

**THE STATE OF TEXAS
COUNTY OF ZAPATA**

IN THE COMMISSIONERS COURT OF ZAPATA COUNTY, TEXAS

Be it remembered, that on this the 12th day of January A. D., 2015, 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
Olga M. Elizondo	Commissioner, Precinct No. 2
Eddie Martinez	Commissioner, Precinct No. 3
Norberto Garza	Commissioner, Precinct No. 4
Mary Jayne Villarreal-Bonoan	County Clerk

VISITORS: Triunfo Gonzalez, Romeo Salinas, Auddy M. Hernandez, Nellie R. Treviño, Brian J. Martinez, Maria I. Gutierrez, Juan J. Meza, Roger Miller, Loretta Dunn, Joyce Currington, Robert Rose, Dellanira Prado, Ramon R. Benavides, Juan H. Navarro, Luis L. Gonzalez, Lilonee Garza, Laura Garza, Guillermo Saenz, and Manuel Gonzalez, Jr.

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 ROGER MILLER
PLEDGE OF ALLEGIANCE**

ORDER APPROVING MINUTES

Motion was made by Commissioner Garza, seconded by Commissioner Martinez, to approve minutes of September 8, 22, October 14, 27, November 10, 24, December 8, 23, with corrections as noted, as presented by Hon. Mary Jayne Villarreal-Bonoan, Zapata County Clerk.

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

ORDER APPROVING INVOICES

Motion was made by Commissioner Garza, seconded by Commissioner Elizondo, to approve invoices, including Purchase Order #1381044 payable to TCEQ in an amount of \$28,664.92 for regulatory assessment report 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 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.

ORDER APPROVING CHECKS ISSUED

Motion was made by Commissioner Vela, 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.

ORDER APPROVING TAX ASSESSOR/COLLECTOR'S REPORT

Motion was made by Commissioner Garza, seconded by Commissioner Martinez, to approve Tax Assessor/Collector's Report. Mr. Gonzalez reported collections for Motel Hotel Tax in the amount of \$22,990.62 and tax collections in the amount of \$1,456,927.84 for a YTD total of 74% as requested by Hon. Luis Lauro Gonzalez, Tax Assessor/Collector.

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

ORDER APPROVING PAYMENT TO R & G CLARK, INC. DBA SERVPRO OF NORTHWEST DALLAS

Motion was made by Commissioner Martinez, seconded by Commissioner Garza, to approve payment to R & G Clark Inc., DBA ServPro of Northwest Dallas in the amount of \$279,212.24 (TWO HUNDRED SEVENTY-NINE THOUSAND TWO HUNDRED TWELVE DOLLARS AND TWENTY FOUR CENTS) as requested by Hon. Joe Rathmell, County Judge.

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

ORDER APPOINTING LAURA GARZA AS FACILITY MANAGER FOR ZAPATA COUNTY COMMUNITY CENTER, PAVILION AND SAN YGNACIO COMMUNITY CENTER

Motion was made by Commissioner Vela, seconded by Commissioner Martinez, to appoint Laura Garza as the Facility Manager for the Zapata County Community Center, Pavilion, and San Ygnacio Community Center with salary of \$28,783, effective January 12, 2015 as requested by Hon. Joe Rathmell, County Judge.

The above motion, being put to a vote, was approved by the affirmative vote of Commissioners Vela, Martinez, and Elizondo. Commissioner Garza abstained. Motion carried.

ORDER TO APPOINT MARTIN GUILLERMO SAENZ AS SUPERVISOR FOR RECYCLING CENTER

Motion was made by Commissioner Vela, seconded by Commissioner Garza, to appoint Martin Guillermo Saenz as the Supervisor for the Recycling Center as requested by Hon. Joe Rathmell, County Judge.

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

ORDER AUTHORIZING COMMISSIONER MARTINEZ AND COUNTY ATTORNEY FIGUEROA TO COMMENCE NEGOTIATIONS WITH SIESTA SHORES WATERWORKS BOARD OF DIRECTORS TO HAVE SYSTEM ANNEXED TO ZAPATA COUNTY WATERWORKS

Motion was made by Commissioner Garza, seconded by Commissioner Elizondo, to authorize Commissioner Martinez and County Attorney Figueroa to commence negotiations with Siesta Shores Waterworks Board of Directors to have that system annexed into the Zapata County Waterworks as per 169 petition requests by Siesta Shores residents as requested by Hon. Eddie Martinez.

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

ORDER APPROVING PROMOTION FOR HOMERO GONZALEZ

Motion was made by Commissioner Martinez, seconded by Commissioner Vela, to approve promotion for Homero Gonzalez to truck driver at \$10.00 per hour, slot #10-004-slot #2 from 15-014- slot #4 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.

ORDER APPROVING PAY INCREASE OF 77 CENTS FOR RAFAEL BENAVIDES

Motion was made by Commissioner Martinez, seconded by Commissioner Garza, to approve pay increase of \$0.77 to Rafael Benavides 10-004-slot #4 as requested by Hon. Norberto Garza, Commissioner Pct. 4.

The above motion, being put to a vote, was approved by the affirmative vote of Commissioners Martinez, Garza, Vela and Elizondo. Judge Rathmell voted against. Motion carried.

ORDER DENYING REQUEST BY COMMISSIONER GARZA REGARDING HIRING OF LABOR/MAINTENANCE EMPLOYEE

Motion was made by Commissioner Martinez, seconded by Commissioner Elizondo, to deny request by Commissioner Garza regarding hiring of labor/maintenance employee at \$8.82 per hour in slot #15-014-slot #4 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.

ORDER TO TABLE REQUEST BY MARIA GUTIERREZ REGARDING PROPOSAL FROM DAMPCO LLC FOR REMOVAL AND REPLACEMENT OF SIDEWALK EXPANSION JOINT CAULKING

Motion was made by Commissioner Martinez, seconded by Commissioner Vela, to table request by Maria Gutierrez regarding proposal from Dampco LLC, for the removal and replacement of 3,500 lineal feet of sidewalk expansion joint caulking in the amount of \$24,500.00 (TWENTY FOUR THOUSAND FIVE HUNDRED DOLLARS AND NO CENTS) as requested by Maria Gutierrez, Courthouse Maintenance Supervisor.

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

ORDER APPROVING CONTRACT BETWEEN CARSON & BARNES CIRCUS AND ZAPATA COUNTY FOR USE OF ZAPATA COUNTY FAIRGROUND

Motion was made by Commissioner Vela, seconded by Commissioner Garza, to approve the contract between Carson & Barnes Circus and Zapata County for the use of the Zapata County Fairground on February 9-10, 2015 for the amount of \$500.00 and liability insurance with Zapata County as beneficiary as requested by Summer Bates, Carson & Brown Circus.

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

ORDER APPROVING HIRING OF VICTOR DANIEL MARTINEZ AS WATER PLANT OPERATOR TRAINEE

Motion was made by Commissioner Vela, seconded by Commissioner Martinez, to approve the hiring of Victor Daniel Martinez as a Water Plant Operator trainee for the Zapata County Waterworks Department. Mr. Martinez will occupy slot #5 with a starting salary of \$9.70 per hour, effective January 12, 2015 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 RUBEN GARZA FOR SUCCESSFULLY ACHIEVING EDUCATIONAL REQUIREMENTS FOR TEXAS WATER PLANT OPERATOR CLASS "C" LICENSE

Motion was made by Commissioner Garza, seconded by Commissioner Vela, to approve pay increase for Ruben Garza from \$11.77 per hour to \$13.04 per hour. Mr. Garza has successfully achieved the educational requirements for a Texas Water Plant Operator Class "C" License. Funding shall be obtained from line item 80-600-0207, license stipends 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 USE OF USE OF COMMUNITY CENTER FOR REHEARSAL FOR ZAPATA COUNTY FAIR JUNIOR ROYALTY PAGEANTS

Motion was made by Commissioner Martinez, seconded by Commissioner Garza, to approve the use of the Community Center for rehearsal for the Zapata County Fair Junior Royalty Pageants for the following dates, in coordination with Laura Garza:

- a. January 15, 2015
- b. January 22, 2015
- c. January 23, 2015
- d. January 29, 2015
- e. January 30, 2015
- f. February 6, 2015

as requested by Laura Moncivais, ZCFA Queens Contest Committee.

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

**ORDER APPROVING USE OF COMMUNITY CENTER FOR ZAPATA COUNTY
FAIR ASSOCIATION**

Motion was made by Commissioner Vela, seconded by Commissioner Garza, to approve the use of the Community Center on February 7, 2015 for the Zapata County Fair Association Junior Royalty Pageant as requested by Laura Moncivais, ZCFA Queens Contest Committee.

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 ADRIAN MOUNETOU OF HOWLAND
ENGINEERING AND SURVEYING FOR REPLAT OF LOT 1-3 THE OAKS AT
FALCON ESTATES**

Motion was made by Commissioner Martinez, seconded by Commissioner Garza, to table request by Adrian Mounetou, Howland Engineering and Surveying regarding the re-plat of lot 1-3 The Oaks at Falcon Estates into Lot 1A, The Oaks at Falcon Estates.

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

**ORDER APPROVING PURCHASE OF EASEMENT FOR TEXAS WATER
DEVELOPMENT BOARD PROJECT (VELEÑO-RAMIREZ, FALCON LAKE
ESTATES, AND FOUR SEASONS)**

Motion was made by Commissioner Garza, seconded by Commissioner Martinez, to approve the purchase of easement for Texas Water Development Board project (Veleño-Ramirez, Falcon Lake Estates, and Four Seasons) for the amount of \$6,440.86, to be paid from Royalty Fund 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 PAYMENT OF \$7,500.00 FOR TEXAS ASSOCIATION OF
BASS CLUB STATE TOURNAMENT**

Motion was made by Commissioner Martinez, seconded by Commissioner Garza, to approve the payment of \$7,500.00 (SEVEN THOUSAND ONE HUNDRED DOLLARS), to be paid out of the Hotel Motel Tax fund, for the Texas Association of Bass Club State Tournament scheduled on September 25 – 27, 2015 as requested by James Bendele, Zapata County Conservation & Visitors Bureau.

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

Mr. Bendele reported that several fishing organizations and clubs will be coming throughout this year. The limit on gar fishing will be increased later this year.

ORDER APPROVING STREET LIHTS AND STREET HUMPS

Motion was made by Commissioner Garza, seconded by Commissioner Martinez to approve the cancellation of previously approved street light at 109 East Street – Falcon, Texas and replace with the following:

- a. 477 Falcon Shores Drive-Falcon Shores Subdivision

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 speed hump (by petition)

- a. 509 Flores Drive – Falcon Shores Subdivision

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 the following address:

- a. 197 Olmos

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 PROGRAMS FY 2015

Motion was made by Commissioner Vela, seconded by Commissioner Garza, to approve a resolution in support of Local Border Security Programs FY 2015 as requested by Alonso M. Lopez, Zapata County Sheriff.

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

ORDER APPROVING RESOLUTION TO PROMOTE PATRIOTISM BY DISPLAYING NATIONAL MOTTO “IN GOD WE TRUST” IN PROMINENT LOCATION OF ZAPATA COUNTY COMMISSIONERS COURT ROOM

Motion was made by Commissioner Garza, seconded by Commissioner Martinez, to approve a resolution to promote patriotism by displaying the National Motto, “In God We Trust” in a prominent location of the Zapata County Commissioners Courtroom 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 APPROVING RESOLUTION REQUESTING TEXAS LEGISLATURE TO
ADOPT LEGISLATION THAT REQUIRES ELIMINATION OF STATUTORY
PROVISIONS IN PROPERTY CODE THAT PERMITS TREATMENT OF CERTAIN
HEAVY EQUIPMENT DEALERS AS LEASING OR RENTING PROPERTY FOR
PURPOSES OF TAXATION**

Motion was made by Commissioner Garza, seconded by Commissioner Martinez, to approve resolution requesting the Texas Legislature to adopt legislation that requires the elimination of statutory provisions in the property tax code that permits the treatment of certain heavy equipment dealers as leasing or rental property for purposes of taxation and further permits them to claim the value of business property by a method other than the fair market value of the property as requested by Amada Gonzalez, Zapata County Appraisal Chief.

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.

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