THE MINUTES OF THE REGULAR MEETING ARE AS FOLLOWS:

THE STATE OF TEXAS ~ COUNTY OF GRIMES ~ BE IT REMEMBERED, that on this the 9th day of September 2020 at 9:00 a.m., a Regular Meeting of the Commissioners Court of Grimes County, Texas was held 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

1. Call to order
   a. Invocation
   b. Pledge of Allegiance to the US Flag
   c. Pledge of Allegiance to the Texas Flag.

Judge Joe Fauth called the Meeting to order at 9:05 a.m. Invocation was given by Gary Williamson.

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.
David Tullos spoke about Agenda Item No. 16 concerning the county maintaining the bus route roads in Pinebrook Subdivision. He spoke in favor of this agenda item.

Diane Flannery spoke about Agenda Item No. 16 concerning the county maintaining the bus route roads in Pinebrook Subdivision. She spoke in favor of this agenda item. She lives on Pinebrook Road. She indicated that there were 190 post office boxes rented and there were 519 Post Office Boxes. She also indicated that the Population of Plantersville was 2,705 and that the Pinebrook Subdivision was about 20 percent of that population. She would like to be able to have a road that goes out to 249. The bridge on her road gets covered with water when it rains. She intends to write a letter to TXDOT and to Grimes County Road and Bridge about this matter. She presented a copy of her letter to the County Clerk. She also wanted to thank Road and Bridge Engineer Harry Walker for being so helpful.

County Judge Joe Fauth wanted to remind the citizens of Grimes County to complete the 2020 Census. It is very important to turn in your census and be counted.

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.

A Motion was made by Commissioner Walker to approve consent agenda items 3 and 4. Motion was Seconded by Commissioner Dobynski
Vote in Favor:  5  Vote Opposed:  0  MOTION PASSED

AMERICAN LEGION MCCLUSKEY POST 640 – COMMANDER STEVE STOREY

5. Presentation of MIA/POW Day Proclamation. (See Attachment #5).

Commander Steve Storey presented a Proclamation declaring the month of September as remembrance month for POW/MIA’s and September 18, 2020 as National POW/MIA Recognition Day. The members of the American Legion McCluskey Post 640 will hold a short ceremony in remembrance of our Nation’s Prisoners of War and Missing in Action of all wars. The “Missing Man White Table” will be on display at the VFW Post 4006 on Friday, September 18, 2020 from 11:00 am to 2:00 pm at 1575 W. Washington Ave. in Navasota, Texas. The POW/MIA flag will be flown at that address on that day of remembrance.

GRIMES COUNTY BUILDING MAINTENANCE MANAGER - AL PEELER

6. Update on on-going projects: Grimes County Courthouse, Grimes County Jail, Grimes County Justice Center.
Courthouse – Contractors are currently working on the 3rd floor painting the County Court at Law Judge’s office and the stairwell. Next week the contractors will be painting the courtroom on the 2nd floor. The Elections office will have to be repainted. The County Judge’s offices and jury room has been finished. After all the painting is done he will work on the maintenance of the lawn.

Jail – The HVAC systems are now talking to each other. The employees need to remember to keep the doors shut. A door was left open and the system was saturated with water. There has been a setback with the internet. We cannot see the systems online. We will be training the personnel on how to use the new system. He is waiting for the go ahead on the mold remediation once the jail is no longer on lock down.

Justice Center – The studs are up on the Mezzanine. The Air Handler units have been installed. The duct work is being installed. He is starting to see more work being done on the inside. He plans on setting up a walk through with certain people around November. Safety is always a priority and they do not need people just wandering around the jobsite that do not need to be there. We are 61 days behind schedule.

GRIMES COUNTY 911/ENVIRONMENTAL COORDINATOR – KAT LEE

7. Consider and approve proposed changes to the Grimes County Fire Dual Response Map. (See Attachment #7).

Kat Lee met with the fire department chiefs and they were all in agreement with the new map. She also indicated that this will not change the regular fire department boundaries. Just the Dual Response Boundaries. Judge Joe Fauth asked Kat Lee what the process was after the map is approved by Commissioners Court. Kat Lee indicated that the map would need to go to BVCOG for them to review. Then the map will be sent back to Kat Lee to be implemented into the 911 system and then sent over to dispatch.

A Motion was made by Commissioner Cox to approve proposed changes to the Grimes County Fire Dual Response Map.
Motion was Seconded by Commissioner Dobyanski
Vote in Favor: 5  Vote Opposed: 0  MOTION PASSED

GRIMES COUNTY AUDITOR – MARY NICHOLS

8. Consider and take action to approve reimbursements to employees to be made through Accounts Payable instead of payroll.

Auditor Mary Nichols stated that the county should reimburse employees through Accounts Payable and not through Payroll. Mary Nichols said that she had spoken with the new Treasurer Jim-Bob Trant and that he agreed with her. Mary Nichols also stated that this will make the process much easier and more transparent. Employees can have their reimbursements sent to them via direct deposit just like their paychecks.

A Motion was made by Commissioner Walker to approve reimbursements to employees to be made through Accounts Payable instead of payroll effective today.
Motion was Seconded by Commissioner Mallett
Vote in Favor: 5  Vote Opposed: 0  MOTION PASSED
9. Review and approve the list of Election Judges with Alternates for the Grimes County 2020 General Election. (See Attachment #9)

Lucy Ybarra was unable to attend the meeting, but County Clerk Vanessa Burzynski passed out the list of Judges and Alternates to the Commissioners for their review.

A Motion was made by Judge Joe Fauth to approve the list of Election Judges with Alternates for the Grimes County 2020 General Election. Motion was Secended by Commissioner Cox

Vote in Favor: 5 Vote Opposed: 0 MOTION PASSED

GRIMES COUNTY CLERK - VANESSA BURZYNSKI

10. Consider and take action to approve the Order to Adopt the County Clerk’s Records Archive Plan for FY 2021 pursuant to Texas Local Government Code §118.025 and authorize County Judge and Commissioners as signatories. (See Attachment #10.)

County Clerk Vanessa Burzynski presented the Order to Adopt the County Clerk’s Records Archive Plan for FY 2021. She also included a list of the projects that she is hoping to complete this next fiscal year. Commissioner Phillip Cox asked if these projects listed were being approved today and the answer was No. Vanessa Burzynski explained to the court that any projects to be funded out of the Records Archive Fund will be brought before Commissioners Court for their approval. Vanessa wanted the court to be aware of the proposed projects for the upcoming fiscal year and that not all of these projects may get approved. Vanessa also explained that this fund can only be used for records archive projects for the county clerk’s office and that they must be included in the Archive Plan. Judge Joe Fauth asked which fund number the Archive fund was, and Vanessa replied that it was Fund 54. Judge Fauth also asked the auditor Mary Nichols how much money was in Fund 54. She replied that the account had about $9,000 but that was for this year’s budget. Next year’s budget will have a different amount. Vanessa Burzynski explained that the budget analysis she received from the Auditor’s office revealed that there was $66,786.00 budgeted in Fund 54 for next fiscal year.

A Motion was made by Commissioner Walker to approve the Order to Adopt the County Clerk’s Records Archive Plan for FY 2021 pursuant to Texas Local Government Code §118.025 and authorize County Judge and Commissioners as signatories. Motion was

Seconded by Commissioner Dobyanski

Vote in Favor: 5 Vote Opposed: 0 MOTION PASSED

11. Consider and take action to approve adding an additional 4,263 marriage licenses to the current contract previously approved that was underestimated and to add 40 additional loose pages to the deed books at a cost of $16,885. This also includes a credit of $8,065.54 for the vital records that were overestimated. Proposal is dated June 25, 2020. (See Attachment #11.)

County Clerk Vanessa Burzynski presented a proposal from Data Preservation Solutions to add an additional 4,263 marriage licenses to the current contract and to add an additional 40 loose pages from deed books at a cost of $16,885. This also includes a credit of $8,065.54 from the vital records project that was overestimated in the first contract. Judge Joe Fauth
asked that this agenda item and agenda item number 12 be tabled for now until we have completed the budget process and we have a better idea of how much money will be available in Fund 54. Vanessa indicated that she would get an estimate of how much money is still owed to Data Preservation Solutions out of this year's budget.

A Motion was made by Judge Joe Fauth to table agenda items number 11 and 12 until after the budget has been approved for FY 2021. Motion was Seconded by Commissioner Dobyanski
Vote in Favor: 5  Vote Opposed: 0  MOTION PASSED

12. Consider and take action to approve scanning and preserving old original commissioners court minute books dating back from 1848 to 1907. (7 books total) and replace binders on four (4) original marriage license books at a cost of $23,999.20. Proposal is dated August 18, 2020. (See Attachment #12.)

THIS ITEM WAS TABLED

GRIMES COUNTY HUMAN RESOURCES DIRECTOR - TALITTA COLEMAN

13. Consider and take action on the Payroll Tax Deferral, effective September 1, 2020. (See Attachment #13.)

Talitta Coleman presented a Payroll Tax Deferral plan offered by the President of the United States in response to the crisis cause by COVID-19. This plan refers to deferring withholding of certain payroll tax obligations on wages or compensation paid during the period of September 1, 2020 through December 31, 2020. This deferral is available to any employee whose wages are less then $4,000 during any bi-weekly pay period. The amounts deferred shall be deferred without any penalties, interest, or additional taxes. However, Talitta Coleman indicated that any taxes that are deferred will more than likely have to be paid back the following year in addition to current payroll taxes. The memorandum dated August 8, 2020 indicated that the Secretary of the Treasury was going to explore avenues to eliminate the obligation to pay back the deferred taxes. She stated that several employees reached out to her to let her know that they were not in favor of this tax deferral. It was her recommendation that the court does not adopt the Payroll Tax Deferral plan. Judge Joe Fauth asked the question that if an employee were to resign who was responsible for paying the deferred taxes. Talitta said that the county would be responsible for the unpaid taxes. Joe Fauth indicated that no county employee has suffered loss of income due to COVID-19. He is sympathetic towards those that have lost their jobs due to COVID-19 but that the county has not been affected by this.

A Motion was made by Judge Joe Fauth to not adopt the Payroll Tax Deferral plan. Motion was Seconded by Commissioner Dobyanski
Vote in Favor: 5  Vote Opposed: 0  MOTION PASSED

ROAD & BRIDGE ENGINEER- HARRY WALKER

14. Consideration and possible approval of a replat of Huntsville West 22 Subdivision, Lot 78, Block 4 recorded Vol. 698, Page 225 RPRGCT, located in Precinct #1. (See Attachment #14.)
Harry Walker asked the court the table this replat. Although a public hearing was held this morning concerning this replat of Huntsville West 22 Subdivision Lot 78, Block 4, the owner still owes back taxes on this property.

A Motion was made by Commissioner Mallett to table agenda item number 14. Motion was Seconded by Commissioner Dobyns. Vote in Favor: 5 Vote Opposed: 0 MOTION PASSED

15. Consideration and possible award of annual contracts for the following: 1) Flexible Base Material, 2) Contract Hauling, 3) Bridge Labor, 4) Culverts, 5) Mowing, and 6) Tree Trimming and Removal. (See Attachment #15.)

Harry Walker asked that each of these contracts be presented separately and voted on separately.

1) Flexible Base Material – received 5 bids. Low bidder for the Grade 5 material was Frost Crushed Stone and low bidder for the Grade 1-2 material was Conner’s Crushed Stone. A Motion was made by Commissioner Mallett to award the contract for Flexible Base Material to Frost Crushed Stone for the Type A Grade 5 Flexible Base and Conner’s Crushed Stone Inc for Type A Grade 1-2 Flexible Base. Motion was Seconded by Commissioner Dobyns. Vote in Favor: 5 Vote Opposed: 0 MOTION PASSED

2) Contract Hauling – received 4 bids. Low bidder was Heise Trucking LLC. A Motion was made by Commissioner Dobyns to award the contract for contract hauling to Heise Trucking, LLC. Motion was Seconded by Commissioner Mallett. Vote in Favor: 5 Vote Opposed: 0 MOTION PASSED

3) Bridge Labor – only 1 bid was received from Neyland Bridge Construction. A Motion was made by Commissioner Mallett to award the contract for Bridge Labor to Neyland Bridge Construction. Motion was Seconded by Commissioner Dobyns. Vote in Favor: 5 Vote Opposed: 0 MOTION PASSED

4) Culverts – received 2 bids. Lowest bidder was Wilson Culverts. A Motion was made by Commissioner Mallett to award the contract for culverts to Wilson Culverts, Inc. Motion was Seconded by Commissioner Dobyns. Vote in Favor: 5 Vote Opposed: 0 MOTION PASSED

5) Contract Mowing – received 3 bids. The low bidder was Crosby Road Construction which is owned by a county employee (but not an elected official). Harry Walker was concerned that there might be a conflict of interest. Harry Walker referred to the county personnel policy as well as the county purchasing policy. Although he does not think that there is a conflict of interest, there might be an appearance of a conflict of interest by the public as unethical. The second lowest bidder was Wayne Pool LLC and the price difference was about $4,400. Phillip Cox asked if the employee knew that there might be a conflict of interest and the answer was “yes”. Harry Walker suggested that this item be tabled so he can conduct more research on this. The mowing will not need to be done until May 2021 so Harry Walker indicated that there was plenty of time to work on this item.
A Motion was made by Judge Joe Fauth to table this agenda item for contract mowing. Motion was Seconded by Commissioner Barbara Walker.
Vote in Favor: 5  Vote Opposed: 0  MOTION PASSED

6) Tree Trimming and Removal – received 3 bids. Brock Construction was the low bidder on the conventional tree trimming. Crosby Construction was the low bidder on the Pole saw tree trimming. Since the county does not do a lot of pole saw trimming Harry Walker recommended using Brock Construction.

A Motion was made by Commissioner Mallett to award the contract for tree trimming and removal to Brock Construction. Motion was Seconded by Commissioner Dobyanski
Vote in Favor: 5  Vote Opposed: 0  MOTION PASSED

16. Consideration and possible action to formally adopt the existing bus routes in Pinebrook Subdivision into the Grimes County maintenance system. (See Attachment #16.)

Harry Walker presented a map of existing bus routes in Pinebrook Subdivision. There was a notation on the map that it was adopted by the county in 2003 but after looking at the minutes from that meeting in 2003 the county took no action and the minutes also stated that the county was not obligated to maintain roads in a subdivision. Harry Walker also indicated that this bus route map has never been adopted by Grimes County for road maintenance. Harry Walker also indicated that some of the roads on the bus route were not public roads. Harry Walker indicated that the only roads that will be maintained by the county are the roads that were adopted by the county in 2007 in accordance with Chapter 258 of the Texas Transportation code. Joe Fauth indicated that there might be some upset people. Harry Walker stated that a complete list of county-maintained roads and the corresponding road map can be found in the county clerk’s office. (A copy of the 2007 resolution is attached to these minutes.)

A Motion was made by Commissioner David Dobyanski that the county continue maintaining the roads that were approved in 2007 in accordance with Chapter 258 of the Texas Transportation Code rather than accepting other roads into the county road network for the purpose of bus routes. Motion was Seconded by Commissioner Chad Mallett.
Vote in Favor: 5  Vote Opposed: 0  MOTION PASSED

Presentation of Road & Bridge Report (see attached)

COUNTY JUDGE - JOE FAUTH III

17. Consider and take action to approve the Grimes County Child Welfare Board’s recommendation to appoint Brenda Williams to the Grimes County Child Welfare Board.

A Motion was made by Judge Joe Fauth to approve the Grimes County Child Welfare Board’s recommendation to appoint Brenda Williams to the Grimes County Child Welfare Board. Motion was Seconded by Commissioner Dobyanski.
Vote in Favor: 5  Vote Opposed: 0  MOTION PASSED
18. Consider and take action to approve the Amendment to the Interlocal Agreement for Performance of Postmortem Examinations by Montgomery-County, TX and authorize the County Judge as signatory. (See Attachment #18.)

County Auditor Mary Nichols stated that the fee increased from $2,100 to $2,400 per autopsy.

A Motion was made by Commissioner Walker to approve the Amendment to the Interlocal Agreement for Performance of Postmortem Examinations by Montgomery-County, TX and authorize the County Judge as signatory. Motion was Seconded by Commissioner Dobyanski. Vote in Favor: 5 Vote Opposed: 0 MOTION PASSED

19. Discuss and take action to appoint Judge Joe Fauth III, Commissioner Phillip Cox and Mayor Karen Hale to the BVCOG Board of Directors for a two-year term.

Judge Joe Fauth stated that this item was on last week's agenda with a three-year term and was tabled for clarification on the length of the term. Judge Fauth spoke with BVCOG about the length of the term and he was told that the court can make the term whatever they want it to be.

A Motion was made by Commissioner Walker to appoint Judge Joe Fauth III, Commissioner Phillip Cox and Mayor Karen Hale to the BVCOG Board of Directors for a two-year term. Motion was Seconded by Commissioner Dobyanski. Vote in Favor: 5 Vote Opposed: 0 MOTION PASSED

20. Discuss, determine, and approve Commissioners Court Schedule for FY 2021. (See Attachment #20.)

Judge Joe Fauth stated that the current commissioner's court schedule was the first, second and fourth Wednesday of each month. He asked if any of the commissioners wanted to change the schedule. Barbara Walker stated that it was moved to Wednesday a few years back to accommodate approving of the bills and payroll. Court was also held on Tuesdays and on Mondays in the past. County Auditor Mary Nichols indicated that she would like to see the meetings held on Wednesday or Thursday to give the treasurer's office time to process the payroll. Tuesday would be too soon. Joe Fauth asked that if the scheduled was changed to the first and third Wednesday if that would affect the other courts' schedule. Cherie Wagner said "yes it would" but that it could be worked out.

A Motion was made by Commissioner Walker to change the Commissioners Court Schedule for 2021 to the first and third Wednesday of each month at 9:00 a.m. to be effective October 1, 2020. Motion was Seconded by Commissioner Dobyanski. Vote in Favor: 5 Vote Opposed: 0 MOTION PASSED

21. Discuss and take action on items related to the Coronavirus Relief Fund.

Assistant Auditor Mary Johnson asked that this item be tabled until next meeting.

22. Consider and take action regarding the Burn Ban and authorize the County Judge as signatory.
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NO ACTION TAKEN. BURN BAN REMAINS IN PLACE.

23. Receive any updates on the Strategic Plan.

NO UPDATES AND NO ACTION TAKEN


A Motion was made by Commissioner Walker to adjourn. Motion was Seconded by Commissioner Dobyanski
Vote in Favor: 5  Vote Opposed: 0  MOTION PASSED

Judge Joe Fauth adjourned the Meeting at 11:04 a.m.