

**MINUTES OF THE REGULAR MEETING
TOWN OF BAYVIEW, TEXAS**

**Held at
102 S. San Roman, Bayview, Texas**

September 19, 2013

PUBLIC HEARING

The Public Hearing to receive input from voters and residents concerning the Proposed General and Ad Valorem Budgets for Fiscal Year 2014, stating an ad valorem property tax revenue in the amount of \$108,100, showing an increase of 6% from the previous year, as well as the general budget in the amount of \$33,725. The Proposed Ad Valorem Tax Rate to remain the same at \$.25 per \$100 of property value, was called to order at 6:30 p.m. by Mayor Tom Rodino.

There were no comments from the residents concerning these items.

TOWN COUNCIL MEETING

The Public Hearing was adjourned at 6:35 p.m.

1. The regular meeting of the Board of Alderman of the town of Bayview was called to order, September 19, 2013 at 6:40 p.m. at the Town Office, 102 S. San Roman, Bayview, Texas.

Present were: Mayor Tom Rodino, Aldermen: Garry Lowder, Bill Hooton, Scott Stachowiak, Mark Mullendore and Leon Deason; as well as Town Secretary, Susan Heinz.

2. The Pledge of Allegiance was led by Mayor Rodino.
3. Mayor Rodino welcomed everyone in attendance and asked if there were any public comments or concerns. He reminded those present that the Board was not allowed to comment, discuss or make any type of decision regarding the comments.

Robert Steenbock expressed his displeasure with the water district when they installed the hydrants and water lines. They tore up the ROW and did not come back in to smooth out the ruts or anything. He is trying to maintain his ROW, but the Girl Scouts are not and he is not getting any help from the water district.

Janis Silveri complimented the condition of the roads. She also expressed concern that there was an event at the Girl Scout camp and there were a lot of cars parked along South San Roman, and that there was no lighting provided by the Girl Scouts to aide in the safe crossing of the street by the pedestrians in the dark.

Roger Mantony thanked Mayor Rodino for being at the large house fire in Bayview.

Garry Lowder expressed that he had heard from several people about interest in how the Town of Bayview was started in the late 1920's. He stated that we would be interested in hearing from anyone with any history on the Town and that we would be trying to put together an archive for the Town. Alderman Hooton stated that this was a perfect time to begin this since we are in the process of going through all of the old documents in the Town office.

Mayor Rodino spoke about the house fire on Chachalaca, belonging to the Casas'. The house was destroyed and Mayor Rodino mentioned the greatest problem was that the house sits back from the road, when people saw smoke and reported it, then it was too late to save the home. Mayor Rodino did mention that the volunteer fire department from Los Fresnos responded in about 15 minutes, but then they couldn't get all of their trucks through the gate of the home.

The regular meeting of the Board of Alderman was adjourned at 6:45 in order to go into Executive Session at 6:43 p.m.

Executive Session:

Executive Session was called to order at 6:45 p.m. for deliberations concerning:

- a. Section 552.071: Consultation with Attorney
- b. Section 551.072: Deliberations about Real Property

The Executive Session was adjourned at 7:30 p.m.

Resume Open Meeting:

The regular meeting of the Board of Alderman was reopened at 7:35 p.m.

Action Items:

Old Business (matters carried forward from a previous meeting or meetings):

There was no old business carried forward.

New Business:

1. There was some discussion about matters relating to the Bayview Palms Subdivision. The engineer representing Bayview Palms presented a request for variance to the Board. Mayor Rodino accepted the request and stated that after consultations with the Town Attorney, David Irwin, and TML Attorney, Roger Hughes, the Town would respond to their request. Alderman Deason made a

motion to accept this course of action and Alderman Lowder seconded, the motion carried.

2. Mayor Rodino asked Alderman Stachowiak to update the Board on his research into developing a new lease agreement with the Girl Scouts. There are still several unresolved issues. There was no action taken by the Board at this time.
3. Approval of the Consent Agenda: Minutes of the Town Meeting August 15, 2013. Financial Reports for the month of August, 2013, Building Inspector Report and fees, and payment of billing from Joe Lee Bryant in the amount of \$321.37 for spraying. Alderman Deason had some questions concerning the Financial Reports. Item b. in the consent agenda, the billing from Justin Shafer (item f), was in the agenda in error and was removed. A motion was made by Alderman Hooton to accept the Consent Agenda, with a second from Alderman Lowder. Motion carried.
4. There was discussion concerning adopting the proposed Town of Bayview budget for FY 2014, with the ad valorem budget at \$108,480 and the general budget at \$33,725. Alderman Deason questioned the secretary payroll budget, thinking it was not enough, and was assured that this figure was correct. Alderman Deason was also concerned that the amount of money budgeted for publications and road maintenance. A motion was made by Alderman Hooton and seconded by Alderman Mullendore to accept the budget. Motion carried.
5. There was discussion concerning the adoption of the Town of Bayview ad valorem tax rate of \$.25 per \$100.00 property value. A motion was made by Alderman Deason and seconded by Alderman Lowder that we accept the ad valorem tax rate for FY 2014. Motion carried.
6. An update was given on the road repair project. LNV Engineers are stating that roads have been completed according to the approved specifications. Alderman Deason made a motion to approve the completion of the roads, a second was made by Alderman Mullendore. Motion carried.

LNV's recommendation for final payment was approved by a motion from Alderman Deason and a second from Alderman Mullendore. Motion carried.

7. Numbering on agenda was incorrect, Agenda went from 6 to 9, the minutes have been changed to reflect the correct numbering. Voting on a new slate of officers for the Building & Standards Commission took place. The elected regular members are: Ron Heinz, Roger Mantony, Stephen Hester, Jeneria Lewis and Mark Mullendore. The alternates are: Barbara Creighton and Garry Lowder. Alderman Hooton made a motion to accept this slate of officers, Alderman Deason seconded. Motion carried.
8. Discussion or action on adopting the Town policy proposed August 15, 2013, regarding public hearings. Some discussion and clarification was conducted

concerning the requirements for a public hearing. A motion was made by Alderman Hooton that we adopt the Town Policy on Public Hearings proposed August 15, 2013. Alderman Stachowiak seconded. Motion carried.

9. Discussion concerning possible action on ROW maintenance. Mayor Rodino stated that the Town had received a complaint from Dennis Franke concerning the Town procedures involved in clearing a tree from his property and charging him.

Concerns were expressed about the lack of compliance of the property owners when they fail to clean up their property. The overgrowth of trees and weeds along the roads is dangerous. There was some discussion about volunteers clearing the ROW on some of these properties and whether or not this could be done. Alderman Hooton volunteered to draft a new policy to address these issues.

There was also discussion concerning the bids The Town has received from Justin Shafer to clean up the ROW on properties on Calle Hermosa and West Resaca/Palma. It was decided by the Board that the Town seek more bids, as the bids from Justin were quite high.

10. Mayor Rodino proposed the selection of a new Mayor pro-tem for the fiscal year 2014. He thanked Alderman Mullendore for acting as Mayor pro-tem for the past years. After some discussion, Alderman Hooton volunteered. Alderman Lowder made a motion to accept Alderman Hooton as Mayor pro-tem, Alderman Deason seconded. Motion carried.

Discussion Items:

11. Mayor Rodino updated the Town on the status of the Madison Grove Subdivision Church and school, stating that we have not received any communication from them since last month.
12. A review of the Bayview standalone ordinances and Zoning Ordinances has been undertaken by Alderman Mullendore. He then handed his recommendations over to Susan Heinz, Town Secretary, for compilation.
13. A review of the Town's noise ordinance is underway and it was decided that it still needs work. There are quite a few inconsistencies in the current ordinance. Alderman Lowder will review the noise ordinance and make recommendations.
14. Roger Mantony gave a brief presentation concerning developing a Citizen Corps/Community Emergency Response Team (CERT). It was decided that the Town, with the help of Roger Mantony, should take on the task of compiling a resource list of specific talents of the residents of Bayview for use in an emergency, contact list for email, call-chain or other methods of communication.

Reports:

15. Mayor Rodino asked Susan Heinz to email the ordinance establishing the B&S Commission to the newly elected members.

Mayor Rodino commented on Emergency Management, bringing up the house fire on Chachalaca, stating that if the fire had taken place several weeks earlier when it was so dry, the situation could have been a lot worse. Also reminding all of us that we are still in hurricane season.

Adjourn

The regular meeting of the Board of Alderman was adjourned at 8:50 p.m. with a motion from Alderman Mullendore and a second from Alderman Deason. Motion carried.

/s/ Tom Rodino, Mayor

/s/ Susan Heinz, Town Secretary