



**Minutes for the
Madison County Commissioners Court
Wednesday, October 12, 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 12TH day of October 2022, 9:30 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
Billy McNutt	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 called on W. C. Bennett Jr. to give the invocation and Judge led 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 September 26, 2022, and Special Session Meeting, September 30, 2022. See attached.

ITEM 4. COLLECTION REPORTS

a) Approve collection reports for County Clerk and County Criminal Court

Susanne Morris, County Clerk presented September 2022 County Clerk collections, \$18,451.75 and County Criminal Court collections for September 2022, \$2,285.12. See attached.

Commissioner Cannon moved to approve; Commissioner Wiseman seconded the motion; and Judge Osborne called for a vote to approve County Clerk and County Criminal Court's collection reports for September 2022, all in favor.

VOTING:

Court	Aye	Nay	ABSTAIN	RECUSE
Clark Osborne, County Judge	X			
Billy McNutt, 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 October 12, 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 Osborne said we have a motion and second and called for a vote to approve paying October 12, 2022, county bills, all in favor.

VOTING:

Court	Aye	Nay	ABSTAIN	RECUSE
Clark Osborne, County Judge	X			
Billy McNutt, 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 September 26, 2022. See attached.

Commissioner Pohorelsky 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 September 26, 2022, all in favor.

VOTING:

Court	Aye	Nay	ABSTAIN	RECUSE
Clark Osborne, County Judge	X			
Billy McNutt, Commissioner Pct. 1	X			
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.

Judi Delesandri, County Treasurer presented a combined statement of cash receipts and disbursements for September 2022, and a combined statement of county finances for the quarter ending September 30, 2022. See attached.

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

VOTING:

Court	Aye	Nay	ABSTAIN	RECUSE
Clark Osborne, County Judge	X			
Billy McNutt, 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 8. Approve personnel changes
Judi Delesandri, County Treasurer reported no personnel changes.

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, Designated Rep. reported issuing eight septic system applications, fees totaling \$1,995.00 and issuing four health permits, fees totaling \$1,762.00.

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

Karen Lane, TAC submitted September 2022 monthly report, total funds collected, \$38,731.67; registration and title system fees for September, \$573,654.62; and Texas Parks & Wildlife boat titles, motor titles and renewals, fees for September 2022, \$3,951.16.

ITEM 13. Emergency Management Report – Shelly Butts

Shelly Butts, Emergency Management, 9-1-1, Subdivisions/Rural Development, Grants Coordinator submitted revenue for electric permits and address signs for a period of July 2014 through September 2022. Total electric permit fees collected for Fiscal Year October 1, 2021 through September 30, 2022 is \$9,960.00 and land division fees are \$9,170.00. Texas Department of Emergency Management has sent out the new Texas County Thresholds for FY 2023. FEMA set the threshold amounts for federally declared disasters for each county. Funding goes to the state level and then to the county level. Our county population is 13,455, so our losses would have to be at least \$59,740.20 to receive FEMA funding for any road damages or infrastructure damages, and it has to be uninsured losses. TDEM is encouraging everyone especially non-profits and school districts to keep track of their losses. We partner with the Ag Extension Agency to get numbers on ag losses, crop losses, that kind of thing and encourage the public to keep track and turn information into Emergency Management, Butts said. See attached.

ITEM 14. County Extension Agent Monthly Report-Allen Homann

Judge Osborne introduced Ty Jordan, Ag Extension Agent partnering with Madison and Leon Counties, his position is one hundred percent funded by Prairie View A&M University. Jordan said Prairie View's plan for putting an agent in Madison and Leon counties is to help with the underserved agriculture community, women in ag, minority groups, and to target all people interested in Agrilife. Job duties include assisting sign up for USDA, FSA loans, helping with programs and grants Prairie View has to offer, Jordan said. He is located at the Madison County Extension Agent's office, 300 School Street, #101, Madisonville, Texas 77864.

ITEM 15. Veterans Affairs – Open Position

Judge Osborne reported Danny Singletary has resigned as Madison County's Veterans Affairs Officer and applications are open to fill this position. Pat Patterson, Veterans Affairs Officer, Brazos County suggested getting an officer that seeks a higher certification to provide more services to local veterans. There is a possibility of getting a van from V.A. to transport our veterans for their health care, financial or other needs or possibly use of a van from our Sheriff's Department, Judge informed.

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

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

ITEM 18. Sheriff's Department – Bobby Adams
Sheriff Bobby Adams presented Patrol Division, Deputy Monthly Activity Report for September 1-30-2022, 338 total calls, 10 total arrest by S.O., 23 total charges by S.O., 105 total citations, 137 total warnings, 54 total arrests to jail, and 0 serious incidents in jail. See attached.

ITEM 19. Madison County Library – Veronica Landmann
Veronica Landmann, Library Director submitted Madison County Library Year End Report FY22 Statistics October 1, 2021 – September 30, 2022. See attached.

ITEM 20. Historical Commission –
An agenda report was submitted for the Historical Commission's October 11, 2022 meeting at Madisonville Kimbro Center. See attached.

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.***
No Public Participation forms were submitted to Clerk of Court.

ITEM 22. Discuss and consider Acceptance or Declination of Funds through the Regional Mitigation Program. See attached.

Shelly Butts, Emergency Management Coordinator explained funding for the Regional Mitigation Program. Texas General Land Office allocated \$25,041,000 to Brazos Valley region for distribution to municipalities and counties. Madison County's amount of funding is \$600,000, however should an entity decline acceptance in the program that amount will increase. The acknowledgment of acceptance or declination of funds form is due today, she said.

Commissioner Cannon moved to accept; Commissioner McNutt gave a second; and Judge Osborne called for a vote to acknowledge and accept funding through the Regional Mitigation Program, all in favor.

VOTING:

Court	Aye	Nay	ABSTAIN	RECUSE
Clark Osborne, County Judge	X			
Billy McNutt, 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 23. Discuss and consider approval requests from the Sheriff's Department to retire their bloodhound tracking K-9 "Rosie" and sell her to recoup the county funds. Approval to use the recouped county funds to purchase a new K-9 to be trained to replace Rosie.

Sheriff Bobby Adams said Rosie did not work out for the department and request to sell and replace her. Commissioner Pohorelsky moved for approval; Commissioner Wiseman seconded the motion; and Judge Osborne called for a vote to approve requests from the Sheriff's Department to retire their

bloodhound tracking K-9 "Rosie" and sell her to recoup the county funds. Approval to use the recouped county funds to purchase a new K-9 to be trained to replace Rosie, all in favor.

VOTING:

Court	Aye	Nay	ABSTAIN	RECUSE
Clark Osborne, County Judge	X			
Billy McNutt, Commissioner Pct. 1	X			
Carl Wiseman, Commissioner Pct. 2	X			
Carl Cannon, Commissioner Pct. 3	X			
David Pohorelsky, Commissioner Pct. 4	X			

No one opposed, motion carried.

ITEM 24. Discuss and consider request from the Sheriff's Department to destroy, donate or sell at public auction abandoned property which has been in the possession of the Madison County Sheriff's Office in excess of thirty (30) days.

Judge Osborne called on Calicia Kampf, Deputy, who explained she started this project in March 2022 to inventory abandoned property that has been in possession of the Sheriff's Department for multiple years. I have done due diligence and research on these abandoned property items; a majority do not have serial numbers and it would cost the county to go through the process at the tax office to get a serial number in order to sale an item on Swico Auction. Judge said, so Sheriff Adams and you are requesting permission to use your judgment as far as legal methods to dispose of this abandoned property, Sheriff and Kampf agreed.

Commissioner Wiseman moved to approve the request; Commissioner McNutt seconded the motion; and Judge Osborne called for a vote to approve the request from the Sheriff's Department to destroy, donate or sell at public auction abandoned property which has been in the possession of the Madison County Sheriff's Office in excess of thirty (30) days, all in favor.

OTING:

Court	Aye	Nay	ABSTAIN	RECUSE
Clark Osborne, County Judge	X			
Billy McNutt, 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 application for final minor plat for property recorded in Volume 194, page 139 and Volume 1754, Page 283, Number 111944 of the Madison County Records located in the John Crist League Survey, Abstract 0011, Tracts 49 and 65, being 141.50 acres and 20.173 acres more or less.

Shelly Butts, Subdivisions/Rural Development Coordinator said applicant is joining two tracts, then dividing them into two separate tracts, tract one is an 80.902 acre tract and tract two is the residual. This application meets the requirements of the county's subdivision rules and regulations for a minor plat. The driveway may need to be moved due to a drainage issue; this area is not in a flood plain but there could be possible flooding on the property.

Commissioner Wiseman moved to approve; Commissioner Pohorelsky gave a second; and Judge Osborne called for a vote to approve application for final minor plat for property recorded in Volume 194, page 139 and Volume 1754, Page 283, Number 111944 of the Madison County Records located in the John Crist League Survey, Abstract 0011, Tracts 49 and 65, being 141.50 acres and 20.173 acres more or less, all in favor.

VOTING:

Court	Aye	Nay	ABSTAIN	RECUSE
Clark Osborne, County Judge	X			
Billy McNutt, 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 application and preliminary plat for property recorded in Volume 1816, page 107, Number, 15411 of the Madison County Records. Located in the James M. Harbour Survey Tract 1-5, Abstract 0109 of Willow Branch Estates with drainage considerations. See attached. Shelly Butts, Subdivisions/Rural Development Coordinator said she, Commissioner Pohorelsky, Pct. 4, Judge Osborne met with Doak and Jennifer Dunkin, developers and reviewed the plat. All of the lots now meet Madison County subdivision requirements without any variances requested. There are 14 property tracts ranging from 5 acres up to 48.87 acres. Survey plat shows utility lines, estimated flood plain from engineer's report and small creek areas. Engineer suggested no construction within fifty feet of the creeks. Deed restrictions are recorded on page two of the plat. Judge Osborne said the last time this application was submitted it was a 15-tract subdivision and each tract required a variance. The developers have gone back and redrawn the plat to 14 tracts meeting all the regulations with no variances required.

Commissioner Wiseman made a motion to approve; Commissioner Pohorelsky gave a second; and Judge Osborne said we have a motion and second to approve application and preliminary plat for property recorded in Volume 1816, page 107, Number, 15411 of the Madison County Records. Located in the James M. Harbour Survey Tract 1-5, Abstract 0109 of Willow Branch Estates with drainage considerations, all in favor.

VOTING:

Court	Aye	Nay	ABSTAIN	RECUSE
Clark Osborne, County Judge	X			
Billy McNutt, 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 27. Discuss and consider application for final major plat for property recorded in Volume 1816, page 107, Number, 15411 of the Madison County Records. Located in the James M. Harbour Survey Tract 1-5, Abstract 0109 of Willow Branch Estates with drainage considerations. See attached. Shelly Butts, Subdivisions/Rural Development said since there were no changes to the preliminary plat approved in agenda item 26, the court shall consider final major plat for Willow Branch Estates. Commissioner Wiseman moved to approve; Commissioner McNutt seconded the motion; and Judge Osborne called for a vote to approve application for final major plat for property recorded in Volume 1816, page 107, Number, 15411 of the Madison County Records. Located in the James M. Harbour Survey Tract 1-5, Abstract 0109 of Willow Branch Estates with drainage considerations, all in favor.

VOTING:

Court	Aye	Nay	ABSTAIN	RECUSE
Clark Osborne, County Judge	X			
Billy McNutt, 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 FY2023 Madison County Resolution – Indigent Defense Grant Program. Donna Cuevas, Judge’s Assistant, said this is a grant we receive every year, Indigent Defense, the county is guaranteed \$15,000 reimbursement for court appointed attorney fees.

Commissioner Pohorelsky moved to approve; Commissioner Wiseman gave a second to the motion; and Judge Osborne called for a vote to approve FY2023 Madison County Resolution – Indigent Defense Grant Program, all in favor.

VOTING:

Court	Aye	Nay	ABSTAIN	RECUSE
Clark Osborne, County Judge	X			
Billy McNutt, 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 extending Burn Ban for Madison County.

Commissioner Pohorelsky moved to extend the Burn Ban; Commissioner Wiseman seconded the motion; and Judge Osborne called for a vote to extend the Burn Ban for Madison County, all in favor.

VOTING:

Court	Aye	Nay	ABSTAIN	RECUSE
Clark Osborne, County Judge	X			
Billy McNutt, 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 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	RECUSE
Clark Osborne, County Judge	X			
Billy McNutt, Commissioner Pct. 1	X			
Carl Wiseman, Commissioner Pct. 2	X			
Carl Cannon, Commissioner Pct. 3	X			
David Pohorelsky, Commissioner Pct. 4	X			

Unanimous agreement, motion carried.

Meeting was adjourned Wednesday, October 12, 2022, at 10:13 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 October 12, 2022.

Approved and signed this 26th day of October 2022.



Susanne Morris, Clerk
Commissioners Court
Madison County, Texas

