

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

March 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. At that time the Board of Alderman went into an Executive Session as authorized by Subchapter D Chapter 551 of The Texas Local Government Code to discuss personnel issues of the Town.
4. The regular meeting was reconvened and called back to order. Mayor Deason asked if there were any public comments or announcements from anybody. There were none. Then Mayor Deason announced the upcoming candidate forum on Thurs April 4, at 6:00 pm, and stated that we were accepting questions submitted to the town office via email to be sorted through and asked of the candidates that night. Election begins April 20, Election May 11. Mayor Deason also announced that Susan needed help with the elections. Susan stated that she needed people only for the counting board, no on line test required.
5. Approval or Rejection of Consent Agenda items:
 - A. Minutes of the February 21, 2013 and March 5, 2013 Board Meetings were approved with a motion by Tom Rodino and was seconded by Ed Morris. The motion was unanimously approved.
 - B. The February 2013 financials were approved with a motion by Tom Rodino that was seconded by Mark Mullendore. The motion was unanimously approved.
6. Building Inspector Donny Curry reported there have been no changes at the Mirthala property. This should not be on the agenda as they have no permits current. The permit for Grady Deaton's sea wall is terminated. Ernie Farmer has not completed his fencing project and his permit will expire in April 2013. Donny will go talk with him. Ken Jaeger still has a stop work order in effect. No work being done on the Patton permit. June Williams, 104 Centerline is completed. Richard Franke has asked for an inspection of his addition, Donny just needs to finalize. The slab for Richard Meyn was inspected, no other work has been done. The Gonzalez pool just lacks a final inspection, should be off the report next month. The Bret Andrews carport slab was approved and assembly of the aluminum kit was approved, all that is left to complete is the top. Donny will check to see if completed. The Barbara Creighton house is progressing nicely, it was inspected and passed for a working clearance. Rogelio Gonzalez' new residence not ready to inspect, still need more information. Barbara Creighton's swimming pool passed and looks great. Donny will meet with her regarding pool rules gates and fencing. The June Williams storage shed foundation is above and beyond requirements, looks good. Michael Boswell renewed their permit. Fees of \$35.50 for the Boswell permit and \$25.00 for the Friedman storage shed for a total of \$60.50 were approved by a motion from Mark Mullendore and seconded by Ed Morris. Motion passed unanimously.

7. Billing from the Rentfro Law Firm in the amount of \$1,995.59 was unanimously approved with a motion from Tom Rodino and a second from Garry Lowder. Motion unanimously carried.
8. Proposed changes to the Job Description for the Town Secretary was approved with a motion from Tom Rodino and a second from Mark Mullendore. Motion unanimously carried.
9. Acceptance or rejection of Susan Heinz as town secretary. Motion made by Mark Mullendore and seconded from Tom Rodino to accept Susan Heinz as Town Secretary. Motion unanimously carried.
10. Mayor Deason read into the record an article in the paper regarding the drought and water shortage issue with Mexico. Mayor Deason then read the Water Treaty and Resolution. Rejection or Approval was discussed of the Resolution for the International Boundary and Water Commission and the United States Department of State to pursue appropriate Minute Orders urging Mexico to comply with the Treaty. There was discussion among the Aldermen concerning this ongoing issue. Tom Rodino did make a motion to accept the resolution, Ed Morris seconded. The motion carried unanimously.
11. Changes to the ordinance that establishes the Building and Standards Commission were presented by Tom Rodino. This is regarding not having a majority of the Building and Standards Commission being on the Board of Alderman. The concern is that there is a conflict of interest with The Board also being the Building and Standards Commission. The recommended changes are that there would not be more than two Board of Aldermen sitting on the Building and Standards Commission. Tom stated that one of the challenges of the Building and Standards Commission has been getting people interested and volunteering to serve on this committee. Mayor Deason explained that the Building and Standards Commission does not have anything to do with writing ordinances, only enforcing the ordinances as written. After much discussion, Mark Mullendore made a motion to accept the proposed changes to the Building and Standards Commission as presented. Tom Rodino seconded. The motion carried unanimously.
12. Discussion on Approval or rejection to allow TxDot to maintain the State roads in Bayview. Mayor Deason explained that the resolution just gives them the authority to maintain the roads and pavement of state roads, FM 510 and FM 2480. Mark asked if North San Roman was included, it is not, but South San Roman is because it connects with FM 2480. Resolution 2013-21-03 approving the agreement between the State of Texas and the Town of Bayview. Mark Mullendore made a motion to approve the resolution, and Tom Rodino seconded. The motion carried unanimously.
13. Discussion to approve a contractor to spray the roads in the Town of Bayview with Round-up, one (1) foot off the pavement on both sides of the road. The Mayor stated that Joe Lee Bryant was the lowest bid with \$75.00 per mile, both sides of the road. Mr. Williams was \$100.00 per mile, Justin Shafer was \$165.00 per mile. Tom Rodino made a motion to accept the bid from Joe Lee Bryant for \$75.00 per mile. The motion was seconded by Ed Morris. The motion carried unanimously.
14. Mayor Deason discussed pop-ups on our website and mentioned that he has spoken with Sean Till. There was some discussion concerning changing the web page host. Tom Rodino will research other website possibilities and the discussion was tabled until the April meeting.

Discussion Items:

1. Mayor Deason updated everyone on the roads project. There are many roads which need to be completely redone. The Town has written a letter to the Bond Company to request a claim against the FJW paving company. The bond company will try to mitigate with FJW Paving to get the job completed. The Mayor stated that we do have a 100 percent bond on this project and that the roads will get fixed. Update on Calle Hermosa, stating that the county was grading now and would be coming back to oil the roads, which would cut down on the dust. Mayor stated that he had received several complaints about the pot holes on the bridge on Camp Road. From Calle Hermosa to just north of the bridge is entirely in the town of Bayview.

Estimated cost from the only bid to repair is \$7200. It was suggested that we wait to make a decision until after the main road project is completed. Further discussion was tabled until the April meeting.

2. There was an update given on the City of Bayview ETJ and the ETJ Interlocal Agreement with the City of Brownsville.

Reports:

1. **Emergency Management:** Nothing changed. Reported that the weather pattern is not predicted to change – still dry. We have had good compliance with the burning ordinances, but burning is still pretty dangerous. Tom reported about an approved burn that got a little out of hand due to the wind and dryness, the Los Fresnos Fire Department responded. Tom would like to have a burn violation form stating what permit conditions were violated. This form to be delivered to the homeowner.

2. **Building and Standards Commission:** Tom is looking for a secretary for the Commission as Susan Heinz took the position of Town Secretary and the commission wishes to avoid a conflict of interest issue. The Building and Standards Commission is also looking for volunteers to serve on the Commission. It was also mentioned that there would be a meeting of the Building and Standards Commission on Tuesday April 2 at 6:30 p.m. in the Town office.

3. **Citizens Concerns:** Only complaints to office were concerning the potholes on Camp Road.

The Regular Meeting of the Board of Aldermen adjourned at 8:00 p.m. with a motion by Mark Mullendore and a second by Garry Lowder.

/s/ _____
Leon Deason, Mayor

/s/ _____
Susan Heinz, Town Secretary

Persons with any disabilities that would like to attend meetings must notify the Town Secretary 24 hours in advance so that the Town can arrange for that disabled person.