



## **MINUTES**

**OCTOBER 10, 2017**

### **BRAZOS COUNTY COMMISSIONERS COURT**

#### **PUBLIC HEARING**

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The Commissioners' Court of Brazos County, Texas held a Public Hearing at the Brazos County Administration Building in Bryan, Brazos County, Texas, at 10:30 a.m. on Tuesday, October 10, 2017, with the following members of the Court present:

Duane Peters, County Judge, Presiding;  
Steve Aldrich, Commissioner of Precinct 1;  
Sammy Catalena, Commissioner of Precinct 2, Absent;  
Nancy Berry, Commissioner of Precinct 3;  
Irma Cauley, Commissioner of Precinct 4;  
Karen McQueen, County Clerk, Absent.

Attached is a list of the citizens and officials in attendance.

The purpose of the hearing is to hear commentary for or against the application for operation of a salvage yard located at 2873 N. Harvey Mitchell Parkway, Bryan, TX 77807 by Mike Mosavi of Bryan Recycling Sales & Glass, LLC.

The County Judge called the meeting to order and invited others to speak.

Darrell Kolwes who is the Right Of Way Agent for the Brazos County Road and Bridge Department began the presentation explaining the criteria for approval of an application. Mr. Kolwes showed the Court a map of the location of the salvage yard. Mr. Kolwes said they have received one response in opposition to the application and submitted it to the Court.

Sheriff's Deputy James Hall reported that Bryan Recycling Sales & Glass is an established business and is located in both the City of Bryan and Brazos County, therefore subject to both City and County ordinances. The City of Bryan is requiring the electricity be brought up to code, water and sewage be installed, and possible structural

building codes be met. Deputy Hall said that if the Court approves the application it should be conditional upon compliance with all the City Code requirements.

Next to speak was Gina Mosavi. Mrs. Mosavi and her husband Mike Mosavi own Bryan Recycling Sales & Glass. She said they have complied with all the regulations. Mrs. Mosavi said they were just recently notified by the City to come up to code and that they would also need a permit from Brazos County. She said they are working with Schultz Engineering to meet the requirements.

Commissioner Berry asked if there was a timeline for how long this would take.

Joe Schultz answered that this is not a 60 or 90 day fix. He said that there is a significant amount of work to be done. Mr. Schultz said that the City of Bryan did not go out to check the property from 2002 to 2017, so there is a lot to do but they are moving forward.

Commissioner Aldrich asked if they had submitted a plan of action to the City of Bryan.

Mr. Schultz stated they had met with the City, but there are so many different departments that will need to be addressed. He said they should have a plan to submit in the next 30 days. He went on to say that the biggest concern is to get vehicles off the ground and supported correctly. He said they will also need to move vehicles to allow a path for emergency vehicles.

Judge Peters asked where the Wheeler's tract was in relation to the salvage yard since a complaint was submitted.

Mr. Schultz answered that their property was on the bottom back part of the property and pointed it out on the map.

Employees of Bryan Recycling Sales & Glass spoke next.

Kenneth Robertson said many of the requirements have been done. He said he looks forward to working with the City of Bryan and Brazos County to become compliant. He said their business serves many surrounding counties and the farming communities. Mr. Robertson said they have a plan of action and are ready to move forward.

Robert "Pete" Gerke said he has worked with Mike Mosavi for 10 years. He said that Bryan Recycling Sales & Glass ships nation wide as well as internet sales.

Commissioner Cauley stated this sounds like an established business, not a large business but one that is profitable. She asked how many employees they have.

Mrs. Mosavi stated they have 4 payroll employees and contract employees as well. She also said they are connected with over 10,000 salvage yards as a parts finder service.

Speaking next was Mike Mosavi. Mr. Mosavi said that he has tried to do everything right according to code and that it is unfortunate that after 19 years in business they are in this position. Mr. Mosavi said they are willing to do everything in their power to become

compliant and move forward in serving the community.

There being no one else present to offer commentary for or against the application for operation of a salvage yard, Judge Peters adjourned the meeting.

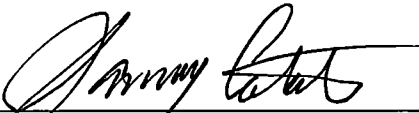
The foregoing minutes of the Commissioners Court Public Hearing held October 10, 2017, have been examined and are approved in open Court this the 7<sup>th</sup> day of November, 2017, in Bryan, Brazos County, Texas.



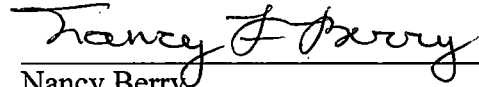
Duane Peters  
County Judge



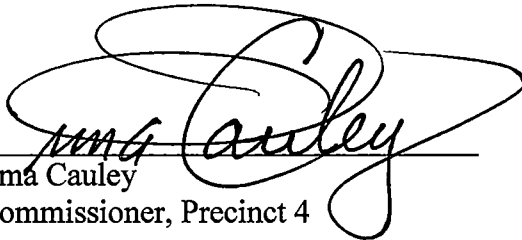
Steve Aldrich  
Commissioner, Precinct 1



Sammy Catalena  
Commissioner, Precinct 2



Nancy Berry  
Commissioner, Precinct 3

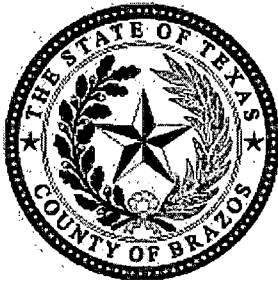


Irma Cauley  
Commissioner, Precinct 4

Attest:



Karen McQueen  
County Clerk



**BRAZOS COUNTY  
BRYAN, TEXAS  
PUBLIC HEARING**

FILED

2017 SEP 28 A 9:24

KAREN McQUEEN, COUNTY CLERK  
BRAZOS COUNTY, BRYAN, TEXAS  
BY: *Jerome R. Fanning* DEPUTY

**BRAZOS COUNTY COMMISSIONERS COURT**

**BRAZOS COUNTY COMMISSIONERS COURT WILL CONDUCT A  
PUBLIC HEARING ON TUESDAY, OCTOBER 10, 2017 AT 10:30 A.M.  
IN THE COMMISSIONERS COURTROOM OF THE COUNTY  
ADMINISTRATION BUILDING, 200 S. TEXAS AVENUE, SUITE 106,  
BRYAN, TEXAS.**

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The Brazos County Commissioners Court will hold a public hearing to consider the following:

- Application for Operation of a salvage yard by Mike Mosavi of Bryan Auto Recycling Sales & Glass LLC located at 2873 N. Harvey Mitchell Parkway, Bryan, TX 77807

The public hearing will be held in the Commissioners Courtroom on the first floor of the Administrative Building, 200 South Texas Ave., Suite 106 located at the intersection of the South Texas Avenue and 28th Street.

Interested parties are invited to speak for or against approval of the application and conditions to be imposed on the location. For additional information please contact the Road and Bridge Department at (979) 822-2127.

The Commissioners Courtroom of the County Administration Building, 200 S. Texas Avenue, Suite 106, Bryan, Texas, is wheelchair accessible. Handicap parking spaces are available. Any request for sign interpretive services must be made two working days before the meeting. To make arrangements, please call (979) 361-4102.

# BRAZOS COUNTY COMMISSIONER'S COURT - Public Hearing

10<sup>th</sup> DAY OF October, 2017

10:39 AMPM, \_\_\_\_\_

| Name<br>(PLEASE PRINT)   | Organization<br>(PLEASE PRINT)    |
|--------------------------|-----------------------------------|
| <u>Cheryl Coffman</u>    | <u>Comm. Court</u>                |
| <u>Joe [unclear]</u>     | <u>Schultz Engineers</u>          |
| <u>Mike Mosavi</u>       | <u>Bryan Auto Recycling &amp;</u> |
| <u>Gina Mosavi</u>       | <u>Bryan Auto Recycling</u>       |
| <u>Parisa Mosavi</u>     | <u>Bryan Auto Recycling</u>       |
| <u>Ed Bull</u>           | <u>CA</u>                         |
| <u>Kenneth Robertson</u> | <u>Bryan Auto Recycling</u>       |
| <u>Robert Garcke</u>     | <u>Bryan Auto Recycling</u>       |
| <u>Brave Remont</u>      | <u>TOP</u>                        |
| <u>Doree Butts</u>       | <u>Constable Pet &amp;</u>        |
| <u>Megan Lott</u>        | <u>Road &amp; Bridge</u>          |
| <u>Jennifer Salazar</u>  | <u>HR</u>                         |
| <u>Kim Hunter</u>        | <u>Road / Bridge</u>              |
| <u>Wayne Dickey</u>      | <u>SO</u>                         |
| <u>Bill Oliver</u>       | <u>WTAW</u>                       |

BRAZOS COUNTY  
COMMISSIONER'S COURT - Public  
Hearing

10<sup>th</sup> DAY OF October, 2017  
10:39 AM PM, \_\_\_\_\_

Name

(PLEASE PRINT)

Katie Conner

Jeana Ramirez

Filo Workman

Darrell Kolwer

Robert Thomas Hall

Candy Gallego

Organization

(PLEASE PRINT)

Auditor

Co. Clerk's Office

Co. Clerk's Office

R+B

BCSO

Comm. Court

# *M D Wheeler Companies*

*1919 Whitney Street, Houston, TX 77006*

*Ph. (713) 355-5355 Fax (713) 355-1082*

October 3, 2017

R. Alan Munger, PE, CFM  
County Engineer  
2617 Highway 21 West  
Bryan, TX 77803

We are in receipt of your notice of a Public Hearing on October 10, 2017 to determine whether or not a salvage yard license should be issued to a Mr. Mike Mosavi who is presently operating an unlicensed junk yard on property abutting a 55 acre tract owned by M. D. Wheeler, Ltd., successor to Bert Wheeler's, Inc.

On October 10, 2017 I will be having a medical procedure performed and, of course, will not be able to attend the hearing. However, I am submitting this letter to have it on the record that M. D. Wheeler, Ltd., does not want a junk yard anywhere near its property and implores the Brazos County Commissioners Court to reject this request.

Ronald A. Cowe



President of M. D. Wheeler GP, Inc.  
General Partner of M. D. Wheeler, Ltd.

AGREEMENT OF LIMITED PARTNERSHIP

OF

M. D. WHEELER, LTD.

BY AND AMONG

M. D. WHEELER GP, INC.

AS THE GENERAL PARTNER

AND

BERT WHEELER'S, INC.

AS THE LIMITED PARTNER

December 18, 1997



# The State of Texas

Secretary of State

DEC. 19, 1997

CSI  
PO BOX 1831  
AUSTIN TX

RE:  
M.D. WHEELER, LTD.

FILING NUMBER 00104048-10

IT HAS BEEN OUR PLEASURE TO APPROVE AND PLACE ON RECORD YOUR  
CERTIFICATE OF LIMITED PARTNERSHIP.

THE APPROPRIATE EVIDENCE IS ATTACHED FOR YOUR FILE; AND THE  
ORIGINAL HAS BEEN FILED IN THIS OFFICE.

PAYMENT OF THE FILING FEE IS ACKNOWLEDGED BY THIS LETTER.

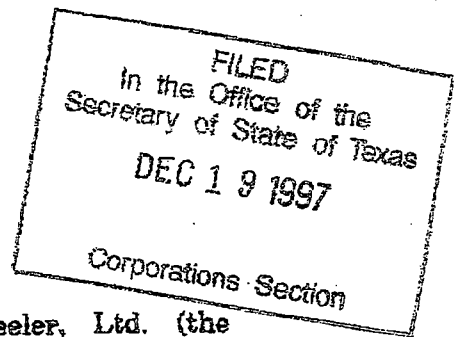
IF WE CAN BE OF FURTHER SERVICE AT ANY TIME, PLEASE LET US KNOW.

A handwritten signature in dark ink, appearing to read "J. B. [unclear]".

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Secretary of State

**CERTIFICATE OF LIMITED PARTNERSHIP  
OF  
M.D. WHEELER, LTD.**



THIS Certificate of Limited Partnership of M.D. Wheeler, Ltd. (the "Partnership"), dated as of December 18, 1997, is being duly executed and filed by M.D. Wheeler GP, Inc., a Texas corporation, as general partner, to form a limited partnership under the Texas Revised Uniform Limited Partnership Act, *Texas Revised Civil Statutes*, Article 6132a-1 et seq.

1. Name. The name of the limited partnership formed hereby is M.D. Wheeler, Ltd.

2. Registered Office. The address of the registered office of the Partnership in the State of Texas is 10665 Richmond, Suite 100, Houston, Texas 77042.

3. Registered Agent. The name and address of the registered agent for service of process on the Partnership in the State of Texas is M. D. Wheeler GP, Inc., 10665 Richmond, Suite 100, Houston, Texas 77042.


4. Principal Office. The address of the principal office of the Partnership in the United States where records are to be kept or made available is 10665 Richmond, Suite 100, Houston, Texas 77042.

5. General Partner. The name, mailing and street address of the sole general partner of the Partnership is:

M.D. Wheeler GP, Inc.  
10665 Richmond, Suite 100  
Houston, Texas 77042

IN WITNESS WHEREOF, the undersigned has executed this Certificate of Limited Partnership as of the date first-above written.

M.D. WHEELER GP, INC.

  
\_\_\_\_\_  
Ronald A. Cowe  
President