

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

Be it remembered, that on this the 28th day of October 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
Gabriel Villarreal	Commissioner, Precinct No. 2
Eddie Martinez	Commissioner, Precinct No. 3
Saíd Alfonso Figueroa	County Attorney
Mary Jayne Villarreal-Bonoan	County Clerk

ABSENT: (Attending Conference)

Jose Emilio Vela	Commissioner, Precinct No. 1
Norberto Garza	Commissioner, Precinct No. 4

VISITORS: Sigifredo Gonzalez, Jr., Carmen M. Gonzalez, Juan J. Meza, Manuel Uribe, Xavier Villarreal, Delia Mendoza, Triunfo Gonzalez, Brian J. Martinez, Maria I. Gutierrez, Joyce Currington, Luis Lauro Gonzalez, Roger Miller, Diana Cuellar Villarreal, Raymundo Del Bosque, Jr., and Jose Peña.

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

Auddy Hernandez, from the Judge's Office, reminded the Court that we will be having a Candy Lane for the children on Halloween Day from 3-5 p.m. at the Courthouse steps.

Sigifredo Gonzalez, Jr., Retired Sheriff, addressed Commissioners' Court regarding items 8 and 9 on the agenda. He stated that salaries submitted by Sheriff's Office are not in compliance with Section 152.013 and amending or confirming the budget cannot be done because the clock stopped when the budget was approved. He further stated that an elected official cannot give himself a raise from this forfeiture account. Adjustments can be done for employees, but not the department head. Mr. Gonzalez cited Attorney General Opinion DM-246. There was no publication of salary increase for elected official.

Commissioner Martinez informed Mr. Gonzalez that Commissioners' Court is aware of the situation.

ORDER APPROVING INVOICES

Motion was made by Commissioner Martinez, 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 Villarreal, 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.

Judge Rathmell thanked the Zapata County JROTC and the Zapata County Mariachi Band for their participation and an outstanding job at the 60th Anniversary of the inauguration of the Falcon Dam event held on October 19, 2013. Judge Rathmell stated that the event went very well and was a very proud moment.

ORDER APPROVING FUND FOR REPAIRS OF RIFLES FOR AMERICAN LEGION BURIAL DETAIL

Motion was made by Commissioner Martinez, seconded by Commissioner Villarreal, to approve funds for the repairs of 7 rifles for the American Legion Burial Detail for an approximate amount of \$3,150.00, each Commissioner will contribute \$500 and the remaining \$1,150.00 will be paid out of Non-Department line item #10-409-465 as requested by Manuel Uribe, Veterans Service Officer.

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

THE FOLLOWING ITEM WILL BE DISCUSSED IN EXECUTIVE SESSION

Consultation with Attorney and possible action to rescind and/or amend 2013-2014 Zapata County Budget or affirm Commissioners Court Order, and examine the legality, to supplement salaries of designated Sheriff's Department employees and allow for travel expense to Zapata County Sheriff with proceeds to be paid from the Zapata County Sheriff's Department Forfeiture fund as requested by Said Alfonso Figueroa, County Attorney. *Executive Session is requested pursuant to Texas Government Code Title 5, Sub Chapter D, Section 551.071 - Consultation with Attorney.*

ORDER APPROVING STREET LIGHTS AND SPEED HUMPS

Motion was made by Commissioner Martinez, seconded by Commissioner Villarreal, to approve a street light at the following address:

- a. 209 Flores Drive – Falcon Shores Subdivision
- b. 2002 North Hwy 83 & 20th Ave. – 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 Martinez, seconded by Commissioner Villarreal, to approve street lights at the following address:

- a. 1107 Villa
- b. 1201 Villa
- c. 1014 Medina
- d. 703 Guerrero (7th & 10th)
- e. 1907 Mier

f. Between 11th & 12th on Mier
as requested by Hon. Norberto Garza, 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 MARTINEZ,
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 TO RESCIND ORDER OF APPROVAL AND AMEND
SHERIFF'S OFFICE FORFEITURE FUND BUDGET AND ORDERS
THAT SALARY PAID TO SHERIFF BE RETURNED**

Motion was made by Commissioner Martinez, seconded by Commissioner Villarreal, to approve order to rescind order of approval and amend Sheriff's Office 2013-2014 Forfeiture Fund Budget and orders that salary paid to Sheriff be returned as requested by Said Alfonso Figueroa, County Attorney. *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.

ADJOURN

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