

**MINUTES OF THE REGULAR MEETING
TOWN OF BAYVIEW, TEXAS
Held at
102 S. San Roman, Bayview, Texas**

February 21, 2013, 6:30 P.M.

Present were: Mayor Leon Deason, Aldermen Garry Lowder, Tom Rodino, Mark Mullendore, Ed Morris and Building Inspector Donny Curry. Please see the attached sign-in sheet for a complete list of attendees.

1. The regular meeting of the Board of Aldermen of the Town of Bayview Texas was called to order.
2. The Pledge of Allegiance was led by Mayor Deason.
3. Public Comments and Announcements were invited by Mayor Deason. There were no citizen comments or announcements. Mayor Deason announced that he had spoken to Carol DeMoss and, because of health reasons, she was resigning her position of Town Secretary. Konnie Hooton and Mayor Deason will be covering the position until a new Town Secretary can be hired. Mayor Deason asked for anyone interested in the position to contact the Town Office and that the salary would be commensurate with experience and office management skills. Mayor Deason asked that Item #16 on the agenda to be moved to Item #9. There were no objections.
4. Approval or Rejection of Consent Agenda items:

- A. Minutes of the January 24, 2013 meeting were approved with a motion by Garry Lowder that was seconded by Mark Mullendore. The motion was unanimously approved.
- B. The January 2013 financials were approved with a motion by Tom Rodino that was seconded by Garry Lowder. The motion was unanimously approved.

Mayor Deason commented that the Ad Valorem cash balance at 2/19/13 was \$174,426.30, of which \$118,494.30 is still due on the Roads Project. This leaves a balance of \$55,932 available. There is a principal loan payment of \$80,000 due October 2013 and an interest payment of approximately \$17,440 due at the same time. That would leave the Ad Valorem funds short \$41,508. Historically, in October of each year, the Town collects approximately \$39,000 in taxes. Mayor Deason would like to pay about \$10,000 on the principal on the loan and invest the balance of approximately \$42,000 in a six-month CD. No vote was asked at this time and will be put on the March 21, 2013 agenda for further discussion. Tom Rodino asked for a copy of the spreadsheet showing the above calculations.

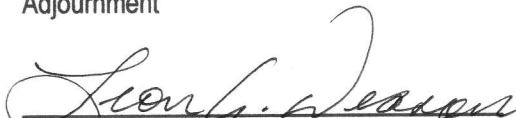
5. Building Inspector Donny Curry reported the Boswell's permit will expire March 1, 2013. There have been no changes at the Mirthala property. The permit for Grady Deaton's sea wall has expired. Ernie Farmer has not completed his fencing project and his permit will expire in April 2013. Ken Jaeger still has a stop work order in effect. No work being done on the Patton permit. Donny will contact June Williams to close out her permit. Richard Franke has asked for an inspection of his addition. The slab for Richard Meyn was inspected. The piping for the Gonzalez pool was inspected and they were approved to proceed with plastering. The Bret Andrews carport slab was approved and assembly of the aluminum kit was approved. The Barbara Creighton house is progressing nicely. Fees of \$50.00 for the Danica Carlson fence were approved by a motion from Tom Rodino and a second from Ed Morris. It passed unanimously.

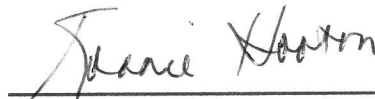
6. Discussion and approval or rejection of the Proposed Changes and Amendments to the Procedural Rules of the Building and Standards Commission. Tom Rodino pointed out that it is not changes to the procedural rules, but changes to the Ordinance establishing the Building and Standards Commission. Ron and Susan Heinz reviewed the Ordinance and had no comments. No other comments have come in. No action can be taken until the Ordinance is posted on the website as previously requested. Tom Rodino volunteered to make sure that the Ordinance is posted on the website. Further discussion tabled until the March 21, 2013 meeting.
7. The 2013 dues statement from LRGVDC for \$68.00 was presented by Mayor Deason and was approved with a motion by Tom Rodino which was seconded by Garry Lowder. The motion was unanimously approved.
8. Mayor Deason stated the Early Voting Dates by personal appearance will be each weekday at the Town Office at 102 S. San Roman Road in Bayview, Texas between the hours of 9:00 a.m. and 1:00 p.m. beginning April 29, 2013 and ending May 7, 2013. Early voting on April 30, 2013 and May 7, 2013 will be between the hours of 7:00 a.m. and 7:00 p.m. Mark Mullendore made a motion to approve which was seconded by Tom Rodino. The motion was unanimously approved.
9. Mayor Deason presented the problem of having no Town Secretary to run the upcoming election. There was much discussion on trying to get volunteers or paying individuals to help with the election. Mayor Deason presented the option of paying Cameron County approximately \$4,500 to run the voting for the upcoming election, but there would still need to be a point of contact person to accept and approve applications, order ballots, order the voting machine, etc. Susan Heinz volunteered to help with the election. Volunteers will still be needed to assist Susan Heinz with the election. Mark Mullendore made a motion to reject the option to pay Cameron County to run the election and was seconded by Tom Rodino. The motion was unanimously approved.
10. The Mayor announced that the drawing of Candidate positions on the ballot will be at 10:00 a.m. on March 5, 2013. Tom Rodino made a motion to approve which was seconded by Garry Lowder. The motion was unanimously approved.
11. Mayor Deason presented the Resolution opposing Brownsville's City Limits Strip Annexations and ETJ. Mayor Deason gave the background history of this resolution involving the seven small cities surrounding Brownsville and the ETJ encroachment. There have been articles in recent newspapers. Further discussion was agreed to be tabled until the March 21, 2013 meeting.
12. Mayor Deason presented an Interlocal Cooperative Agreement with Cameron County to apply oil to Calle Hermosa. The agreement states that the Town of Bayview's share will be the materials cost which is estimated to be \$3,763.08. The County will provide the labor and equipment which is estimated to be \$1,186.00. This is a one-time agreement. Garry Lowder made a motion to approve the Interlocal Cooperative Agreement and it was seconded by Tom Rodino. The motion was unanimously approved.
13. A statement from The Rentfro Law Office in the amount of \$206.25 was approved with a motion from Tom Rodino and seconded by Mark Mullendore. The motion was unanimously approved.

14. Mayor Deason presented the request of a change to the Order of the upcoming General Election to include a place on the ballot to change the term for the Mayor and Aldermen positions one (1) through five (5) from a four (4) year term to a two (2) year term, subject to the approval of the Texas Attorney General's Office and the US Department of Justice, Civil Rights Division. Tom Rodino commented that he asked to have this put on the agenda to discuss the fact that more candidates would run for office if it were for a shorter term than four years. Mark Mullendore made a motion to reject the change and Ed Morris seconded the motion. Tom Rodino and Garry Lowder opposed the motion. Mayor Deason voted to reject the change; therefore, the motion to reject the request to change the term from four (4) years to (2) years was passed.
15. Mayor Deason read a resolution from LRGVDC to support the consolidation of UT Pan American, UT Brownsville and the Regional Academic Health Center into a single entity. Tom Rodino made a motion to approve the resolution which was seconded by Garry Lowder. Mark Mullendore and Ed Morris opposed the motion. Mayor Deason voted to reject the resolution; therefore, the motion failed and the resolution was rejected.
16. Mayor Deason suggested the need to hire a contractor to spray the paved roads in Bayview one (1) foot beyond the pavement with herbicide four (4) times per year. Mayor Deason presented written bids from John Williams and Shafer Property Maintenance. The third bid was a verbal bid. It was agreed that this needs to be done to preserve the new roads; however, approval of a contractor was tabled until the third written bid is received and more details could be obtained on the other written quotes.
17. Mayor Deason presented the latest update on the Roads project stating that there is still work that needs to be done on most of the roads. Eric Villarreal of LNV will provide a punch list. San Roman will need to be rescarified and redone from start to finish. Some of the other roads also need work.
18. George Rosas, a resident of Bayview, was present to discuss his issues with the building inspection and permitting process.
19. Reports
 - A. Alderman Tom Rodino Emergency Management reported that the Town of Bayview Preparedness Profile is up to speed. He also pointed out that National Severe Weather Preparedness Week is March 3-9, 2013 and that he would put together information to send out to the Town via email. Tom also reported that a town resident, who had been issued a burn permit by the Town, got cited by a Cameron County Sheriff for being in violation of the burn permit. He determined that the burn site was too large and was unsafe. The Cameron County Sheriff's department does have the authority to issue citations to residents who they deem to be in violation of the burn permit issued by the Town of Bayview. Tom brought attention to a Notice of Violation form and stated that there is a provision in the ordinance for a \$500 fine to make sure that residents are complying with the state guidelines on burning.
 - B. Alderman Tom Rodino Building and Standards Commission had no report. He stated that the Ordinance would be discussed at the March 21, 2013 town meeting.
 - C. Regarding Citizens Concerns: Mayor Deason reported that a Bayview citizen, Bob Steinbeck, notified the town that he had two stray dogs in his yard and an email was sent to the Town residents.

The Regular Meeting of the Board of Aldermen adjourned at 8:30 p.m. with a motion by Tom Rodino and a second by Ed Morris. At that time the Board of Alderman went into an Executive Meeting as authorized by Subchapter D Chapter 551 of The Texas Local Government Code to discuss pending or contemplated litigation and legal matters of the Town.

1. The regular meeting of the Board was called to order.
2. There were no action items or motions brought forth from the Executive Session.
3. Adjournment


Leon Deason, Mayor


Konnie Hooton, Acting Town Secretary