

**MINUTES OF THE REGULAR
MEETING OF THE BOARD OF ALDERMEN
TOWN OF BAYVIEW, TEXAS
104 S. San Roman, Bayview, Texas
March 17, 2022**

Elected officials present: Mayor Paris, Mayor Pro Tem Steenbock, Alderman Lewis, Alderman Heinz and Alderman Najera

Elected officials absent: Alderman Evans

Regular Meeting

A. Mayor Paris called the meeting to order at 6:30 p.m.

B. Mayor Paris led everyone in the Pledge of Allegiance.

C. Mayor Paris welcomed everyone.

D. *Public comments and announcements:* Mayor Paris stated, "this is now 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."

Janice Metzger- Galarza, 131 Calle Hermosa: She expressed three concerns: (1) the road repair program, (2) the enforcement of fence ordinance and (3) the lack of owners maintaining the road sides in good condition. She said her husband for the past 10 years has been mowing the road sides on Toronja and reminded everyone that diesel gas prices have gone up but her husband has continued to mow. She expressed that the current Aldermen seem to be concerned with fences and maintenance of fences instead of the road sides. She continued by stating that she had contacted one alderman that responded that each owner should maintain their road sides and got no respond from the second alderman. She expressed the overgrown road sides is what needs to be addressed. She continued expressing that permits and obtaining permits seem to be what the aldermen are concentrating on. She also stated that it is her understanding that the building inspector slows down the inspection of permits which in her opinion is unacceptable. She hears this complaint constantly from community residents. The last thing she wanted to express was her concern of the loud music, reported to an alderman who expressed he could not hear the loud music even though it shook her walls. She thanked everyone for the time.

Richard Whipple, 129 Chachalaca: He stated that the Bayview Irrigation will be having an election this year. The early voting is in April 2022 and the election is on first Saturday of

May 2022. He continued saying there are three positions opened and five people running. He expressed concern of having people go and vote. He continued by advising that the prerequisite to vote is that you own 1 acre or more and if there is two or more owners, a proxy (registered representative form) is requested from each owner authorizing the vote. He also stated his concern on putting patches on these roads without getting the base of it done; he experienced helping out in patching some of the roads and how it didn't last long. He continued expressing if we are going to repair roads lets do it right and get the base right.

Dana Gregory, 155 N Valencia: He expressed his concern on paying the Bayview Irrigation District and the fact that there is a water pipe in the property he owns on North San Roman with a valve to turn on to use water. Mr. Whipple, President of Bayview Irrigation District, responded by stating that owners cannot turn on the water; they must advise the Irrigation District that they want to use the water and how much water they need; therefore, the Irrigation District will sent someone to turn it on and charge the owner on the amount of water requested.

Martha Galarza, 139 Calle Hermosa: She expressed her concerns of the amount of dead trees on Calle Hermosa and Toronja which are a hazard. She continued by stating that those trees have been there since February 2021 and with the amount of traffic that has increased in that area along with the residents that walk, the wind could cause major accidents. She feels that with the amount of resources and the Town ordinances that this should be addressed. She also continued expressing her concern of the back area in her house that has been flooded since May 2021 and contacted an alderman but never got a response. She has also contacted the Cameron County which came out and looked at it but nothing has been done. She stated that the area is creating mosquitoes and has a very bad odor which is blown toward her house when winds blow. Her concern is also that she has lost some of her livestock that drank from that water because it runs toward the area where she keeps them: the water is between Camp Rd and Calle Hermosa. She also reported that she had witnessed East Rio Hondo Water setting up some of their water lines and tearing up the road without repairing it when they themselves broke it up.

John Carlsen, 181 N Valencia: He expressed his concern on the last meeting there was a change on the ordinance that was voted on, then his item with his building permit came up which was affected by this vote, and he has never seen an ordinance change be voted on and implemented the same night. He continued stating that he has been to many government meetings and has never seen a government make a change and implement it the same night. He feels that the ordinance change caused him a permit fee of \$4,000 which is not fair.

Jack Moffet, 27036 N San Roman: He expressed his concern of the water on N San Roman Rd and that they could probably use a paddle boat on the next rain. He continued by stating that even though the Town has annexed the property on N San Roman Rd, it seems the Town cannot take care of it.

Victoria Pease, 27136 N San Roman: She expressed her concern on the condition of the San Roman road and the problems the residents have. She also stated that the road plan the Town has can be revised. She continued stating that 45 pounds of caliche were

removed from her little Prius vehicle. She also stated that if the road repair plans keep being tabled she will bring the media(KRGV TV) to the meetings.

Clare Rodriguez, 27536 N San Roman: She expressed that she has been living here 10 years and the road was not always like that but the traffic has picked up in the last couple of years. She also expressed how the ambulance could not reach to the residents needing it. She continued by stating the how traffic speeds through the road. She stated that they have to adjust their schedules according to the weather because they loose garbage pickup, fed ex, UPS, ambulances, and mail when it rains.

JoAnne Rampersad-Ammons, 192 N San Roman: She stated that she attended a Cameron County meeting where (Raul Gomez) they stated that because Town of Bayview had annexed property on North San Roman, it is now Town of Bayview full responsibility for that road. Mayor Pro Tem Steenbock responded stating that the Town Attorney is working on getting clarification of this.

Ernesto Martinez, 104 Chachalaca: He expressed that the Town and the County need to come together on some kind of common ground. He also stated that he would volunteer to help with that road and he has the equipment for maybe spreading caliche.

Jeneria Lewis, 109 Red Crown Rd: She explained to the residents the issues being addressed with Cameron County and how San Roman Road is half county and half Town road. She continued explaining that the Town is addressing Cameron County on this and that the Town has information showing that the road does belong to the County according to our statues. She advised that maybe we need to go to the County meetings.

Robert Steenbock, 113 S San Roman Rd: He explained that received an email from the county attorney saying that the Cameron County consultant had advised them that the county is right about the road being the full responsibility of the Town of Bayview. He responded to the attorney asking for information that helped the consultant reach the determination of this decision and unfortunately, they did not have that information. He continued by stating that he had forwarded an email to the Town of Bayview attorney asking that he find out why the Cameron County Consultant came out with this determination. He also spoke to the Commissioner who again stated that their consultant had reached this determination but unable to provide information on how it was determined in writing. He explained that our attorney stated the statues says any annexations done under an annexation plan, the determination of the Town having full responsibility of the road this applies to. He continued that a general law city does not have an annexation plan, you have to be a home rule city to have an annexation plan. Therefore, the annexations done were not done under an annexation plan.

Old Business

1. *Discussion and possible action approving or rejecting road repair program and Town speed limits update.* Mayor Paris reported he had forwarded the road plan to the engineers but had not heard back from them and restated that the Town has \$328,000 for road repairs this year. After lengthy discussion on speed limits, the enforcement of the current speed limits, and road repair needs, Mayor Paris tabled this item until more information is obtained from the engineers, information from the Town attorney and facts from the County are obtained on North San Roman.

2. *Discussion update on Spectrum Contract and Star Link procurement.* After a brief discussion, Mayor Paris reported he would have the Town attorney forward the letter written.
3. *Discussion Fence Ordinance Enforcement.* After an abrasive discussion on this item and a ten minute break, Alderman Heinz made the motion to table this item and move on. Second: Alderman Najera. All in favor. Motion carried.

Mayor Paris called the meeting back in order.

NEW BUSINESS

4. *Discussion and possible action approving permits for Stop Work Order Policy.* Alderman Najera made the motion to approve the Stop Work Order Policy with the addition of placing permit number. Second: Alderman Heinz. All in favor. Motion carried.
5. *Discussion and possible action approving or rejecting purchase of new printer for building inspector requirements.* Mayor Pro Tem Steenbock made the motion to get a price and model number on a printer that prints the particular size of paper to next meeting. Second: Alderman Najera. All in favor. Motion carried.
6. *Discussion and possible action approving the payment to the OSSF Inspector, Gilbert Cisneros, for \$300.00 on inspection of 166 N San Roman which would be over budget.* Mayor Pro Tem Steenbock made the motion to approve the \$300 payment to the OSSF Inspector as presented. Second: Alderman Heinz. All in favor. Motion carried.
7. *Discussion and possible action approving or rejecting the February 17, 2022 Public Hearing and Regular Board of Aldermen Meeting Minutes.* Alderman Heinz made the motion to approve the February 17, 2022 Public Hearing and Regular Board of Alderman Meeting minutes as presented. Second: Alderman Najera. Abstained: Pro-Tem Steenbock. All in favor. Motion carried.
8. *Discussion and possible action approving or rejecting the current financial reports with current projected balances.* Alderman Heinz made the motion to approve the over budget amount on the Insurance for TML of \$27.00 for the windstorm policy. Second: Alderman Najera. All in favor. Motion carried. Alderman Heinz made the motion to approve the current financial reports with current projected balances as presented. Second: Alderman Najera. All in favor. Motion carried.
9. *Discussion and possible action approving or rejecting the current Building Inspector's Report for February 2022.* Alderman Heinz made the motion to approve the Building

Inspector's report for February 2022 as presented. Second: Alderman Najera. All in favor. Motion carried.

10. *Discussion and possible action approving or rejecting the OSSF Inspector's Report for February 2022.* Mayor Paris reported there had been no activity for month of February 2022.

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.

None

Discussion Items

1. *Coronavirus State & Local Recovery Funds.* Mayor Paris read the qualifications on the allocation of the funds. He continued stating that we have to elect to use these funds as a standard reduction. Discussion was held using the money to install culverts for different roads.
2. *Reimbursement travel for Town Employees.* Mayor Paris reported that with the high cost of fuel he is concerned getting reimbursement to the employees on their mileage. Brief discussion was held and it was decided for them to keep up with their mileage and revisit this again.
3. *Town Complaints.* Mayor Paris received a complaint on a house from 2480 about a gun fire where the bullets were going by where he and his family were working. The resident called the constable and was told they could not enforce the Bayview ordinances. Alderman Lewis commented about loud music from Mrs. Galarza's complaint that the offending property is in Cameron County and she would have to call the constable. Alderman Lewis reported receiving fence complaints.
4. *Emergency Management update.* Alderman Lewis reported the Corona Virus calls have been stopped.
5. *Bayview Beautification Day.* It was decided to have a Beautification Day on March 26, 2022.
6. *Report from Building and Standards Commission.* Alderman Heinz reported that Susan Heinz, Secretary of Building and Standards Commission, stated that there is nothing at this time.

ADJOURN

Alderman Lewis made the motion to adjourn the meeting at 8:14 p.m. Second: Alderman Heinz. All in favor. Motion carried.

Gary E. Paris, Mayor

Carmen I. Amaya, Secretary