

Grimes County Commissioners Court

Chad Mallett
Commissioner, Precinct #1

David Tullos
Commissioner, Precinct #2



Barbara Walker
Commissioner, Precinct #3

Phillip Cox
Commissioner, Precinct #4

Joe Fauth III
Grimes County Judge
270 FM 149 W.
Anderson, Texas 77830

**NOTICE OF THE PUBLIC HEARING OF THE
COMMISSIONERS COURT OF GRIMES COUNTY, TEXAS**

WEDNESDAY, JUNE 5, 2024 at 8:45 AM

1. Call to Order.

GRIMES COUNTY ENGINEER - JON STEIBER

2. Consider and hear public comment on the potential adoption of an Amended Order Limiting the Weight and Establishing Regulation Governing the Operation of Vehicles On and Over Roads in the Grimes County Road Maintenance Network.

[J STEIBER - Letter - Amended Order.pdf](#)

3. Adjourn.

DATED this 31st day of May, 2024:

A handwritten signature in blue ink, appearing to read "Joe Fauth III", is written over a horizontal line.

Joe Fauth III, Grimes County Judge

Notice is to remain so posted continuously for at least three days preceding the date of said meeting. *(This Court reserves the right to convene in executive session at any time deemed necessary for the consideration of confidential matters under the Texas Government Code, Sections 551.071-551.084.)*

Item Cover Page

COMMISSIONERS COURT AGENDA ITEM REPORT

DATE: June 5, 2024

SUBMITTED BY: Cherie Wagner, Road & Bridge

ITEM TYPE: Public Hearing Item (no action)

AGENDA SECTION: **GRIMES COUNTY ENGINEER - JON STEIBER**

SUBJECT: Consider and hear public comment on the potential adoption of an Amended Order Limiting the Weight and Establishing Regulation Governing the Operation of Vehicles On and Over Roads in the Grimes County Road Maintenance network.

SUGGESTED ACTION:

ATTACHMENTS:

[J STEIBER - Letter - Amended Order.pdf](#)

Grimes County Road & Bridge Department



P.O. Box 593
Anderson, Texas 77830

Phone: (936) 873-4436
Fax: (936) 873-9909

Commissioners Court
Grimes County
Anderson, Texas

June 5th, 2024

SUBJECT: Amended Order Limiting the Weight and Establishing Regulation Governing the Operation of Vehicles On and Over Roads in the Grimes County Road Maintenance Network

Dear Court Members:

The Road and Bridge Department recommends adopting the subject Order (Attachment A), which amends an Order passed on May 8th, 2017 (Attachment B). Attachment C shows all proposed revisions to the 2017 Order.

The May 8th, 2017 Commissioners Court Order established certain weight limits for vehicles operating on County Roads and authorized the Road and Bridge Department to require a Special Road Use Indemnity Agreement and Permit for vehicles that exceed the weight limit. The Order also required that a Special Road Use Permit be kept in every vehicle authorized by the Agreement and Permit.

The proposed Amended Order includes the following changes:

- Adjusts the method of determining vehicle weight,
- Exempts certain emergency vehicles from the permit requirement,
- Removes exemptions for vehicles used in the agri-business industry, concrete ready-mix vehicles, and solid waste disposal vehicles,
- Authorizes a permit fee, inspection fee, proof of commercial liability insurance, and/or bond,
- Authorizes the County Engineer to enact the terms of the Order, approve permits, and monitor compliance.

This amended Order will allow the Road and Bridge Department to partner with operators of certain vehicles to ensure roads remain safe and passable.

Please contact jonathan.steiber@grimescountytexas.gov for information.

Sincerely,

Jonathan Steiber, P.E.
Grimes County Engineer

CC: Patti Ermis, Road & Bridge Department
Shawn King, Development Coordinator

Attachments:

- A. Proposed Amended Order, June 5th, 2024
- B. May 8th, 2017 Order
- C. Summary of Changes Document

Attachment A: Proposed Amended Order, June 5th, 2024

**AMENDED ORDER LIMITING THE WEIGHT AND ESTABLISHING REGULATION
GOVERNING THE OPERATION OF VEHICLES ON AND OVER ROADS IN THE
GRIMES COUNTY ROAD MAINTENANCE NETWORK**

BE IT REMEMBERED that on the ___ day of _____, 20___, the Grimes County Commissioners Court convened in a duly called and noticed meeting.

On May 8, 2017, the Grimes County Commissioners Court adopted a previous Order Limiting the Weight and Establishing Regulation Governing the Operation of Vehicles On and Over Roads in the Grimes County Road Maintenance Network. The Commissioners Court now desires to amend such Order:

I.

BE IT ORDERED by the County of Grimes, State of Texas, that no vehicle, or combination of vehicles, shall be operated on or over any road, bridge, or culvert which is maintained by Grimes County, with a gross weight greater than 34,000 pounds or with a weight greater than 10,000 pounds on one axle unless a permit is issued by the Texas Department of Transportation or Grimes County, Texas. The weight limitations of this section do not apply to emergency response vehicles that operate within the manufacturer's gross vehicle weight capacity or axle design. Grimes County shall determine vehicle weight by combining the gross weight of a vehicle, recorded on vehicle registration or manufacturer specifications, plus load ticket weight. If weight records cannot be provided by the vehicle operator, Grimes County shall reasonably determine the total weight of the vehicle and load.

II.

The Grimes County Commissioners Court may require a permit application fee, inspection fees, proof of commercial liability insurance, and/or a bond issued by a Texas company to be executed by a permit applicant in an amount sufficient to guarantee the payment of any damages to any road, bridge or culvert sustained due to the use thereof as provided by the permit pursuant hereto. The bond amount shall be set based on current anticipated cost to repair damage to roads to be used. The Grimes County Commissioners Court hereby delegates to the County Engineer the authority to approve the form and requirements of any permits issued pursuant hereto, approve/deny applications for such permits and to monitor and determine compliance with any such permits.

III.

It shall be unlawful and may constitute a criminal misdemeanor offense, for any individual person, corporation, business, or association to drive, operate, or move, or cause or permit to be driven, operated, or moved, on any county road a vehicle which in any respect exceeds the weight limitations set forth in Paragraph I above without holding a valid permit issued by Grimes County. Any individual person, corporation,

business, or association who violates this Order, or fails to comply with its provisions, shall, upon conviction, be punished by a fine in any amount not to exceed \$500.00, and each and every violation of this Order shall constitute a separate and distinct offense hereunder.

IV.

All the provisions of this Order are hereby declared to be severable, and if any provision herein is judicially declared to be invalid or unconstitutional, such judicial declaration shall not invalidate or affect the remaining provisions of this Order which will remain in full force and effect.

PASSED and ADOPTED on this ____ day of _____, 20____.

GRIMES COUNTY COMMISSIONERS COURT

Joe Fauth III
Grimes County Judge

ATTEST:

Vanessa Burzynski
Grimes County Clerk

Attachment B: May 8th, 2017 Order

ORDER

**AN ORDER LIMITING THE WEIGHT AND ESTABLISHING REGULATION
GOVERNING THE OPERATION OF VEHICLES ON AND OVER ROADS IN THE
GRIMES COUNTY ROAD MAINTENANCE NETWORK**

BE IT REMEMBERED that on the 8th day of May, 2017, the Grimes County Commissioners Court convened in a Regular Session.

WHEREUPON, among other proceedings had the following Order, upon motion by Commissioner Husfeld, duly seconded by Commissioner Dziwinski, adopted by all members of the Grimes County Commissioners Court present, and voting "aye", to wit:

I.

BE IT ORDERED by the County of Grimes, State of Texas, that no vehicle, or combination of vehicles, shall be operated on or over any road, bridge, or culvert which is maintained by Grimes County, with a gross weight greater than 34,000 pounds, or with a weight greater than 10,000 pounds on one axle.

The weight limitations of this section do not apply to emergency response vehicles, vehicles used in the agri-business industry, concrete ready-mix vehicles, and solid waste disposal vehicles. Vehicles may not exceed the manufacturer's gross vehicle weight capacity or axle design.

Furthermore, Grimes County property owners and businesses based in Grimes County are exempt from the provisions of this Order.

II.

The Grimes County Commissioners Court may require a bond issued by a Texas company to be executed by an applicant in an amount sufficient to guarantee the payment of any damages to any road bridge or culvert sustained as a consequence of the transportation authorized by permit.

III.

It shall be unlawful, and constitute a criminal misdemeanor offense, for any individual person, corporation, business, or association to drive, operate, or move, or cause or permit to be driven, operated, or moved, on any county road any vehicle which in any respect exceeds the weight limitations set forth in Paragraph I above without holding a valid permit issued by Grimes County.

IV.

Any individual person, corporation, business, or association who violates this Order, or



fails to comply with its provisions, shall, upon conviction, be punished by a fine in any amount not to exceed \$500.00, and each and every violation of this Order shall constitute a separate and distinct offense hereunder.

V.

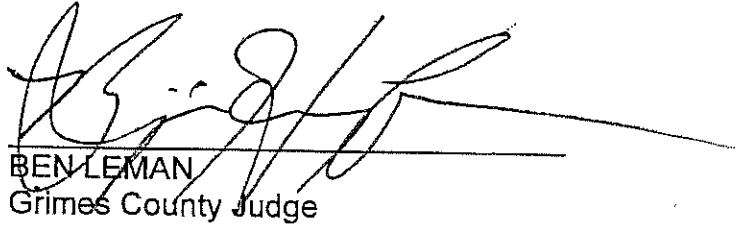
All the provisions of this Order are hereby declared to be severable, and if any provision herein is judicially declared to be invalid or unconstitutional, such judicial declaration shall not invalidate or affect the remaining provisions of this Order which will remain in full force and effect.

VI.


This Order shall be published twice in a newspaper in Grimes County, Texas, and thereafter said Order, and its adoption and publication shall become operative and effective on all roads, bridges, and culverts maintained by Grimes County, Texas.

PASSED and ADOPTED on this 8th day of May, 2017.

GRIMES COUNTY COMMISSIONERS COURT


BEN LEMAN
Grimes County Judge

ATTEST:


DAVID PASKET
Grimes County Clerk

Attachment C: Proposed Revisions to Existing Order

ORDER

AN AMENDED ORDER LIMITING THE WEIGHT AND ESTABLISHING REGULATION GOVERNING THE OPERATION OF VEHICLES ON AND OVER ROADS IN THE GRIMES COUNTY ROAD MAINTENANCE NETWORK

BE IT REMEMBERED that on the ___ day of _____, 20___, the Grimes County Commissioners Court convened in a Regular Session duly called and noticed meeting.

~~WHEREUPON, among other proceedings had the following Order, upon motion by Commissioner _____, duly seconded by Commissioner _____, adopted by all members of On May 8, 2017, the Grimes County Commissioners Court present, adopted a previous Order Limiting the Weight and voting "aye", Establishing Regulation Governing the Operation of Vehicles On and Over Roads in the Grimes County Road Maintenance Network. The Commissioners Court now desires to w/amend such Order:~~

I.

BE IT ORDERED by the County of Grimes, State of Texas, that no vehicle, or combination of vehicles, shall be operated on or over any road, bridge, or culvert which is maintained by Grimes County, with a gross weight greater than 34,000 pounds, ~~or with a weight greater than 10,000 pounds on one axle~~ or with a weight greater than 10,000 pounds on one axle unless a permit is issued by the Texas Department of Transportation or Grimes County, Texas. The weight limitations of this section do not apply to emergency response vehicles that operate within the manufacturer's gross vehicle weight capacity or axle design. Grimes County shall determine vehicle weight by combining the gross weight of a vehicle, recorded on vehicle registration or manufacturer specifications, plus load ticket weight. If weight records cannot be provided by the vehicle operator, Grimes County shall reasonably determine the total weight of the vehicle and load.

~~The weight limitations of this section do not apply to emergency response vehicles, vehicles used in the agri-business industry, concrete ready-mix vehicles, and solid waste disposal vehicles. Vehicles may not exceed the manufacturer's gross vehicle weight capacity or axle design.~~

~~Furthermore, Grimes County property owners and businesses based in Grimes County are exempt from the provisions of this Order.~~

II.

The Grimes County Commissioners Court may require a permit application fee, inspection fees, proof of commercial liability insurance, and/or a bond issued by a Texas company to be executed by an applicant in an amount sufficient to guarantee the payment of any damages to any road, bridge or culvert sustained ~~as a consequence~~

of due to the transportation authorized use thereof as provided by permit, the permit pursuant hereto. The bond amount shall be set based on current anticipated cost to repair damage to roads to be used. The Grimes County Commissioners Court hereby delegates to the County Engineer the authority to approve the form and requirements of any permits issued pursuant hereto, approve/deny applications for such permits and to monitor and determine compliance with any such permits.

III.

It shall be unlawful, and may constitute a criminal misdemeanor offense, for any individual person, corporation, business, or association to drive, operate, or move, or cause or permit to be driven, operated, or moved, on any county road any vehicle which in any respect exceeds the weight limitations set forth in Paragraph I above without holding a valid permit issued by Grimes County.

~~IV.~~

Any individual person, corporation, business, or association who violates this Order, or fails to comply with its provisions, shall, upon conviction, be punished by a fine in any amount not to exceed \$500.00, and each and every violation of this Order shall constitute a separate and distinct offense hereunder.

~~VIV.~~

All the provisions of this Order are hereby declared to be severable, and if any provision herein is judicially declared to be invalid or unconstitutional, such judicial declaration shall not invalidate or affect the remaining provisions of this Order which will remain in full force and effect.

~~VI.~~

~~This Order shall be published twice in a newspaper in Grimes County, Texas, and thereafter said Order, and its adoption and publication shall become operative and effective on all roads, bridges, and culverts maintained by Grimes County, Texas.~~

PASSED and ADOPTED on this ___ day of _____, 20___.

GRIMES COUNTY COMMISSIONERS COURT

BEN LEMAN
Joe Fauth III
Grimes County Judge

ATTEST:

[DAVID PASKET](#)
[Vanessa Burzynski](#)
Grimes County Clerk
