

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

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

August 21, 2014

Public Hearing

1. The public hearing was called to order at 6:30 p.m. by Mayor Rodino. Those present were Mayor Rodino, Aldermen Lowder, Hooton, Mullendore, Stachowiak and Deason; Town Secretary Susan Heinz and residents of the community.
2. Mayor Rodino led those present in the Pledge of Allegiance
3. Mayor Rodino announced that the Public Hearing scheduled regarding the proposed change to the Town's Zoning Ordinance for the Commercial "C" District would not be held at this time.

Regular Meeting

1. Mayor Rodino welcomed those present and asked if there were any public comments.
 - a) Jeneria Lewis expressed concern that there was no proposed budget for the Building & Standards Commission for Fiscal Year 2015
 - b) Bob Steenbock commented on the proposed zoning changes. He requests that the town remove the prohibition of liquor or alcohol sales in the town if the town ever expects to grow
 - c) Jeneria Lewis commented on the proposed zoning change for Zone C, questioning the language of 'permanent' structures and questioned portable structures, tents and tent revivals, as well as regular services vs. non-scheduled services in private homes
 - d) Bonnie Gibbons questioned the proposed budgeted amount for elections in the coming year, she expressed concern we had not budgeted enough. Susan Heinz explained that the amount budgeted was the amount spent for the regular election in 2013, including wages for the Town Secretary for extended hours. A run-off election was necessary and the town essentially conducted 2 elections in 2013, which is why we were over-budget.
 - e) Mark Kearney spoke to the public hearing. He expressed his support for allowing churches and schools in the Town of Bayview.
 - f) Jeneria Lewis – spoke again regarding the budget regarding Building & Standards. She questioned if she could seek reimbursement of her expenses in a year or two and also requested if the Building & Standards Commission could have their own account and the revenues from the fines

and fees. She also expressed that she was not against churches and schools in Bayview, as long as they located in the Commercial Zone.

- g) Tammy Jo Kearney spoke to the budget concerns and pointed out that the few businesses located in Bayview are only paying a 1% sales tax to Bayview but we could raise that tax to 2%. She also expressed that she didn't feel the Town of Bayview could afford to fight the church/school issue and she personally doesn't feel there is a lot of traffic on Ted Hunt Road where the church plans to locate.

Action Items

Executive Session

There was no Executive Session

Old Business

There was no old business carried forward

New Business

1. Discussion and approval or rejection of amending the Bayview Zoning Ordinance for the Commercial "C" District. This was tabled as the Public Hearing was not conducted.
2. Discussion and possible action relating to the Cornerstone Church lawsuit. The Town has responded to the lawsuit and there have not been any developments since that time.
3. Discussion and approval or rejection of reallocating \$5,000 from the Disaster Recovery Fund to the General Fund. This allocation is necessitated by the increased legal fees associated with the Cornerstone Church lawsuit. Mayor Rodino asked for a motion approving the transfer of funds. Alderman Deason made the motion, Alderman Hooton seconded. All voted in favor, motion carried.
4. Discussion and action on the FYE 2015 budget planning process:
 - a) Acceptance of the proposed budget. Mayor Rodino stated that we do have a draft budget that has been sent out and he thanked those who had made comments. He also stated that the Town expects a smaller revenue stream in 2015 than we had in 2014 for a decrease of about 5%. Our legal fees are over-budget this year and are predicted to be over-budget for the next year. One of the things the town is looking at is reducing the Town Secretary's hours from 16 to 12 hours per week to save money. Mayor Rodino stated that we did not predict fine income from Building & Standards and hope not

to have to use Building & Standards. We are anticipating a couple of new home construction projects to be started in the coming year. It was also mentioned that we are owed approximately \$8,000 in back taxes and will be in contact with the County to possibly ascertain when we could expect to receive those funds. There was some discussion about sales tax revenue and who pays that. Alderman Deason asked why the drop in estimated property tax. Konnie Hooton stated that there are property owners in the town protesting their taxes which may have something to do with it.

Alderman Deason also mentioned that the Town would no longer be receiving revenue from OSSF as we no longer have an OSSF inspector, the fees will all go to the County. Alderman Deason also questioned the Ad Valorem Tax Administration Fees, why did they go up for the coming year.

- b) Proposed tax rate for review and posting on the Town website and Newspaper of Record. Mayor Rodino stated that once again our proposed property tax rate is \$.25/\$100. State law states that we are capped at this rate and the Town cannot raise taxes.
- c) Approval of September 18, 2014 as the date for the Public Hearing as well as the date to adopt the FYE 2015 budget. Mayor Rodino asked for a motion to approve September 18, 2015 for this action. Alderman Hooton made the motion to approve, Alderman Deason seconded. All voted in favor, motion carried.

- 5. Discussion and approval or rejection of switching internet service provider from Orbit Broadband to Exede. Orbit cannot get line-of-sight from our new location so we would have to be connected to the tower on top of the Girl Scout building. The cost of Exede will be the same amount as the current charges from Orbit. The Town will need to enter into a 2 year agreement, and we get free installation. Mayor Rodino asked for a motion to approve an agreement with Exede. Alderman Deason made the motion, Alderman Lowder seconded. All voted in favor, motion carried.
- 6. Discussion, progress reports and possible action relating to construction of the new Town Office Building.

Mayor Rodino gave an update about the septic system being installed, realizing that it is much larger than we need at this time, but we are planning for the future. The building will be coming in under budget. We saved money on air conditioning and other areas. Mayor Rodino explained that the interior of the office and the restroom will be drywall, with the rest of the building remaining unfinished. The septic bid of \$4160.00 will be a little higher because of permit fees due to the County as well as the fact that Super G Construction performed the plumbing from the tank to the building. Those items were not on his original bid. Completion of the building is expected by August 30 with move-in by September 15 and we hope to conduct the September Board meeting in the new facility. Susan Heinz and Konnie Hooton will look for chairs for the meeting room. Alderman Hooton stated that we would need volunteers to hang, float and tape the sheetrock. Mayor

project, the ideal method of payment would be to have Mayor Rodino or Susan present so that the Town debit card could be used, but if that was not possible, make sure the receipts get to the office for reimbursement.

There was more discussion on the need for moving the signs. The Girl Scouts do not need the mailbox, but Ofie Alvarez from the Girl Scouts stated that they could use the green posts from our Town sign. Alderman Deason stated he would contact Joe Lee Bryant about relocating the signs for us and digging the post holes.

There was more discussion about getting caliche for the driveway and parking lot at the new office.

7. Approval of the Consent Agenda:

- a) Minutes of Town meetings of July 17 and July 31, 2014
- b) Financial reports for month ending July, 2014
- c) Building Inspector report and fees due in the amount of \$46.00
- d) Payment of current billing from Rentfro in the amount of \$1043.79

Alderman Deason wants the Rentfro Law Firm to go back over past billing and re-allocate some of the charges. Alderman Hooton made a motion to approve the consent agenda. Alderman Lowder seconded. All voted in favor, motion carried.

8. Discussion and possible action regarding road inspection by LNV Engineers.

- a) Repairs made August 14-15. The repairs made look good, but there are still two places which have not been touched on N. San Roman.
- b) Acceptance of warranty repairs – it is recommended that we wait until all repairs are completed before accepting
- c) Additional work necessary – If anything is found in need of work relating to warranty, they need to inform the Town Office immediately. Warranty is up in September.
- d) Operation of tractors and heavy equipment on our roads – there was discussion about farmers driving out of the fields with plows, discs, other equipment down and tearing up the roads. Alderman Deason drew up a preliminary guide-line for dealing with this issue. Alderman Deason would like to meet with some of the farmers along with Alderman Lowder concerning this issue.

Discussion Items

9. Mayor Pro Tem selection for FY 2014 must be made in September. The Board will also need to vote on the newspaper of record at that time.

10. ROW Maintenance, overhanging trees. There was some discussion about how we could handle the repeat offenders going forward. Town Secretary, Susan Heinz was asked to prepare letters to send to repeat offenders.
11. Future plans for installing speed humps on N. San Roman. Alderman Lowder reported that some of the residents on N. San Roman might be willing to pay for the speed humps themselves.
12. Updating and streamlining the Town's ordinances is still being worked on.
13. Citizen complaints continue to be the speeding on N. San Roman
14. Reports:
 - a) Building and Standards Commission – no report
 - b) Emergency Management, flood mapping and hurricane – nothing to update
 - c) Citizen Corps – no report
 - d) Cameron County Coastal Task Force – Nothing new to report
 - e) Regional Small Cities Coalition – the coalition is working to improve wiring and internet services throughout rural areas in Texas

Adjourn

The regular meeting of the Board of Alderman was adjourned at 8:00 p.m. with a motion from Alderman Hooton and a second from Alderman Lowder.

/s/ Tom Rodino
Tom Rodino, Mayor

/s/ Susan Heinz
Susan Heinz, Town Secretary