THE MINUTES OF THE REGULAR MEETING ARE AS FOLLOWS:

VANESSA BURZYNSKI, COUNTY CLERK

THE STATE OF TEXAS ~ COUNTY OF GRIMES ~ BE IT REMEMBERED, that on this the 4th day of November 2020 at 9:00 a.m., there was a Regular Meeting of the Commissioners Court of Grimes County, Texas with the following members present:

County Judge, Joe Fauth III                    Present
Commissioner, Pct. #1, Chad Mallett             Present
Commissioner, Pct. #2, David E. Dobyanski         Present
Commissioner, Pct. #3, Barbara Walker            Present
Commissioner, Pct. #4, Phillip Cox               Present

COUNTY JUDGE JOE FAUTH III

1. Call to Order.

County Judge Joe Fauth III called the Meeting to order at 9:00 a.m.

2. Public Comments.

We look forward to hearing from the citizens of Grimes County. If you wish to share any thoughts and/or concerns during the Public Comment portion of the Meeting, you must sign-in with the County Clerk before the Meeting is called to order. Public comments are limited to 2 minutes per person.

Bill Bay made a public comment about the cattle guards on his county road. He is requesting that the county maintain and clean these cattle guards since they are on a public road.
Vanessa Burzynski announced that the VFW Ladies Auxiliary is hosting a Veterans Day Parade, luncheon and raffle on Saturday, November 14, 2020. Raffle tickets are on sale for $1 each or 6 for $5.00.

Barbara Walker wanted to thank the voters of Grimes County and also wanted to thank the election workers and the election staff for doing a great job yesterday on Election Day.

David Dobyanski announced that the Anderson Food Pantry will be open tomorrow and that St. Mary’s Catholic Church will be holding a rummage sale on Saturday, November 7th from 7:30 am until 5:00 pm.

Judge Joe Fauth wanted to congratulate all of the winners of the election held yesterday including; Congressman Kevin Brady, State Representative Ben Leman, District Attorney Andaia Bender, County Attorney Jon C. Fultz, Tax Assessor-Collector Mary Ann Waters, Sheriff Don Sowell, Treasurer Jim-Bob Trant, Commissioners Barbara Walker and Chad Mallett, and Constables Blake Jarvis, Dale Shaper and Wes Male; District Judges David Moorman of the 12 District Court and Gary Chaney of the 506th District Court.

CONSENT AGENDA ITEMS

Items identified within the Consent Agenda are of a routine nature and will be passed with one vote without being discussed separately. If a member of the Court requests that a particular item be discussed, prior to the Meeting, the Agenda item will be pulled from the Consent Agenda and discussed as part of the regular agenda at the appropriate time. One vote will approve the remaining items on the Consent Agenda.

3. Consider and take action to approve the Treasurer’s List of Claims and Bills.

4. Consider and take action to approve payroll.

5. Approve monthly report submitted by the County Treasurer for September 2020 and authorize advertisement of affidavit of same, in accordance with local government code 114.026. (See Page 5 of this Agenda.)

6. Consider and take action to approve Budget Amendments and/or Line Item Transfers:

**Budget Amendment for FY 2020 - 1**

**FUNDS TO BE DECREASED IN THE FOLLOWING LINE ITEM:**

<table>
<thead>
<tr>
<th>LINE ITEM#</th>
<th>DESCRIPTION</th>
<th>AMOUNT</th>
</tr>
</thead>
<tbody>
<tr>
<td>0010-0375-3044</td>
<td>MISCELLANEOUS REVENUE</td>
<td>$1,591.35</td>
</tr>
</tbody>
</table>

**FUNDS TO BE INCREASED IN THE FOLLOWING LINE ITEM**

<table>
<thead>
<tr>
<th>LINE ITEM#</th>
<th>DESCRIPTION</th>
<th>AMOUNT</th>
</tr>
</thead>
<tbody>
<tr>
<td>0010-0466-4305</td>
<td>AG - OFFICE SUPPLIES</td>
<td>$1,591.35</td>
</tr>
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</table>
Budget Amendment for FY 2021 - 1

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</thead>
<tbody>
<tr>
<td>0010-0418-4440</td>
<td>TRAVEL &amp; CONFERENCES</td>
<td>$660.00</td>
</tr>
</tbody>
</table>

FUNDS TO BE INCREASED IN THE FOLLOWING LINE ITEM:

<table>
<thead>
<tr>
<th>LINE ITEM#</th>
<th>DESCRIPTION</th>
<th>AMOUNT</th>
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</thead>
<tbody>
<tr>
<td>0010-0418-4433</td>
<td>CELL PHONE/AIR CARD</td>
<td>$660.00</td>
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Reason: To create a line item for cell phone/air card for Treasurer's Office.

Line Item Transfer for FY 2020 - 1

FUNDS TO BE DECREASED IN THE FOLLOWING LINE ITEM:

<table>
<thead>
<tr>
<th>LINE ITEM#</th>
<th>DESCRIPTION</th>
<th>AMOUNT</th>
</tr>
</thead>
<tbody>
<tr>
<td>0010-0418-4440</td>
<td>TRAVEL &amp; CONFERENCES</td>
<td>$669.98</td>
</tr>
</tbody>
</table>

FUNDS TO BE INCREASED IN THE FOLLOWING LINE ITEM:

<table>
<thead>
<tr>
<th>LINE ITEM#</th>
<th>DESCRIPTION</th>
<th>AMOUNT</th>
</tr>
</thead>
<tbody>
<tr>
<td>0010-0418-4505</td>
<td>MACHINERY &amp; EQUIPMENT</td>
<td>$669.98</td>
</tr>
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</table>

Reason: To cover budget deficits for FY20 in machinery and equipment.

Line Item Transfer for FY 2020 - 2

FUNDS TO BE DECREASED IN THE FOLLOWING LINE ITEM:

<table>
<thead>
<tr>
<th>LINE ITEM#</th>
<th>DESCRIPTION</th>
<th>AMOUNT</th>
</tr>
</thead>
<tbody>
<tr>
<td>0010-0440-4305</td>
<td>J.P. #3 - OFFICE SUPPLIES</td>
<td>$234.00</td>
</tr>
</tbody>
</table>

FUNDS TO BE INCREASED IN THE FOLLOWING LINE ITEM:

<table>
<thead>
<tr>
<th>LINE ITEM#</th>
<th>DESCRIPTION</th>
<th>AMOUNT</th>
</tr>
</thead>
<tbody>
<tr>
<td>0010-0405-4435</td>
<td>ADVERTISEMENTS</td>
<td>$234.00</td>
</tr>
</tbody>
</table>

Reason: To create a new line item for HR and transfer funds for advertisement of a job posting for JP #3.

Line Item Transfer for FY 2021 - 1

FUNDS TO BE DECREASED IN THE FOLLOWING LINE ITEM:

<table>
<thead>
<tr>
<th>LINE ITEM#</th>
<th>DESCRIPTION</th>
<th>AMOUNT</th>
</tr>
</thead>
<tbody>
<tr>
<td>0020-0490-4505</td>
<td>R&amp;B - MACHINERY &amp; EQUIPMENT</td>
<td>$200.00</td>
</tr>
</tbody>
</table>
Funds to be increased in the following line item:

<table>
<thead>
<tr>
<th>LINE ITEM#</th>
<th>DESCRIPTION</th>
<th>AMOUNT</th>
</tr>
</thead>
<tbody>
<tr>
<td>0010-0423-4507</td>
<td>IT- COMPUTER HARDWARE</td>
<td>$200.00</td>
</tr>
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</table>

Reason: To purchase a new monitor for Road & Bridge Dept.

Motion by: Commissioner Walker to approve consent agenda items 3, 4, 5 and 6.  
Seconded by: Commissioner Dobyanski  
Vote in Favor: 5  Vote Opposed: 0  MOTION PASSED

Grimes County Judge - Joe Fauth

7. Discuss and take action to proclaim November 14, 2020 as Polish Day in Grimes County and authorize the Commissioners Court as signatories. (See Attachment #7.)

Judge Joe Fauth read the proclamation declaring November 14, 2020 as Polish Day in Grimes County. Commissioner David Dobyanski will read the proclamation on the steps of the courthouse on that day.

8. Review and take action to approve ProCare EMS, LLC and Greater Care WMS, LLC to base their business in Grimes County and authorize the County Judge as signatory. (See Attachment #8.)

No motion was made - No action taken

Grimes County Building Maintenance Manager - Al Peeler

9. Update on on-going projects: Grimes County Courthouse, Grimes County Jail, Grimes County Justice Center.

Historic Courthouse – The engineer came out last week in inspect the work done and the contractor is going through the punch list and fixing items that needed to be fixed. There is an issue with the paint bubbling in some areas and a water leak at the door thresholds. Work should take an additional 2-3 weeks at no additional cost to the county. Al Peeler indicated that he has a meeting at 2:00 pm on Thursday to go review the punch lists. Judge Joe Fauth asked if the courthouse repairs could be complete by December 1st. Al Peeler said he would try to be finished by then but that he wants the job done right. Judge Joe Fauth indicated that they have court scheduled in December and he would like the work done sooner than later.

Jail – Al Peeler stated that this project will take quite a while. There was a problem with the HVAC system, and it smoked and caught fire. The Control Systems will be online by next week. The equipment is aging and the jail is still under lock down due to COVID-19 so the mold remediation is still on hold at this time.

Justice Center – Al Peeler stated that he has a meeting today at 1:30 pm to address an issue with the waterline swelling.
10. Discuss and take action to approve Justice Center change orders.

Al Peeler presented two change orders from Collier Construction for the commissioners to consider.

Change Order #1909-010R1 – Teller Panels in the tax clerk’s office, county clerk’s office, district clerk’s office, and the JP#2 office at a cost of $9,728.00.

Motion by: Commissioner Dobyanski to approve Change Order #1909-010R1. 
Seconded by: Commissioner Mallett
Vote in Favor: 5  Vote Opposed: 0  MOTION PASSED

Change Order #1909-009 – Air Handler UV Lighting at a cost of $26,051.00.

NO MOTION MADE – NO ACTION TAKEN

GRIMES COUNTY COMMISSIONER PCT. #2 - DAVID DOBYANSKI

11. Discuss and take action to develop policy for cleaning cattle guards on county roads.

A discussion was held concerning cleaning cattle guards. Road and Bridge Engineer Harry Walker indicated that there was not a county policy regarding cleaning cattle guards but that he had instructed his employees not to clean cattle guards, but his office would repair them if necessary. Harry Walker said that to his knowledge there are only 6 or 7 cattle guards on county roads. David Dobyanski indicated that the county did clean cattle guards many years ago.

Motion by: Judge Joe Fauth to develop a policy for cleaning cattle guards on county roads.  
Seconded by: Commissioner Walker
Vote in Favor: 5  Vote Opposed: 0  MOTION PASSED

GRIMES COUNTY CLERK - VANESSA BURZYNSKI

12. Consider and take action to approve the contract from CivicPlus for software services related to Commissioners Court meetings, agendas, and minutes. (See Attachment #12.) 

County Clerk Vanessa Burzynski presented the commissioners with a brief overview of the software program called CivicClerk and provided a brief demonstration of the features of the product. The software program is an Agenda and Meeting Management Software Program for Local Governments which provides tools for administrators and elected officials to submit and access agendas and attachments and also allow for electronic roll call and electronic voting in a live meeting management program which would create meeting minutes automatically. Court Administrator Cherie Wagner stated the product looked amazing but thought it was a little too expensive. Vanessa Burzynski stated that the program would have to come out of the IT Budget and since we have already approved the budget for this year that maybe this could be considered for next year. The initial cost for the first year was $15,421.00 and each additional year would cost $10,395.00

NO MOTION MADE – NO ACTION TAKEN
13. Consider and possible acceptance of right of way dedications on CR 206. (See Attachment #13.)

Motion by: Commissioner Dobyanski to accept right of way dedications on CR 206.
Seconded by: Commissioner Walker
Vote in Favor: 5  Vote Opposed: 0  MOTION PASSED

14. Consider and approve purchase of two (2) 6 cubic yard dump trucks and trade in of 2010 International 6 cubic yard dump truck VIN #1HTMMAAM1AH161637.

Road and Bridge Engineer Harry Walker stated that the trade in value for the 2010 dump truck is $1,500. The two dump trucks he is proposing to purchase are used with 120,000 miles each at a cost of $18,000 each. Harry Walker indicated that they will take the bed off of the dump truck that they are trading in and using it on another truck.

Motion by: Commissioner Dobyanski to purchase two 6 cubic yard dump trucks and trade in of 2010 International 6 cubic yard dump truck VIN# 1HTMMAAM1AH161637.
Seconded by: Commissioner Mallett
Vote in Favor: 5  Vote Opposed: 0  MOTION PASSED

15. Consider and take action to allow R&B to auction off three (3) pickups, one (1) water tanker, three (3) fuel tanks, two (2) fuel pumps, two (2) shredders, one (1) tailgate spreader, old cattle guards and an old truss bridge. (See Attachment #15.)

Harry Walker indicated that one truck was a 2004 and the other two were 2006. There was a question as to whether the funds from the auction went back to Road and Bridge or to the General Fund. Harry Walker said that traditionally these funds have gone back to Road and Bridge to offset the cost of purchasing new equipment. Commissioner Phillip Cox stated that policy indicates that any funds from auctions should go back into the General Fund and that any vehicles that are still in good working condition could be used by other departments and wondered if the Maintenance Department would be able to utilize one of these trucks. Al Peeler indicated that he put $3,000 into the General Fund from items he auctioned recently. Trade in value for the truck is $2,800. Al Peeler asked if he could offset the cost of the truck with the money he put into the General Fund.

Motion by: Judge Joe Fauth to allow R&B to auction off 2 pickups, 1 water tanker, 3 fuel tanks, 2 fuel pumps, 2 shredders, 1 tailgate spreader, old cattle guards and an old truss bridge with the exclusion of one of the 2006 trucks to be dedicated to the maintenance department in exchange for community service days to clean cattle guards on county roads.
Seconded by: Commissioner Dobyanski
Vote in Favor: 4  Vote Opposed: 0  MOTION PASSED

COMMISSIONER WALKER STEPPED OUT OF THE ROOM AND DID NOT VOTE

16. Consideration and possible approval of a Special Road Use and Indemnity Agreement for Atmos Energy on CR 407 in Pct. 4. (See Attachment #16.)
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Motion by: Commissioner Cox to approve a Special Road Use and Indemnity Agreement for Atmos Energy on CR 407 in Precinct 4.  
Seconded by: Commissioner Walker  
Vote in Favor:  4  Vote Opposed:  0  
MOTION PASSED

COMMISSIONER DOBYANSKI HAD TO LEAVE EARLY AND DID NOT VOTE.

Presentation of Road & Bridge Report (SEE ATTACHMENT)

Harry Walker announced that Road and Bridge will go back to winter hours which are 7:30 am to 4:30 pm.

GRIMES COUNTY JUDGE - JOE FAUTH III

17. Consider and approve the Resolution to receive the Grant for the Indigent Defense Program and authorize the County Judge as signatory. (See Attachment #17.)

Motion by: Commissioner Walker to approve the Resolution to receive the Grant for the Indigent Defense Program and authorize the County Judge as signatory.  
Seconded by: Commissioner Cox  
Vote in Favor:  4  Vote Opposed:  0  
MOTION PASSED  
DAVID DOBYANSKI WAS NOT PRESENT AND DID NOT VOTE

18. Consider and take action to modify the Grimes County Tax Abatement guidelines. (See Attachment #18.)

Judge Joe Fauth indicated that a committee was created but the committee has not had time to meet. Judge Fauth did indicate that he requested a spreadsheet that utilized different numbers with different outcomes and that was received yesterday. Commissioner Barbara Walker indicated that she spoke with Mr. Johnny McNally and asked him to come today. The time we received the application has already exceeded the 30 days’ notice for a public hearing. They not only wanted to change the timeline, but they were also asking for a change in the number of employees and also wanted to remove the exclusion for renewable energy companies. They also asked for a 10-year structure. The county just needs more time to review their requests. The next meeting has not been set yet.

ITEM TABLED. NO ACTION TAKEN

19. Consider and take action set Tax Abatement Agreement Hearing date for Blue Jay Solar.

ITEM TABLED. NO ACTION TAKEN

20. Discuss and take action on items related to the Coronavirus Relief Fund. (See Attachment #20)

County Auditor Jessi Murphy indicated that there were minimal changes. Still working on the school district expenses. Judge Joe Fauth stated that some of the local municipalities have not utilized all of the funds allocated to them, so paperwork has been prepared to have those funds given back to the county. Judge Fauth also indicated that the county is revising the spending plan. Deadline is November 15th. Jessi Murphy asked to be placed on the
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Agenda for Friday, November 13th. Commissioner Barbara Walker asked the auditor that since we are getting more money allocated to the county, will the county receive more money for the Hart voting equipment and the answer was yes.

**NO ACTION TAKEN**

21. Consider and take action regarding the Burn Ban and authorize the County Judge as signatory.

**NO ACTION TAKEN**

22. Receive any updates on the Strategic Plan.

**NO ACTION TAKEN**

23. Adjourn.

Motion by: Commissioner Walker to adjourn.  
Seconded by: Commissioner Mallett  
Vote in Favor: 4  Vote Opposed: 0  
MOTION PASSED  
DAVID DOBYANSKI WAS NOT PRESENT AND DID NOT VOTE.

Judge Joe Fauth adjourned the Meeting at 10:48 a.m.