

Minutes of the Brookshire Economic Development Corporation Meeting
October 12, 2021

The Brookshire Economic Development Corporation held a Special Meeting on Tuesday, October 12, 2021 in the Brookshire Municipal Building located at 4029 Fifth Street, Brookshire, Texas.

(No volume first part until the motion on line item #7. First part from notes)

The meeting was called to order at 6:03 p.m. by President, Marilyn Vaughn.

Agenda Item #1: Prayer

Recording Secretary, Claudia Harrison

Agenda Item #2 Pledge of Allegiance

Agenda Item #3 Roll Call

Present were:

President, Marilyn Vaughn
Vice President, Sandra Olson
Secretary, Nathaniel Richardson
Treasurer, Lyndon Stamps
Director, Mistie Flores
Director, Eric Green

Also, Present:

Attorney, Justin Pruitt
Recording Secretary, Claudia Harrison

Absent:

Director, Lee Jones
EDC Coordinator, Mike Barnes
Administrative Assistant, Vickie Casto

Agenda Item #4 Public Comments.

None

Agenda Item #5 Discuss and possible approve Bank Reconciliations March 2021, April 2021, May 2021, June 2021 and July 2021.

Motion was made to approve Bank Reconciliations for March 2021, April 2021, May 2021, June 2021 and July 2021.

Treasurer, Lyndon Stamps / Director, Mistie Flores

6 For

1 Abstention / Director, Eric Green

Motion Carried

Agenda Item #6 Discuss and approve minutes of the BEDC August 10, 2021 meeting.

Motion was made to approve minutes of the BEDC August 10, 2021 meeting.

Vice-President, Sandra Olson / Treasurer, Lyndon Stamps

5 For

2 Abstention: Director, Mistie Flores & Director, Eric Green

Motion Carried

Agenda Item #7 Discuss and possible action regarding furnishing refreshments for ribbon cutting for new business. (Bloomin 90 General Store, LLC) Jennifer Cruseturner

Motion was made to provide refreshments for the new business Bloomin 90 General Store, LLC up to the allowed amount of the BEDC board.

Vice-President, Sandra Olson / Treasurer, Lyndon Stamps

All For

Motion Carried

Ms. Vaughn welcomed her to Brookshire and stated at some she will see them.
Mistie Flores stated she had been in there a few times.

Agenda Item #8 Discuss and possible action on the future of the Donigan House (Waller County Museum). Ava Henry & Truett Bell

Mrs. Henry addressed the board ... the microphone did not record well, and she was difficult to hear. She did state that the house had some structural issues. The post that are underneath the house ... there is some shifting and rotting and need to be repaired. She added that the wheelchair ramp in the back was gone. To do everything that they would like to have to be done would be in the amount of \$400,000. They are hopeful the grant that they had applied for that is around 200-\$250,000...

Mr. Bell stated he was on the phone last Friday afternoon with the state and county officials. One of the obstacles was the house needs to be on the national registry with the federal government. TXC took that upon themselves and that should be approved by the end of the month so, that obstacle will be out of the way. Two things they've had trouble with in there is the sewerage backing up every time it rains plus the flood. Ava went over to the Water District and they sent someone over and he's not noticed anything since. A lot of the flooding ... if they will look out on the road between the old hardware store and the museum it's about that much higher than the curb. It has a big hump where it use to be flat, and creates a lot of water rundown. They won't be able to have the downstairs like they had it before. They want to put it back as original as possible. They don't know how far they're going to let them. Things like the outside walls, the upstairs is fairly clean; but there is a lot of structural problems. Some support beams that were cut out that should have never been cut out. So, things like that have got to be taken care of before they can go back upstairs and get that all taken care of. To give them an idea to be ADA compliant means no bathroom downstairs, they have to have a concrete sidewalk over to the tax office. Redo the tax office bathrooms and there was some more stuff ... a lot of things ... the handicap ramp, that's all got to be removed. The roof is fairly new, then he asked if they had any questions.

Mr. Richardson stated he didn't like to make money an issue because when you do you seem to forget about the problem. What he would like to see is for them to go in and file their petitions, see what the state is going to reward them; but in the mean time go ahead and find out what it's going to actually take to bring that building up to ADA code. Because they have two other major projects they are working on now in that neighborhood. If that number still runs in the 400,000 ... guys they can build a heck of a building for \$400,00. Just push that one down if that's the issue; but they want the historical thing as possible. So, they need some real numbers what it's going to exactly cost, what's going to get done so it's itemized. They're not saying they're not going to fund anything; but they would like to fund as much as possible because he stuck his nose in their business because he was going to the tax office and he said man, I wonder if they would sale that to EDC, it's such a nice old building. His basketball guy use to take pictures there and he would like to see it fixed. So, someone took his conversation and ran with it and that wasn't his concern. He would like to see it fixed; he doesn't care who owns it. If it's going to set down in the city of Brookshire were people have to come ... lets get it looking presentable again. If they can do something he's sure this board would do it but they need some real numbers then they can come to the conclusion on what they can afford to help them with. Do not take their name off, they want it done as well as they do.

Ms. Henry spoke but could not understand her.

Mr. Richardson added they wanted to get that building first class like it use to be when he first came to this town.

Mr. Bell spoke but again hard to understand. He stated that they are still planning things, he spoke of people having they wedding pictures etc. taken there. TXC has to tell them what they can do, he can get the estimates from the counties building ... he can get the copy ...

Mr. Richardson said just get them something where they are not shooting in the dark, they have to have some real figures and things to look at to make a good decision about things.

Mr. Bell stated that the TXC board will not meet until January and that's when they will know what they are going to give them.

Ms. Vaughn stated that her question is, if EDC enters into a partnership which they are definitely planning on doing; because they want it to be restored. Will it be the historical society because there has been some confusion on who owns what?

Ms. Henry stated the ownership was Waller County ...

Ms. Vaughn repeated Waller County ...

Ms. Henry added Waller County owned the building...

Mr. Bell added there is some debate in there.

Ms. Vaughn stated that she had heard both sides.

Mr. Bell stated she's probably not heard the actual inside ...

Ms. Vaughn replied no, she probably hasn't; but when they do this, they want to make sure who's who's.

Ms. Henry stated right now it's the county.

Mr. Bell said he stuck his nose in and told the Judge they wanted it and what was it going to take? He (the Judge) is looking into the legal aspect of giving or selling to them for \$1. both the house and the tax office. The tax office will be used for an office. He spoke of putting older buildings on the property as mini museums. They have a lot of people that want to donate stuff; but they don't have a place to put it.

Ms. Henry said what he was getting at is that they ... being Waller County, there is a good possibility that soon could be the Historical Society.

Mr. Bell added that they (the county) didn't want the responsibility. They would like to give it to them and say go away. He thinks it's in their name and the counties name. He believes they have three years to get everything done. The county already has an architectural firm that he thinks that is working on the rehab or the courthouse.

Mr. Green said he would love to see the building restored. He took prom pictures there. His son graduated last year and he took prom pictures there. They use to have the Christmas Festival right there, up top. Now, they really don't want to put anything up there. The building over there, he had inquired about it for the city and he was told it was sold. He (Mr. Bell) just gave him a lot of information. He's only been in that building one time and he's been here since 1983. He would love to see it restored for their children because people ask about the building all the time. They really don't have any information to give them and they can't get in there and all they can do is set outside and take pictures.

Mr. Bell stated he's been poking the county since 2013. The ownership problem he brought that up to the judge and he wasn't doing anything then he went to the county. She (Ms. Henry) went and they did some research and was told they (Historical Society) owned it. Then when they had the building appraised, the appraisal company said there was a question in ownership. That has not been totally resolved.

Ms. Henry stated if they (EDC) were agreeable to assisting them (Historical Society) would be the only thing that's going to drive this is money and interest in getting it restored.

Ms. Vaughn stated, this board they were all interested. So, at this time they will take no action because he/they are going to get them some figures.

Mr. Bell asked where to drop off the information.

Ms. Vaughn replied city hall, and speak with Vickie Casto and if she is not available Ms. Harrison. She thanked them for appearing and they would love to have the partnership.

Agenda Item #9 Discuss and possible approve Helms Landscaping Design, LLC vendor agreement. *Chris Helms*

Mr. Pruitt, stated that he didn't think he would be making it but he then directed them to their packet to the vendor contract. Their standard vendor contract amended a lot of terms ... really nothing in there is too shocking. What the attorney did for Mr. Helms, was generally you have an invoice and provisions in that invoice ... that wasn't the invoice they had so they took and put them in the contract. He went on to explain and added that it was in favor of the EDC. In general, he (Mr. Pruitt) is comfortable with everything that was added, it reflects what was in the invoice. It's under what they approved he believes two meeting ago. He told the attorney today if he couldn't make it he would let the know what their decision was and if they had any comments at all he would pass them on to their attorney.

Ms. Vaughn repeated what he had reviewed ...

Mr. Pruitt replied that there was nothing shocking in there and if they wanted to, he could nitpick some of the stuff in there but it wouldn't be beneficial for the project or advance the project in anyway. He believes everything he's suggested is what you would see in an invoice you would get.

Motion was made to approve the contract Chris Helms Landscaping Design as presented.

Secretary, Nathaniel Richardson / Treasurer, Lyndon Stamps

All For
Motion Carried

Agenda Item #10 Discuss and approve contract with Myan Technologies, LLC.

Pete Wilcox

Mr. Wilcox was unable to attend the meeting. A gentleman by the name of Bacardi spoke to the board and talked about extending the contract. Due to the microphone used, unable to hear what he said.

Ms. Vaughn stated because of COVID they had some issues and they had discussed to go back and redo the contract; because it was not fully utilized during COVID.

Ms. Olson said so, they didn't use some of the services because of COVID?

Ms. Vaughn replied right.

Mr. Pruitt stated the original structure was intended ... COVID just messed up the contract ... Myan Technology came in installed the equipment and they included training with the system; but as soon as we got it is when COVID hit so, we were not able to utilize any of that. That's the point of extension, that they are like trouble shooting all the equipment and keeping the training going. He believes what Pete was telling him the system is not to be permitted. The idea is to train them to have inhouse people do it and not have Myan Technologies people here doing it at every meeting. That's what their intent of the extension is to ... with the hourly rate not to exceed what ever it was ... 27,000 for the year and 15 months for the training.

Mr. Richardson stated that was his main concern. To make sure we get people to cross train in the city that can do this and they don't have to have that service rather than an emergency situation.

Mr. Pruitt stated that he thinks the idea is, he doesn't have the contract here. He had an extension ready ... it was only a time extension. Pete mentioned what they would like to do if we have a contract ready to run it by their attorney. So, he thinks if tonight the way to move forward would be to approve not to exceed amount and then they would get the amendment to them for the next meeting.

Ms. Vaughn asked if he wanted her to sign ...

Mr. Pruitt replied that what Pete wants ... because they don't have the agreement here ...

Ms. Vaughn said then they just need to approve to night ...

Mr. Pruitt said not to exceed the amount ...

Ms. Vaughn replied then they can sign the contract...

Mr. Pruitt said they would get something and let their attorney look at it, then they will get a hard copy of the contract that will reflect if they do not exceed amount tonight and any other stimulations they may want to see.

Ms. Olson wanted to make sure she was looking at the right thing. She's looking at the Vendor Agreement, for Myan.

Mr. Pruitt said that was probably the original. What he had drafted was the amendment to that. His amendment only included a term extension. It's probably more proper that what they do is what Myan Technologies is suggesting was to approve not to exceed the amount. It's not a new contract ...

Ms. Vaughn asked ... it's an amendment?

Ms. Olson asked then the numbers that she's looking at is null and void on this document?

Mr. Pruitt replied yes, because they took care most of it with the amendment.

Ms. Olson replied okay because that was her question...because he said not to exceed the...then asked the number 27 and she see's 22, and 19 and 41. That's why she was asking because that is what was in her packet.

Ms. Vaughn told her this was the original.

Ms. Olson replied okay.

Motion was made to approve the extension with Myan Technologies, LLC for 15 months continuing service through December 2022 for the amount to exceed \$27,600.

Treasurer, Lyndon Stamps / Secretary, Nathaniel Richardson

All For
Motion Carried

Agenda Item #11 Discuss and approve disposal of old office equipment.

Ms. Harrison stated she (Ms. Casto) has a lot of not-operable equipment in the office. She had asked me because the city has done the same thing, she gave them the list with pictures of some of the things that she had asked to dispose of. Sabino, can come out and just destroy the mother boards or what ever holds the information... they will just destroy it right here for them and then they can just have public works to dispose of it or there are companies that will come and pickup that kind of stuff and recycle it.

Ms. Olson asked, the company will just come out and destroy the hard-drives and leave all the equipment?

Ms. Harrison replied yes and added that they don't recycle anymore. She guesses for piece of mind trust them to make sure that part is not going away to be recycled ... that there is no information on the equipment. It's not that many that ... she thinks it's like two that needs to be ... there's like old monitors that don't work with anything, probably old printers...

Ms. Olson stated that's the typical recycle process of any of the equipment. So, there's two companies that will be involved ... one would be responsible for destroying the memory or hard-drive and then we'll have a recycling company to come in and pick up the stuff or city works department ...

Ms. Harrison stated that they've not allowed public works to take away everything but for those things that can be recycled the company the city could possibly flip the cost or whatever because they have things also that's going to be recycled. Sabino said maybe they could just merge it all together so when the company comes, they can just take it. Maybe she can just put it in there ... its way less than what the city has. She's not gotten a cost yet because she wanted to see how they wanted to handle it first so she can get a cost to them.

Mr. Green stated that he saw one time the water district did it; but they had a little small auction with everything setout on small tables. Then he asked if the city could do that?

Mr. Pruitt stated that the city can't; but EDC can because they're not under the same rules for destruction of property. It's not considered public property which they have, if this is actually EDC equipment ...

Ms. Vaughn stated that it was.

Mr. Pruitt stated then it's their organizations equipment so, really this item is more of how they want to handle the payment for the destruction of the property that's not working. He thinks if they want to do a sale like that or negotiate with the company that might recycle and give them money for it.

Ms. Vaughn asked Mr. Green if that was something he would be interested in doing.

Mr. Green stated that EDC really didn't have that much, he thought the city could do it to. But they would be surprise of the people that would actually want this equipment. Especially the printers ... printers work for a long time. It might be just a simple part that can be replaced and it works for another five to six years. It could turn into a lot of work; he doesn't want to get involved in all that.

Ms. Olson asked if that was a no.

Mr. Green replied yes ma'am.

Mr. Richardson asked were they talking about old furniture.

Ms. Vaughn stated that she would clarify, they were talking about computers.

Motion was made to approve disposal of all old office equipment.

Treasurer, Lyndon Stamps / Secretary, Nathaniel Richardson

All For
Motion Carried

Agenda Item #12 Discuss and approve the annual contract with Mike Barnes Group, Inc.

Ms. Vaughn addressed the board and stated that Mike Barnes has done a fantastic job for BEDC and for the City of Brookshire. She is sure they see in their notes that they did receive an award from the TEDC. They will be presenting them an award this week at the TEDC Annual Conference is 12-15th. She wanted to personally thank the board members for all that they do, she knows sometimes it's difficult with what they face; but it's worth it. For the love of the community, they want to see the community grow. With this board, the unity that this board and the professionalism that this board has presented she personally thanks them and appreciates it.

Motion was made to approve the annual contract with Mike Barnes Group, Inc.

Mr. Pruitt stated there was a diversion, he saw a blank in his ...

Ms. Vaughn stated it doesn't have anything ...

Mr. Pruitt continued that he believed last year ... the year before ... it was prior to COVID when they approved his contract, they wanted to include a Community Assessment, some kind of economic development plan. They increased his payment he thinks to 45 – 60 it may have been different numbers. In that blank the last time it was 60 but it included that comprehensive plan, and they were not able to do that. He believes if the number was to come down that's understandable, they've already paid.

Ms. Vaughn replied no sir, then added her recommendation is that the number does not come down.

Mr. Pruitt stated that if it's going to stay the same its 60 for the year Mike Barnes.

Ms. Harrison stated she was not real sure what they did with his ...when they did the cost of living ...

Ms. Vaughn stated that he should've received an increase of cost of living raise and she did have a conversation with Ms. Harrison. She knows he has been coming down more frequently to do meetings and he's having those meetings with the city is she correct?

Mr. Pruitt stated he has been here a lot more, with predevelopment meetings with the city.

Ms. Harrison spoke but was unable to understand.

Ms. Vaughn stated that she would like to get his contract approved tonight.

Mr. Pruitt said that's fine then added they can approve it and just say keeping his contract as the previous year, then they don't have to amend anything.

Ms. Vaughn added with everything else that goes with that contract ...

Mr. Pruitt stated that was the only blank in the contract, that's what his annual payment is going to be. He thinks there is not an issue and he's comfortable if they say to the motion is to approve the contract the same amount as it was as the previous year. Then if he's wrong on the 60 number then

Ms. Vaughn stated that's what it was and it doesn't affect anything else.

Mr. Stamps said the motion was already there.

All For
Motion Carried

Ms. Vaughn stated that there were no objections and they would extend Mike Barnes Group Inc. contract.

Agenda Item #13 Discuss and possible approve purchasing 4 basketball goals for Hovas Park. Secretary, Nathaniel Richardson

Mr. Richardson addressed the board and stated that it was difficult to get someone to come out just to do four goals. What he did was take some pictures and sent to different vendors. They want to be the ones to hang them and not ship them for them to get broken, or someone else to hang them and hang them wrong. He has talked with two different vendors about it. He does not have that latitude to make that decision. That takes ever bit of half a day to get those things done. So, if he gets approved to do that then he will need to go back with them to get a number of what it's going to cost for the equipment and then hang the equipment. He has a good idea what the equipment is going to cost but the cost to hang it? Then bring it back to them. So, if they give him the latitude to do that, he will make sure he will get them the better price out there with the best people.

Ms. Vaughn said that's going to be doable and look nice.

Mr. Richardson stated they have talked about this and it all goes together. Are they going to do anything about the surface with years and years and actually its black concrete and he's never seen black concrete. Are they gong to get that power washed or what? Do they need someone to do that?

Ms. Vaughn replied they can since they ...

Mr. Richardson stated he didn't want to hang something and it look like crap around it. If they're going to do it, let's do it right.

Ms. Vaughn agreed that it needed to be done right.

Mr. Green repeated... repaint ...

Mr. Richardson repeated they needed to do it right or not do it at all until they are able to do it right.

Ms. Vaughn asked if that was his recommendation is they take care of the aesthetics ...

Mr. Richardson added as well as the equipment...

Ms. Vaughn said she agreed; but since they are on the council ... or does he want a carpenter to come out and do that?

Mr. Richardson asked, to make the presentation?

Ms. Vaughn replied no.

Mr. Richardson stated they can get anybody good enough to power wash. They won't be able to stripe it. That have to be a professional to stripe it.

Mr. Stamps said since he (Mr. Richardson) is already on the project he thinks he can ... the board sees fit that he can go out for bids for a power washing company and for the stripping.

Ms. Vaughn asked Mr. Stamps if that was going to be his motion...

Mr. Stamps replied yes.

Motion was made for Mr. Richardson go out for bids for a power washing company, professional stripping, basketball goals and hanging.

Treasurer, Lyndon Stamps / Vice-President, Sandra Olson

All For
Motion Carried

Agenda Item #14 EDC Coordinator's report.

Ms. Vaughn addressed the board and stated that Mr. Barnes was unable to attend the meeting however so diligently every board meeting making sure they have a hard copy of his report.

She stated they would not be going into executive session tonight, because the company that was supposed to be here, they want to reschedule for the next meeting.

Agenda Item # 15 Executive Session.

Notice is hereby given that the Brookshire Economic Development Corporation may go into Executive Session in accordance with the following provisions of the Government Code: Sec. 551.071 (1) (A) pending or contemplated litigation; 551.071 (1) (B) a settlement offer; Sec. 551.071 (2) an attorney-client privilege/relationship Sec. 551.072 the purchase, exchange, lease, or value of real property; 551.087 (1) to discuss commercial or financial information that the Corporation has received from a business prospect that the Corporation seeks to have locate, stay, or expand in or near the City of Brookshire with which the Corporation is conducting economic development negotiations; Sec. 551.087 (2) to discuss the offer of a financial or other incentive to a business prospect that the Corporation seeks to have locate, stay, or expand in or near the City of Brookshire.

Agenda Item # 16 Report and Action following Executive Session

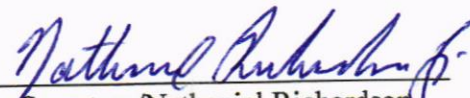
Agenda Item # 17 Adjournment.

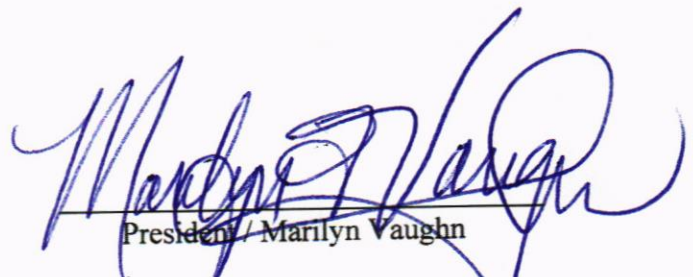
A motion was made to adjourn.

Vice-President, Sandra Olson / Treasurer, Lyndon Stamps

All For
Motion Carried

It is possible that a quorum of the Brookshire City Council may be present at the meeting and participate in the discussion of the items on the agenda. No official action of the Brookshire City Council will be taken at this meeting.


Secretary/Nathaniel Richardson


President / Marilyn Vaughn

Prepared by Vickie Casto