed to contact family members in order to find a solution.

Both Commissioner Martinez and Vela commented that there is an ordinance in place and code enforcers should be contacting property owners and advising them of the risk.

Commissioner Vela further stated that he has had situations at the parks in his precinct and Game Wardens have been very helpful.

Vicki Anderson, a resident of Four Seasons, addressed Commissioners Court regarding the sewer project on FM 3074. Mario Gonzalez-Davis and Manuel Gonzalez informed Mrs. Anderson that the initial engineering has been done and paperwork has been sent to the state for final review. Final plans should be sent to the state by mid month. Mr. Gonzalez further stated that funding for the project is available.

#### **ORDER APPROVING INVOICES**

Motion was made by Commissioner Vela, seconded by Commissioner Villarreal, 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 CHECKS ISSUED**

Motion was made by Commissioner Martinez, seconded by Commissioner Garza, to approve checks issued 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.

#### **STATUS REPORT ON ZAPATA COUNTY SWIMMING POOL**

Ramiro Hernandez, Director of the Zapata County Boys and Girls Club, gave a status report of the Zapata County Swimming Pool. Mr. Hernandez communicated with Valley Pools and they will be here on May 29. A punch list has been submitted to the Court. Mr. Hernandez requested manuals for all moving equipment. Kiddie pool issues have been addressed. There are three life guards in Zapata and one in San Ygnacio, they will fulfill their duties from June 1 through August 31. Pool will open on June 1. Commissioner Vela thanked Mr. Hernandez for his assistance with the pool.

#### **STATUS REPORT ON ZAPATA COUNTY LITTLE LEAGUE**

Ramiro Hernandez, Director of the Zapata County Boys and Girls Club, gave a status report of the Zapata County Little League. Mr. Hernandez reported that Little League has over \$10,000 in the bank. Over \$20,000 have been raised and the money is rolling over and goals have been met. Every child has uniforms and equipment was bought.

### **STATUS REPORT ON BOYS AND GIRLS CLUB**

Ramiro Hernandez, Director of the Zapata County Boys and Girls Club, gave a status report of the Zapata County Boys and Girls Club. Mr. Hernandez reported that there were 141 kids registered last month and 158 registered this month. San Ygnacio had 33 kids registered last month and 34 this month. Commissioner Vela commented that a learning center will be opened in Lopeño. Mr. Hernandez submitted an attendance report for the Court.

Kids Café is coming along very well. Grand Opening has been scheduled for June 11, however, the date will be changed for a later date being that the Judge and Commissioners will be attending a conference.

Mr. Hernandez talked to Dr. Garcia and a hot spot has been set. San Ygnacio kids will meet from 1 - 5 p.m. at the library.

A basket ball court at Middle School will be used by the kids.

Electricity is down to \$1200 per month from \$3500. Water went down from \$80 to \$40 after urinals were replaced.

There is wifi available at the facility. The Boys and Girls Club is on Facebook and also have a website.

A skeet shoot is scheduled for June.

Mr. Figueroa commended Mr. Hernandez for all his efforts.

### **ORDER ACCEPTING A ONE ACRE TRACT OF LAND DONATED BY MR. AND MRS. CARLOS DE LOS SANTOS TO BE DESIGNATED AND USED FOR AUGMENTING BUSTAMANTE CEMETERY**

Motion was made by Commissioner Garza, seconded by Commissioner Villarreal, to approve and accept a one-acre tract of land donated by Mr. And Mrs. Carlos de los Santos, to be designated and used distinctively for augmenting the Bustamante Cemetery 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 TO TABLE REQUEST BY COMMISSIONER VELA REGARDING PROFESSIONAL SERVICES OFFERED BY MS. CAROLYN ARNOLD**

Motion was made by Commissioner Vela, seconded by Commissioner Villarreal, to table action on presentation made by Ms. Carolyn Arnold regarding professional service proposal available to assist Zapata County as requested by Hon. Jose A. Vela, Commissioner Pct. 1..

*Ms. Carolyn Arnold, President, CEO foe CCAC, Inc., gave a presentation regarding a professional service proposal available to assist Zapata County. Ms. Arnold finds refunds and savings on certain services provided. She works solely on refunds and future savings.*

*Mr. Salinas stated that the county is getting rid of all T-1 lines and will be going with Time Warner and AT&T is being phased out. Ms. Arnold advised that even though there is a two year statute of limitations, it is easier to locate refunds while accounts are still active. She also stated*

*that late payments do not apply to political subdivisions. Ms. Arnold will return to the next Commissioners Court meeting.*

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

### **COMMUNICATIONS**

Mrs. Vicky Anderson addressed the Court and commented on Time Warner's removal of the Access Channel. She added that the Access Channel served as a way of communicating emergency situations.

### **ORDER APPROVING USE OF OSWALDO H. RAMIREZ AND JUANITA G. RAMIREZ EXHIBIT HALL FOR RELAY FOR LIFE**

Motion was made by Commissioner Martinez, seconded by Commissioner Garza, to approve the use of the Oswaldo H. Ramirez and Juanita G. Ramirez Exhibit Hall on August 24 for the Relay for Life as requested by Joyce Currington, Relay for Life Chair Person.

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 BRIAN MARTINEZ TO SET FEE SCHEDULE FOR OSWALDO H. AND JUANITA G. RAMIREZ EXHIBIT HALL**

Motion was made by Commissioner Vela, seconded by Commissioner Garza, to table request by Brian Martinez from the Zapata County Judge's Office to set the fee schedule for the Oswaldo H. & Juanita G. Ramirez Exhibit Hall. Brian Martinez will acquire more information before setting a fee schedule as requested by Brian Martinez, Zapata County Judge's Office.

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

### **ORDER APPROVING USE OF LITTLE LEAGUE AND SOFTBALL FIELDS FOR INAUGURAL "CLASH OF CLASSES"**

Motion was made by Commissioner Martinez, seconded by Commissioner Garza, to approve the use of the Little League & Softball fields on July 27, for the inaugural "Clash of Classes" as requested by Conrad Barrera, Clash of the Classes.

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

### **ORDER ACCEPTING LAKE SHORE DRIVE TOPOGRAPHIC SURVEY AND DRAINAGE LAYOUT**

Motion was made by Commissioner Garza, seconded by Commissioner Vela, to accept the Lake Shore Drive Topographic Survey and Drainage Layout recommendation by Premier Civil Engineering, L.L.C. as requested by Manuel Gonzalez, Premier Engineering, L.L.C.

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

**ORDER ACCEPTING JUAREZ AVENUE TOPOGRAPHIC SURVEY**

Motion was made by Commissioner Martinez, seconded by Commissioner Villarreal, to accept the Juarez Avenue Topographic Survey recommendation by Premier Civil Engineering, L.L.C. as requested by Manuel Gonzalez, Premier Engineering, L.L.C.

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

**ORDER APPROVING STREET HUMPS AND STREET LIGHT**

Motion was made by Commissioner Garza, seconded by Commissioner Martinez, to approve the installation of a street hump at 2101 Carla Street in Zapata 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 Martinez, to approve the installation of a street light at 1411 Falcon 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 Martinez, to approve the installation of a street hump at 5416 Vicky 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 RESOLUTION TO AUTHORIZE SUBMISSION OF GRANT TO TEXAS DEPARTMENT OF AGRICULTURE, COLONIA CONSTRUCTION FUND AND AUTHORIZE COUNTY JUDGE, CHIEF EXECUTIVE OFFICER AND AUTHORIZED REPRESENTATIVE TO ACT IN ALL MANNERS PERTAINING TO COUNTY'S PARTICIPATION IN TEXAS COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM COLONIA FUND**

Motion was made by Commissioner Villarreal, seconded by Commissioner Garza, to approve a resolution to authorize the submission of a grant to the Texas Department of Agriculture, Colonia Construction Fund, and to authorize the County Judge, Chief Executive Officer and authorized representative, to act in all manners pertaining to the County's participation in the Texas Community Development Block Grant Program, Colonia Fund 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 RESOLUTION IN SUPPORT OF CONSOLIDATION OF LOCAL REGISTRARS**

Motion was made by Commissioner Garza, seconded by Commissioner Martinez, to approve a resolution in support of consolidation of local registrars as requested by Hon. Anna M. Guerra, JP Pct. 1, Hon. Juan Maria Gutierrez, JP Pct. 2, Hon. Fernando Muñoz, JP Pct. 3, and Hon. Jose C. Gutierrez, JP 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 GARZA,  
SECONDED BY COMMISSIONER MARTINEZ,  
TO ENTER INTO EXECUTIVE SESSION**

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

**ORDER APPROVING HIRING OF LAW FIRM OF J. CRUZ & ASSOCIATES AND WINSTEAD PC AS BOND COUNSEL AND TERMINATE LEGAL AGREEMENT WITH ESCAMILLA & PONECK INC.**

Motion was made by Commissioner Martinez, seconded by Commissioner Garza, to approve the hiring of the law firm of J. Cruz & Associates and Winstead, P.C., as bond counsel, and terminate the legal agreement with Escamilla & Poneck, Inc. as requested by Hon. Joe Rathmell, County Judge.

*Executive Session is requested pursuant to Texas Government Code Title 5, Sub Chapter D, Section 551.071, Consultation with Attorney.*

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

**ORDER APPOINTING MARIA G. GARZA AS NEW INDIGENT CARE DIRECTOR**

Motion was made by Commissioner Vela, seconded by Commissioner Martinez, to appoint Maria G. Garza, as the new Indigent Care Director as requested by Hon. Joe Rathmell, County Judge.

*Executive Session is requested pursuant to Texas Government Code Title 5, Sub Chapter D, Section 554.071, Personnel Matters.*

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

**ORDER AUTHORIZING COUNTY ATTORNEY TO ENTER INTO SETTLEMENT  
NEGOTIATION WITH CONSTITUENT AS PER COMMISSIONERS COURT  
RECOMMENDATION**

Motion was made by Commissioner Vela, seconded by Garza, to authorize County Attorney to enter into settlement negotiation with constituent as per Commissioners Court recommendation regarding damages to a constituents home as requested by Hon. Joe Rathmell, County Judge.

*Executive Session is requested pursuant to Texas Government Code Title 5, Sub Chapter D, Section 554.072, Real Property.*

**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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JOSEPH RATHMELL, 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