



**REGULAR MEETING OF THE VILLAGE COUNCIL
VILLAGE OF POINT VENTURE
Wednesday, January 17, 2024 at 6:30 PM
555 Venture Blvd S
Point Venture, TX 78645**

*"Partnership with the community. Foster community pride.
Preserve and enhance the natural beauty of our environment"*

Minutes

A. Items Opening Meeting

1. Call to Order - Mayor Justin Hamilton called the meeting to order at 6:30 PM.
2. Pledge - Mayor Justin Hamilton led the Pledge of Allegiance.
3. Roll Call - Village Secretary called roll: Present were: Mayor Justin Hamilton, Mayor ProTem Scott Staeb, Councilmember Tex Tubbs, Councilmember Mark Maund, and Councilmember Jeff Schroeder. A quorum was present.

B. Public Comment

- *Resident property owner addressed Council regarding December 20, 2023 appointment for unexpired council seat. Candidates on the November ballot for council were individuals vetted by the voters. Appointment should be made from these candidates. Encouraged Council to stay transparent, understand the importance and appearance of following the rules while serving in the public sector.
- *Resident property owner addressed Council once again that elections are important – the candidates who run and the residents that go to vote. At the December meeting the Council did not listen to the Point Venture voters.
- *Resident property owner addressed the Council to voice his support for the December 20, 2023, appointment of John Schwarz.
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- *Resident property owner addressed the Council regarding different perspectives of the appointment and he supports Council appointment on December 20, 2023, of John Schwarz.
- *Resident property owner thanked Council for completing roadways crack seal. He also expressed dislike of the appointment process as a whole, should be elected and not appointed.
- *Resident property owner addressed Council on the following points: fairness and validity of city flag competition; election fraud concerns; National Night Out activities and funds expended; ordinances being selectively enforced; appointment to unexpired council seat; councilmember actions, decisions and due process.
- *Resident property owner expressed opposition to appointment to unexpired term as public had no opportunity or information regarding individual appointed. He suggested the Village hold a special election to fill vacancy.
- *Resident property owner expressed astonishment at Council's seeming collusion with unexpired term appointment and National Night Out banners.
- *Resident property owner addressed the Council to voice his support for the December 20, 2023, appointment of John Schwarz.

C. Mayor Report

Draft resolution for adoption of official city flag will be presented at February 21, 2024 meeting. Input, ideas should be forwarded to the Village Secretary.
Mayor Hamilton will not appoint Council liaisons.

D. Travis County Sheriff's Report

No report provided.

Emergency Services Report

North Lake Church offered to serve as community warming center during extreme cold spell, luckily there was no need. North Lake Church will continue to work toward becoming an overnight shelter for the community.

E. Items to Consider

1. Introduction and discussion with city engineer, Anthony Goode, regarding current and future road improvement projects.
Anthony Goode will review 2017 Road Improvement Plan to offer update, options for continued road improvement planning. Anthony Goode will serve as the Mayor's designated appointment for floodplain management.
2. Discuss appointment of municipal court judge.
Council will meet candidate and discuss appointment of municipal court judge at February Council meeting.
3. Discuss and consider the nomination and appointment, including the process for such nomination and appointment, to fill the unexpired term of the vacant councilmember seat.
Councilmember Tex Tubbs addressed Council with challenge of violation Texas Government Code Section 551.143 by councilmembers and Texas Government Code Section 551.141 invalidity of votes based on violation of the Texas Open Meetings Act. See Councilmember Tubbs formal written challenge as Exhibit A attached to these minutes of January 17, 2024. Council discussion, Mayor Hamilton statement there is no proof of violation of Texas Open Meetings Act. Mayor Hamilton restated actions/vote of Council for appointment to unexpired council seat of December 20, 2023 and appointment stands.
4. Discuss and consider approval of minutes November 15, 2023 Special Meeting-Canvass of Municipal Election.
Councilmember Mark Maund made a motion to approve minutes for November 15, 2023 Special Meeting-Canvass of Municipal Election. Councilmember Tex Tubbs seconded the motion. **The vote was unanimous with Councilmembers Jeff Schroeder, Mark Maund, Tex Tubbs and Mayor ProTem Scott Staeb voting for and no one voting no. Motion Passed.**
5. Discuss and consider approval of minutes December 20, 2023 Regular Meeting of the Village Council.
Councilmember Jeff Schroeder made a motion to approve minutes for December 20, 2023 Regular Meeting of the Village Council. Mayor ProTem Scott Staeb seconded the motion. **The vote was unanimous with Councilmembers Mark Maund, Tex Tubbs, Jeff Schroeder and Mayor ProTem Scott Staeb voting for and no one voting no. Motion Passed.**

F. Presentations and Recognitions

1. Administration of Oath of Office for unexpired council seat term.
Mayor Justin Hamilton administered the Statement of Appointed Official and Oath of Office to John Schwarz for unexpired council seat term through November 2024,

G. Council Reports

1. Financial Report

December Cash in Banks

Councilmember Tex Tubbs reported December monies in bank:

Security State Bank & Trust – Money Market	\$ 94,870.75
Security State Bank & Trust – Operating Account	\$959,780.90
TexPool- Money Market	\$309,863.01
TexPool – Road Fund	\$709,695.78
TexPool – Time Warner	\$ 36,518.34
Total cash in banks	\$2,110,728.78

2024/25 budget workshops will be scheduled for Wednesday, April 24; Wednesday, May 22; Wednesday, June 26, 2024.

2. Building Department

December Building Report

There were no permits issued for single family home, there were 14 certificates of occupancy issued (13 of these were completion of two townhouse projects).

Update status of 613 Deckhouse Drive lot restoration or building project.

Village Assistant Building Official has had numerous communications with the builder, building plans are in process of redesign to satisfy Village building and zoning code requirements.

3. Code Enforcement

Release First Notice of Violation letter non-compliance lot maintenance/firewise principles.

4. Animal Control

Dog registration underway, ACO will attend basic training end of January.

5. Village Services

Development of Village Council rules and procedures to begin with TML Mayor and Council Handbook subset with Village Council created policies for social media, purchasing, gifts, and staff relations.

6. Public Works

No report provided.

7. Planning and Zoning Commission

P&Z, per January 6, 2024 meeting, recommending two individuals for appointment to unexpired P&Z terms through June 2024. Council will consider appointment at future meeting.

Councilmember Tubbs requested that no councilmember and P&Z member meet outside of open meetings and/or workshop.

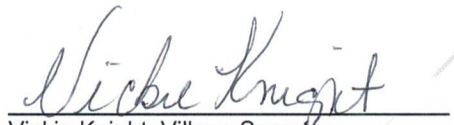
H. Adjourn

Mayor ProTem Scott Staeb made a motion to adjourn. Councilmember Mark Maund seconded.

Mayor Justin Hamilton adjourned the meeting at 7:44 PM.



Justin Hamilton, Mayor
Village of Point Venture



Vickie Knight, Village Secretary
Village of Point Venture

**This facility is wheelchair accessible and accessible parking spaces are available. Reasonable modifications and equal access to communications will be provided upon request.*

EXHIBIT A January 17, 2024

If you don't mind, in order for me to stay brief, focused, and uninterrupted I'm going to read from my notes.

I'd like to thank Mr. Schwarz for his military service, and I'd like to thank him and all five candidates who ran in the election for stepping up and submitting their interest to serve on council.

I'd also like to apologize to two of these individuals (Mr. Schwarz and Ms. Wells) for being caught in the middle of this discussion, and I believe the both of you, the council and the citizens have been put in a very awkward situation.

I know we're a small community and we're all friends or friends of friends; however, per the State of Texas, the line of demarcation for a government body is clear when it comes to public officials communications amongst themselves regarding public business.

*It was apparent, that prior to our last open meeting, members of council or some combination of three had spoken with each other regarding the nominations in a prohibited series of communications as defined by Texas Government Code Section 551.143. This created a quorum in violation of the Texas Open Meetings Act, and therefore, per Texas Government Code Section 551.141 an action taken is voidable. Therefore, I uphold the nomination and appointment of Mr Schwarz is invalid.

Unfortunately, not only was the final nomination and appointment tainted by actions of this council but so was the first nomination (of Ms. Wells), and I challenge the validity of both votes based on violations of the Texas Open Meetings Act.

I'll likely loose friends we have in common for speaking out over this (and for that I'd be sad on several levels); maybe, I'll gain respect from others for protecting all of our rights; regardless, I'm willing to take that risk as I'm obligated to call out this violation. I trust that it's important to the council and citizens of this community that we have a fair and open government, and understand that open government ran by the people and for the people is not just a slogan on a t-shirt but it's a constitutional right and open meetings are required by Texas law. I will not give up these rights, and I have a fiduciary responsibility to defend and protect them for all of our citizens. Village business is public business.

Maybe this was naivety on the part of some of our members. However, the others knew better. I also want to make it clear to this council if it happens again I will contact the Texas Attorney General's office for investigation.

I encourage Mr. Schwarz to run in the November election, and if we're both elected I would look forward to serving with him.

Since Mr. Schwarz's nomination is invalid, I recommend we discuss another candidate for consideration for the open council seat.