

**THE STATE OF TEXAS
COUNTY OF ZAPATA**

IN THE COMMISSIONERS COURT OF ZAPATA COUNTY, TEXAS

Be it remembered, that on this the 27th of June 2022, 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
Paco Mendoza	Commissioner, Precinct No. 1
Olga M. Elizondo	Commissioner, Precinct No. 2
Jose A. Solis	Commissioner, Precinct No. 3
Norberto Garza	Commissioner, Precinct No. 4
Mary Jayne Villarreal-Bonoan	County Clerk and Ex Officio Clerk of Commissioners Court

VISITORS: Nellie R. Treviño, Amparo Gutierrez Montes, Roger Miller, Yesenia Guerra, Ralph Trevino, Delia Mendoza, Ricardo Benavides, Christopher Rendon, Belinda Bravo, Joseph Pena, and Nereida Garza.

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 AND
EX-OFFICIO CLERK OF THE COMMISSIONERS COURT
INVOCATION BY REV. ROGER MILLER, COMMISSIONERS COURT CHAPLAIN
PLEDGE OF ALLEGIANCE**

COMMUNICATIONS

Judge Rathmell stated that he and the commissioners attended their annual conference and completed the required hours.

He added that the lake levels have dropped due to the drought and the waterworks is having problems with the water pumps. Monterrey, Nuevo Leon is also in dire straits due to the limited water supply. The county is trying to improve the system by possibly recycling the water.

Judge Rathmell reported on Covid-19 results:

2,2455 total positive cases with an increase of 5 confirmed positive

11 probable cases

No deaths

Numbers may be higher than reflected due to home testing not being reported to the state.
Vaccinations are still on going.

**ACTIVE PURE AIR PURIFICATION SYSTEM PRESENTATION BY
DAVID VASQUEZ**

Mr. David Vasquez, sales representative, with Del Valle Solution gave a presentation on the Active Pure Air Purification System. Left information at Judge's Office. No literature left for the record.

Christopher Rendon approached the Court and announced that on Sunday, July the 3rd there will be a Jamaica from 5:00 p.m. to 11:00 p.m. sponsored by several different groups in San Ygnacio. Thanked everyone who donated trees.

ORDER APPROVING INVOICES

Motion was made by Commissioner Solis, seconded by Commissioner Mendoza, to approve invoices from June 10 – June 23, 2022 in the amount of \$817,074.46 as presented by Triunfo Gonzalez.

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 Garza, seconded by Commissioner Solis, to approve checks issued June 10 – June 23, 2022 in the amount of \$817,074.46 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.

UPDATE BY DR. SEVERITA SANCHEZ ON CHILDREN'S ADVOCACY CENTER OF LAREDO

Dr. Severita Sanchez, Executive Director of the Children's Advocacy Center of Laredo, updated the court on the services provided to Zapata County by the Children's Advocacy Center of Laredo. Dr. Sanchez thanked the court and stated that the program has been in Zapata County for three years and they are in Zapata 2 days out of the week. They received a grant and have equipment and are now able to do forensic interviews. There is one forensic interviewer assigned to Zapata and will be here as needed. They are here to provide justice for children.

TO PROVIDE A RESPONSE TO A QUESTION POSED TO THE COURT DURING THE PUBLIC COMMENT SECTION ON JUNE 10, 2022 AS TO WHETHER THE COUNTY SHOULD CONSIDER THE ZAPATA COUNTY CHAMBER OF COMMERCE AN AGENCY OF THE COUNTY AS REQUESTED BY HON. JOE RATHMELL, COUNTY JUDGE

The question was forwarded to the Zapata County attorney. Council reviewed the question and responded that the Chamber of Commerce is not considered an agency, but would have an agency like association with the county specifically if the county provides funds to the entity in amounts sufficient for operation or a substantial amount, then they are an extension of the county. The chamber's function is to promote Zapata County, based on that they would not be an agency and cannot act on behalf of Zapata County but is an agency type of relationship when are acting on behalf of Zapata County to promote the county. Because there have been attorney general opinions when the governmental funds are transferred over there is an expectation that the chamber will perform that government function on behalf of Zapata County. Because they are doing that, they are subsequently open to the same public records record requests that Zapata County would be. That would be specific to monies that are allocated to the chamber.

Sara Rathmell stated that according to tax code for hotel occupancy tax funds should have had a separate account so each expenditure according to law is supposed to be tracked by the public and by the court. If there is not separate account and funds have been comingled, how do we

separate what was used for the different items County Attorney responded that if monies have been comingled then the entirety of all accounts become public record.

ORDER APPOINTING JUDGE JOE RATHMELL TO FILL VACANT POSITION FOR ZAPATA COUNTY APPRAISAL DISTRICT BOARD OF DIRECTORS

Motion was made by Commissioner Garza, seconded by Commissioner Solis, to appoint Judge Joe Rathmell to fill vacant position for the Zapata County Appraisal District Board of Directors 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 APPROVING PURCHASE OF 3 GANG RANGE BALL PICKER WITH GATOR ADAPTER

Motion was made by Commissioner Garza seconded by Commissioner Mendoza, to approve purchase of a 3-Gang Range Ball picker with Gator Adapter, to be paid out of Certificate of Obligation, as requested by Hon. Jose A. Solis, Commissioner Precinct 3.

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

ORDER APPROVING PURCHASE OF GOLF NET TO BE USED AS BARRIER OF DRIVING RANGE

Motion was made by Commissioner Garza, seconded by Commissioner Mendoza, to approve purchase of a golf net to be used as a barrier of a driving range, to be paid out of Certificate of Obligation, as requested by Hon. Jose A. Solis, Commissioner Precinct 3.

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

ORDER DENYING REQUEST BY COMMISSIONER GARZA TO EXTEND HOURS OF OPERATION AT 8-LINERS

Motion was made by Judge Rathmell, seconded by Commissioner Garza, to deny request by Commissioner Garza to extend the hours of operation at the 8-liners.

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

ORDER APPROVING PURCHASE OF TRANSPORTATION VAN FROM RELIABLE CHEVROLET

Motion was made by Commissioner Mendoza, seconded by Commissioner Garza, to approve purchase of transportation van from Reliable Chevrolet, for the amount of \$49,329.95, to be paid out of Operation Lone Star Funds, as requested by Sheriff Raymundo Del Bosque, County Sheriff.

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

ORDER APPROVING LEASE RENEWAL FOR ZAPATA COUNTY MEDICAL CLINIC

Motion was made by Commissioner Mendoza, seconded by Commissioner Solis, to approve lease renewal for Zapata Medical Clinic at 801 N. US Highway 83 commencing April 1, 2022 and expiring December 31, 2022, 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 FY 2022-2023 ZAPATA COUNTY HOLIDAY CALENDAR

Motion was made by Commissioner Mendoza, seconded by Commissioner Garza, to approve the FY 2022-23 Zapata County Holiday Calendar as requested by Nellie R. Trevino, HR Director.

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

ORDER APPROVING AND AWARDING RFP SUBMISSION TO TEXAS ASSOCIATION OF COUNTIES HEBP FOR GROUP HEALTH COVERAGE AND LIFE INSURANCE FOR FY 2022-2023

Motion was made by Commissioner Mendoza, seconded by Commissioner Solis, to approve and award the RFP submission to Texas Association of Counties-HEBP. Blue Cross Blue Shield for the group health coverage and life insurance for FY- 2022-2023 as requested by Nellie R. Trevino, HR Director.

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

ORDER APPROVING 2023 RENEWAL RATES FOR AMERITAS DENTAL/VISION PLAN WITH NO RATE INCREASE

Motion was made by Commissioner Solis, seconded by Commissioner Garza, to approve the 2023 renewal rates for Ameritas Dental/Vision plan with no rate increase as requested by Nellie R. Trevino, HR Director.

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

ORDER APPROVING MEMORANDUM OF UNDERSTANDING BETWEEN VA TEXAS VALLEY COASTAL BEND HEALTH CARE SYSTEM AND ZAPATA COUNTY

Motion was made by Commissioner Mendoza, seconded by Commissioner Solis, to approve Memorandum of Understanding between VA Texas Valley Coastal Bend Health Care System and Zapata County concerning mobile clinic service, for a term of 5 years, using community center parking lot and electricity, as requested by Adolfo "Pope" Gonzalez, Veteran Service Officer.

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

ORDER APPROVING PURCHASE OF SIGNS AND STATUS UPDATE ON MIRAFLORES PARK PROJECT

Motion was made by Commissioner Solis, seconded by Commissioner Garza, to approve purchase of 2 - 8' x 12 signs, for the price of \$2,700.00 which includes framing and installation. Signs will be purchased from C.S. Graphics, as requested by Manuel Gonzalez, Premier Engineering.

Mr. Gonzalez also gave a status report of the Miraflores Park Project. He reported that he had previously presented a layout for the courts review. Modifications were made to multipurpose field, making it smaller to allow more play area. No report attached for the record.

ORDER APPROVING PLAN FOR GOLF COURSE MULTI USE TRAIL/WALKING TRACK AND UPDATE ON LOS EBANOS GOLF COURSE PARK PROJECT

Motion was made by Commissioner Garza, seconded by Commissioner Mendoza, to approve plan for the Los Ebanos Golf Course multi use trail/walking track as requested by Manuel Gonzalez, Premier Engineering.

Mr. Manuel Gonzalez gave a status report on Los Ebanos Golf Course. He reported that most of the funds were used for the purchase of the golf course and with monies left over they will include a 12’ multiuse trail and will attach the existing walking track that’s behind the library and will take it all the way down the Northside of Los Ebanos Golf Course for 24,000 linear feet. Plan/map included.

ORDER APPROVING EASEMENT FOR FALCON MESA PAVING PROJECT AND STATUS REPORT

Motion was made by Commissioner Garza, seconded by Commissioner Mendoza, to approve the easement between lots 7 and 8 for Falcon Meza Paving Project as requested by Manuel Gonzalez, Premier Engineering.

Mr. Gonzalez gave a status report on the Falcon Mesa Subdivision and reported that the project is 95% complete with the exception of this easement. He has visited with land owners and will now advise them that this will be the final location for easement. He will also notify Mr. Carl Esser that they are ready to go out for bids.

ORDER APPROVING LINE-ITEM TRANSFERS

Motion was made by Commissioner Garza, seconded by Commissioner Mendoza, to approve the following line-item transfer to meet departmental needs:

	DEPARTMENT	LINE-ITEM	FUND	AMOUNT
FROM	County Clerk	010-403-437	Records Processing	\$2,220.00
TO	County Clerk	010-403-427	Workshops/Travel	\$2,220.00

as requested by Hon. 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.

Motion was made by Commissioner Garza, seconded by Commissioner Mendoza, to approve the following line-item transfer to meet departmental needs:

	DEPARTMENT	LINE-ITEM	FUND	AMOUNT
FROM	Tax Office	010-33449-499	Scanning and Preservation	\$3,000.00
TO	Tax Office	010-403-427	Workshops/Travel	\$3,000.00

as requested by Hon. Delia Mendoza, Tax Assessor.

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 Mendoza, to approve the following line-item transfer to meet departmental needs:

	DEPARTMENT	LINE-ITEM	FUND	AMOUNT
FROM	Non-Department	10-409-336	Supplies	\$3,035.39
TO	District Clerk	10-450-427	Travel	\$3,035.39

as requested by Triunfo Gonzalez, County Auditor.

Motion was made by Commissioner Garza, seconded by Commissioner Mendoza, to approve the following line-item transfer to meet departmental needs:

	DEPARTMENT	LINE-ITEM	FUND	AMOUNT
FROM	Indigent Care	010-31064-640	Supplies	\$800.00
TO	Indigent Care	010-42764-640	Workshops	\$800.00

as requested by Lupita Garza, Indigent Program.

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 Mendoza, to approve the following line-item transfer to meet departmental needs:

	DEPARTMENT	LINE-ITEM	FUND	AMOUNT
FROM	Sheriff's County Jail	010-33756-561	Prisoner Clothing	\$926.50
TO	Sheriff's Regional Jail	010-39456-567	Prisoner Supplies	\$926.50
FROM	Sheriff's Regional Jail	010-39156-567	Prisoner Medication	\$5,000.00
TO	Sheriff's Regional Jail	010-567-462	Miscellaneous & Rental	\$5,000.00
FROM	Sheriff's Department	010-42956-560	Prisoner Transportation	\$312.00
TO	Sheriff's County Jail	010-428-561	Education	\$312.00
FROM	Sheriff's Regional Jail	010-39156-567	Prisoner Medication	\$65.80
TO	Sheriff's Department	010-42856-560	Education	\$65.80
FROM	Sheriff's Regional Jail	010-31956-567	Prisoner Medication	\$837.74
TO	Sheriff's Regional Jail	010-45656-567	Equipment Maintenance	\$837.74
FROM	Sheriff's Regional Jail	010-42956-567	Prisoner Transportation	\$3,000.00
TO	Sheriff's County Jail	010-45256-561	Miscellaneous & Rental	\$3,000.00
FROM	Sheriff's Regional Jail	010-39156-567	Prisoner Medication	\$900.00
TO	Sheriff's Regional Jail	010-40956-567	Dental	\$900.00
FROM	Sheriff's County Jail	010-42956-561	Prisoner Transportation	\$500.00
TO	Sheriff's Regional Jail	010-33556-567	Computer Expense	\$500.00
FROM	Sheriff's County Jail	010-42956-561	Prisoner Transportation	\$2,000.00
TO	Sheriff's County Jail	010-46256-561	Miscellaneous & Rental	\$2,000.00
FROM	Sheriff's Department	010-42956-560	Prisoner Transportation	\$688.00
TO	Sheriff's Regional Jail	010-42856-567	Education	\$688.00
FROM	Sheriff's Regional Jail	010-591-567-567	Prisoner Transportation	\$90.00
TO	Sheriff's Regional Jail	010-42856-567	Education	\$90.00
FROM	Sheriff's Regional Jail	010-39156-567	Prisoner Medication	\$304.98
TO	Sheriff's County Jail	010-45656-561	Equipment Maintenance	\$304.98
FROM	Sheriff's Regional Jail	010-39156-567	Prisoner Medication	\$974.22
TO	Sheriff's Regional Jail	010-39256-567	Prisoner Medical Cars	\$974.22

as requested by Sheriff Raymundo Del Bosque, Jr., Sheriff's Department.

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 SOLIS,
TO ENTER INTO EXECUTIVE SESSION**

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

**ORDER APPROVING HIRING OF SANDRA GUTIERREZ AS SITE MANAGER FOR
ZAPATA COUNTY NUTRITION CENTER**

Motion was made by Commissioner Garza, seconded by Commissioner Solis, to approve hiring of Sandra Gutierrez as Site Manager for the Zapata County Nutrition Center Slot #5 at \$10.00/hour effective 6/27/2022 as requested by Nellie R. Trevino, HR Director.

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

**ORDER APPROVING HIRING OF MARIA A. PEREZ AS ASSISTANT COOK FOR
ZAPATA COUNTY NUTRITION CENTER**

Motion was made by Commissioner Solis, seconded by Commissioner Mendoza, to approve hiring of Maria A. Perez as Assistant Cook for the Zapata County Nutrition Center slot #2 at \$10.00/hour (60 hrs. biweekly) effective 6/27/2022 as requested by Nellie R. Trevino, HR Director.

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

**ORDER APPROVING TO GO WITH RECOMMENDATION AS DISCUSSED IN
EXECUTIVE SESSION REGARDING PENDING LITIGATION IN CAUSE NUMBER
11,436 AND STYLED ZAPATA COUNTY VS. SHADY HAVEN, LLC PENDING IN THE
49TH DISTRICT COURT OF ZAPATA COUNTY, TEXAS**

Motion was made by Commissioner Mendoza, seconded by Commissioner Garza, to approve to go with recommendation as discussed in executive session regarding pending litigation in Cause Number 11,436 and styled, Zapata County V. Shady Haven, LLC, pending in the 49th District Court of Zapata County, Texas as requested by Lisa M. Paul, J. Cruz & Associates, LLC.

[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.

NO ACTION WAS TAKEN IN THE FOLLOWING ITEM

To address Personal Matters as requested by Hon. Joe Rathmell, County Judge.
[Executive Session is requested pursuant to Texas Government Code Title 551, Sub Chapter D, Section 551.074{A}(B), Personnel Matters.

ADJOURN

Motion to adjourn was made by Commissioner Garza, seconded by Commissioner Solis, 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
OF ZAPATA COUNTY, TEXAS

ATTEST:

MARY JAYNE VILLARREAL-BONOAN,
COUNTY CLERK AND EX-OFFICIO
CLERK OF THE COMMISSIONERS
COURT OF ZAPATA COUNTY, TEXAS