

**MINUTES OF THE REGULAR
MEETING OF THE BOARD OF ALDERMEN
TOWN OF BAYVIEW, TEXAS
104 S. San Roman, Bayview, Texas
November 17, 2016**

Elected officials present: Mayor Steenbock, Aldermen Lowder, Lewis, Mullendore, Stachowiak and Deason.

Elected officials absent: None

Regular Meeting

General

1. The Regular Meeting of the Board of Aldermen was called to order by Mayor Steenbock at 6:30 p.m.
2. Mayor Steenbock led those present in the Pledge of Allegiance.
3. Mayor Steenbock thanked everyone for being in attendance. He stated that we do not have a long agenda this evening. He also mentioned that Tina Weiser and Carmen Amaya have been talking about having a little "Meet and Greet" here at the office just so people that want to get to know each other can get to know each other. He expressed that he would like to see this continue to go on so that we have a small group of people doing a little welcoming when people move into town, telling them where town office is and answer any questions they may have. He continued to let everyone know that the "Meet and Greet" will take place Saturday, January 14, 2017 and everyone is welcomed to participate, Carmen will be sending a notice to everyone.
4. *Public comments and announcements:* Mayor Steenbock stated that now is the opportunity for our citizens to address the Town Council on matters relating to Town business, issues, concerns or interests, including any items that are on the agenda. Speakers are required to state their names for the record and to limit their comments to three minutes. Note: State law does not permit the Mayor/Aldermen to discuss debate or act on items that are not on the agenda. 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. There were no public comments.

Action Items

Old Business

5. *Discussion and possible action approving or rejecting the September 26, 2016 Public Hearing and Board of Aldermen Regular Meeting minutes-RS* Alderman Mullendore made motion to approve the September 26, 2016 Public Hearing and Board of Aldermen Regular Meeting Minutes. Second Alderman Lewis. All in favor. Motion carried.

New Business

6. *Discussion and possible action approving or rejecting the October 20, 2016 Board of Aldermen Regular Meeting minutes-RS* Alderman Deason made motion to approve the October 20, 2016 Board of Aldermen Regular Meeting minutes. Second: Mayor Pro Tem Scott Stachowiak. All in favor. Motion Carried.
7. *Approval or rejection of the October 2016 current financial report with current projected balances –CT* Alderman Deason stated that the November projections had no item for Legal or Professional and wanted to know if that was an oversight. Mayor Steenbock stated that Connie Travis, our bookkeeper, would be explaining these. Connie stated “if you look at your November projections, what I did on the projections is a compiled two different formats. One is on a monthly spread what we pay on a monthly basis using last year’s trends on how often we were getting billed for certain things and we were getting billed like from the attorney it was every other month or every quarter. So instead of making a monthly distribution, I did it every other month or a bi-monthly basis. Therefore, you will see an entry in October projection and then in December projection. So at the end of the year, it should still balance out to the budget amount of \$5,500 for legal expenses.” Alderman Deason asked if there were any others like this. Connie continued “that was the only for legal, but we also have election expenses. The trend on that is that last year we paid it out in November so I entered the full amount for November projection because that is when we paid it.” Mayor Steenbock stated that this would not happen this year because that was a special election and the regular election takes place in May. Connie stated that she could move it to May projection she had just used the trend from last year when it was paid. Connie also mentioned “that the same thing happened with the incoming money in the advalorem account, where the majority of the money comes in October, November, and December. So I used last year’s trends, where you can see money coming in October, November, and December projections but then you see it slowly trending down January through September totaling close to what we received last year. All at the same time, projecting what was there last year. Keeping in mind that these are all projections and all within the budget not going over or under the budget. Also, the dues and subscriptions were all paid out within the first six months of the fiscal year so I took the six months and divided by that.” Alderman Deason questioned the projection for the end of fiscal year 9/30/17 showing over budget by \$9,644. Connie replied “yes, charges and funds balances \$9,644 under budget for the 2016-2017 year. This is a carryover balance from the previous year road expense which was noted on the budget already approved.” Alderman Lewis asked if on the actual expenses was Connie doing the monthly instead of the bi-monthly projection. Connie responded yes. Alderman Lewis confirmed with Connie that the actual were monthly and the projections were trends. Alderman Lewis made motion to approve the October 2016 current financial report with current projected balances. Seconded: Mayor Pro Tem Scott Stachowiak. All in favor. Motion carried.
8. *Approval or rejection of the current Building Inspector’s Report including any payment due-RS* Alderman Deason made the motion to approve the October 16th, 2016 thru

November 11th, 2016 Building Inspector's Report and payment of \$75 to David Travis. Second: Alderman Mullendore. All in favor. Motion carried.

9. *Discussion and possible action on accepting, rejecting or modifying proposed changes to Article X and setting a potential date for public hearing- RAS/DT* Mayor Steenbock stated that in the last meeting David Travis provided some information on proposed changes to the Article X, those have been made to the Article sent to each of the aldermen before this meeting. He also explained that at this time he didn't expect for an approval just wanted everyone to say what they think and see where to go from here. Mayor Pro Tem Scott Stachowiak wanted to know what was lacking on this Article addressing David Travis. David responded saying that nothing was lacking the change was removing some things from the Article. Alderman Deason addressed David asking if there was anything he read that needed to be added to it. David responded by letting Aldermen know that there are things in the Article that are confusing to residents. Mayor Steenbock stated it was best for the public's benefit if the changes proposed were discussed and reviewed with them. Therefore, he continued: "Article X Permit section 3 is requirements for permits. Paragraph 3 talks about *for evaluation purposes permit applications for new home constructions should include a copy of the contract between builder and home owner*. Not every house that is built has a builder. So we are proposing a statement ***that in the absence of a contract the owner will provide documentation of costs***. Now this is just an idea at this point and we may have more refinement on that. Moving on to Section 3, 8A *states that construction not completed within 18 months must be renewed prior to the expiration date*. The confusion is the *construction* what does that mean construction of a shed, construction of a house, construction of a driveway, so we are proposing to change it to ***construction of new homes that are not completed within 18 months must be renewed prior to the permit expiration date***. This is to clarify that we are addressing new homes. Section 3B,3, we have a fee schedule that talks about *building permits, electrical permits, plumbing permits, and OSSF systems* but we have nothing that talks about ***mechanical permits, gas permits or irrigation permits***. Therefore, we are proposing three additional items." A brief discussion was held by Aldermen questioning irrigation permits and clarification of what is needed by the Bayview Irrigation District. Mayor Steenbock continued with changes "on 3C, third paragraph is a big one because these lists were meant to be examples but everyone was miss-lead thinking that they were controlling even though they were meant to be examples. Therefore, we are proposing to eliminate all of the examples because the 2012 Building Code and the ordinances are controlling." Alderman Lewis had several questions and some clarifying edits on wording/punctuation which she will email to other aldermen. Alderman Mullendore expressed some confusion with the wording of valuation in some areas versus actual costs that could be confusing. Mayor Steenbock and aldermen agreed that a workshop needed to be set before the next meeting. No other action taken at this time.
10. *Approval or rejection of referring David and Marie Evans to the Building and Standards Commission for failure to comply with Bayview ordinances at 104 W. Toronja-RS*. After a lengthy discussion between Mr. & Mrs. Evans, Aldermen and Building Inspector David Travis on the "bonding plate" issue and electrical connections, Mr. & Mrs. Evans agreed

with the decision to resolve this within a 60 day period. Alderman Lewis made the motion to reject referring David and Marie Evans to the Building and Standards Commission for failure to comply with Bayview ordinances at 104 W. Toronja given that they rectify the bonding plate issue, have it tested within 60 days, approved under the supervision of Town of Bayview Building Inspector and if it is not done within the 60 days, David and Marie Evans will automatically be referred to the Building and Standards Commission. Second: Alderman Lowder. All in favor. Motion carried.

11. *Discussion and possible action of accepting or rejecting the Long Chilton engagement letter dated November 7, 2016 to perform audit FYE 09/30/2016-RS.* Alderman Lowder made the motion to accept the Long Chilton engagement letter dated November 7, 2016 to perform audit FYE 09/30/2016. Second: Alderman Deason. All in favor. Motion carried.

12. *Discussion and possible action on designating time and project for the November/December 2016 "Bayview Beautification Day".-RS* Due to upcoming holidays, no action was made.

Future Agenda Items - *Any current member of the Board, in good standing, may add one agenda item to the agenda of a future meeting specified by that Alderman. No agenda item added by an Alderman may be removed, altered or modified without the written consent of the Alderman adding the agenda item unless the language or content of the agenda item conflicts with state or local laws.*

Alderman Deason reported that when he was putting out the mosquito control cake drops around the town, he noticed as he was going down Palma Lane to West Resaca that the southwest corner there on Capistran property was so overgrown that anyone coming down Palma cannot see around that corner as well as people coming from West Resaca cannot see. He continues by suggesting that we sent these people a letter to clean that corner because there is not stop sign there and it is not visible. Mayor Steenbock stated this has been an ongoing issue in the past, he would go inspect it and write them a letter because there is an ordinance for keeping grounds clean. Alderman Lewis also reported that she had received a complaint stating that the grass on the farmer's land on the southside of Town is getting excessive and the residents living around there are concerned.

Discussion Items

1. Discussion on bridge maintenance. -GL Already discussed this.
2. Update on the FM2480 final inspection.-SS/LD Alderman Deason reported that he had talk to Celestino Hernandez from TxDot and he said they are trying to get this drainage to go down to the resaca. He continued letting everyone know he had drove around after this last rain and the worst place was in front of Ernesto Martinez's place on Chachalaca where the water standing was 2ft. deep.

3. Emergency management update. - GP Nothing reported.
4. Report from the Building and Standards Commission.-MM Alderman Mullendore reported that it is time to elect new officers because it has been a year. Mayor Steenbock agreed to set something up.
5. Discussion on disposition of records scheduled for disposal.-RAS Brief discussion was held on the boxes. Mayor Steenbock agreed that he would get with Carmen and those boxes would be reviewed.

Complaints, Compliments, Concerns or Comments

- a. Thank you Los Fresnos Volunteer Fire Department for mowing the Bayview Station grounds and the Town Office.

Adjourn

At 7:41 p.m. a motion was made by Alderman Deason to adjourn the meeting and go into Executive Session. Second: Alderman Mullendore. All in Favor. Motion carried.

Executive Session


The Executive Session was called to order by Mayor Steenbock at 7:44 p.m. where the Town Council is authorized by Subchapter D Section 551.074: Personnel Matters of the Texas Open Meetings Act for the purpose of:

- a. Discussion of potential litigation with Total Commitment. - RS

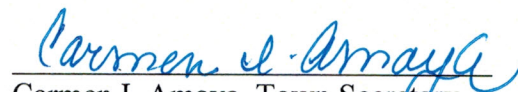
Alderman Mullendore made the motion to adjourn the Executive Session at 7:51 p.m. Second: Mayor Pro Tem Scott Stachowiak. All in Favor. Motion carried.

The regular meeting was called to order by Mayor Steenbock at 7:52 p.m.

Alderman Deason made the motion to adjourn the regular meeting at 7:53p.m. Second: Alderman Mullendore. All in favor. Motion carried.



Robert Steenbock, Mayor



Carmen I. Amaya, Town Secretary