



Minutes for the
Madison County Commissioners Court
Monday, March 14, 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 14th day of March 2022, 8:32 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
Open Position	Commissioner, Precinct 1	
Carl Wiseman	Commissioner, Precinct 2	Present
Carl Cannon	Commissioner, Precinct 3	Present
David Pohorelsky	Commissioner, Precinct 4	Present

*Ricky Driskell, Commissioner Precinct 1 deceased on March 9, 2022.

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 28, 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. See attached. Susanne Morris, County Clerk reported February 2022 collections for County Clerk, \$18,220.80 and County Court, \$3,784.55. Commissioner Cannon made a motion to approve the collection reports; Commissioner Wiseman gave a second; and Judge Leago called for a vote to approve collection reports for county clerk and county criminal court.

VOTING:

Court	Aye	Nay	ABSTAIN	RECUSE
Tony Leago, County Judge	X			
Open Position, Commissioner Pct. 1				
Carl Wiseman, Commissioner Pct. 2	X			
Carl Cannon, Commissioner Pct. 3	X			
David Pohorelsky, Commissioner Pct. 4	X			

All in favor, motion carried.

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 March 14, 2022, was submitted by Judi Delesandri, County Treasurer. See A/P Claims List attached.

Commissioner Wiseman made a motion to approve; Commissioner Cannon gave a second; and Judge Leago said we have a motion and second and called for a vote to approve paying March 14, 2022, county bills.

VOTING:

Court	Aye	Nay	ABSTAIN	RECUSE
Tony Leago, County Judge	X			
Open Position, Commissioner Pct. 1				
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 28, 2022. See attached.

Commissioner Cannon made a motion to approve; Commissioner Wiseman gave a second; and Judge Leago called for a vote to approve bills paid since last court date February 28, 2022, all in favor.

VOTING:

Court	Aye	Nay	ABSTAIN	RECUSE
Tony Leago, County Judge	X			
Open Position, Commissioner Pct. 1				
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. See attached.

Judi Delesandri, Treasurer submitted February 2022 Treasurer's Monthly Report a combined statement of cash receipts and disbursements.

Commissioner Cannon moved to approve; Commissioner Wiseman seconded the motion; Judge Leago called for a vote to approved treasurer’s monthly report, all in favor.

VOTING:

Court	Aye	Nay	ABSTAIN	RECUSE
Tony Leago, County Judge	X			
Open Position, Commissioner Pct. 1				
Carl Wiseman, Commissioner Pct. 2	X			
Carl Cannon, Commissioner Pct. 3	X			
David Pohorelsky, Commissioner Pct. 4	X			

All in agreement, motion carried.

ITEM 8. Approve personnel changes.

Judi Delesandri, Treasurer said there are no personnel changes to report.

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 four septic applications totaling \$920.00 in fees.

ITEM 12. Tax Assessor/Collector Monthly Report – Karen Lane, Tax A/C See attached.

Karen Lane, Tax A/C submitted total funds collected for Month of February 2022, \$982,973.34; registration and title fees, \$536,498.22; and Texas Parks & Wildlife monthly report for boat and motor titles and renewals, \$4,245.07.

ITEM 13. Emergency Management Report – Shelly Butts.

Lately, we have been trying to prepare long term planning for infrastructure and development out in the county. I have been working with the engineer on a project to evaluate the infrastructure on South Short Street to take advantage of hazard mitigation funds that are required to be used in a qualified area. I will report the outcome of that report when it is available, Butts said. She gave a report on January and February monthly Electric Permits and Signs and Subdivisions, and Exceptions as recorded in these minutes for review.

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 approximately 2,500 voters turned out for the Primary Election on March 1, 2022. In a Primary Election the Democrat and Republican party chairs canvass the votes and that has been completed. Normangee Independent School District is having a bond election, so they will be on the May 7, 2022, ballot along with two amendments. NISD will help pay for half of the county’s election

cost. There is a change in location of the vote center in Midway. It will be moved to Midway City Hall not the Community Center.

ITEM 17. Justice of the Peace – Steve Cole/Jon Stevens See attached.

Steve Cole, J. P. reported Precinct 1 & 2 Distribution Summaries for the month of February 2022. Precinct 1 total court, technology, and courthouse security funds, \$20,148.83 and state funds, \$10,171.27. Precinct 2 total court, technology, and courthouse security funds, \$5,324.39 and state funds, \$2,854.50.

ITEM 18. Sheriff's Department – Bobby Adams See attached.

Sheriff Bobby Adams submitted a Patrol Division Deputy Monthly Activity Report for February 1-28, 2022.

ITEM 19. Historical Commission – Clark Osborne

Clark Osborne, Vice Chairman and Colvin Walker, Chairman of the Historical Commission have turned in their annual report to the state and the state requests that they give a summary of their report to the court. We meet the second Tuesday of each month, 5:30 p.m. at the Kimbro Center, Osborne said. Last year we separated from the Madison County Museum and adopted a set of bylaws that the commissioners court approved. As reported in the annual report, there are eleven voting members and seventeen advisory members; there were ten meetings held last year with a quorum present at each; reported a total of four hundred volunteer service hours; and have in hand a new historical marker for the Ten Mile Cemetery. A dedication ceremony for the new historical marker is being planned, so date and time will be posted to the public, Osborne said. The Historical Commission is not a budget item on the county's budget, but we will be coming to request funds on the next budget cycle, Osborne said.

ITEM 20. **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.

Comments:

County Judges & Commissioners Association of Texas, Commissioners continuing education provisions of Article 81.0025 of the Texas Local Government Code certificates of completion were presented for record by Commissioner David Pohorelsky, Pct. 4; Commissioner Carl Wiseman, Pct. 2; and Commissioner Carl Cannon, Pct. 3. Judge Leago complimented them on receiving their continuing education certificates.

Judge Leago read a letter from the North Zulch Volunteer Fire Department and the NZVFD Auxiliary thanking the commissioners court for granting \$1,000 HOT FUNDS for their Annual Chili Cook Off. They included a listing of expenditures for the event, \$1,008.08, a copy of their letter and expenses are recorded in these minutes

ITEM 21. Discuss and consider appointing Wynona Ballard and William "Bunkin" Bennett as voting members to the Madison County Historical District to replace Bonne Hendricks and Chris McGilbra. Approve Bonne Hendricks and Chris McGilbra as advisory members.

Commissioner Cannon moved to approve; Commissioner Wiseman seconded the motion; and Judge Leago called for a vote to approve Wynona Ballard and William "Bunkin" Bennett as voting members to the Madison County Historical District to replace Bonne Hendricks and Chris McGilbra. Approve Bonne Hendricks and Chris McGilbra as advisory members.

VOTING:

Court	Aye	Nay	ABSTAIN	RECUSE
Tony Leago, County Judge	X			
Open Position, Commissioner Pct. 1				
Carl Wiseman, Commissioner Pct. 2	X			
Carl Cannon, Commissioner Pct. 3	X			
David Pohorelsky, Commissioner Pct. 4	X			

All approved, motion carried.

ITEM 22. Hear presentation from Solar Proponent regarding Chapter 312 Tax Agreement.

Tom McLain gave a presentation on a solar project in Madison County, 7,000 acres, Precinct 2, and a portion of Precinct 3. It is located on OSR, West of IH-45, and includes acreage in Leon County. It is in early stages of development and will be a benefit to county services. Most of the properties have Ag exemptions but will convert to commercial tax base when completed. It is a passive power generation and no infrastructure required, he said. See attached checklist for Chapter 312 Tax Abatement Agreements.

ITEM 23. Discuss and consider approving the enrollment of Madison County Employees in Texas Association of County Government's Cybersecurity Annual Awareness Training Program at no charge to the County. See attached.

Commissioner Cannon made a motion; Commissioner Wiseman seconded the motion; and Judge Leago called for a vote to approve the enrollment of Madison County Employees in Texas Association of County Government's cybersecurity Annual Awareness Training Program at no charge to the County.

VOTING:

Court	Aye	Nay	ABSTAIN	RECUSE
Tony Leago, County Judge	X			
Open Position, Commissioner Pct. 1				
Carl Wiseman, Commissioner Pct. 2	X			
Carl Cannon, Commissioner Pct. 3	X			
David Pohorelsky, Commissioner Pct. 4	X			

All in favor, motion carried.

ITEM 24. Discuss and consider Proclamation designating April as Confederate History and Heritage Month. See attached.

Judge Leago recognized two members of Sons of Confederacy, Larry Sanders of Huntsville and Jerry McMahon, North Zulch discussed confederate history. Judge said stated in the Proclamation there is a request for the First National Flag of the Confederacy be displayed beneath the Texas Flag at the Courthouse for the Month of April.

Commissioner Pohorelsky made a motion to approve the Proclamation; Commissioner Wiseman gave a second; and Judge Leago called for a vote to approve Proclamation designating April as Confederate History and Heritage Month, all in favor.

VOTING:

Court	Aye	Nay	ABSTAIN	RECUSE
Tony Leago, County Judge	X			
Open Position, Commissioner Pct. 1				
Carl Wiseman, Commissioner Pct. 2	X			
Carl Cannon, Commissioner Pct. 3	X			
David Pohorelsky, Commissioner Pct. 4	X			

All agreed, motion carried.

ITEM 25. Discuss and consider Proclamation designating April as Sexual Assault Awareness Month. Judge Leago said this agenda item is tabled.

ITEM 26. Discuss and consider Special Road Use Indemnity Agreement and Permit from Vess Oil Corporation for Bundic Road. See attached.

Commissioner Cannon made a motion to approve; Commissioner Wiseman gave a second to the motion; and Judge Leago called for a vote to approve Special Road Use Indemnity Agreement and Permit from Vess Oil Corporation for Bundic Road.

VOTING:

Court	Aye	Nay	ABSTAIN	RECUSE
Tony Leago, County Judge	X			
Open Position, Commissioner Pct. 1				
Carl Wiseman, Commissioner Pct. 2	X			
Carl Cannon, Commissioner Pct. 3	X			
David Pohorelsky, Commissioner Pct. 4	X			

All approved, motion carried.

ITEM 27. Discuss and consider Special Road Use Indemnity Agreement and Permit from Vess Oil Corporation for Blagraves Road. See attached.

Commissioner Cannon moved to approve; Commissioner Wiseman seconded the motion; and Judge Leago called for a vote to approve Special Road Use Indemnity Agreement and Permit from Vess Oil Corporation for Blagraves Road, all in favor.

VOTING:

Court	Aye	Nay	ABSTAIN	RECUSE
Tony Leago, County Judge	X			
Open Position, Commissioner Pct. 1				
Carl Wiseman, Commissioner Pct. 2	X			
Carl Cannon, Commissioner Pct. 3	X			
David Pohorelsky, Commissioner Pct. 4	X			

All in favor, motion carried

ITEM 28.

Discuss and consider Final Minor Plat for property recorded in Volume 677, Pages 179 and 183 of the Madison County Records. See attached.

Shelly Butts, Coordinator Subdivisions/Rural Development said this transaction of land ownership change took place prior to their application with Rural Development, so before issuing an electrical permit they had to make it right and file an application for this minor plat. Butts said we do not currently charge a fee for filing late application, so we may need to address it in future revisions to the Subdivision Rules and Regulations, she said.

Commissioner Cannon made a motion to approve; Commissioner Pohorelsky gave a second; and Judge called for a vote to approve Final Minor Plat for property recorded in Volume 677, Pages 179 and 183 of the Madison County Records.

VOTING:

Court	Aye	Nay	ABSTAIN	RECUSE
Tony Leago, County Judge	X			
Open Position, Commissioner Pct. 1				
Carl Wiseman, Commissioner Pct. 2	X			
Carl Cannon, Commissioner Pct. 3	X			
David Pohorelsky, Commissioner Pct. 4	X			

All in favor, motion carried

ITEM 29. Discuss and consider Final Minor Plat for property recorded in Volume 1120, Page 270, Number 71593 and in Volume 990, Page 79, Number 61552 of the Madison County Records. See attached.

Shelly Butts, Coordinator Subdivisions/Rural Development said this division requires two variances to the Madison County Subdivision Rules and Regulations in that there is not a minimum of 80' of road frontage and the depth of the lots are greater than three times the width. Commissioners Court may require that the easement on Tract 3-2 and the 7.8356 acre divided portion of Tract 3-1 be joined as a single tract from this point forward.

Commissioner Cannon moved that the easement on Tract 3-2 and the 7.8356 acre divided portion of Tract 3-1 be joined as a single tract from this point forward; Commissioner Wiseman gave a second; and Judge Leago called for a vote to approve Final Minor Plat for property recorded in Volume 1120, Page 270, Number 71593 and in Volume 990, Page 79, Number 61552 of the Madison County Records.

VOTING:

Court	Aye	Nay	ABSTAIN	RECUSE
Tony Leago, County Judge	X			
Open Position, Commissioner Pct. 1				
Carl Wiseman, Commissioner Pct. 2	X			
Carl Cannon, Commissioner Pct. 3	X			
David Pohorelsky, Commissioner Pct. 4	X			

All in favor, motion carried

ITEM 30.

Discuss and consider increasing the salary for Madison County Sheriff Department employees using funds from the American Rescue Plan.

Sheriff Bobby Adams gave a report on the number of deputies the Sheriff's Department has lost to surrounding counties due to higher wages. An officer receives his training here, resigns and goes to another county for better pay. It creates a problem with staffing, and we need officers to be on patrol. I feel if we don't do something quickly, we are going to be without law enforcement, Sheriff said. Judge Leago said, the Sheriff is requesting permission to use the available American Rescue Plan fund. He does not know the amount needed, but it is my plan to have the Salary Committee meet very soon and take this issue up for consideration for some kind of solution to this problem.

Commissioner Pohorelsky made a motion; Commissioner Wiseman seconded the motion; and Judge Leago said we have a motion and second to consider increasing the salary for Madison County Sheriff Department employees using funds from the American Rescue Plan.

VOTING:

Court	Aye	Nay	ABSTAIN	RECUSE
Tony Leago, County Judge	X			
Open Position, Commissioner Pct. 1				
Carl Wiseman, Commissioner Pct. 2	X			
Carl Cannon, Commissioner Pct. 3	X			
David Pohorelsky, Commissioner Pct. 4	X			

All in favor, motion carried

ITEM 31. 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 32. ADJOURN:

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

VOTING:

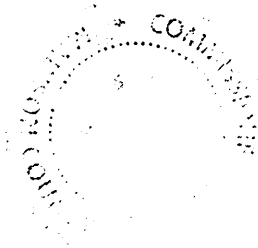
Court	Aye	Nay	ABSTAIN	RECUSE
Tony Leago, County Judge	X			
Open Position, Commissioner Pct. 1				
Carl Wiseman, Commissioner Pct. 2	X			
Carl Cannon, Commissioner Pct. 3	X			
David Pohorelsky, Commissioner Pct. 4	X			

All approved, motion carried.

Meeting was adjourned Monday, March 14, 2022, at 9:21 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 March 14, 2022.

Approved and signed this 28th day of March 2022.



Susanne Morris

Susanne Morris, Clerk
Commissioners Court
Madison County, Texas