

**MINUTES OF THE REGULAR
MEETING OF THE BOARD OF ALDERMEN
TOWN OF BAYVIEW, TEXAS
104 S. San Roman, Bayview, Texas
October 18, 2018**

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

Elected officials absent: Mayor Pro Tem Mark Mullendore

Regular Meeting

1. The regular meeting was called to order by Mayor Paris at 6:30 p.m.
2. Mayor Paris led those present in the Pledge of Allegiance.
3. Mayor Paris welcomed everyone including our auditor who would be presenting our audit. He continued by mentioning: (a) Monday October 22, 2018 is early voting and reminded everyone to vote; (b) the brush piles around the Town are getting out of control; (c) He reported the Spectrum Contract with the Town is for commercial internet service only and that he is now the point of contact with Spectrum and will ensure that everything is done by what is stated in the contract.
4. *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."

Susan Heinz -138 Calle Hermosa: stated that Republic Services will pick up brush no matter how large the piles are if they have room. If they don't, they pick up what they can and eventually get to it. She stated that a big problem is the telephone poles that have been placed on the right of ways around the speed bumps which are dangerous.

Old Business: None

New Business

5. *Discussion and possible action approving or rejecting the Town of Bayview Annual Audit for year ending September 30, 2017 done by Pattillo, Brown & Hill, LLP.* After the presentation by Antonio Juarez from Pattillo, Brown & Hill, LLP, Alderman Lewis made the motion to approve the Town of Bayview Annual Audit for year ending September 30, 2017 done by Pattillo, Brown & Hill, LLP. Second: Alderman Najera. All in favor. Motion carried.
6. *Discussion and possible action approving or rejecting the September 10, 2018 Special Board of Alderman Meeting Minutes.* Alderman Steenbock made the motion to table the minutes. Second: Alderman Lewis. Alderman Heinz Nay. Alderman Steenbock, Alderman Lewis and Alderman Najera Aye. Motion carried.
7. *Discussion and possible action approving or rejecting September 20, 2018 Public Hearing and Regular Board of Alderman Minutes.* Alderman Lewis made the motion to table the minutes. Second: Alderman Steenbock. Alderman Heinz Nay: Alderman Lewis, Alderman Najera and Alderman Steenbock Aye. Motion carried.
8. *Discussion and possible action approving or rejecting the current financial report with current projected balances.* Alderman Steenbock made the motion to approve the current financial report with current projected balances. Second: Alderman Heinz. All in favor. Motion carried.
9. *Discussion and possible action approving or rejecting the current Building Inspector's Report including any payment due.* Alderman Najera made the motion to approve the current Building Inspector's report including \$100 payment for re-inspections. Second: Alderman Heinz. All in favor. Motion carried.
10. *Discussion and possible action approving or rejecting the payment to Rentfro, Irwin & Irwin, PLLC for a total of \$218.75.* Mayor Paris reported that since it is within budget no approval was necessary.

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 Lewis added a discussion of Spectrum Contract to the next regular meeting.

Alderman Heinz added a discussion and vote of the Bayview Irrigation Interlocal agreement at the next regular meeting.

Discussion Items

1. *Long Range Road Repair Plan.* Mayor Paris reported that we need to investigate millings for Bayview Palm Drive, East and West Reparó. Alderman Heinz suggested that we work with Cameron County through an Interlocal agreement to properly repair North Valencia whereby we pay for materials and have them do the work. Alderman Heinz reported that the bridge on Poco Parte should be a priority since it is a real danger. Alderman Lewis suggested that since Cameron County owns all of Camp Rd. maybe the Town could cede Poco Parte Bridge to the County and take over its maintenance. Alderman Steenbock suggested that if that Poco Parte Bridge is a real danger maybe it should be closed if it is not safe. Alderman Lewis also suggested asking the county to cede the portion of West Reparó the County owns to the Town of Bayview since the county has repeatedly refused to maintain any of the road.
2. *Texas Open Meeting Act.* Mayor Paris reported that information can be shared but discussion cannot take place through email or text. Alderman Lewis reported she had a discussion with TML and was told that documents can be sent amongst each other if they are not being discussed outside public meeting. She also advised everyone that the Board can be at an event together as long as there is no discussion of Town business. Alderman Lewis passed out a copy of the Texas Open Meeting Act Sec. 551.006 Written electronic Communications Accessible to Public Act which covers the "CHAT" feature on the Town of Bayview new website. She explained that this will allow the Board and employees to discuss anything without violating TOMA as long as the discussions are archived for six years. This will not allow anyone to vote. Alderman Steenbock reported that TOMA is a real "slippery slope" and he has read not to discuss through telephone, email, text or telephone. He continued by stating that he has read legal opinions stating, "don't communicate." He stated there have been issues in the past with this and he was going to take a conservative position to this.
3. *Local contract with Bayview Irrigation.* Mayor Paris reported that the contract is in a draft form and in reading it, they want the Town to take on the entire contract and be responsible for it. He continued by reporting that the budget would have to be amended to show the anticipated income for the portion of Bayview Irrigation reimbursement. Alderman Steenbock stated that he wanted everyone to understand that if Bayview Irrigation does not come through with their proposed agreement of paying their portion of the contract, the Town will be responsible for the whole amount. Alderman Lewis stated that Bayview Irrigation has already voted to fund their

portion of Spectrum and that she does not believe they would default on their obligation. If so, our Interlocal contract provides us with legal recourse.

4. *Code Enforcement Officer.* After a lengthy discussion, the Board decided not to have a code enforcement officer.
5. *Emergency Management update.* Alderman Lewis reported that we are still in hurricane season and we could have heavy rains this weekend.
6. *Bayview Beautification Day.* Alderman Najera thanked Sherman Lee for allowing him to use his equipment to finish up maintaining the walking bridge maintenance. He reported that Beautification day remains as the last Saturday of every month and would like to offer an alternative by giving out his telephone number so if any resident is wanting to participate on a different date or time just to call him and he'll make arrangements with them.
7. *Report from the Building and Standards Commission.* Alderman Lewis reported that there are new officers: Mark Mullendore is the Chairman and James Fulton is the new Chair Pro Tem.

Adjourn

At 8:18 Alderman Najera made the motion to adjourn the meeting. Second: Alderman Heinz. All in favor. Motion carried.

 Gary E. Paris _____

Gary E. Paris, Mayor

 Carmen J. Amaya _____

Carmen I. Amaya, Town Secretary