



Minutes for the
Madison County Commissioners Court
Monday, February 28, 2022

THE STATE OF TEXAS
COUNTY OF MADISON

IN COMMISSIONERS COURT
OF MADISON COUNTY TEXAS

The Madison County Commissioners Court met in Regular Session the 28th day of February 2022, 8:30 a.m., at the Madison County Courthouse Annex, County Courtroom, 103 W. Trinity Street, Suite 106, Madisonville, Texas with the following members:

| | | |
|------------------|--------------------------|---------|
| Tony Leago | County Judge | Present |
| Ricky Driskell | Commissioner, Precinct 1 | Absent |
| Carl Wiseman | Commissioner, Precinct 2 | Present |
| Carl Cannon | Commissioner, Precinct 3 | Present |
| David Pohorelsky | Commissioner, Precinct 4 | Present |

ITEM 1. INVOCATION AND PLEDGES OF ALLEGIANCE TO THE FLAGS

The invocation and pledges of allegiance to the United States and Texas flags were led by Judge Leago.

ITEM 2. CALL THE MEETING TO ORDER

Judge Leago called the meeting to order with a quorum present.

COUNTY CLERK – SUSANNE MORRIS

ITEM 3. Review and/or correct minutes of Regular Meeting held February 14, 2022. See attached. Judge Leago asked for any comments or corrections to the minutes, there were none, the minutes stand as presented.

ITEM 4. COLLECTION REPORTS

- a) Approve Collection Reports for County Clerk and County Criminal Court.
No reports were submitted.
- b) Approve Collection Reports for District Attorney
No reports were submitted.
- c) Approve Collection Report for District Clerk
No report was submitted.

TREASURER – JUDI DELESANDRI

ITEM 5. Approve paying County bills.

Accounts Payable Claims List for February 28, 2022, was submitted by Judi Delesandri, County Treasurer. See A/P Claims List attached.

Commissioner Pohorelsky made a motion to approve; Commissioner Wiseman gave a second; and Judge Leago said we have a motion and second and called for a vote to approve paying February 28, 2022, county bills.

VOTING:

| Court | Aye | Nay | ABSTAIN | RECUSE |
|---|-----|-----|---------|--------|
| Tony Leago, County Judge | X | | | |
| Ricky Driskell, Commissioner Pct. 1, Absent | | | | |
| Carl Wiseman, Commissioner Pct. 2 | X | | | |
| Carl Cannon, Commissioner Pct. 3 | X | | | |
| David Pohorelsky, Commissioner Pct. 4 | X | | | |

All agreed, motion carried.

ITEM 6. Approve bills paid since last court date February 14, 2022. See attached.

Commissioner Wiseman made a motion to approve; Commissioner Pohorelsky gave a second; and Judge Leago called for a vote to approve bills paid since last court date February 14, 2022, all in favor.

VOTING:

| Court | Aye | Nay | ABSTAIN | RECUSE |
|---|-----|-----|---------|--------|
| Tony Leago, County Judge | X | | | |
| Ricky Driskell, Commissioner Pct. 1, Absent | | | | |
| Carl Wiseman, Commissioner Pct. 2 | X | | | |
| Carl Cannon, Commissioner Pct. 3 | X | | | |
| David Pohorelsky, Commissioner Pct. 4 | X | | | |

No one opposed, motion carried.

ITEM 7. Approve Treasurer's Report.

No report was submitted.

ITEM 8. Approve personnel changes. See attached.

Judi Delesandri, Treasurer reported three payroll changes as follows: Calicia Kampf, Jailer, Sheriff's Department, employed 1/17/2022, \$18.29 hourly, replacing Robert Stanford; Doyle Ivey, Transfer Station Pct. #3, hired 2/14/2022, \$11.88 hourly, replaced William Bond; and Lennys Zelaya, Dispatcher, Sheriff's Department, \$12.79 hourly, hired 2/21/2022, replaced Morgan McNutt.

Commissioner Wiseman moved to approve; Commissioner Pohorelsky gave a second; and Judge Leago called for a vote to approve personnel change, all in favor.

VOTING:

| Court | Aye | Nay | ABSTAIN | RECUSE |
|---|-----|-----|---------|--------|
| Tony Leago, County Judge | X | | | |
| Ricky Driskell, Commissioner Pct. 1, Absent | | | | |
| Carl Wiseman, Commissioner Pct. 2 | X | | | |
| Carl Cannon, Commissioner Pct. 3 | X | | | |
| David Pohorelsky, Commissioner Pct. 4 | X | | | |

All in favor, motion carried.

AUDITOR – TONI JOYNER

ITEM 9. Auditor's Report

A budget analysis report was provided by auditor's office. A copy is included in these minutes for review.

ITEM 10. Budget Amendments
No Budget Amendments were submitted.

DEPARTMENTAL REPORTS

ITEM 11. Designated Representative Monthly Report - Lynn Jeffries
Jeffries reported receiving nine health permits totaling \$3,130 in fees.

ITEM 12. Tax Assessor/Collector Monthly Report – Karen Lane, Tax A/C
No report was submitted.

ITEM 13. Emergency Management Report – Shelly Butts.
No report was submitted.

ITEM 14. County Extension Agent Monthly Report
No report was submitted.

ITEM 15. Veterans Affairs – Danny Singletary
No report was submitted.

ITEM 16. Elections Administrator-Bobbie Duke
Bobbie Duke, EA reported during Primary Elections Early Voting period over 1200 citizens had cast their ballots.

ITEM 17. Justice of the Peace – Steve Cole/Jon Stevens
No report was submitted.

ITEM 18. Sheriff's Department – Bobby Adams
No report was submitted.

ITEM 19. **Public Comment – Hear Comments in reference to the following Agenda Items Only – time limit 3 minutes, one person at a time will be called from the Public Participation Forms submitted. Move to the front of the Court and stand at the podium.**
No Public Participation Forms were submitted to Clerk of Court for comments.

ITEM 20. Discuss and consider an election for special constitutional amendments to be held May 7, 2022, in Madison County. See Order attached.
Bobbie Duke, EA explained this Special Constitutional Amendment Election, May 7, 2022, is a first for our county and not knowing, it was not budgeted in FY 2022 county budget. There have been city and school elections in the month of May, but not an ordered county special election. Early voting begins Monday, April 25 through Friday, April 29 and Monday, May 2 through Tuesday, May 2, 2022; 8:00 a.m. – 5:00 p.m. each day at the Madison County Courthouse, 101 W. Main, Madisonville, Texas 77864. Election Day, May 7, 2022, begins 7:00 a.m. to 7:00 p.m. Polling locations are the Courthouse, Midway Community Center, Elwood Baptist Church, North Zulch Volunteer Fire Department, and Sand Prairie Baptist Church. Duke said there will be no voting in the next week, but early voting starts for the Primary Run-off Election the following week. Toni Joyner, Auditor suggested Duke project her expenses for the May 7th Special Election, prepare a breakdown of expenses and come back to commissioners' court and request contingency funds. An Order of Special Constitutional Amendment Election for Madison County was submitted by Duke.

Commissioner Cannon moved to approve; Commissioner Wiseman seconded the motion; and Judge Leago called for a vote to approve the election Order for Special Constitutional Amendments, May 7, 2022, all in favor.

VOTING:

| Court | Aye | Nay | ABSTAIN | RECUSE |
|---|-----|-----|---------|--------|
| Tony Leago, County Judge | X | | | |
| Ricky Driskell, Commissioner Pct. 1, Absent | | | | |
| Carl Wiseman, Commissioner Pct. 2 | X | | | |
| Carl Cannon, Commissioner Pct. 3 | X | | | |
| David Pohorelsky, Commissioner Pct. 4 | X | | | |

All approved, motion carried.

ITEM 21. Discuss and consider the purchase of portable curbside voting carrier. See attached.

Judge Leago asked how many carriers are needed, Bobbie Duke, EA said five carriers are needed, one for each polling place. When we received the new paper election machines our vendor, Hart, gave a listing and estimate of items needed to carry out the paper style voting. When Primary Election voting began a voter requested curbside voting, but the procedure did not work. I called Hart and was told I needed the Verity Duo Go portable carrier for mobile voting. Hart had not included this portable carrier on there listing of items needed. The cost of each portable carrier is \$1,500.00 each, five carriers needed, and shipping estimate cost totaling \$7,650.00. Tony Joyner, Auditor said it may be possible the state will come up with more funding because these portable carriers were not included in the potential plan. Duke said she will ask the state for funds to pay for carriers, but if not approved, she will come back to the commissioners' court and request contingency funds. Judge Leago said we need a motion to consider the purchase of five curbside voting carriers.

Commissioner Cannon said he would make the motion to that effect; Commissioner Pohorelsky seconded the motion; and Judge Leago called for a vote to approve the purchase of five portable curbside voting carriers, all in favor.

VOTING:

| Court | Aye | Nay | ABSTAIN | RECUSE |
|---|-----|-----|---------|--------|
| Tony Leago, County Judge | X | | | |
| Ricky Driskell, Commissioner Pct. 1, Absent | | | | |
| Carl Wiseman, Commissioner Pct. 2 | X | | | |
| Carl Cannon, Commissioner Pct. 3 | X | | | |
| David Pohorelsky, Commissioner Pct. 4 | X | | | |

No one opposed, motion carried.

ITEM 22. Discuss and consider approving Madison County Sheriff's Office Racial Profiling Report. See attached.

Sheriff Bobby Adams submitted an annual Racial Profiling Report to the court, each commissioner had a copy of the report to review. He said there was a total 1967 traffic stops and zero complaints of racial profiling.

Commissioner Cannon made a motion; Commissioner Wiseman seconded the motion; and Judge Leago called for a vote to approve Madison County Sheriff's Office Racial Profiling Report, all in favor.

VOTING:

| Court | Aye | Nay | ABSTAIN | RECUSE |
|---|-----|-----|---------|--------|
| Tony Leago, County Judge | X | | | |
| Ricky Driskell, Commissioner Pct. 1, Absent | | | | |
| Carl Wiseman, Commissioner Pct. 2 | X | | | |
| Carl Cannon, Commissioner Pct. 3 | X | | | |
| David Pohorelsky, Commissioner Pct. 4 | X | | | |

All in favor, motion carried.

ITEM 23. Discuss and consider Minor Final Plat for property recorded in Vol 539, Page 147, of the Madison County Records. Located in the Augustus Hotchkiss Survey, Abstract 0017, Tract 14-1, being 6.1 acres more or less, located between Plum Lane and FM 3091, with address(es) to be determined, Madisonville, Texas 77864. See attached.

Lynn Jeffries, Designated Representative said both lots have road frontage and are in the scope of Madison County Rules and Regulations. Judge asked if Shelly Butts, Coordinator, Subdivisions/Rural Development, had provided this information for this report. Jeffries answered yes.

Commissioner Wiseman moved to approve; Commissioner Pohorelsky gave a second; and Judge Leago said we have a motion and second to approve Minor Final Plat for property recorded in Volume 539, Page 147, of the Madison County Records, located in the August Hotchkiss Survey, Abstract 0017, Tract 14-1, being 6.1 acres more or less, located between Plum Lane and FM 3091, with address(es) to be determined, Madisonville, Texas 77864, all in favor.

VOTING:

| Court | Aye | Nay | ABSTAIN | RECUSE |
|---|-----|-----|---------|--------|
| Tony Leago, County Judge | X | | | |
| Ricky Driskell, Commissioner Pct. 1, Absent | | | | |
| Carl Wiseman, Commissioner Pct. 2 | X | | | |
| Carl Cannon, Commissioner Pct. 3 | X | | | |
| David Pohorelsky, Commissioner Pct. 4 | X | | | |

All agreed, motion carried.

ITEM 24. Discuss and consider Minor Final Plat with Variance for property recorded in Volume 1788, Page 242, Number 113871 of the Madison County records. Located in the Wm Moffitt Survey, Abstract 0152, Tract 26-5, 175.34 acres more or less. See attached.

Lynn Jeffries, Designated Representative reported for Shelly Butts, Coordinator Subdivisions/Rural Development a Minor Plat Application with Variance by Weldon W. Alders and Paula C. Alders dividing 175.34 acres into two lots, one lot 82.38 acres and lot two, 92.94 acres along Boyd Road. These are two long narrow acre tracts and according to Subdivision Rules and Regulations lot width and depth ratios can be no more that three times the width, so a variance is requested. This is something the commissioners' court has done in the past on larger tracts of land per Butts information

Commissioner Wiseman moved to approve; Commissioner Cannon seconded the motion; and Judge Leago called for a vote to approve Minor Final Plat with Variance for property recorded in Volume 1788, Page 242, Number 113871 of the Madison County records. Located in the Wm Moffitt Survey, Abstract 0152, Tract 26-5, 175.34 acres more or less.

VOTING:

| Court | Aye | Nay | ABSTAIN | RECUSE |
|---|-----|-----|---------|--------|
| Tony Leago, County Judge | X | | | |
| Ricky Driskell, Commissioner Pct. 1, Absent | | | | |
| Carl Wiseman, Commissioner Pct. 2 | X | | | |
| Carl Cannon, Commissioner Pct. 3 | X | | | |
| David Pohorelsky, Commissioner Pct. 4 | X | | | |

All in favor, motion carried

ITEM 25. Discuss and consider Services Agreement with Texas Association of Counties County Information Resources Agency. See attached.

Judge Leago called on Donna Cuevas, Administrative Assistant to Judge Leago to explain this item.

Cuevas said this is a yearly renewal of website service agreement with TAC County Information Resources Agency. Pages 19-21 gives choices for the different packages they offer. I prefer the Standard Website Package, \$1,550 per year cost.

Commissioner Wiseman made a motion; Commissioner Pohorelsky gave a second to the motion; and Judge Leago called for a vote to approve Services Agreement with Texas Association of Counties County Information Resources Agency, and their Standard Website Package, \$1,550, all in favor.

VOTING:

| Court | Aye | Nay | ABSTAIN | RECUSE |
|---|-----|-----|---------|--------|
| Tony Leago, County Judge | X | | | |
| Ricky Driskell, Commissioner Pct. 1, Absent | | | | |
| Carl Wiseman, Commissioner Pct. 2 | X | | | |
| Carl Cannon, Commissioner Pct. 3 | X | | | |
| David Pohorelsky, Commissioner Pct. 4 | X | | | |

All approved, motion carried.

ITEM 26. **Public Comment- No Discussion or Action will be taken at this time by the Court – A three (3) minute limit per speaker. One person at a time will be called from the Public Participation submitted. Move to the front of the Court and stand at the podium. Please address your comments to your commissioner.**

No public participation forms were submitted to Clerk of Court.

ITEM 27. ADJOURN:

Commissioner Wiseman made a motion to adjourn; Commissioner Pohorelsky gave a second; and Judge Leago called for a vote.

VOTING:

| Court | Aye | Nay | ABSTAIN | RECUSE |
|---|-----|-----|---------|--------|
| Tony Leago, County Judge | X | | | |
| Ricky Driskell, Commissioner Pct. 1, Absent | | | | |
| Carl Wiseman, Commissioner Pct. 2 | X | | | |
| Carl Cannon, Commissioner Pct. 3 | X | | | |
| David Pohorelsky, Commissioner Pct. 4 | X | | | |

All approved, motion carried.

Meeting was adjourned Monday, February 28, 2022, at 9:05 A.M.

I, Susanne Morris, Madison County Clerk, do hereby attest that the foregoing is a true and accurate accounting of the Commissioners Court's authorized proceedings for February 28, 2022.

Approved and signed this 14th day of March 2022.

Susanne Morris

Susanne Morris, Clerk
Commissioners Court
Madison County, Texas

