

THE UVALDE COUNTY COMMISSIONERS COURT WILL MEET AT 10 AM ON MONDAY, APRIL 22ND, 2024 IN THE COMMISSIONERS COURTROOM OF THE UVALDE COUNTY COURTHOUSE

AGENDA

1. Consider and act upon call to order, invocation and pledge of allegiance
2. Consider and act upon approval of minutes
3. Consider and at upon county court staff confidentiality policy and agreement
4. Consider and act upon activity report of Uvalde County Veterans Service Officer
5. Consider and act upon Road Administrators Report
6. Consider and act upon line item budget amendments
7. Consider and act upon payment of bills
8. Consider and act upon approval of monthly reports
9. Consider and act upon payroll approval
10. Consider and act upon resolutions/proclamations
11. Executive Session
 - a. Personnel Matters (Permitted by Section 551.074. Texas Government Code)
12. Convene in Regular Session and take action, if any

CERTIFICATE: I certify the above and foregoing was posted in compliance with Sections 551.043 and 551.049. Texas Government Code at 10 AM on April 17th, 2024. Persons with disabilities who plan on attending this meeting and who may require auxiliary aids are requested to contact Administrative Assistant Helly Moncada in the office of the Uvalde County Judge no later than 4 PM on Thursday prior to the meeting.



**WILLIAM R. MITCHELL
UVALDE COUNTY JUDGE**



**1. CONSIDER AND ACT UPON CALL TO ORDER INVOCATION
AND PLEDGE OF ALLEGIANCE**



**I PLEDGE ALLEGIANCE TO THE FLAGE OF THE UNITED STATES OF AMERICA
AND TO THE REPUBLIC FOR WHICH IT STANDS, ONE NATION UNDER GOD,
INDIVISIBLE, WITH LIBERTY AND JUSTICE FOR ALL.**



**HONOR THE TEXAS FLAG; I PLEDGE ALLEGIANCE TO THEE, TEXAS, ONE STATE
UNDER GOD, ONE AND INDIVISIBLE**

2. CONSIDER AND ACT UPON APPROVAL OF MINUTES

April 10, 2024

_____ **Commissioner Yeackle**

_____ **Commissioner Pargas**

_____ **Commissioner Bates**

_____ **Commissioner Garza**



MINUTES

BE IT REMEMBERED that on the 10th of April, 2024, the Honorable Commissioners Court of Uvalde County, Texas convened in regular session in the Commissioners Courtroom of the Uvalde County Courthouse. The following members were in attendance:

William R. Mitchell, *County Judge*
John Yeackle, *Commissioner Pct. #1*
Jerry W. Bates, *Commissioner Pct. #3*
Ronnie Garza, *Commissioner Pct. #4*
Donna M. Williams, *County Clerk and Clerk of
the Commissioners Court*

Also present were: *County Attorney* John P. Dodson, *County Treasurer* Joni Deorsam, *County Tax-Assessor Collector* Rita Verstuyft, *County Auditor* Alice Chapman, and *County Road Administrator* Dee Kirkpatrick.

Absent: Mariano Pargas, *Commissioner Pct. #2*

1. Consider and act upon call to order, invocation and pledge of allegiance:

The Honorable William R. Mitchell, Uvalde County Judge, called the meeting of April 10, 2024 to order at 10:00AM, followed with the invocation, led the Pledge of Allegiance, and the Texas Pledge of Allegiance.

2. Consider and act upon approval of minutes:

Motion by Commissioner Bates to approve the Minutes of March 25, 2024, as presented.
Motion seconded by Commissioner Yeackle.
Motion unanimously carried (3-0). (See Attached)

3. Consider and act upon application to amend Lots 9A, 10A, 12A of Cold Springs Subdivision, Block Two:

Owner James Underhill filed an application to amend Lots 9A, 10A and 12A of the Cold Springs Subdivision. Fees have been paid to the County Clerk's office. Surveyor Ken Dirksen was present to discuss the request.

Motion by Commissioner Bates to approve the request.

Motion seconded by Commissioner Garza.

Motion unanimously carried (3-0). (See Attached)

4. Consider and act upon order calling for public hearing for the creation of ESD #3:

The Court has previously accepted a petition seeking the creation of Emergency Services District #3. It is required that a public hearing be held regarding the request and be conducted by the Commissioners Court. UFD presented the petition and the suggested date for the public hearing is no later than August 19, 2024.

Motion by Commissioner Garza to approve the public hearing.

Motion seconded by Commissioner Yeackle.

Motion unanimously carried (3-0). (See Attached)

5. Consider and act upon presentation by EMS Director Steven Stevens:

EMS Director Steven Stevens presented annual report.

Motion by Commissioner Garza to accept the report.

Motion seconded by Commissioner Bates.

Motion unanimously carried (3-0). (See Attached)

6. Consider and act upon approval to add floor tile to Mid-Town Complex construction:

Motion by Commissioner Bates to approve request to add floor tile.

Motion seconded by Commissioner Garza.

Motion unanimously carried (3-0).

7. Consider and act upon award of bid for self-propelled brush cutter machine:

Bids were received and opened for this piece of machinery to be used in the Road Department. Dee Kirkpatrick outlined and recommended selecting the John Deere mulcher.

Motion by Commissioner Garza to approve the recommended bid.
Motion seconded by Commissioner Bates.
Motion unanimously carried (3-0). (See Attached)

8. Consider and act upon acknowledgment of County Clerk certification:

County Clerk Donna M. Williams recently earned certification for completion of the required 20 hours of continuing education per Section 51.605 of the Texas Government Code.

Motion by Commissioner Bates to accept the certification.
Motion seconded by Commissioner Yeackle.
Motion unanimously carried (3-0). (See Attached)

9. Consider and act upon Road Administrators Report:

Report by Road Administrator Dee Kirkpatrick for 3/21/2024 – 4/3/2024.

Motion by Commissioner Bates to accept the Road Administrators Report.
Motion seconded by Commissioner Garza.
Motion unanimously carried (3-0). (See Attached)

10. Consider and act upon line-item budget amendments:

None presented.

11. Consider and act upon payment of bills:

Motion by Commissioner Bates to approve payment of bills
Motion seconded by Commissioner Garza.
Motion unanimously carried (3-0).

12. Consider and act upon approval of monthly reports:

Monthly reports that are on file for review in the County Clerk's office were presented to the court for consideration and approval.

Motion by Commissioner Bates to approve monthly reports.
Motion seconded by Commissioner Garza
Motion unanimously carried (3-0). (See Attached)

13. Consider and act upon payroll approval:

Motion by Commissioner Bates to approve payroll.
Motion seconded by Commissioner Garza.
Motion unanimously carried (3-0).

14. Consider and act upon resolutions/proclamations:

The Court approved resolutions and closed the meeting in honor of the memory of the following individuals:

Commander Wesley M. Kramer †
Adam Chapa †
Ruben Reyes †
Jose Chavez †
Judge Ernesto "Neto" Luna †
Susan Elizabeth Paradeaux †
Anthony Ray De La Garza †

With no further business, the meeting of April 10, 2024 was adjourned at 10:29AM. Exhibits identified under a specific agenda item are included as supporting documentation of the actions taken by the Uvalde County Commissioners Court, and are placed after the minutes and before the page titled Commissioners Court Order.

**3. CONSIDER AND ACT UPON COUNTY COURT STAFF
CONFIDENTIALITY POLICY AND AGREEMENT**

The Supreme Court of Texas requires all Court staff to be trained in confidentiality regarding proceedings in Court. Each staff member is required to sign a confidentiality agreement. Attached are the agreements signed by staff of Uvalde County Court. They need to be accepted by the Commissioners Court and regarded.

_____ **Commissioner Yeackle**

_____ **Commissioner Pargas**

_____ **Commissioner Bates**

_____ **Commissioner Garza**

Supreme Court of Texas Confidentiality Policy and Agreement

Employees of this Court occupy positions of public trust. In the course of your duties, you will encounter confidential information about the prospective disposition of cases and the inner workings of the Court.

Preserving the confidentiality of the Court's documents and private deliberations is **crucial to the Court's work**. More specifically, confidentiality furthers the ability of judges and judicial staff to communicate openly and honestly and to reach the most legally correct outcomes for litigants. Confidentiality also builds public respect for the judiciary and impresses on others the gravity of the judicial process. Any breach of confidentiality would betray not only the Court and the individuals who work here, but also the public's interest in thorough, considered justice.

Confidentiality has long been an expectation within Texas courts. Canon 3B(10) of the Texas Code of Judicial Conduct demands that judges and court staff refrain from "public comment about a pending or impending proceeding which may come before the judge's court." Canon 3B(11) of the Texas Code of Judicial Conduct provides that "[t]he discussions, votes, positions taken, and writings of appellate judges and court personnel about causes are confidences of the court and shall be revealed only through a court's judgment, a written opinion or in accordance with Supreme Court guidelines for a court approved history project."

Texas Government Code Section 21.013 creates a Class A misdemeanor criminal offense for the unauthorized disclosure of non-public judicial work product, stating "[a] person . . . with access to non-public judicial work product commits an offense if the person knowingly discloses, wholly or partly, the contents of any non-public judicial work product" Additionally, Texas Penal Code Section 39.06 criminalizes the misuse of official information by a public servant who "discloses or uses information for a nongovernmental purpose that: (1) he has access to by means of his office or employment; and (2) has not been made public", with penalties ranging from a Class C misdemeanor to a felony of the third degree.

This confidentiality policy incorporates the Canons as well as the statutory penalties of both Texas Government Code Section 21.013 and Texas Penal Code Section 39.06. This policy applies to all Court staff, including interns.

1. **Protection of information.** Confidential information must not be shared with persons not employed within the Court, except as provided in Section 3 below. Employees must refrain from commenting about cases that are or may come before the Court to family, friends, or acquaintances.

2. **Confidential information defined.** Confidential information includes:

- a) drafts of opinions not yet released, internal memoranda, emails between judges or staff, and any other document not intended for public use;
- b) conversations between judges or court staff about litigants or cases before, previously before, or expected to come before the Court;
- c) the private views of judges or court staff concerning the disposition of cases, litigants, anticipated cases, or each other;
- d) the authorship of per curiam opinions or orders, the timing of opinion or order release, and any other procedural mechanism not ordinarily public;
- e) documents submitted by litigants under seal; and
- f) other information, however communicated, that is not authorized to be made public.

3. **Disclosures of confidential information.**

- a) **Intentional disclosure** of confidential information outside of the boundaries of (1) above may be met with maximum disciplinary action. See (5) below.
- b) **Negligent or accidental disclosure** is an extremely serious matter that may, but will not necessarily, be met with penalties as described in (5) below. Employees who accidentally disclose confidential information have a duty to promptly report the disclosure to their supervisor, appointing authority, or human resources department so that mitigation can be attempted.

Employees are expected to exercise their discretion and judgment to minimize the risk of inadvertent disclosure. For example, employees should refrain from communicating about sensitive matters in crowded or public spaces where

others may overhear, even within the public areas of the Court. Employees should use court-issued, password-protected equipment to transmit confidential documents. Employees should be mindful of who can see their screen when working at home, on aircraft, public transit, or in public spaces. Employees should carefully keep track of and password protect electronic devices containing confidential information and immediately report any loss or theft of those devices.

- c) **Authorized disclosure** occurs when the Chief Justice or a Justice who supervises the employee authorizes the employee to share work product with a specific person or organization. For example, employees may be authorized to share draft rules or administrative orders with other judicial branch entities for review and comment before they are released to the public, and the Clerk of Court may be authorized to disclose information relating to case status as part of their job duties, provided the Court's internal, confidential deliberations are not disclosed.
- d) **Disclosure as necessary to report misconduct or illegal acts** is permitted. Employees may disclose confidential information when such disclosure is necessary to adequately report to an appropriate authority the misconduct or illegal acts of any person, including sexual or other forms of harassment.

4. **Continuing confidentiality obligation.** An employee's duty to preserve confidentiality survives the employee's departure from the Court. An employee who leaves the Court has the same ongoing duty to protect confidential information that they had during their employment.

Further, the duty to protect information related to the disposition of cases, such as the substance of the Court's deliberations, persists even after an opinion or order is publicly released. Employees asked about a decision of the Court should offer no comment beyond a referral to the released opinion or order.

Finally, employees who depart from Court employment may not retain confidential materials. Employees should return or securely dispose of materials, such as in designated Court shredding bins, prior to an anticipated departure, or as soon as possible after an unanticipated departure.

5. Penalties for unauthorized disclosure: In the event of an unauthorized disclosure of confidential information, the Court will investigate the circumstances and take appropriate disciplinary action, as necessary. Potential disciplinary actions may include but are not limited to:

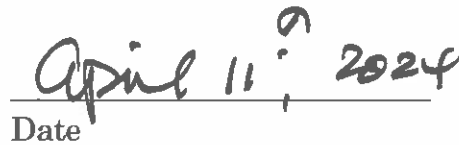
- a) referral of the matter to the relevant law enforcement agency for investigation and prosecution. *See* Texas Government Code Section 21.013 and Texas Penal Code Section 39.06;
- b) termination of employment;
- c) for attorneys, referral to the State Bar of Texas or of other states for discipline and possible loss of the privilege to practice before Texas or other courts; and
- d) for law students, referral to the Texas Board of Law Examiners for consideration in determining eligibility to practice law.

6. Acknowledgement. Please acknowledge your understanding and agreement to this policy by signing below.



Employee's or Intern's Signature

William R. Mitchell



Date

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Argelia Moncada
Employee's or Intern's Signature


April 11, 2024
Date

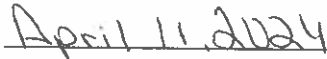
Argelia Moncada

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Employee's or Intern's Signature



Date

Guadalupe Flores

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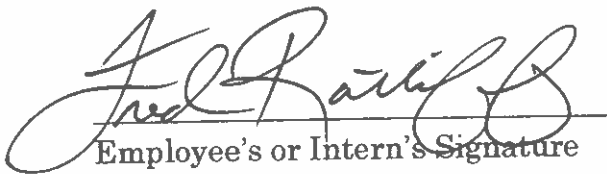

Employee's or Intern's Signature
Michelle Camacho

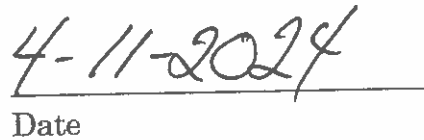
4-11-21
Date

5. Penalties for unauthorized disclosure: In the event of an unauthorized disclosure of confidential information, the Court will investigate the circumstances and take appropriate disciplinary action, as necessary. Potential disciplinary actions may include but are not limited to:

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Employee's or Intern's Signature

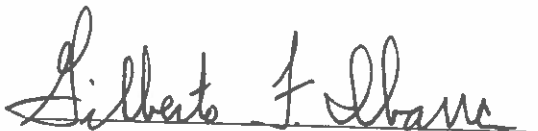

Date


Fred Ratliff

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Employee's or Intern's Signature

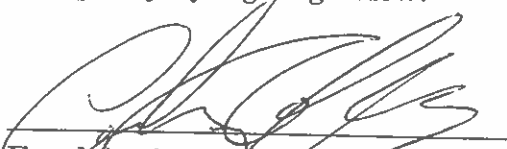

Date

Gilbert Ibarra

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Employee's or Intern's Signature

4-11-2024

Date

Anthony Gonzales

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Sonna M. Williams
Employee's or Intern's Signature

4/11/2024
Date

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Employee's or Intern's Signature

4-11-2024
Date

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Employee's or Intern's Signature

4.11.24
Date

5. Penalties for unauthorized disclosure: In the event of an unauthorized disclosure of confidential information, the Court will investigate the circumstances and take appropriate disciplinary action, as necessary. Potential disciplinary actions may include but are not limited to:

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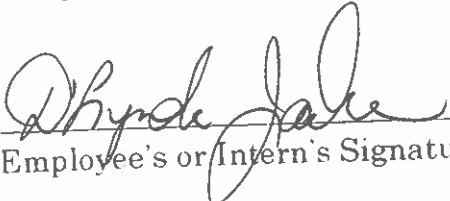
Gracie Maldonado
Employee's or Intern's Signature

4/11/2024
Date

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Employee's or Intern's Signature

4.11.2024
Date

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6. **Acknowledgement.** Please acknowledge your understanding and agreement to this policy by signing below.



Employee's or Intern's Signature

Date 4/11/2024

4. CONSIDER AND ACT UPON ACTIVITY REPORT OF UVALDE COUNTY VETERANS SERVICE OFFICER

VSO Lalo Zamora will give a presentation regarding activities of his office.

_____ **Commissioner Yeackle**

_____ **Commissioner Pargas**

_____ **Commissioner Bates**

_____ **Commissioner Garza**

5. CONSIDER AND ACT UPON ROAD ADMINISTRATORS REPORT

_____ **Commissioner Yeackle**

_____ **Commissioner Pargas**

_____ **Commissioner Bates**

_____ **Commissioner Garza**

UVALDE COUNTY ROAD DEPT. 2023-2024

Pct 1 = 5% County Roads · Pct 2 = 9% County Roads
Pct 3 = 61% County Roads · Pct 4 = 25% County Roads

04/18/24

Date	Num	Account	Amount
1 PRECINT ONE			
Total 1 PRECINT ONE			
2 PRECINT TWO			
04/04/2024	UVLDE ESTAT	CUT GRASS	267.68
04/05/2024	UVLDE ESTAT	CUT GRASS	267.68
04/13/2024	UVLDE ESTAT	COMMISSIONER CLEAN UP	2,561.20
04/15/2024	223	BLADE ROAD	1,228.08
04/16/2024	223	BLADE ROAD	1,146.28
04/16/2024	223	HAUL WATER	181.60
04/17/2024	223	HAUL MATERIAL	637.84
Total 2 PRECINT TWO			6,290.36
3 PRECINT THREE			
04/04/2024	309	BLADE ROAD	1,018.79
04/04/2024	360, 361	HAUL WATER	334.25
04/04/2024	360 TO 361	MOVE EQUIPMENT	267.68
04/04/2024	354	PATCHING POT HOLES	1,057.28
04/04/2024	360-364	BLADE ROAD	1,431.02
04/05/2024	361,309	HAUL WATER	381.84
04/05/2024	348,CONCAN	CUT GRASS	305.52
04/05/2024	361	BLADE ROAD	1,044.32
04/05/2024	CONCAN	MOVE EQUIPMENT	359.72
04/05/2024	309	BLADE ROAD	1,822.19
04/05/2024	354,364	PATCHING ROAD	885.28
04/05/2024	CONCAN,UTOP	EMPTY DUMPSTERS	531.96
04/09/2024	361	BLADE ROAD	1,407.52
04/09/2024	309,391	BLADE ROAD	1,552.44
04/09/2024	354	PATCHING ROAD	918.99
04/10/2024	354	PATCHING ROAD	918.99
04/10/2024	364	BLADE ROAD	1,407.52
04/10/2024	307	BLADE ROAD	1,830.51
04/10/2024	361,364,368	MOVE EQUIPMENT	927.06
04/11/2024	UTOPIA YARD	REMOVE FENCING	456.19
04/11/2024	348	CUT GRASS	254.57
04/11/2024	307	BLADE ROAD	1,830.51
04/11/2024	325,323	BLADE ROAD	1,407.52
04/11/2024	UTOPIA STS	PATCHING ROAD	818.78
04/11/2024	UTOPIA YARD	BLADE AND LEVEL FENC...	1,275.86
04/11/2024	365	BLADE ROAD	1,146.28
04/12/2024	368A	BLADE ROAD	1,146.28
04/12/2024	368A	HAUL WATER	334.25
04/12/2024	307	BLADE ROAD	1,830.51
04/15/2024	368,325	HAUL WATER	183.76
04/15/2024	UTOPIA	PATCHING ROAD	942.49
04/15/2024	365A	BLADE ROAD	1,146.28
04/15/2024	305	BLADE ROAD	1,833.94
04/16/2024	UTOPIA YARD	CLEAN YARD	227.53
04/16/2024	UTOPIA	PATCHING ROAD	989.49
04/16/2024	UTOPIA YARD	INSTALL FENCING	477.64
04/16/2024	323,389	BLADE ROAD	1,225.92
04/16/2024	305	BLADE ROAD	1,830.51
04/17/2024	350,351	CUT GRASS	300.42
04/17/2024	306	BLADE ROAD	1,822.19
04/17/2024	UTOPIA YARD	INSTALL FENCING	516.99
Total 3 PRECINT THREE			40,400.79
4 PRECINT FOUR			
04/09/2024	407	BLADE ROAD	1,146.28
04/09/2024	COUNTY YARD	CLEAN SHOP	135.92
04/10/2024	COUNTY YARD	CLEAN SHOP	77.71
04/10/2024	407	BLADE ROAD	1,146.28
04/12/2024	COUNTY YARD	LOAD ASPHALT	438.83
04/15/2024	COUNTY YARD	LOAD ASPHALT	438.83
04/16/2024	COUNTY YARD	LOAD ASPHALT	263.30
04/17/2024	COUNTY YARD	LOAD MILLINGS	668.55
Total 4 PRECINT FOUR			4,315.70

UVALDE COUNTY ROAD DEPT. 2023-2024

04/18/24

Pct 1 = 5% County Roads · Pct 2 = 9% County Roads
Pct 3 = 61% County Roads · Pct 4 = 25% County Roads

Date	Num	Account	Amount
TOTAL			<u>51,006.85</u>

**6. CONSIDER AND ACT UPON LINE ITEM BUDGET
AMENDMENTS**

_____ **Commissioner Yeackle**

_____ **Commissioner Pargas**

_____ **Commissioner Bates**

_____ **Commissioner Garza**

7. CONSIDER AND ACT UPON PAYMENT OF BILLS

_____ **Commissioner Yeackle**

_____ **Commissioner Pargas**

_____ **Commissioner Bates**

_____ **Commissioner Garza**

8. CONSIDER AND ACT UPON APPROVAL OF MONTHLY REPORT

_____ **Commissioner Yeackle**

_____ **Commissioner Pargas**

_____ **Commissioner Bates**

_____ **Commissioner Garza**

9. CONSIDER AND ACT UPON PAYROLL APPROVAL

_____ **Commissioner Yeackle**

_____ **Commissioner Pargas**

_____ **Commissioner Bates**

_____ **Commissioner Garza**

10. CONSIDER AND ACT UPON RESOLUTIONS/PROCLAMATIONS

_____ **Commissioner Yeackle**

_____ **Commissioner Pargas**

_____ **Commissioner Bates**

_____ **Commissioner Garza**

11. EXECUTIVE SESSION

_____ **Time Started** _____ **Time Adjourned**

- a. **Personnel Matters (Permitted by Section 551.074, Texas Government Code)**

12. CONVENE IN REGULAR SESSION AND TAKE ACTION, IF ANY

_____ **Commissioner Yeackle**

_____ **Commissioner Pargas**

_____ **Commissioner Bates**

_____ **Commissioner Garza**