



MINUTES

MARCH 4, 2025

BRAZOS COUNTY COMMISSIONERS COURT

PUBLIC HEARING

Call to Order

A public hearing of the Commissioners' Court of Brazos County, Texas was held in the Brazos County Commissioners Courtroom in the Administration Building, 200 South Texas Avenue, in Bryan, Brazos County, Texas, beginning at 1:30 p.m. on Tuesday, March 4, 2025 with the following members of the Court present:

Duane Peters, County Judge, Presiding;
Bentley Nettles, Commissioner of Precinct 1;
Chuck Konderla, Commissioner of Precinct 2;
Fred Brown, Commissioner of Precinct 3;
Wanda J. Watson, Commissioner of Precinct 4;
Karen McQueen, County Clerk, Absent.

The attached sheets contain the names of the citizens and officials that were in attendance.

The Commissioners Court of Brazos County, Texas will hold a Public Hearing pursuant to Texas Health and Safety Code §364.012 to consider an Ordinance prohibiting solid waste disposal in certain areas of the County, and an Ordinance Designating Areas in Brazos County, Texas, where Municipal or Solid Waste Disposal is not Prohibited Pursuant to Texas Health and Safety Code Section §364.012 and Prohibiting Solid Waste Disposal in Other Areas. Any ordinance which is adopted will also specify an area within the County in which solid waste disposal is not prohibited. Any interested citizen may attend and testify at the hearing.

The County Judge called the meeting to order at 1:30 p.m. and provided a brief explanation of the purpose for the Ordinance. Judge Peters stated that this allows the Commissioners Court an opportunity to proactively designate a specific location for a landfill. Otherwise, the County would not have a say in where a landfill company chooses to locate. He then invited Eric Magee, attorney with Allison, Bass, and Magee, to speak

on the matter.

Mr. Magee discussed the regulatory authority that counties have, including the authority to designate a place where a landfill is not prohibited. Giving counties some control in landfill development. He stated that most counties that fight a landfill development after permits have been requested are unsuccessful. He then shared a story demonstrating the issues that arise when a County does not take proactive measures. Mr. Magee commented on the extensive research performed within Brazos County to select the best property to designate, noting that Brazos County is in a better position than most counties in that the selected location is County owned property. He then opened the floor to questions. Carlyle Fraser raised a question regarding environmental studies and Mr. Magee explained the process.

Commissioner Brown clarified that by adopting the Ordinance, no company will be able to put a landfill in Brazos County without receiving consent from the Commissioners Court.

Gayle Lyons questioned how many other counties in the State of Texas have adopted a similar Ordinance. Mr. Magee answered that while he is unsure of the exact number that have adopted the Ordinance, he has assisted with over 50 of these Ordinances across the State.

Judge Peters then invited to the podium any members of the public who wished to speak on the Ordinance prohibiting solid waste disposal in certain areas of the County, and an Ordinance Designating Areas in Brazos County, Texas, where Municipal or Solid Waste Disposal is not Prohibited Pursuant to Texas Health and Safety Code Section §364.012 and Prohibiting Solid Waste Disposal in Other Areas.

Ann Lyons offered a historical perspective on the Millican community and the previous landfill on Kathy Fleming Road. She expressed concern regarding contamination in the landfill and whether future Courts would change their minds about wanting a landfill in Brazos County. She asked what the Court is doing to protect the people of Millican. Judge Peters responded that the only location that could be designated for the landfill is the property on Kathy Fleming Road and while he could not speak for future Courts, he assured Ms. Lyons that this Court does not want a landfill in Brazos County and passing this ordinance is the only way to prevent that.

Lynn Elliott shared his sincere appreciation for the Court's proactive approach on this matter. He then stated that the Court may want to take into consideration a salt dome that could potentially create problems with the property on Kathy Fleming Road. Judge Peters thanked Mr. Elliott for his assistance in putting together the previous Town Hall meeting in Millican.

Judge Peters then stated that the Ordinance will be on the March 11, 2025 Commissioners Court Agenda and he anticipates that it will be approved.

The meeting was adjourned at 2:01 p.m.



**BRAZOS COUNTY
BRYAN, TEXAS
PUBLIC HEARING**

FILED
2025 FEB 21 P 2:10

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BRAZOS COUNTY COMMISSIONERS COURT

**BRAZOS COUNTY COMMISSIONERS COURT WILL CONDUCT A
PUBLIC HEARING ON TUESDAY, MARCH 4, 2025 AT 1:30 P.M. IN
THE COMMISSIONERS COURTROOM OF THE BRAZOS COUNTY
ADMINISTRATION BUILDING, 200 SOUTH TEXAS AVENUE, SUITE
106, BRYAN, TEXAS 77803**

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The Commissioners Courtroom of the Brazos County Administration Building, 200 S. Texas Avenue, Suite 106, Bryan, TX 77803 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

4th DAY OF March, 20 25
1:30 AM/PM, Public Hearing

Name

(PLEASE PRINT)

Organization

(PLEASE PRINT)

Aubrey Leggett	Comm. Court.
Sharyl Lowe	Comm. Court
Delia Sandoval	Comm. Court
Marilyn Jenkins	citizen
Jerry Jenkins	citizens
CARLYE FRASER	"
Del Fraser	"
Gayle Lyons	citizen
Marsha Elliott	"
Judith	"
Del Fraser	"
Barbara Stout	citizen
Justin Colley	BRANNON INDUSTRIAL GROUP
Jenn Lyons	citizen Melissa
B PRATT	LD-Judge

BRAZOS COUNTY COMMISSIONER'S COURT

4th DAY OF March, 2025
1:30 AM/PM Public Hearing

Name

(PLEASE PRINT)

Organization

(PLEASE PRINT)

Ashlie Peters-Bowman

Co. Clerks Off.

MIKE STREET

Auditor

Katie Connor

auditor

Marc Turner

Budget

Nina Payne

Atty

Eric Mazze

Co Judge

Allison Lindblad

Constable

Ed Bell

Constable Pat 2

Donald Lampo

RISK

Leslie Contreras

Co Judge Off.

Marsha Anderson

Co. Clerk

Karen McQueen

PURCH.

JIM. CHARLES WENNY

Sandra McCulloch

JOHN COWEN

Donnie Tuggle

KBTX