

# Bayview Board of Aldermen

## Special Meeting

November 12, 2015

6:30 p.m.

Bayview Town Office

104 South San Roman Road, Bayview, Texas

**Elected Officials Present:** Alderman Lewis, Mayor Pro Tem Deason, Alderman Mullendore and Alderman Stachowiak.

**Elected Official Absent:** Alderman Lowder.

### GENERAL

1. The Meeting was called to order at 6:30 p.m.
2. The Pledge of Allegiance was recited.
3. *Presiding Officer's welcoming comments.* Mayor Pro Tem Deason welcomed those in attendance.
4. *Public Comments and Announcements:* This is an opportunity for citizens to address the Town Council on matters relating to Town business, issues, concerns or interests including items on the agenda. Speakers are required to state their names for the record and to limit their comments to three minutes. Persons making comments and announcements may be referred to Town Staff for follow up or to have items placed on the agenda for a future Town meeting - A resident who lives near North San Roman Road voiced his concerns about the height of the speed humps and also the debris placed on the roadsides to inhibit traffic from driving around the speed humps.

### ACTION ITEMS

#### Old Business

5. *Discussion and approval or rejection of the September 17, 2015 meeting minutes* - Alderman Deason asked that some additions and corrections be made to September 17, 2015 Meeting Minutes. A Motion was made by Alderman Lewis to approve the September 17, 2015 minutes with the additions/corrections made. Second: Alderman Mullendore. All in Favor. Motion carried.

6. *Discussion and approval or rejection of the September 24, 2015 meeting minutes* - Alderman Deason asked that some additions and corrections be made to September 24, 2015 Meeting Minutes. A Motion was made by Alderman Mullendore accept the September 24, 2014 Minutes with the additions/corrections made. Second: Alderman Stachowiak. All in Favor. Motion Carried.

#### New Business

7. *Discussion and approval or rejection of the October 15, 2015 minutes* -The minutes were not ready. Item Tabled.

8. *Canvassing of the ballots from the Mayoral Election. The Town Secretary will present the official Canvass Report to the Board* - The Canvassing Report was presented by Town Secretary Julia Reber: Bob Steenbock received 52 votes; Roberta E. Dahl received 9 votes. There were a total of 61 votes. A Motion was made by Alderman Stachowiak to accept the Canvassing Report, "Mayor to fill a vacancy." Second: Alderman Lewis. All in Favor. Motion Carried.

9. *Discussion and approval or rejection of election, over budget, cost. This does not include the Town Secretary extra hours. Approximately \$25.00* - There was no discussion on this topic since this item was already budgeted. No vote needed.

10. *Update, discussion and possible action on using "GoDaddy" for the Town website* - Alderman Lewis presented a proposal to remove the Town's current blog site and hire "Godaddy.com" to build a website for approximately \$1,300.00. Due to the lack of money budgeted for this expense, Alderman Mullendore made a Motion to Table this item. Second: Alderman Stachowiak. All in Favor. Motion Carried.

11. *Discussion and approval or rejection of registering the new ETJ boundaries with Cameron County. Approx \$25.00. (\$5 per sheet)* - A Motion was made by Alderman Mullendore to register the new ETJ. Second: Alderman Stachowiak. All in Favor. Motion carried.

12. *Acceptance or rejection of the resignation of Alderman Deason from the Mayor Pro-Tem position, only.* Transcribed excluding hesitating words and utterances (um, uh, er, etc.)

*Dick:* Number 12. Acceptance or rejection of the resignation of Alderman Deason for the Mayor Pro Tem position only.

*Dick:* Jeneria?

Jeneria: No comments.

*Dick:* Mark?

*Mark:* I just wanted...I just to make a comment or two. The Town Secretary has one supervisor and that supervisor is Dick Deason, the Mayor Pro Tem. There's been many instances of people being upset with their supervisors or with their employers and when that happens there's not a move to throw out the boss or the supervisor. So you know maybe, maybe sometimes the boss or the supervisor needs to use a little more tact and not fly off the handle so much, but to be removed I don't think that's what's called for here. I think what's called for here is just for the secretary to be supervised by one person, Mayor Pro Tem Deason, and for them to develop a more calm, working relationship and that's going to take the Mayor Pro Tem, Mr. Deason, to approach things a little more calmly, utilize a little more patience. But as far as this goes, I think that's as far as we should go on this. I think. I don't think resignation of the Mayor Pro Tem is called for here. I think that's extreme.

*Dick:* Scott?

*Scott:* I concur with Mark. I don't see how this could be in the best interest of the town. Right now we have the most experienced individual serving as Mayor Pro Tem. The most qualified of anyone on this board. This is my position and willing to dedicate the time and and and to do all that. And he does all this, you know, with no accolades whatsoever. He does a fantastic job. I agree with Mark maybe some some, he needs to maybe be a little more tactful when he says things sometimes, but I I that's just the way it is. (garbled) By doing this I don't see what A has to do with B as far as why him needing to resign would even be in question here.

*Jeneria:* Alright, I'd like to speak now. I thought I could be silent, but I can't. I have witnessed the aggression and hostilities not just toward Julie, but toward myself. It's not about disgruntled it's not about complaints or unhappiness. It's about extreme aggressive, unhealthy behavior. It is about... it's the kind of thing that keeps me up at night thinking about it. The words used, the physical gestures, the the unhealthy inability to communicate. The harsh words. The the mincing of words, the manipulation...the what looks like divisive behavior. This is not about two people not getting along and just not meeting together well. This is about someone who should not be in charge, or supervise people. Mr. Deason has amazing skill sets that he brings to Bayview. He is super talented. He cares for Bayview. He has taught me a lot. He is passionate, but his approach to anything, and I have seen it repeatedly, I sit in here morning after morning and watch this myself, is unacceptable. He cannot supervise people in my opinion.

*Dick:* I would like to say one thing here. This is to me just totally erroneous. I have never had any situation whereby a person that was working under me sits and argues with me about anything. If I come in it's...when I come in and try to talk to Julia about something, and the first thing happens is she starts arguing with me instead of trying to understand what I'm trying to tell her. Case in point was the, the paying of the bill to True Solutions. Janice and Bonnie both were sitting here. I walked in the office closed the door and asked her about it. But instead of saying "oh, we made a mistake" which would've been fine, that would've been the end of it. But then she starts arguing. And she was yelling. Which... I opened the door. I said, "Bonnie, come in here." So we could talk. And I've tried to explain to you that I did not have the ability to do this. I do not have the ability to to okay that. That wasn't me...that the Board had to approve that. That wasn't me approving that. But I've always been passionate about the way I talk. Janice said the same thing. Other secretaries. I've got I've got letters from secretaries that says without me she never could have made it, but the Board had no clue of what was happening. But...Connie. Connie Travis. Same thing. I I don't know. It's up to y'all.

*Julie:* Dick that's not the way I saw it at all. Whenever I ask you for information to clarify any situation, you see me as challenging your authority.

*Dick:* No, that's not right.

*Julie:* -and you escalate your tone of voice.

*Dick:* No.

*Julie:* -and you demand to, you know, to have your authority unchallenged when I am clearly under you and I'm clearly learning and I came here despite your very bad reputation around town.

*Dick:* With who?

*Julie:* With ...I mean, it can go on. You just had, you know, words with the the... Shelley Childers who was...

*Dick:* Who?

*Julie:* -the media ...who was...the lady that was covering the election.

*Dick:* What you mean I had words with her?

*Jeneria:* She came in apparently, and made some statements saying that she was very displeased with your conversation. Russell the contractor –

*Dick:* You know the conversation was?

*Jeneria:* It doesn't matter. She was displeased. We can't prove the conversation, but she expressed... Here's the deal, you don't see, you sit here calmly and you speak professionally, but when he is talking, he sticks his finger in your face; he's leaning over the table; he's lunging; he belittles; he...if you ask him a question, he will repeat the same exact words again and again and again and get louder and louder and louder, if you do not understand what he meant by the same 5 or 10 words again and again. He starts yelling and then he backs off...and he gets real... if you yell back, then he backs off, becomes calm and then says "Why are you yelling?" The the the...what he is saying right now sounds very reasonable. Yes he's passionate. We're all passionate. But he's belittling. His physical gestures, they're brusque; they're intimidating; he's blocking. I saw her twice ask him calmly and like a timid mouse to "please step back" he wouldn't even step back out of her space. He leaned over this table at me lunging, sticking his finger in my face, yelling at me, repeating the same words again and again-

*Dick:* What were those words?

*Jeneria:* -repeating these words again and again. And whenever I-

*Dick:* What were the words?

*Jeneria:* -would give him various answers he would-

*Julie:* "Why are you here?" "Why are you here?" Why are you here?"

*Dick:* I was standing right there. You were sitting down over here and-

*Julie:* You were not Dick.

*Dick:* -and and and you were....

*Julie:* You followed her over when she sat down and you stood up--

*Dick:* -I asked...I never got on the side of the table-

*Jeneria:* You leaned over. You leaned over this table and stuck your finger in my face and you lunged at me twice in a micro-way. You yelled at me and you kept saying "what are you doing here?" and every time I answered you, you would not vary your question.

*Scott:* Jeneria, how does removing him from the Mayor Pro Tem position-

*Jeneria:* He cannot be in charge of anybody-

*Scott:* How does this fix anything?

*Jeneria:* Let me just...I will answer you. Contractor come in here, Mr. Russell horrified, said he is shocked, shocked, shocked this man is in a leadership position. The media, Shelley Childers, sent me a letter today to let me know what she thought of you and your obnoxious brusque behavior. We are not making this up.

*Dick:* Wait a minute. Wait a minute-

*Jeneria:* Terry...we have three former secretaries that have complaints against you in the last month. They have complained against you. I have...we have all kinds of letters that have come out to the lawyer of people complaining formally. This is a serious problem.

*Scott:* Jeneria, did these letters come out or did you solicit these letters?

*Jeneria:* I did not solicit any of the letters that were given to-

*Dick:* Are you sure?

*Jeneria:* I...I...yes, well, actually I did solicit two of the letters.

*Scott:* People are willingly giving you information? You weren't asking them this information?

*Jeneria:* When KRGV channel 5 Shelley Childers complained, I heard about it. I sent her an email and I said, "would you like to make a statement?" I didn't ask her what was in the conversation. I did not tell her what to say. She sent me today, willingly, a letter. People are talking about this all over the place. The former Town Secretary, Terry Galloway, states to me, not to me, but to other people I know, that she would not and refused to be alone in the office, period, with you and locked herself in the bathroom to get away from you or locked you out. This is not one person. We are not ganging up on you...you are...and look at you mocking and ridiculing us.

*Dick:* No, I'm trying to...I'm trying to get a word in edgewise here

*Jeneria:* This is very real. All right, get your word in.

*Dick:* Thank you. The lady from the KRGV, who somehow, surprisingly, had my cell phone number.

*Jeneria:* Is that an accusation? Because that looks like one. I don't know anybody at KRGV channel 5 or anywhere else.

*Dick:* Alright, alright, alright...Anyway, anyway...She calls me I'm on driving down the highway from Houston. I'm coming back here. She asked me about... or she left me a message is what happened, she left me a message and said she wanted to talk to someone. When I got close here I called Bonnie. I said Bonnie since you are the secretary or the or the...the election judge, would you call this lady? Apparently, Bonnie called the lady. She called me back sometime after 7 o'clock and wanted to know what your (Julia) cell phone number was. I told her-

*Julia:* I was in here at 6:30-

*Dick:* Let me finish, please. Let me finish-

*Julia:* -and it had already gone down by that and I can attest to that.

*Dick:* OK, wait just...one one...

*Jeneria:* It doesn't matter what you think you said it matters her perception of what you said. It is not the words.

*Dick:* Let me finish! I, please, let me finish. I told her that I could not give her your cell phone number and she started arguing with me and saying that yes, she wanted your cell phone number. I said I can't do that. I can't give you a private cell phone number. She says, "Well," and then I asked her how she got my cell phone number and she said, "Well, this conversation is over with." Now then, I never met the lady. I talked to her on the phone. If I'm threatening her over the phone by not giving her your cell phone number, I'm sorry.

*Jeneria:* I like the way you recall things. There is a laundry list of people who cannot even be in your presence in this is what my concern is.

*Dick:* Who? Name

*Jeneria:* Terry Galloway, Susan Heinz, Julie Reber, myself, Shelley Childers, Russell the contractor.

*Dick:* I've never met the lady

*Jeneria:* Doesn't...see...your perceptions of your actions are very healthy. It is the perception of other people and their reactions toward you. People are very uncomfortable. You are physically intimidating. You are belittling. This is not about rudeness.

*Scott:* Jeneria, how long have you known Dick Deason?

*Jeneria:* Couple of years.

*Scott:* Couple of years and you're just, you just, all the sudden, all of the sudden now this is a problem?

*Jeneria:* I feel...here I am because I'm experiencing this. I sit in here and I witness this. When he is here, when he is with you he is putting on his best act. I have never in my life seen anything like this and right now what I am hearing is that all these people who have complained and who are upset, males, men too, are making this up that it is not Dick at all. That it is all of us who've gotten together and that somehow, I am sitting here extreme, overreacting to somebody who meant "this" and I am perceiving it incorrectly. These people locked...Terry Galloway locked herself in the office so that he couldn't get to her. She wrote-

*Scott:* How did Terry Galloway-

*Mark:* Yeah, that was my question.

*Scott:* -all the sudden come up out of the blue?

*Julia:* I'll tell you how. I'll tell you how.

*Mark:* That was my question.

*Julia:* She is Connie Travis's neighbor.

*Jeneria:* She lives next door to our Building Inspector.

*Julia:* So when Connie Travis got the email, you know, and she saw that she was in there, so you know I'm-

*Jeneria:* Terry Galloway is on the town mailing list. She saw the complaint.

*Scott:* She still on the town mailing list? She doesn't live in the town.

*Jeneria:* There are many people on our mailing list who do not live here.

*Scott:* Why are they still on there?

*Jeneria:* It's their choice.

*Dick:* Wait a minute, wait a minute, wait a minute. If-

*Julia:* It's not even that they're on the mailing list she didn't get, I don't know if she even got-

*Jeneria:* She did. She's on the mailing list.

*Julia:* But I know when she pulled up things, it has her name. It clearly says her name-

*Dick:* But Connie Travis has been down here several nights after work with me.

*Jeneria:* We're not talking about, Connie Travis is not on this list.

*Dick:* Who's on the list?

*Julie:* It feels okay until you're your're...until you feel like your authority is is challenged. You're not like that all the time. But what I think that we're we're saying is that a lot of people walk away from Bayview not feeling like they've been received well.

*Dick:* Who?

*Julie:* Mr. Ballasarios-

*Jeneria:* All these people-

*Dick:* Ballisarios?

*Julie:* My my sister-in-law. You screamed at her when she was pregnant.

*Dick:* I screamed at her when she was pregnant?

*Julie:* Yes.

*Jeneria:* There is a laundry list of people who are offended and everybody is wrong but you? You are the victim of all of us? You are not the problem it's everybody else?

*Jeneria:* Are you kidding me?

*Dick:* It's everybody else.

*Jeneria:* Are you kidding me?

*Dick:* When I brought your dog (to Julia) ...your brother's dog home who was loose a mile from the house-

*Julie:* That's your story. That's the story-

*Dick:* I did.

*Jeneria:* Everybody else has a different story. You can... everybody else has a different story-

*Dick:* Who's yelling now?

*Jeneria:* Yes, yes.

*Scott:* It's neither here nor there. It's what is taken place recently.

*Julia:* Ok first-

*Scott:* Ok, what...why...why?...

*Jeneria:* It is not just recently.

*Scott:* Why remove him from the Mayor Pro Tem office?

*Jeneria:* Because he cannot supervise people.

*Scott:* Is anybody in this room more capable of fulfilling that position than him?

*Jeneria:* As a supervisor, no...either one of you, you are very capable. You are very capable. This is not about checking boxes and understanding laws. This is about supervision of people which is what the Mayor does and the Mayor Pro Tem does. He's not resigning from this board-

*Scott:* Is he...is he...

*Jeneria:* -he can offer up everything on this Board. He cannot be in charge of people. There is something wrong right here.

*Scott:* Is he not the most qualified?

*Jeneria:* That is not enough. That...knowing how to add numbers or read laws better than someone else is not enough. I would rather have the least competent and most incapable person up here doing this than have him.

*Julia:* But Scott-

*Jeneria:* This is this is about supervision.

*Mark:* We can we can bat this back and forth all night. Why don't we-

*Julia:* This is...I want to say one thing-

*Mark:* Why don't we have a motion-

*Julia:* This is-

*Julie:* But I would like to say one thing. First of all, I never asked him to remove himself, although I think that it's appropriate. Did you ask him to put this on the agenda?

*Jeneria:* No.

*Julie:* You put it on the agenda yourself (to Dick). You know furthermore, you know, it's not about me. I can take it. I'm I'm here being civil to you, but it kills me when we have new people come in and they're building and you go on to their property and you start a fight like you did, you know, in front-

*Dick:* With who?

*Julia:* With Mr. Ramirez.

*Dick:* I started a fight with Mr. Ramirez?

*Julie:* You doubled his property...you went over there with with Cliff and it started a huge fight.

*Dick:* That...I started the fight with him? There was no fight with him. I never even talked to him.

*Julie:* That's not what Cliff says and that's not what Mr. Ramirez says.

*Dick:* I never talked to him. I talked to Cliff. Cliff out here told me in the parking lot-

*Julie:* You went on to his land. On Mr. Ramirez's land.

*Dick:* I've been out there two or three times.

*Julie:* Yeah, but isn't that the Building Inspector's job? You went out there and-

*Dick:* I was with the Building Inspector.

*Julie:* Yes, and got into a fight. A public fight.

*Dick:* I did not get into a fight. I didn't even talk to Mr. Ramirez.

*Jeneria:* We have is a lot of...we have-

*Dick:* He was not even out there.

*Jeneria:* We have a list of people who see things very differently than you do.

*Dick:* He was not there.

*Jeneria:* Very differently.

*Dick:* How did I get into-

*Mark:* Ok. Ok-

*Jeneria:* This is the problem-

*Mark:* You know what? You know what? We can sit here and bite each other's heads off all night. Why don't we have a motion? The one...whoever asked for this-

*Jeneria:* He (Dick Deason) asked for it.

*Mark:* Agenda item to be put on this-.

*Jeneria:* He did.

*Mark:* Okay, whoever wants action taken on this, they need to make a motion or else we're going to be here 'til midnight fighting over this.

*Dick:* Make the motion. Make a motion, Jeneria.

*Jeneria:* I make the motion that Mayor Pro Tem Deason resign his seat for the health of Bayview.

*Silence*

*Dick:* Is there a second?

*Silence*

*Dick:* Is there another motion?

*Jeneria:* Do you people really think that there's a dozen people... that there's a handful people who are just making this up? They put it in writing. They came forward? Do you know how hard this is for me? This is embarrassing. This-

*Mark:* I make a motion, since the first motion didn't receive a second, I make a motion that we reject the resignation of Alderman Deason in the Mayor Pro Tem position.

*Scott:* Second.

*Dick:* Motion made and seconded to reject the resignation. All in Favor say "Aye."

*Mark and Scott:* Aye.

*Dick:* Opposed?

*Jeneria:* Nay.

*Dick:* Motion carries.

Alderman Lewis originally has no comment. Alderman Mullendore said resignation was not called for as supervisors have to be worked with but Mayor Pro Tem Deason should show more patients. Alderman Stachowiak called Mayor Pro Tem Deason the most qualified member of the Board and suggested that Alderman Deason should be more tactful with employees. Alderman Lewis then interjected that she had witnessed aggression and hostility towards herself and Julie Reber. She is concerned about the extreme aggression and physical gestures. Alderman Lewis stated that she did not feel Mayor Pro Tem Deason is capable of supervising people. Mayor Pro Tem Deason said he has never had people who work for him question him and has never had problems. The discussion got more agitated from that point. Alderman Lewis



made a motion that Mayor Pro Tem Deason resign his seat for the health of Bayview. There was no second. Alderman Mullendore made a motion to reject the resignation of Mayor Pro Tem Deason from the position. Second: Alderman Stachowiak. Alderman Lewis: Nay. Motion Carried.


13. *Discussion and possible action on the election or appointment of a new Mayor Pro-Tem by the Board -* Mayor Pro Tem Deason did not address this agenda item.

14. *Future agenda items -* None.

**DISCUSSION ITEMS**

15. *Update and discussion on shutters for the office building, to be in compliance for windstorm certification -* No news to report.

**Adjourn** - A Motion was made by Alderman Mullendore to Adjourn. Second: Alderman Stachowiak. All in Favor. Motion Carried. Meeting Adjourned at 7:35 p.m.

 01/21/2016  
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Mayor Robert A. Steenbock                      Date

 1/21/16  
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Julia Reber, Town Secretary                      Date