



Minutes for the
Madison County Commissioners Court
Friday, January 17, 2020
SPECIAL SESSION

THE STATE OF TEXAS
COUNTY OF MADISON

IN COMMISSIONERS COURT
OF MADISON COUNTY TEXAS

The Madison County Commissioners Court met in Special Session the 17th day of January 2020, 10:00 a.m., in the Courtroom of the Madison County Courthouse Annex, 103 West Trinity Street, Suite 106, Madisonville, Texas with the following members:

Tony Leago	County Judge	Present
Ricky Driskell	Precinct 1, Commissioner	Absent
Carl Wiseman	Precinct 2, Commissioner	Present
Carl Cannon	Precinct 3, Commissioner	Present
David Pohorelsky	Precinct 4, Commissioner	Present

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

The meeting was called to order with a quorum present.

ITEM 3. Public Comment-Hear Comments in reference to the following Agenda Items Only-time limit three (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.

ITEM 4. Discuss and consider approving final minor plat recorded in Volume 1657, Page 119, Number 106398 of the Madison County Records. Located in the Zoraster Robinson Survey, Tract 26, Abstract 0028, 54.097 acres more or less being divided into three lots with a 20' easement to (1) a subdivided lot of 1.110 acres and to (2) the residual of an 11.00 acre tract, leaving (3) the residual of the original 54.097 acre tract.

Judge Leago called on Gordon Wells and Becky Whiten, B & GW Homes, Inc. Wells presented a Private Road Maintenance Agreement as requested by the commissioners at regular meeting of the court January 13, 2020. This private road agreement is for access to an 11-acre tract of land at the end of the 54.097 acres. The landowner will add a rock road to lead up to his house. Wells located on the map the location of the gas well head for the judge and commissioners. Wells said there had not been any activity by the oil company for seven or eight years and Railroad Commission could not give him an answer on what they plan to do with it. Commissioner Cannon said our concern is the well, it is a sour

gas well and how close a house can be built to it. Wells and Whiten said there will not be houses built near the well head. They had brought another survey drawing for another division of land and discussed their plans for the future. Commissioner Cannon said there will be no action on any other divisions only the 11 acres today. Judge Leago said he wants the assurance there will be only four homes on the property. Wells answered, that's it, only two homeowners will use the private road. Commissioner Cannon said because we do not know what conflict may arise with the oil company and using the private road and not being privy to rules and regulations of the sour gas well, the county would like to have an affidavit releasing the county of any responsibility or any conflicts between you and the other landowners or the oil company. There has to be a variance because the 20' easement does not comply with the county's subdivision rules. Judge Leago said he believes the commissioners are not opposed to granting you a variance on the 20' easement to the 11-acre division with the exception that the county will not be responsible for any future occurrences. Whiten referred to item #15 on their Private Road Maintenance Agreement. Judge Leago said we would ask our District Attorney to look at their agreement and compose one for Madison County's interest and concerns. The agreement will require each landowner to sign and acknowledge the document. Wells and Whiten both agreed. Commissioner Cannon asked Commissioner Pohorelsky and Commissioner Wiseman if they wanted to take action and approve a variance on the 11-acres, to approve the final minor plat under the condition that Wells and Whiten agree to an affidavit that we have prepared with the proposed changes in the wording. Commissioner Wiseman gave a second to the motion and Judge called for a vote.

VOTING:

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

All in favor, motion carried.

ITEM 5. 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 Commissioners.

No one submitted a Public Participation form.

ITEM 6. ADJOURN

Commissioner Wiseman moved to adjourn; Commissioner Cannon gave a second; and Judge called for a vote.

VOTING:

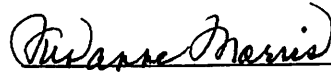
Court	Aye	Nay	ABSTAIN	RECUSE
Tony Leago, County Judge	X			
Ricky Driskell, Commissioner Pct. 1				
Carl Wiseman, Commissioner Pct. 2, Absent	X			
Carl Cannon, Commissioner Pct. 3	X			
David Pohorelsky, Commissioner Pct. 4	X			

All in favor, motion carried.

The meeting adjourned Friday, January 17, 2020 at 10:29 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 January 17, 2020.

Approved and signed this 27th day of January 2020.



Susanne Morris, Clerk
Commissioners' Court
Madison County, Texas

