



Minutes for the
Madison County Commissioners Court
Wednesday, December 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 December 2022, 9:31 a.m., at the Madison County Courthouse Annex, County Courtroom, 103 W. Trinity Street, Suite 106, Madisonville, Texas with the following members:

Clark Osborne	County Judge	Present
Ken Starr	Commissioner, Precinct 1	Present
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

Judge Osborne lead the invocation and pledges of allegiance to the United States and Texas flags.

ITEM 2. CALL THE MEETING TO ORDER

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

COUNTY CLERK – SUSANNE MORRIS

ITEM 3. Review and/or correct minutes of Regular Session Meeting held November 23, 2022. Judge Osborne asked for any comments or corrections to these minutes, there were none. See attached.

ITEM 4. COLLECTION REPORTS

a) Approve Collection Reports for County Clerk and County Criminal Court

Susanne Morris, County Clerk reported November 2022 collections for County Clerk and County Criminal Court. County Clerk collections was \$18,185.50 and County Criminal Court collections, \$1,086.54. Commissioner Starr made a motion to approve; Commissioner Wiseman gave a second to the motion; and Judge Osborne called for a vote to approve November 2022 collection reports for County Clerk and County Criminal Court, all in favor.

VOTING:

Court	Aye	Nay	ABSTAIN	ABSENT
Clark Osborne, County Judge	X			
Ken Starr, Commissioner Pct. 1	X			
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 December 14, 2022, was submitted by Judi Delesandri, County Treasurer. See A/P Claims List attached.

Commissioner Cannon made a motion to approve; Commissioner Wiseman gave a second; and Judge Osborne said we have a motion and second and called for a vote to approve paying December 14, 2022, county bills, all in favor.

VOTING:

Court	Aye	Nay	ABSTAIN	ABSENT
Clark Osborne, County Judge	X			
Ken Starr, Commissioner Pct. 1	X			
Carl Wiseman, Commissioner Pct. 2	X			
Carl Cannon, Commissioner Pct. 3	X			
David Pohorelsky, Commissioner Pct. 4	X			

All in agreement, motion carried.

ITEM 6. Approve bills paid since last court date November 23, 2022. See attached.

Commissioner Wiseman made a motion to approve; Commissioner Pohorelsky gave a second; and Judge Osborne called for a vote to approve bills paid since last court date November 23, 2022, all in favor.

VOTING:

Court	Aye	Nay	ABSTAIN	ABSENT
Clark Osborne, County Judge	X			
Ken Starr, Commissioner Pct. 1	X			
Carl Wiseman, Commissioner Pct. 2	X			
Carl Cannon, Commissioner Pct. 3	X			
David Pohorelsky, Commissioner. Pct. 4	X			

No opposition, motion carried.

ITEM 7. Approve Treasurer's Report. See attached.

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

Commissioner Cannon moved to approve; Commissioner Wiseman seconded the motion; and Judge Osborne called for a vote to approve Treasurer's Report for November 2022, all in favor.

VOTING:

Court	Aye	Nay	ABSTAIN	ABSENT
Clark Osborne, County Judge	X			
Ken Starr, Commissioner Pct. 1	X			
Carl Wiseman, Commissioner Pct. 2	X			
Carl Cannon, Commissioner Pct. 3	X			
David Pohorelsky, Commissioner Pct. 4	X			

All in agreed, motion carried.

ITEM 8. Approve personnel changes

Judi Delesandri, County Treasurer reported one payroll change, Koray Elkat was hired 12/12/22, Sheriff Department Deputy, in a new position at \$19.13 hourly. See attached.

Commissioner Wiseman made a motion to approve personnel changes; Commissioner Pohorelsky gave a second to the motion; and Judge Osborne called for a vote to approve the personnel change, all in favor.

VOTING:

Court	Aye	Nay	ABSTAIN	ABSENT
Clark Osborne, County Judge	X			
Ken Starr, Commissioner Pct. 1	X			
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

No report was submitted.

ITEM 12. Tax Assessor/Collector Monthly Report – Karen Lane, TAC

Karen Lane, TAC gave a report on November 2022 monthly collections. Total funds collected for the month included \$454,587.25 taxes and fees; titles and registration fees, \$610,796.80; and Texas Parks and Wildlife, boats, motors, and renewal fees, \$1,770.19. See attached.

ITEM 13. Emergency Management Report – Shelly Butts

No report was submitted.

ITEM 14. County Extension Agent Monthly Report-Allen Homann

No report was submitted.

ITEM 15. Veterans Affairs – Open Position

ITEM 16. Elections Administrator-Bobbie Duke

No report was submitted.

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

A Distribution Summary was submitted by the Justice of the Peace office as recorded in these minutes. J. P. 1 collected county fees \$12,337.07, and \$7,912.13 state fees. J. P. 2 collected \$3,247.34 county fees and \$2,164.62 state fees.

ITEM 18. Sheriff's Department – Bobby Adams

Sheriff Adams gave a November 2022 Monthly Activity Report. There were 374 total calls, 26,985 total miles, 10 total arrest by S.O., 14 total charges by S.O., 79 total citations issued, 114 total warnings, 42 total arrest to jail, and zero serious incidents in jail. See attached.

ITEM 19. Madison County Library – Veronica Landmann
No report was submitted.

ITEM 20. Historical Commission –

Judge Osborne advised that Colvin Walker, Committee Chairman Historical Commission plans to present a list of new historical commission members at the next commissioner's court regular session. New members serve a two-year term and are appointed each odd year.

ITEM 21. 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.

Kevin Council requested to speak in regard to agenda item 26, the appointment of Madison County's Veteran Services Officer. Council said he is recommending Erica Green, a veteran who has served two tours of duty in the Army as a military police officer, she was promoted to sergeant and was injured by a roadside bomb attack on her military convey and received the purple heart commendation.

ITEM 22. Discuss and consider re-directing Madison County's financial contribution to the DPS Patrol budget to expenditures more relevant to current needs.

Judge Osborne explained due to lack of presenter this agenda item may be tabled.

Commissioner Cannon moved to table this agenda item; Commissioner Wiseman seconded the motion; and Judge Osborne said we have a motion and second to table re-directing Madison County's financial contribution to the DPS Patrol budget to expenditures more relevant to current needs, all in favor.

VOTING:

Court	Aye	Nay	ABSTAIN	ABSENT
Clark Osborne, County Judge	X			
Ken Starr, Commissioner Pct. 1	X			
Carl Wiseman, Commissioner Pct. 2	X			
Carl Cannon, Commissioner Pct. 3	X			
David Pohorelsky, Commissioner Pct. 4	X			

All unanimously agreed, motion carried.

ITEM 23. Discuss and consider approving Madison County's Hazard Communication Program. See attached.

Judi Delesandri, Treasurer, said recently, commissioners and employees were given an employee training program by a representative from Texas Association of Counties, TAC, and this is a copy of their sample policy they recommend we adopt. Judge Osborne said, so we have never had this program before, Delesandri said no. Judge said he has several questions about wording of the policy and for instance, who is responsible to maintain updates and provide the training. Commissioner Cannon said the county does not have hazardous chemicals in the workplace in excess of fifty-five gallons or five hundred pounds in aggregate amount. Commissioner Starr said the largest chemical used in our county is fuel, Commissioner Wiseman said, and oil. Commissioner Starr said if we develop a policy and do not adhere to and understand it, then it could become a liability. Judge Osborne and Commissioner Starr offered to work on this policy and present it at a future commissioner's court regular session.

Commissioner Pohorelsky made a motion to table this agenda item; Commissioner Wiseman seconded the motion; and Judge Osborne said we have a motion and a second to table this agenda item 23 to a future court date when the Hazard Communication Program policy has been further reviewed, all in favor.

VOTING:

Court	Aye	Nay	ABSTAIN	ABSENT
Clark Osborne, County Judge	X			
Ken Starr, Commissioner Pct. 1	X			
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 approving appointment of Daniel Bracewell to the office of Director of the Mid-East Texas Groundwater Conservation District to replace Judge Clark Osborne.

Judge Osborne said he had talked to Daniel Bracewell, and he accepted this position, an excellent choice for this appointment.

Commissioner Starr moved to approve; Commissioner Wiseman seconded the motion; and Judge called for a vote to approve appointment of Daniel Bracewell to the office of Director of the Mid-East Texas Groundwater Conservation District to replace Judge Clark Osborne, all in favor.

VOTING:

Court	Aye	Nay	ABSTAIN	ABSENT
Clark Osborne, County Judge	X			
Ken Starr, Commissioner Pct. 1	X			
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 Agreement with Verizon for Juvenile Probation cell phone. See attached.

Commissioner Cannon moved to approve; Commissioner Pohorelsky gave a second to the motion; and Judge Osborne called for a vote to approve Agreement with Verizon for Juvenile Probation cell phone, all in favor.

VOTING:

Court	Aye	Nay	ABSTAIN	ABSENT
Clark Osborne, County Judge	X			
Ken Starr, Commissioner Pct. 1	X			
Carl Wiseman, Commissioner Pct. 2	X			
Carl Cannon, Commissioner Pct. 3	X			
David Pohorelsky, Commissioner Pct. 4	X			

All in agreement, motion carried.

ITEM 26. Discuss and consider Appointment of Madison County's Veteran Services Officer.

Judge Osborne said several applicants were interviewed for this position and called on Commissioner Cannon to announce the officer selected. Commissioner Cannon said Erica Green is selected to be the newly appointed Madison County Veteran Services Officer and made a motion to approve. Judge said Green will be replacing retiree Danny Singletary who was budgeted to work sixteen hours weekly, but in order to get VA authorization and login credentials there is a minimum of one thousand hours required.

We have had a reputation of underserving our veterans so to remedy that we are suggesting 29 hours weekly at \$16.00 per hour, effective January 3, 2023.

Commissioner Cannon amended his motion to approve the appointment of Erica Green as Madison County's Veteran Services Officer, 29 hours weekly at \$16.00 per hour, effective January 3, 2023; Commissioner Starr gave a second to the motion; and Judge Osborne said we have a motion and second to approve Erica Green as Madison County's Veteran Services Officer, 29 hours per week, at \$16.00 per hour, effective January 3, 2023, all in favor.

VOTING:

Court	Aye	Nay	ABSTAIN	ABSENT
Clark Osborne, County Judge	X			
Ken Starr, Commissioner Pct. 1	X			
Carl Wiseman, Commissioner Pct. 2	X			
Carl Cannon, Commissioner Pct. 3	X			
David Pohorelsky, Commissioner Pct. 4	X			

All in favor, motion carried.

ITEM 27. Discuss and consider Minor Final Plat for property recorded in Volume 213, Page 816, and Volume 567, Page 62, Number 30639 of the Madison County Records. Located in the E. Arriola Survey, Abstract 0004, being called 53.630 acre tract (48.28 acres remaining). See attached.

Shelly Butts, Subdivision/Rural Development Coordinator was not in attendance but had provided a statement requesting approval for this land that had been sold before they were aware of the county's subdivision rules and regulations. There is no variance requested on this proposal, and the division appears to be compliant with current rules and regulations.

Commissioner Cannon moved to approve; Commissioner Pohorelsky seconded the motion; and Judge called for a vote to approve Minor Final Plat for property recorded in Volume 213, Page 816, and Volume 567, Page 62, Number 30639 of the Madison County Records. Located in the E. Arriola Survey, Abstract 0004, being called 53.630 acre tract (48.28 acres remaining), all in favor.

VOTING:

Court	Aye	Nay	ABSTAIN	ABSENT
Clark Osborne, County Judge	X			
Ken Starr, Commissioner Pct. 1	X			
Carl Wiseman, Commissioner Pct. 2	X			
Carl Cannon, Commissioner Pct. 3	X			
David Pohorelsky, Commissioner Pct. 4	X			

All agreed, motion carried.

ITEM 28. Discuss and consider Final Minor Plat for property recorded in Volume 917, Page 299, Number 86453 of the Madison County Records. Located in the Rebecca Robbin League Survey, Abstract 0188, Tract 13, being part of a called 17.6 acre tract, known as 9037 FM 1428, Midway, Texas 75852. See attached.

Shelly Butts, Subdivisions/Rural Development Coordinator was not in attendance but had provided a statement requesting approval for land that has been inherited and is now being divided into two parcels. A previous division resulted in a separate 3-acre tract adjacent to these. The division meets the requirements of our current rules and regulations.

Commissioner Starr moved to approve the final minor plat; Commissioner Wiseman gave a second; and Judge Osborne called for a vote to approve Final Minor Plat for property recorded in Volume 917, Page 299, Number 86453 of the Madison County Records. Located in the Rebecca Robbin League Survey,

Abstract 0188, Tract 13, being part of a called 17.6 acre tract, known as 9037 FM 1428, Midway, Texas 75852, all in favor.

VOTING:

Court	Aye	Nay	ABSTAIN	ABSENT
Clark Osborne, County Judge	X			
Ken Starr, Commissioner Pct. 1	X			
Carl Wiseman, Commissioner Pct. 2	X			
Carl Cannon, Commissioner Pct. 3	X			
David Pohorelsky, Commissioner Pct. 4	X			

All in agreement, motion carried.

ITEM 29. Discuss and consider approving Madison County Solid Waste Disposal Rules for 2023. See attached.

Commissioner Starr had gathered information on solid waste disposal and found the county to be insolvent. He said income from dump permits is \$75,000, but the problem is county's cost for solid waste service, \$356,000; so, he suggested possibly an increase in permit fees, \$100.00. Commissioner Cannon remarked that would be around \$8.33 monthly for waste disposal. Karen Lane, TAC questioned the second sentence in line item two, placing the permit sticker on the windshield. Commissioner Cannon said as long as they have the sticker or proof of purchase, they should be allowed to use the facility. Commissioner Starr suggested changing the wording to proof of purchase will be required, it can be the sticker or receipt of purchase.

Commissioner Starr moved to approve the Solid Waste Disposal Rules for 2023, amending the annual fee to \$100, and striking second sentence of item two and replace with proof of purchase will be required to use county disposal facilities. Judge Osborne said currently we have a motion to approve the Madison County Solid Waste Disposal Rules for 2023 with the following changes, item two the fee will be changed from \$60 to \$100, and the second sentence, about the sticker being placed on the windshield, will be struck to be replaced by proof of purchase will be required to use county disposal facilities and asked Commissioner Starr if it is worded correctly, he agreed. Commissioner Pohorelsky gave a second to the motion and Judge said we have a motion and second to approve Madison County Solid Waste Disposal Rules for 2023, all in favor.

VOTING:

Court	Aye	Nay	ABSTAIN	ABSENT
Clark Osborne, County Judge	X			
Ken Starr, Commissioner Pct. 1	X			
Carl Wiseman, Commissioner Pct. 2	X			
Carl Cannon, Commissioner Pct. 3	X			
David Pohorelsky, Commissioner Pct. 4	X			

All agreed, motion carried.

ITEM 30. 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 the Clerk of Court.

ITEM 31. ADJOURN:

Commissioner Wiseman made a motion to adjourn; Commissioner Pohorelsky gave a second; and Judge Osborne called for a vote to adjourn, all in favor.

VOTING:

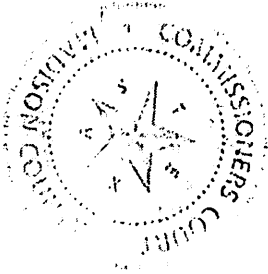
Court	Aye	Nay	ABSTAIN	ABSENT
Clark Osborne, County Judge	X			
Ken Starr, Commissioner Pct. 1	X			
Carl Wiseman, Commissioner Pct. 2	X			
Carl Cannon, Commissioner Pct. 3	X			
David Pohorelsky, Commissioner Pct. 4	X			

All unanimously agreed, motion carried.

Meeting was adjourned Wednesday, December 14, 2022, at 10:18 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 December 14, 2022.

Approved and signed this 28th day of December 2022.



Susanne Morris
Susanne Morris, Clerk
Commissioners Court
Madison County, Texas