

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

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

October 16, 2014

Regular Meeting

1. The regular meeting was called to order at 6:30 p.m. by Mayor Pro Tem Bill Hooton
2. Mayor Pro Tem Hooton led those present in the Pledge of Allegiance
3. Mayor Pro Tem Hooton welcomed everyone present to our new building and asked if there were any public comments or announcements. It was then announced that the meeting would adjourn and the Board would go into Executive Session.

Adjourn

1. The regular meeting was adjourned at 6:32 p.m.

Executive Session

2. The Executive Session was called to order at 6:33 p.m. The Executive Session is authorized by Subchapter D of the Open Meetings Act, Section 551.071: Consultations with Attorney on matters related to the Cornerstone Church lawsuit against the Town.

Adjourn

The Executive Session was adjourned at 7:00 p.m.

Resume Open Meeting

The regular meeting was re-convened at 7:05 p.m.

Action Items

Old Business

1. There was nothing to report from the Executive Session regarding the Cornerstone Church lawsuit.

New Business

A request was made to move the consent agenda up to be discussed first. All agreed

2. Approval of the Consent Agenda:

- a) Minutes of Town Meeting of September 27, 2014
- b) Financial reports for month ending September 30, 2014
- c) Building Inspector Report and Fees: no new fees this month
- d) Payment of past billing from Rentfro Law Firm in the amount of \$3,772.77 and \$185.45 currently invoiced
- e) Payment of billing from GSGST for utilities July and August in the amount of \$194.79
- f) Payment of TML Insurance for FY 2015 in the amount of \$1,530.56.

Alderman Deason wanted to discuss the Financials. He stated that the Board was being presented with approximately \$12,000.00 in bills to be paid out of the general fund which only has a balance of \$3570.70. Also there is a loan payment due October 30, in the amount of \$92,000.00 from ad valorem, which only has a balance of \$73,870.00. The TML Insurance, Girl Scouts billing, Secretary salary, payroll taxes have not been paid. The \$5,000 for Long and Chilton is paid in December with money approved and transferred from ad valorem. There was much discussion about the tight fund situation.

Alderman Deason made a motion that the Town pay TML in the amount of \$1,530.56, Town Secretary in the amount of \$787.32, plus payroll taxes in the amount of \$217.86, Rentfro Law Firm the amount of \$900.00 for a total of \$3,435.74; leaving a balance of \$64.96 in the General Fund. He also requested that until all debt is paid no additional funds be spent without approval of the Board. Alderman Stachowiak seconded the motion.

Alderman Deason also brought up the Ad Valorem account and wants to go to the bank and ask for a loan extension to November 30. Konnie Hooton stated that historically the Town received enough tax dollars before the end of October to be able to make the payment on time.

Mayor Pro Tem Hooton asked for discussion from the Aldermen. Alderman Lowder stated that he had no objection to reviewing expenditures on a monthly basis, but that the office should not be restricted from operating by not paying small things. Alderman Mullendore concurred with Alderman Lowder. Alderman Stachowiak agreed and verified with Konnie Hooton that funds would be coming in on Monday. Mayor Pro Tem Hooton asked for a vote. All voted in favor of the motion, motion carried.

Mayor Pro Tem Hooton asked if there was anything else to be discussed on the Consent Agenda. Secretary Susan Heinz asked for clarification as to the payment of the Girl Scout billing. The Girl Scout billing was not authorized until funds were available.

Mayor Pro Tem Hooton asked for a motion to accept the Consent Agenda. Alderman Lowder made the motion, Alderman Mullendore seconded. All voted in favor, motion carried.

3. Discussion and possible action regarding the road inspection by LNV Engineering and FJW Construction and follow up work on October 1.

Alderman Deason reported that he had spoken with Eric and Eugene and he has had no response. The opinion is that until LNV states that the roads are acceptable, the Town does not need to approve the work.

4. Discussion and possible action on Long Chilton proposal for FY 2014 audit at a cost of \$5,000 and authorizing the Mayor to execute the agreement. Alderman Mullendore made a motion to accept the proposal and authorize the Mayor to sign the agreement. Alderman Lowder seconded. All voted in favor, motion carried.
5. Discussion and possible action on request by Ruben Ramirez to waive bond requirement for pumphouse and security light electrical installation. Alderman Lowder made a motion to approve waiving the bond requirement in this situation. Alderman Stachowiak stated that he didn't understand why we had a bond requirement on this permit process, he felt that addressing the permit language should be addressed first before granting a variance regarding the bond. He wants this item on the agenda for November. Alderman Deason agreed with Alderman Stachowiak. Alderman Deason is not in favor of granting a variance but is in favor of putting it before the Board for review. There was much discussion regarding the \$1,000 bond. The Ramirez' are planning on building Oct or Nov of 2015, but really don't want to forfeit \$1,000 if they don't start within a year. Mayor Pro Tem Hooton asked for a second to Alderman Lowder's motion to approve waiving the bond requirement. Mayor Pro Tem Hooton seconded. Mayor Pro Tem Hooton, Alderman Lowder voted in favor. Aldermen Mullendore, Stachowiak and Deason voted against. Motion failed.

Alderman Stachowiak will draft a new ordinance for review at the meeting in November.

Discussion Items

1. Alderman Deason stated that there had been several instances where the building permit process had fallen through and this has caused some problems. The process is on the books and it should be followed. He stated that the policy

states the Building Inspector is supposed to be present at the Board meetings to give reports, and that for the last year he has not been present and you cannot ask questions if he is not here. He stated that permits have been issued from the office, a guy comes in to apply and 30 minutes later he has it. He wants to ensure that the process, the way it is listed, is adhered to. Alderman Mullendore stated that everyone should have had their plans reviewed by the Building Inspector and the rules should not be changed. Alderman Stachowiak stated that if the procedure was followed there should be no problem.

2. Alderman Deason gave an update on the driveway and parking area for the Town Office. The Town plans to sign an agreement with the contractor who is doing the work on S. San Roman and 2480 which will allow them to stage their equipment on the Town property and in return, they will pave the driveway and parking lot. Town Attorney, David Irwin will review the contract.
3. Citizen complaints:
 - a) Stray dogs on N. San Roman. Town Secretary Susan Heinz reported that there were no new complaints about dogs but mostly about strange vehicles in town.
4. Reports:
 - a) Building & Standards Commission – Jeneria Lewis reported that they had their annual meeting October 15 with elections. Jeneria was re-elected Chairman and Mark Mullendore was re-elected Chairman Pro Tem. She stated they will have another administrative meeting before year end to clarify some process language and change the address. She stated that Barbara Crieighton had resigned and the Commission is seeking volunteers and asked that the Town Secretary send out an email to the Town. She brought up the subject of keys stating that she did not get her key to the office once the new building was completed. She asked formally for a set of keys to the office.
 - b) Emergency Management – Mayor Rodino was not present so no report
 - c) Citizen Corps – no report
 - d) Cameron County Coastal Task Force – no report
 - e) Regional Small Cities Coalition – Alderman Deason reported there was nothing new this month

Adjourn

Mayor Pro Tem Hooton asked for a Motion to Adjourn. Alderman Lowder made the motion, Alderman Mullendore seconded. All voted in favor. Meeting was adjourned at 7:45 p.m.

Tom Rodino, Mayor

Susan Heinz, Town Secretary