



Minutes for the
Madison County Commissioners Court
Wednesday, January 25, 2023

THE STATE OF TEXAS
COUNTY OF MADISON

IN COMMISSIONERS COURT
OF MADISON COUNTY TEXAS

The Madison County Commissioners Court met in Regular Session the 25th day of January 2023, 9:32 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 asked Ken Starr, Commissioner Pct. 1, to lead the invocation. The pledges of allegiance to the United States and Texas flags were led by Judge Osborne.

ITEM 2. CALL THE MEETING TO ORDER

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

COUNTY CLERK – ADRIAN LAWSON

ITEM 3. Review and/or correct minutes of Regular Session Meeting held January 11, 2022. Judge Osborne asked for any comments or corrections to these minutes, Judge questioned the percentage on ITEM 22. Hear presentation from Bryan Dubois with Texas Department of Transportation. Reviewed, correct as is.

ITEM 4. COLLECTION REPORTS

- a) Approve Collection Reports for County Clerk and County Criminal Court
No collection report submitted.
- b) Approve Collection Reports for District Attorney
Courtney Cain, Criminal District Attorney, stated they collected \$10.00 from hot check fee. Additionally, they are impaneling the grand jury and have 13 cases to go before them. 17 Nisi, and 20 misdemeanors filed since last Commissioners' Court. Mrs. Cain also said they are in the middle of a file audit and are updating cases.
- c) Approve Collection Report for District Clerk
No collection report submitted.

TREASURER – JUDI DELESANDRI

ITEM 5. Approve paying County bills.

Accounts Payable Claims List for January 25, 2023 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 Osborne said we have a motion and second and called for a vote to approve paying January 25, 2023, 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 January 11, 2023.

See attached.

Commissioner Wiseman made a motion to approve; Commissioner Cannon gave a second; and Judge Osborne called for a vote to approve bills paid since last court date January 11, 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			

No opposition, motion carried.

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

No report submitted.

ITEM 8. Approve personnel changes.

Judi Delesandri, County Treasurer reported three payroll changes, Christopher Howeth, jailer with the Sheriff Department, was hired in a new position, effective 1/12/2023 at \$15.23 hourly. Lisa Long, administrative assistant 1 with the District Attorney is replacing Stacey McWilliams, effective 1/17/2023 at \$17.17 hourly. Stacey McWilliams, reclassified from administrative assistant 1 to clerk 1, effective 1/17/2023 with no change in salary. 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 changes, 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

Lynn Jeffries stated that for the month of December he had 7 applications turned into the County which totaled \$1,495.00, and 32 renewal health permits for 2023 which came to a total of \$8,990.00.

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

No report submitted.

ITEM 13. Emergency Management Report – Shelly Butts

Report submitted. See attached.

ITEM 14. County Extension Agent Monthly Report-Allen Homann

Allen Homann stated they had their ECU Program last Friday and just over 80 people showed. This Friday they have a private application and have 5 signed up for that. Mr. Homann stated the 4-h kids at the Fort Worth show have been very well represented by Eliza, and he was going to let her talk about it. Eliza Lazenby stated that January has been very busy. On January 13th, they had bingo for the livestock judging kids, about 250 people were there and raised almost \$10,000.00. They plan to use the money for competition fees, travel expenses, hotel fees, and they stated a scholarship for the seniors that participate in livestock judging. We also have more kids participating in major shows than ever before. We had 16 individuals participate in Fort Worth with a lot of success. We are about to head to San Antonio. We have 32 kids competing in the livestock judging contest, and about 17-18 kids showing there as well.

ITEM 15. Veterans Affairs - Erica Greene

Report submitted. Judge Osborne read report. See attached. Judge Osborne also read an email from Pat Patterson, commending the Commissioners' Court for hiring Erica Greene.

ITEM 16. Elections Administrator-Bobbie Duke

No report was submitted.

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

Steve Cole stated for the month of December 2022, they transferred \$3,404.80 to the County, \$147.07 to Courthouse Security and technology, and \$2,032.01 to the State. Mr. Cole also stated that next month they are doing a warrant round up with their collection agency.

ITEM 18. Sheriff's Department – Bobby Adams

Bobby Adams gave a summary of the whole year for 2022. He also stated they are hoping to get the crime rate down in 2023 from what it was in 2022.

ITEM 19. Madison County Library – Veronica Landmann

No report was submitted.

ITEM 20. Historical Commission

No report was submitted.

ITEM 21. Judge's Report – Clark Osborne

Judge Osborne stated that the second meeting of next month will not be on Wednesday the 22nd, it will be on Friday the 24th. All the Commissioner's and his self will be at a conference.

Judge Osborne said that the BVCOG informed them there is some CDBG-MIT MOD money, Community Development Block Grant Mitigation, MOD send, Method of Distribution, Madison County is due to get \$912,600.00, the City of Midway \$982,800.00, and the City of Madisonville \$1,410,400.00. That money was left over from the 2015, 2016, and 2017 Flood Mitigation Grants. The original \$11 million of that was to go to the four Counties that didn't get funds and we were one of the four. Then they came up with some extra money to kick the total up to \$25 million, and then they brought in all of the counties in the COG and all the municipalities. The BVCOG did the allocations and came up with what I outlined. There will be a workshop at the COG on Monday, January 30, at 1:00 p.m. They are going to outline what a qualifying project would be.

Judge Osborne then stated he had a meeting with Entergy along with Mayor Parten, Kevin Story, Shelly Butts, and Donna Cuevas. We have agreed to let them make a statement about what the problems are with their infrastructure, and what they are going to do to solve it. They should have it to me by the end of the week, so that will be in next weeks paper. Judge Osborne then said the week before he had a meeting with Mid-South and their fiber project, confirming their routes and how they re going to come through town.

Judge Osborne then stated that the department heads received an email from Toni with the purchasing policy. He then said that the purchasing policy that was sent was not the policy that was approved by Commissioners' Court. He spoke to Judge Moorman, and they are going to revisit it with the auditor. She had some problems with what was approved and then we are going to see if we have legal issues with what was approved. If you are wanting an actual copy of the policy that was approved by Commissioners' Court it is on the P drive or you should have gotten it in an email if you were in office after May 10, 2021.

Our MOU with the City regarding fire protection, we don't pay them for fire, they don't pay us for the jail. One little caveat of that they don't charge us for garbage and street light services at the jail, that changed two years ago. I don't see those bills; those bills have been paid for the last two years. It came to our attention, and I got a copy of the agreement and showed it to them at the Mid-South Meeting and when I went to the Entergy meeting, we had a refund check for \$6,106.00, I believe.

The District Attorney is in the process of moving her older records off site, to clear office space in the courthouse.

And one more thing, Judi reminded me, we have all the elected officials on the standing reports except the Constables. We are probably going to add you later.

ITEM 22. 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.

ITEM 23. Discuss and consider approving the District Attorney's Office the authority to utilize a paralegal/intern, at no cost to the County. Work assignments and hours worked will be at the discretion of the District Attorney.

Courtney Cain, District Attorney, provided information to the court.

Commissioner Wiseman moved for approval; Commissioner Pohorelsky gave a second; and Judge Osborne called for a vote to approve the District Attorney’s Office the authority to utilize a paralegal/intern, at no cost to the County. Work assignments and hours worked will be at the discretion of the District Attorney, 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 approval for the District Attorney’s office to submit a grant application to the OOG for an investigator with a proposed budget in the amount of \$92,000 under the Violence Against Women Justice and Training Program (VAWA).

Courtney Cain, District Attorney, provided information to the court. See attached.

Commissioner Cannon moved for approval; Commissioner Wiseman gave a second; and Judge Osborne called for a vote to approve the District Attorney’s office to submit a grant application to the OOG for an investigator with a proposed budget in the amount of \$92,000 under the Violence Against Women Justice and Training Program (VAWA), 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 25. Discuss and consider approval for the District Attorney’s Office to submit a grant application to the OOG for Victim Assistance Coordinator with a proposed budget in the amount of \$86,000 under the General Victim Assistance program.

Courtney Cain, District Attorney, provided information to the court. See attached.

Commissioner Wiseman moved to approve; Commissioner Pohorelsky seconded the motion; and Judge Osborne called for a vote to approve the District Attorney’s Office to submit a grant application to the OOG for Victim Assistance Coordinator with a proposed budget in the amount of \$86,000 under the General Victim Assistance program, 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 26. Discuss and consider approval for the Madison County Sheriff’s Office to submit a grant application to the OOG for the purchase of a Mobile Automated Fingerprint Identification System with a proposed budget in the amount of \$30,000 under the Criminal Justice Grant Program.

Ashley Kishino, Sheriff Deputy, provided information to the court. See attached.

Commissioner Cannon moved for approval; Commissioner Wiseman seconded the motion; and Judge Osborne called for a vote to approve the Madison County Sheriff’s Office to submit a grant application to the OOG for the purchase of a Mobile Automated Fingerprint Identification System with a proposed budget in the amount of \$30,000 under the Criminal Justice Grant Program, 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 27. Discuss and consider approval for the Madison County Sheriff’s Office to submit a grant application to the OOG for the purchase of one TruNarc Handheld Narcotics Analyzer with a proposed budget of \$31,146 under the Criminal Justice Grant Program.

Ashley Kishino, Sheriff Deputy, provided information to the court. See attached.

Commissioner Starr made a motion to approve; Commissioner Cannon gave a second to the motion; and Judge Osborne called for a vote to approve the Madison County Sheriff’s Office to submit a grant application to the OOG for the purchase of one TruNarc Handheld Narcotics Analyzer with a proposed budget of \$31,146 under the Criminal Justice Grant Program, 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 28. Discuss and consider approval for the Madison County Sheriff’s Office to submit a grant application to the OOG for the purchase of a License Plate Reader system with a proposed budget of \$114,000 under the Criminal Justice Grant Program.

Ashley Kishino, Sheriff Deputy, provided information to the court. See attached.

Commissioner Starr moved to approve; Commissioner Pohorelsky gave a second; and Judge Osborne said we have a motion and second to approve the Madison County Sheriff’s Office to submit a grant application to the OOG for the purchase of a License Plate Reader system with a proposed budget of \$114,000 under the Criminal Justice Grant Program, 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 29. Discuss and consider approving the Madison County Sheriff’s Office request to sell surplus items via public auction attached hereto as “Item #29”.

Bobby Adams, Sheriff, provided information to the court. See attached.

Commissioner Pohorelsky moved to approve; Commissioner Wiseman gave a second; and Judge Osborne said we have a motion and second to approve the Madison County Sheriff’s Office request to sell surplus items via public auction attached hereto as “Item #29”, 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. Discuss and consider approving Madison County Constable Pct. 1 Racial Profiling Report.

See attached.

Commissioner Cannon moved to approve; Commissioner Starr gave a second; and Judge Osborne said we have a motion and second to approve Madison County Constable Pct. 1 Racial Profiling Report, 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 31. Discuss and consider approving Madison County Constable Pct. 2 Racial Profiling Report.

See attached.

Commissioner Pohorelsky moved to approve; Commissioner Wiseman gave a second; and Judge Osborne said we have a motion and second to approve Madison County Constable Pct. 2 Racial Profiling Report, 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 32. Accept Midway Entertainment Fall Music Fest 2022 post-event report.

See attached.

Commissioner Cannon moved to approve; Commissioner Wiseman gave a second; and Judge Osborne said we have a motion and second to approve Midway Entertainment Fall Music Fest 2022 post-event report, 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 33. Accept Brazos Valley’s Amber Alerts 2022 Annual Report.

See attached.

Commissioner Cannon moved to approve; Commissioner Starr gave a second; and Judge Osborne said we have a motion and second to accept Brazos Valley’s Amber Alerts 2022 Annual Report, 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 34. Discuss and consider approving the list of nominees to serve on the Madison County Historical Commission for a two-year term from January 2023 – December 2024.

Judge Osborne provided information to the court. See attached.

Commissioner Cannon moved to approve; Commissioner Starr gave a second; and Judge Osborne said we have a motion and second to approve the list of nominees to serve on the Madison County Historical Commission for a two-year term from January 2023 – December 2024, 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 35. Hear presentation by Hollow Branch Creek Solar LLC, representative and discussion regrading proposed solar farm development in Madison County.

Garrett Peters, Consultant for Solar Proponent, and Tom McIlwaine, Development Manager, gave presentation. No action taken.

SUPPLEMENTAL ITEMS

ITEM 1. Discuss and consider approving financial commitment letter to Mitigation Grants Officer- Texas Department of Emergency Management for the Hazard Mitigation Grant Program for the purchase of a full-facility generator to the Madison County Sheriff's Department.

Judge Osborne provided information to the court. See attached.

Commissioner Cannon made a motion to approve financial commitment letter and that the match money comes out of ARPA funds or Contingency either one, Commissioner Starr gave a second; and Judge Osborne said we have a motion and second to approve financial commitment letter to Mitigation Grants Officer- Texas Department of Emergency Management for the Hazard Mitigation Grant Program for the purchase of a full-facility generator to the Madison County Sheriff's Department, funding coming from ARPA or Contingency, 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 2. Discuss and consider Hazard Mitigation Grant Program Application Certification.

Judge Osborne provided information to the court. See attached.

Commissioner Starr moved to approve; Commissioner Cannon gave a second; and Judge Osborne said we have a motion and second to approve Hazard Mitigation Grant Program Application Certification, 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 3. Discuss and consider Hazard Mitigation Grant Terms and Conditions.

Judge Osborne Provided information to the court. See attached.

Commissioner Wiseman moved to approve; Commissioner Pohorelsky gave a second; and Judge Osborne said we have a motion and second to approve Hazard Mitigation Grant Terms and Conditions, 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.

END OF SUPPLEMENTAL ITEMS.

ITEM 36. **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 37. ADJOURN:

Commissioner Starr 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, January 25, 2023, at 11:21 A.M.

I, Adrian Lawson, Madison County Clerk, do hereby attest that the foregoing is a true and accurate accounting of the Commissioners Court’s authorized proceedings for January 25, 2023.

Approved and signed this 8th day of February 2023.

 Adrian Lawson, Clerk
 Commissioners Court
 Madison County, Texas

