

04/25/17

Strategic Plan #10: 391 Commission: The Sub-Regional Planning Commission is allowed to be created as outlined in Chapter 391 of the Texas Local Government Code. There are differences of opinions throughout the county on the legal authority of a local sub-regional planning commission. In order to form one, at least one city in Grimes County would have to join with the county. Currently, there are no cities that wish to participate, which makes this topic a non-issue until that changes. The Waller County Sub-Regional Planning Commission filed a lawsuit against Texas Department of Transportation recently to require TXDOT to meet with them and won the lawsuit. Although this requires TXDOT to meet with them, it does not provide any clarity on the ability of a sub-regional planning commission to supersede a state agency. It is the legal opinion of the Grimes County Attorney, Jon C. Fultz as well as Jim Allison, General Counsel to the County Judges and Commissioners Association that the authority of a sub-regional planning commission does not supersede a state agency, such as TXDOT. We will watch this case to see the outcome.