

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

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

**September 27, 2014**

**Public Hearing**

The Public Hearing was called to order at 9:00 a.m. to hear the following matters:

A. Proposed Ad Valorem and General Budgets for Fiscal Year 2015

The proposed FY 2015 budget includes ad valorem property tax revenue of \$104,983.00 which is \$3,761.00 less than the previous year's ad valorem revenue, a decrease of approximately 3.5%. The general budget is \$32,054.00

B. Proposed Ad Valorem Tax Rate for 2015:

The proposed FY 2015 ad valorem tax rate will remain at \$.025 per \$100.00 of property value, which is the maximum allowed by statute for Type B general law cities. That rate is slightly lower than the effective tax rate of \$0.250583 per \$100.00 of property value. It is also lower than the rollback tax rate of \$0.270629 per \$100.00 of property value.

Mayor Rodino recapped the tax rate and the tax revenue expected for the coming year.

Mayor Rodino asked if there were any public comments.

Jeneria Lewis expressed concern that there was no budget for the Building & Standards Commission

Bonnie Gibbons addressed concerns that the ad valorem fund was to be used for roads and there was no money allocated in the budget for road repair

Jeneria Lewis asked if the Town was legally bound to spend the ad valorem money only on roads

The Public Hearing was adjourned at 9:04 a.m..

**No Executive Session**

**Regular Meeting**

a) The Regular Meeting was called to order at 9:05 a.m.

- b) Mayor Rodino led those present in the Pledge of Allegiance
- c) Mayor Rodino welcomed those present

Mayor Rodino advised everyone that this meeting would be the last one in the Girl Scout office, the next meeting would be in the new office. He also advised that the new office building was finished under budget and with a lot of help from volunteers.

- d) The public was then given an opportunity to address the Town Council

Jeneria Lewis stated that she had taped and floated the drywall in the office and she noticed some flaws due to the time crunch and that she would like to come in and repair the flaws on a Saturday when the office was closed.

Janis Silveri made an announcement about National Feral Cat day. She offered to come to schools or work to put on a presentation about trapping, sterilizing releasing feral cats.

## **Action Items**

## **Old Business**

1. Mayor Rodino updated those present on the lawsuit against the Town being brought by Cornerstone Church. He stated that Judge Hanen had denied the Town's request to bring the Madison Grove HOA into the suit. Judge Hanen also set October 27 as the hearing date to hear the Cornerstone Church Motion for an Injunction against Town of Bayview ordinances.

## **New Business**

2. Discussion and adoption of proposed tax rate for FY 2015 of \$.25/\$100.00 of valuation. . Mayor Rodino asked for a motion to accept the tax rate for FY 2015. Alderman Lowder made a motion to accept, Alderman Deason seconded. All voted in favor, motion passed.
3. Discussion, progress reports and costs to date were made on the construction of the Town Office Building. Mayor Rodino summarized the costs, stating that we had set up a budget of \$40,000.00 for the building construction. We have spent \$36,592.33, one final bill from the plumber is still expected. The building will be under budget. There has been a lot of work, materials, chairs, etc. which have been donated. Remaining to be done is staining of the concrete floor and caliche for the parking lot. There was discussion about the costs and possible sources for obtaining and delivery of caliche. Alderman Deason was asked to call the contractor who is in charge of future work on S. San Roman and ask when they are planning on beginning and if they had any surplus materials left from other projects. Alderman Stachowiak suggested that the Town offer our property for

staging of the road work equipment, then they would come in and spread caliche, rather than waiting for any surplus material. Mayor Rodino proposed setting a preliminary budget of \$3,000.00 to proceed with preparation of a parking lot. Alderman Deason thought that anything over \$35,000.00 for the building was to be approved by the Board. Mayor Rodino corrected him and stated that the budget was set at \$40,000.00 and we did come in under budget at \$37,000.00. Mayor Rodino would like to use the remaining \$3,000.00 for the parking lot. Since the \$3,000.00 was included in the \$40,000.00 building budget, it was decided to pursue our driveway/parking lot materials needs.

4. Discussion and possible action resulting from the road inspection by LNV Engineering and FJW Construction August 12, 2014.
  - a. Follow up on repairs made August 14-15. Alderman Deason reported that there were 2 repairs needing to be made on N. San Roman, only one of the repairs was made and it was not done correctly. There is an area on Chachalaca which is still in need of repair.
  - b. We should not talk about accepting the repairs until they are finished. Our warranty claim has been turned in, before our deadline, which was September 9.
  - c. Even if the repairs are accepted, the matter of late fees and delays still exists. There is nothing more the Town needs to do at this time.
  
5. Planning, budgeting and possible action for major infrastructure needs including repaving East & West Reparo, resealing North Valencia, maintenance of other streets, and needs for the Town Office. Mayor Rodino wanted this item to be a discussion item for future planning. Alderman Mullendore, who lives on W. Reparo, wants his road repaved since it has never been repaired. A discussion ensued with Alderman Mullendore arguing that ad valorem money was spent on the building when the roads should have been fixed and there is no money in the budget for road repair. Mayor Rodino asked Alderman Mullendore to find road repair money in the budget. Alderman Mullendore argued that he did not put any time in on the Town office because he did not agree with the building because of the needed road repairs. Alderman Mullendore made a motion that the Town set aside \$9,000.00 for repair of W. Reparo Circle. There was no second, motion failed.

Alderman Deason then argued that the Town residents were interested in having decent roads and not the office building. Alderman Deason questioned transfers from ad valorem to general to cover debit card purchases for the building. His feeling is that the money was not budgeted, but this money was transferred from the \$40,000.00 approved budget for the building. Alderman Stachowiak stated that the roads should have been repaired before the building was built. It was pointed out that all of the aldermen voted in favor of the construction of the office building, since the Girl Scouts had given us notice that we needed to vacate. Mayor Rodino pointed out that the Board had a copy of

the proposed budget for two months, and there was no input from anyone on the Board. Konnie Hooton also stated that of the \$104,000.00 of revenue the Town receives, \$92,000.00 goes to pay the current road loan. Mayor Rodino stressed the need for long-term budget planning, something the majority of the Board has been against.

Alderman Deason again brought up contacting county tax attorneys about collecting past due taxes and possibly selling property for taxes. He does not want to see any commercialization in this town. Alderman Stachowiak stated that he felt the town would have been better served fixing the roads instead of building an office, Alderman Deason and Alderman Mullendore feel the same way. Alderman Deason strongly stated that the residents of Bayview don't want a building, or taxes raised, but they want roads repaired.

Alderman Mullendore apologized to the Mayor, the Board and those present for losing his temper.

6. Setting new reduced office hours was discussed. Reduced office hours were proposed as part of the FY 2015 budget. Alderman Mullendore thanked Konnie for all the work she voluntarily does for the Town. There was discussion on office hours 4 days a week 8-11 or 3 days a week 8-12. Alderman Stachowiak and Alderman Mullendore disagreed with cutting office hours. There was much discussion about this proposal. Secretary Susan Heinz stated that the office hours were extended from 12 hours to 16 hours during the last administration. Alderman Deason stated this was because the Town Secretary was having difficulty getting the job done in 12 hours. Susan Heinz informed everyone that since the bookkeeping part of the job was being done by Konnie, that eased the responsibilities on the Secretary, but that there is still a lot of work that needs to be done and information the Secretary needs to know to answer questions from the residents, contractors and others. There was more discussion on times and hours, Alderman Deason wanting the office open 9-12, Alderman Stachowiak wanting the office open 16 hours a week, 8-12. The question then was budget, as the budget was proposed with the reduced hours saving approximately \$3,000.00. Alderman Lowder made the motion to have the office open Monday thru Thursday, 8-11. Aldermen Mullendore, Hooton, Stachowiak voted in favor, Alderman Deason abstained from voting, motion carried. Alderman Deason requested that Susan send an email to the town stating the new office hours, but with a two week lead time.
7. Discussion regarding the transfer of \$647.67 from ad valorem to general fund for the building. This was part of the \$40,000.00 budget for the building. Alderman Hooton made the motion to approve the transfer. Alderman Lowder seconded. Aldermen Mullendore, Stachowiak and Hooton voted in favor. Alderman Deason voted against. Motion carried.

8. Discussion and action on adopting the proposed Town of Bayview Budget for FY 2015. Ad valorem budget of \$104,983.00 and the general budget of \$32,054.00. Alderman Hooton made a motion to pass the proposed FY 2015 budget, Alderman Lowder seconded. Alderman Mullendore voted in favor with reservations, Alderman Stachowiak voted in favor. Alderman Deason voted against. Motion carried, budget passed.
9. Approval of Consent Agenda:
  - a. Minutes of Town Meeting of: August 21, 2014
  - b. Financial reports for month of: August 2014
  - c. Building Inspector Report and fees in the amount of \$267.18
  - d. Payment of current billing from Rentfro Law Firm in the amount of \$6,754.02
  - e. Payment of current billing from Joe Lee Bryant in the amount of \$120.00

Alderman Deason asked that the Rentfro billing be taken out of the consent agenda for further discussion. It was suggested that the Town discuss a payment plan with David Irwin. Mayor Rodino suggested making a \$5,000.00 payment. Alderman Deason made a motion that we make a \$3,000.00 payment and ask for an additional 30 days to pay the balance. Alderman Lowder seconded. All voted in favor, motion carried.

Mayor Rodino asked for a motion to approve items, a, b, c and e from the consent agenda. Alderman Lowder made the motion. Alderman Mullendore seconded. All voted in favor, motion carried.

10. There was discussion on a request from Ruben Ramirez, San Jose Ranch Road, being able to install an electric pole on his property to operate his irrigation system before he builds his home, and waving the bond fee if the home is not started within a year. Alderman Deason stated there was no bond necessary since he was not building a shed or a garage, therefore, this was not in violation of our ordinances. No motion or vote needed.
11. Discussion and action on continuing the Los Fresnos News as the Town's newspaper of record. A motion was made by Alderman Deason to continue using the Los Fresnos News. Alderman Lowder seconded. All voted in favor. Motion carried.
12. Selection of Mayor Pro Tem for FY 2015. Alderman Lowder nominated Alderman Hooton as Mayor Pro Tem. Alderman Stachowiak seconded. All voted in favor. Motion carried.

## Discussion Items

1. There was a status report on developing guidelines for the operation of tractors and other heavy equipment on Bayview roads. Discussion concerned what could be done about damage to our roads. Most of the damage seems to be done by the hired drivers of the equipment, the Town is at a loss as to what can be done.
2. Discussion concerning streamlining the Town's standalone ordinances and Zoning Ordinance booklet. Alderman Deason is against this action, stating that the work Alderman Mullendore has already done on the stand alone ordinances is sufficient and that the zoning ordinances do not need to be re-written.
3. ROW maintenance-discussion concerning the property on Palma and W. Resaca and what can be done in the future with volunteers. It was emphasized that the Cameron County Tax office needed to be contacted regarding selling some of the vacant properties in Bayview for back taxes.
4. Future plans for installing speed humps on N. San Roman Rd. Alderman Lowder reported that the plan was to reach out to residents on N. San Roman to see if they would be willing to pay for the speed humps at their own cost.
5. Citizen complaints
  - a. Speeding vehicles on N. San Roman
6. Reports:
  - a. Building & Standards Commission-Annual meeting to elect officers will be October 15 at 6:30 p.m. at the Town Office
  - b. Emergency Management-We are in the heart of hurricane/rainy season
  - c. Citizen Corps/Community Emergency Response Team (CERT)-No Report
  - d. Cameron County Coastal Task Force-Alderman Deason reported that the task force was still planning action regarding the gulf spill. He also stated that Brownsville is working with the EPA to regulate and clean up their resacas and he expressed concern if they got involved in the resacas in Bayview
  - e. Regional Small Cities Coalition-still going forward with a plan to get broadband services in rural Cameron County

**Adjourn**

The Regular Meeting of the Board of Alderman was adjourned at 11:35 a.m.

---

William L. Hooton, Mayor Pro Tem

---

Susan Heinz, Town Secretary