

**CITY OF BRENHAM
BUILDING AND STANDARDS COMMISSION MINUTES**

April 3, 2025

The meeting minutes herein are a summarization of meeting procedures, not a verbatim transcription.

A regular meeting of the Building and Standards Commission (BSC) was held on April 3, 2025, at 4:00 P.M. in the Brenham Municipal Building, City Council Chambers, at 200 West Vulcan Street, Brenham, Texas.

Commissioners present:

Matthew Metzger, Vice Chair
Marshall Bevers
Walt Edmunds
Richard Morris
Arlen Thielemann

Commissioners absent:

None

Staff present:

Stephanie Doland, Director of Development Services
Allen Jacobs, Building Official
David Doelitsch, Assistant Building Official
Mark Pierce, Environmental Health Specialist
Jeana Bellinger, City Secretary
Robin Hutchens, Deputy City Secretary
Kim Hodde, Planning Technician

Citizens/others present:

None

Media present:

None

1. Call Meeting to Order

Vice Chair Metzger called the meeting to order at 4:00 p.m. with a quorum of five (5) Commissioners present.

2. Oath of Office – Marshall Bevers

Jeana Bellinger, City Secretary, administered the Oath of Office to Marshall Bevers who is replacing Rodney “Stoney” Lacina on the Building and Standards Commission.

3. Discuss and Possibly Act Upon the Election of a Chairperson for a Term of One-Year Ending on December 31, 2025.

Since Rodney “Stoney” Lacina was elected as Chair for 2025 but was not re-appointed to serve on the Building and Standards Commission, a new Chairperson for 2025 is required. Commissioner Thielemann volunteered to serve as Chair of the Building and Standards Commission for 2025.

A motion was made by Commissioner Morris and seconded by Commissioner Bevers to appoint Commissioner Arlen Thielemann as the Chair for the Building and Standards Commission for a term of one-year ending on December 31, 2025.

Vice Chair Metzger called for a vote. The motion passed with the Commissioners voting as follows:

Metzger	Yes
Bevers	Yes
Edmunds	Yes
Morris	Yes
Thielemann	Abstained

At this time (4:07 p.m.), Commissioner Thielemann began presiding over the meeting as the newly elected Chair.

4. Public Comments and Receipt of Petitions

There were no public comments and/or receipt of petitions.

5. Reports and Announcements

Allen Jacobs, Building Official, gave the Board an update on the status of various substandard building cases that are currently in process. Mr. Jacobs stated that in 2024, notices were sent to eight (8) property owners regarding nine (9) substandard buildings and compliance was achieved for all but three (3) structures. He stated that a warrant was obtained and on-site inspections were done for one of the structures and that case will likely come before the board at a future meeting. There were two other structures that the owners have indicated that they will be addressing the substandard conditions; however, nothing has been done yet.

6. Minutes from the November 21, 2024 Building and Standards Commission meeting.

Chairman Thielemann asked for any corrections or additions to the minutes. A motion was made by Commissioner Metzger and seconded by Commissioner Bevers to approve the minutes from the November 21, 2024 Building and Standards Commission meeting, as presented.

Chairman Thielemann called for a vote. The motion passed with the Commissioners voting as follows:

Thielemann	Yes
Morris	Yes
Bevers	Yes
Edmunds	Yes
Metzger	Yes

7. Discuss and Possibly Act Upon Adoption of the Rules and Procedures for the Building and Standards Commission.

Allen Jacobs, Building Official, stated that the primary purpose of Rules of Procedure is to outline and communicate for staff, Commission members, and the public the procedures for consideration of a substandard building case. Mr. Jacobs reviewed the Rules of Procedure document with the Board, including the following highlights:

Purpose

- The Building and Standards Commission must adopt Rules of Procedure.
- The Rules of Procedure are adopted and amended by the Building and Standards Commission.
- These Rules of Procedure supplement local, state and federal laws.
- These Rules of Procedure follow the requirements of the City of Brenham Code of Ordinances and the Texas Local Government Code Chapter 54. Carey Bovey, City Attorney, clarified that Chapter 54 is the authorizing legislation that gives municipalities the authority to adopt ordinances, create boards, and take enforcement action.

Agendas and Meetings

- The Building and Standards Commission will meet on an as-needed basis.
- The Commission's agendas and meeting will follow the requirements of the Texas Local Government Code Chapter 551 – Texas Open Meetings Act.
- Agendas and packets will be distributed prior to the meeting to allow time for the Commissioners to review the information.
- Three (3) members present represents a quorum and an affirmative vote of three (3) members is needed to take any action.

Conduct and Records

- The Building and Standards Commission meetings will follow Robert's Rules of Order.
- The Chair, or in the absence of the Chair the Vice Chair, leads the meeting.
- Informal voting shall be used.
- The role of the Chair is the presiding officer of the Building and Standards Commission.
- The public comment period may be limited to three (3) minutes per speaker.
- The Building Official and City Staff will be responsible for record keeping.

Initiation of a Case

- A case is initiated by the Building Official as a result of something that has been observed or a complaint that has been submitted.
- The Building Official will determine if there is Probable Cause to pursue the case.
- Probable Cause: “shall mean the existence of sufficient facts and circumstances to constitute a reasonable belief that a violation of Article XII of the City of Brenham Code of Ordinances exists.”
- If Probable Cause is determined for the property/structure, as case is initiated.

Notification of Procedures

- The notification process will begin following determination by the Building Official to initiate a case.
- Review of notification process:
 1. Written courtesy notice, sent via certified mail – return receipt requested and regular mail, requesting a response within 10-days of receipt of the notice.
 2. Formal written notice, sent via certified mail – return receipt requested and regular mail, requesting a response within 10-days of receipt of the notice.
 3. Due diligence search performed by Building Official
 4. Public Hearing notice
 5. Notice filed in official public records of Washington County
 6. Public Hearing held by Commission

Hearings

- Failure of any person to appear at the hearing waives that person’s right to a hearing.
- The hearing should offer all interested persons reasonable opportunity to be heard.
- A person may appear at the hearing in person or through an attorney or other designated representative.
- These Hearings are not governed by the Texas Rules of Civil Procedure or the Texas Rules of Evidence, meaning that the Commission does not have follow the State requirements for presentation of evidence for a case.
- A record shall be made of all hearings and proceedings.
- Subpoenas – State law allows the BSC to issue subpoenas to persons that are requested and deemed necessary to be present for a case. The Chair has the authority to issue the subpoenas. Staff will have a form that will be filled out and given to a Peace Officer for service.
- Any Member of the BSC shall have the power to administer oaths and affirmations and to certify official acts. Oral evidence shall be taken only on oath or affirmation. Anyone presented evidence or testimony much be sworn in and testify under oath before they present anything.
- BSC Members can ask questions at any time during hearing.

Orders and Proceedings of Hearing

1. The Chair shall call the case, read agenda description and open public hearing.
2. All persons desiring to speak will be sworn by oath prior to commencement of the case before the Commission

3. Copies of documents for consideration are to be presented provided 5 days in advance to allow Staff and the Commission ample time for review. The Chair has discretion to allow additional evidence presented during the public hearing if there is a justifiable reason as to why the evidence was not provided in advance.
4. The Building Official and/or City Staff will present a Staff Recommendation and a Report on the details of the case.
5. There will be an opportunity for questions from any Persons of Interest of City Staff. All questions shall be directed to the Chair.
6. Following the City presentation and question period, Persons of Interest will have the opportunity to present their case before the commission.
7. Following presentation of the case by Persons of Interest, the Building Official will have an opportunity to provide a rebuttal.
8. The Chair shall close Public Hearing, and the Commissioners will deliberate.
 - The Commission in its deliberative session should speak openly as much as necessary concerning the issues of the testimony and the relevant facts surrounding the case.
 - Should the Commission determine the building or structure to be substandard, the Commission may impose conditions, time limitations or action as outlined in Article XII of the City of Brenham Code of Ordinances.
 - The Commission may find that the building or structure is not a substandard building and refer the matter to the Building Official for further appropriate action.
9. When a probable consensus is reached by the Commission, a motion is made and seconded. All members shall then vote on the motion.

Rehearing

- The Building and Standards Commission shall have jurisdiction to rehear and/or reconsider cases previously decided.
- Any person desiring a rehearing shall file a request in writing within ten (10) calendar days after the date of the Commission's decision.
- The request shall be submitted in writing to the Building Official and shall specify the grounds for rehearing and/or reconsideration.
- The Commission shall determine within sixty (60) calendar days whether or not to consider a rehearing of the case.
- If no rehearing is set within sixty (60) days, such request shall be deemed to have been denied.
- In the event the Commission chooses to hold a rehearing, the date of the rehearing shall be within ninety (90) calendar days of the written request submitted to the Building Official.

Additional Duties

- In addition to consideration of a case, the Building and Standards Commission may also make recommendations to the City Council regarding necessary modifications, amendments and changes in the City of Brenham Code of Ordinances.

Stephanie Doland, Development Services Director, clarified that on page 2 of the proposed Rules of Procedure, Section E (5) was moved from section F, since it fits better under the Hearings section. She stated that in Section F, item number 6 was redlined to be removed from the rules document because it appeared to be redundant; however, it has been clarified by the City Attorney that it is not redundant and will stay in the Rules of Procedure document and will not be deleted.

A motion was made by Commissioner Metzger and seconded by Commissioner Edmunds to adopt the Rules of Procedure for the Building and Standards Commission, as presented.

Chairman Thielemann called for a vote. The motion passed with the Commissioners voting as follows:

Thielemann	Yes
Morris	Yes
Bever	Yes
Edmunds	Yes
Metzger	Yes

8. Adjourn

A motion was made by Commissioner Metzger and seconded by Commissioner Bever to adjourn the meeting at 4:35 pm. The motion carried unanimously.

The City of Brenham appreciates the participation of our citizens, and the role of the Building and Standards Commissioners in this decision-making process.

Certification of Meeting Minutes:

Arlen Thielemann
Building & Standards Commission

Arlen Thielemann
Chair

May 15, 2025
Meeting Date

Kim Hodde
Attest

Kim Hodde
Staff Secretary

May 15, 2025
Meeting Date