



Minutes for the  
Madison County Commissioners Court  
Wednesday, March 22, 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 22<sup>nd</sup> day of March 2023, 9:34 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 Bunkin Bennett 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 March 8, 2023.

Judge Osborne asked for any comments or corrections to these minutes. Toni Joyner, Auditor, commented on statements made in the March 8, 2023, Commissioners' Court Meeting, about the Sheriff having a hard time trying to find someone to fill the Courthouse Security Officer for the rate of pay for that position, and that ARPA Funds are budgeted to open and filled positions at the Sheriff's Office. There was a discussion on the comments. Toni also explained why the compensation pay scale does not reflect the ARPA Funds. No correction needed.

ITEM 4. COLLECTION REPORTS

- a) Approve Collection Reports for County Clerk and County Criminal Court Report submitted. See attached.  
Commissioner Cannon made a motion to approve; Commissioner Starr gave a second; and Judge Osborne said we have a motion and second and called for a vote to approve the County Clerk and County Criminal Court collection reports for February 2023, all in favor.

**MOTION CARRIED.**

- b) Approve Collection Reports for District Attorney

Robin Whitney, Assistant District Attorney, stated they collected \$100.00 in restitution. We have also filed default judgments in chapter 59 forfeitures we are waiting on the Judge and hopefully have some more default judgments to report next time.

Commissioner Cannon made a motion to approve; Commissioner Starr gave a second; and Judge Osborne said we have a motion and second and called for a vote to approve District Attorney Report, all in favor.

**MOTION CARRIED.**

- c) Approve Collection Report for District Clerk  
No report submitted.

TREASURER – JUDI DELESANDRI

ITEM 5. Approve paying County bills.

Report submitted, see 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 March 22, 2023, county bills, all in favor.

**MOTION CARRIED.**

ITEM 6. Approve bills paid since last court date March 8, 2023.

Report submitted, see attached.

Commissioner Starr made a motion to approve; Commissioner Wiseman gave a second; and Judge Osborne called for a vote to approve bills paid since last court date March 8, 2023, all in favor.

**MOTION CARRIED.**

ITEM 7. Approve Treasurer's Report.

No report submitted.

ITEM 8. Approve personnel changes.

Report submitted, see attached. Commissioner Starr wanted to make note that a conversation needs to be had about what we are going to do when the ARPA money runs out and the financial impact that it is going to have.

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

**MOTION CARRIED.**

AUDITOR – TONI JOYNER

ITEM 9. Auditor's Report

Report submitted, see attached.

ITEM 10. Budget Amendments

No report submitted.

DEPARTMENTAL REPORTS

ITEM 11. Designated Representative Monthly Report - Lynn Jeffries

Report submitted, see attached.

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

No report submitted. Karen Lane, TAC, stated they sold 889 dump stickers, last year at this time they sold 913.

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

ITEM 14. County Extension Agent Monthly Report-Allen Homann  
No report submitted.

ITEM 15. Veterans Affairs - Erica Greene  
Report submitted, see attached.

ITEM 16. Elections Administrator-Bobbie Duke  
No report submitted.

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

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

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

ITEM 20. Constable – Charles Turner/Jim Jackson  
No report submitted.

ITEM 21. Historical Commission  
No report submitted. Judge Osborne mentioned the Historical Commission is getting grants to digitalize old newspapers, and that they are working with the County Library to do so. Judge Osborne also remarked on an historical marker application that was submitted and one that was approved. Judge Osborne then spoke about the construction of an Historical Commission website.

ITEM 22. Judge's Report – Clark Osborne  
No report submitted. Judge Osborne spoke about the budget, salary committee meeting, policy changes, inventory, and wanting to schedule a review to periodically look at the employee manual, purchasing policy, and any interlocal agreements. Judge Osborne mentioned the District Attorney trying to get to the bottom of all the unfiled cases and bond forfeiture hearings being scheduled. Judge Osborne then spoke about going to the Capital, Texans Against High-Speed Rail, and about bills on courtroom security, indigent defense, and lobbyist. Judge Osborne then reminded everyone agenda items are due by noon the Thursday prior to the Wednesday Commissioners' Court.

ITEM 23. **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.***

One Certificate of Attendance submitted. Lynn Jeffries for TOWA 2023 Annual Wastewater Conference, 10.50 hours. Two Public Participation forms were submitted to Clerk of Court. Larry Sanders spoke for agenda item #25. Larry Figley spoke for agenda item #25.

ITEM 24. Discuss and consider action on advertising for bids for the county depository contract for period beginning May 1, 2023 ending April 30, 2027.

Toni Joyner provided information to the court.

Commissioner Cannon made a motion; Commissioner Wiseman gave a second; and Judge Osborne called for a vote to negotiate an extension for renewal on the existing two-year contract in lieu of bids, all in favor.

**MOTION CARRIED.**

ITEM 25. Discuss and consider proclamation designating the month of April as Confederate History and Heritage Month.

See attached.

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

**MOTION CARRIED.**

ITEM 26. Discuss and consider accepting Lions Club Gun Show 2022 HOT funds report.

Bunkin Bennett provided information to the court. Report submitted, see attached.

Commissioner Cannon moved to approve; Commissioner Wiseman seconded the motion; and Judge Osborne called for a vote accept Lions Club Gun Show 2022 HOT funds report, all in favor.

**MOTION CARRIED.**

ITEM 27. Hear presentation from Kennie Kerr with PHI Air Medical and consider proposal made by PHI Air Medical for Madison County.

Kennie Kerr provided information to the court. See attached.

ITEM 28. Discuss and consider accepting quote from Kirby Smith Machinery, Inc. for a Takeuchi TL12V2 High Flow Skid Steer for Pct. 1.

Commissioner Ken Starr provided information to the court.

Commissioner Wiseman moved to approve; Commissioner Pohorelsky seconded the motion; and Judge Osborne called for a vote accepting the quote from Kirby Smith Machinery, Inc. for a Takeuchi TL12R2 High Flow Skid Steer for Pct. 1, all in favor.

**MOTION CARRIED.**

ITEM 29. Discuss and consider approving an Application for Proposed Communication Line Installation in County Right-of-Way to the Commissioners' Court of Madison County, Texas.

Judge Osborne provided information to the court.

Commissioner Starr moved to approve; Commissioner Pohorelsky seconded the motion; and Judge Osborne called for a vote approve Application for Proposed Communication Line Installation in County Right-of-Way of Madison County, Texas as presented with changes to section 8, compaction clause, adding section 15, Commissioner approval of plan prior to installation, and removing approved by Commissioners' Court and attest signature, all in favor.

**MOTION CARRIED.**

ITEM 30. Discuss and consider Entergy Texas, Inc.'s Application for Proposed Communication Line Installation in County Right-of-Way to the Commissioners' Court of Madison County, Texas.

Judge Osborne provided information to the court.

Commissioner Starr motion for no action; Commissioner Wiseman seconded the motion; and Judge Osborne called for a vote for no action on Entergy Texas, Inc.'s Application for Proposed Communication Line Installation in County Right-of-Way of Madison County, Texas, all in favor.

**MOTION CARRIED.**

ITEM 31. Discuss and consider Thomas A Hoffman and Jodi Hoffman’s Application for Final Minor Plat for Property recorded in Volume 1555, Page 216, Number 99961 of the Madison County Records. Shelly Butts provided information to the court.

Commissioner Cannon moved to approve; Commissioner Wiseman seconded the motion; and Judge Osborne called for a vote approve Thomas A Hoffman and Jodi Hoffman’s Application for Final Minor Plat for Property recorded in Volume 1555, Page 216, Number 99961 of the Madison County Records as per the included drawing and contingent upon the applicant providing Shelly with corrected survey, all in favor.

**MOTION CARRIED.**

ITEM 32. Discuss and consider Trinidad Cruz, Sr. and Hipolita Cruz Revocable Living Trust’s Application for Final Minor Plat for property recorded in Volume 1659, Page 111, Number 106547 of the Madison County Records.

Shelly Butts provided information to the court.

Commissioner Pohorelsky moved to approve; Commissioner Starr seconded the motion; and Judge Osborne called for a vote approve Trinidad Cruz, Sr. and Hipolita Cruz Revocable Living Trust’s Application for Final Minor Plat for property recorded in Volume 1659, Page 111, Number 106547 of the Madison County Records, all in favor.

**MOTION CARRIED.**

ITEM 33. Discuss and consider closing the 30-day comment period for Re-Plat to New Subdivision Application for Happy Houses Texas, LLC and approving the re-plat to be known as Preliminary Plat of Caroline’s Heaven Subdivision for property recorded in Volume 1893, Page 161, Number 119365 of the Madison County Records.

Shelly Butts provided information to the court.

Commissioner Wiseman made a motion; Commissioner Pohorelsky seconded the motion; and Judge Osborne called for a vote to approve closing the 30-day comment period for Re-Plat to New Subdivision Application for Happy Houses Texas, LLC, and table the re-plat to be known as Preliminary Plat of Caroline’s Heaven Subdivision for property recorded in Volume 1893, Page 161, Number 119365 of the Madison County Records, all in favor.

**MOTION CARRIED.**

ITEM 34. Discuss and consider Happy Houses Texas, LLC’s Application for Final Major Plat to be known as Final Plat of Caroline’s Heaven Subdivision for property recorded in Volume 1893, Page 161, Number 119365 of the Madison County Records.

Shelly Butts provided information to the court.

Commissioner Pohorelsky moved to table; Commissioner Starr seconded the motion; and Judge Osborne called for a vote table Happy Houses Texas, LLC’s Application for Final Major Plat to be known as Final Plat of Caroline’s Heaven Subdivision for property recorded in Volume 1893, Page 161, Number 119365 of the Madison County Records, all in favor.

**MOTION CARRIED.**

ITEM 35. Discuss and consider Application of 2139273 AB LTD’s Application for Final Minor Plat for property recorded in Volume 1915, Page 131, Number 120678 of the Madison County Records.

Shelly Butts provided information to the court.

Commissioner Pohorelsky moved to approve; Commissioner Wiseman seconded the motion; and Judge Osborne called for a vote approve Application of 2139273 AB LTD’s Application for Final Minor Plat for

property recorded in Volume 1915, Page 131, Number 120678 of the Madison County Records, all in favor.

**MOTION CARRIED.**

ITEM 36. Discuss and consider Bradley Wayne Brock’s Application for Final Minor Plat with Variance for property recorded in Volume 1587, Page 29, Number 101843 of the Madison County Records. Shelly Butts provided information to the court.

Commissioner Wiseman moved to approve; Commissioner Cannon seconded the motion; and Judge Osborne called for a vote approve Bradley Wayne Brock’s Application for Final Minor Plat with Variance for property recorded in Volume 1587, Page 29, Number 101843 of the Madison County Records.

VOTING:

Court	Aye	Nay	ABSTAIN	RECUSE
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			

**MOTION CARRIED.**

ITEM 37. **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 submitted to the Clerk of Court.

ITEM 38. ADJOURN:

Commissioner Wiseman made a motion to adjourn; Judge Osborne gave a second.

Meeting adjourned Wednesday, March 22, 2023, at 11:56 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 March 22, 2023.

Approved and signed this 12<sup>th</sup> day of April 2023.



*Adrian Lawson*

Adrian Lawson, Clerk  
Commissioners Court  
Madison County, Texas