



Minutes for the
Madison County Commissioners Court
Monday, April 26, 2021

Item #3

THE STATE OF TEXAS
COUNTY OF MADISON

IN COMMISSIONERS COURT
OF MADISON COUNTY TEXAS

The Madison County Commissioners Court met in Regular Session the 26TH day of April 2021, 9:34 a.m., at the Madison County Courthouse Annex, County Courtroom, 103 W. Trinity Street, Suite 106, Madisonville, Texas with the following members:

Tony Leago	County Judge	Present
Ricky Driskell	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

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.

COUNTY CLERK – SUSANNE MORRIS

ITEM 3. Review and/or correct minutes of Regular Meeting held April 12, 2021. See attached. Judge Leago asked for any comments or corrections to the minutes, there were none, the minutes stand as presented.

ITEM 4. COLLECTION REPORTS

- a) Approve Collection Reports for County Clerk and County Criminal Court.
No reports were submitted.
- b) Approve Collection Reports for District Attorney
No reports were submitted.
- c) Approve Collection Reports for District Clerk
No reports were submitted.

TREASURER – JUDI DELESANDRI

ITEM 5. Approve paying County bills.

Accounts Payable Claims List for April 26, 2021 was submitted. See A/P Claims List attached. Commissioner Pohorelsky moved to approve paying county bills; Commissioner Wiseman gave a second; and Judge Leago called for a vote.

VOTING:

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

All approved, motion carried.

ITEM 6. Approve bills paid since last court date April 12, 2021. See attached.

Commissioner Driskell made a motion to approve bills paid since last court date, April 12, 2021, 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	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 Reports.

No reports were submitted.

ITEM 8. Approve personnel changes.

No personnel changes were submitted.

AUDITOR – TONI JOYNER

ITEM 9. Auditor' Report

A budget analysis report for April 26, 2021 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, Tax A/C

Tax A/C Lane said each year in the month of April, Texas Comptroller of Public Accounts sends an annual tax commission for the county's effort in collecting Motor Vehicle Sales Tax. Madison County's 2021 tax commission is \$256,906.80. Lane said this year's tax commission is up by \$13,000. Judge Leago said he received a letter saying the county will receive a little less than \$5,000 from the Tobacco lawsuit. See attached.

ITEM 13. Emergency Management Report – Shelly Butts.

Butts thanked commissioners and administration for their work in updating Subdivision Regulations due to all development going on in our county. She reported COVID numbers have slowed down, from a report last Friday, there are 12 active cases in the county. Judge Leago said COVID cases in three counties that connect with our county have slowed down too. Butts said they had 320 doses of the vaccine at the last vaccine clinic and only 120 doses were administered, people are not coming to get vaccinated, but several have already received it. The recent scare factor with the Johnson and Johnson vaccine being pulled back could have impacted this. We do not have any vaccine clinics scheduled at this time, Butts said.

ITEM 14. County Extension Agent Monthly Report – Chadd Caperton

No report was submitted.

ITEM 15. Veterans Affairs – Danny Singletary

Singletary assisted six veterans to College Station and two to Temple for health care services; assisted one veteran with filing a claim; and clocked 1,100 miles.

ITEM 16. Elections Administrator-Janet Boone

No report was submitted.

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

No reports were submitted.

ITEM 18. 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 for comments.

Comment: Lynn Jeffries, Wastewater Designated Representative completed ten (10) hours with The Texas Onsite Wastewater Association. See topics and certificates attached.

ITEM 19. Discuss and consider approving Oxford Cemetery Dedication May 15, 2021 Proclamation. See attached.

Judge Leago asked if someone would like to comment on this item, Jane Pryor, Secretary/Treasurer, Oxford Cemetery Association, spoke for the association group. She thanked Commissioner Pohorelsky, Pct. 4, and Lloyd Mason, Association President for getting the May 15, 2021 dedication ready. Pryor said the association was approved in 2016 for the marker, but it took this long to get it put up. She said we are glad that we are getting proclaimed as a Texas Historical Cemetery and look forward to all who can attend. Judge Leago said it is wonderful for our county. I salute you and I know I speak for the commissioners, too, for the hard work you do to preserve the rich history of this county.

Commissioner Pohorelsky moved to approve the Proclamation; Commissioner Driskell agreed and gave a second; and Judge Leago said we have a motion and second to approve Oxford Cemetery Dedication May 15, 2021 Proclamation; and called for a vote.

VOTING:

Court	Aye	Nay	ABSTAIN	RECUSE
Tony Leago, County Judge	X			
Ricky Driskell, 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 20. Discuss and consider approving Revised Order for Term for Madison County Commissioners Court. See attached.

Donna Cuevas, Assistant to Judge Leago said this is to correct May 24, 2021 meeting day which is Monday, not Tuesday, as originally ordered.

Commissioner Cannon made a motion to approve Madison County Commissioners' Court Revised Order for Term; Commissioner Driskell gave a second; and Judge called for a vote on Revised Order for Term for Madison County Commissioners' Court.

VOTING:

Court	Aye	Nay	ABSTAIN	RECUSE
Tony Leago, County Judge	X			
Ricky Driskell, 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 21. Discuss and consider approving funds from the Cares Grant Fund in an amount of \$10,000.00 to North Zulch VFD.

Commissioner Cannon made a motion to approve; Commissioner Wiseman gave a second; and Judge Leago called for a vote to approve funds from the Cares Grant Fund (Coronavirus Aid, Relief and Economic Security) in an amount of \$10,000.00 to North Zulch VFD.

VOTING:

Court	Aye	Nay	ABSTAIN	RECUSE
Tony Leago, County Judge	X			
Ricky Driskell, 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 22. Discuss and consider approving funds from the Cares Grant Fund in the amount of \$10,000.00 to Midway VFD.

Commissioner Driskell moved to approve funds from the Cares Grant Fund, \$10,000.00; Commissioner Wiseman gave a second; and Judge said we have a motion and second to approve funds from the Cares Grant Fund in the amount of \$10,000.00 to Midway VFD; and called for a vote.

VOTING:

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

All approved, motion carried.

ITEM 23. Discuss and consider approving funds from the Cares Grant Fund in the amount of \$60,000.00 for Communication System – matching funds for console grant.

Judge Leago said this is to upgrade the console in dispatch office at Sheriff's department. We have a grant for majority of the cost, but the county expense is to match \$60,000.00. We deemed this would be a good place to use \$60,000.00 from this fund and save the county some expense. Shelly Butts,

Emergency Management Coordinator said the Communication System is being tested at Texas Communications and she and Sheriff Bobby Adams will test the system soon.

Commissioner Wiseman moved to approve funds from the Cares Grant Fund in the amount of \$60,000.00; Commissioner Pohorelsky seconded the motion; and Judge Leago called for a vote on approving funds from the Cares Grant Fund in the amount of \$60,000.00 for Communication System – matching funds for console grant.

VOTING:

Court	Aye	Nay	ABSTAIN	RECUSE
Tony Leago, County Judge	X			
Ricky Driskell, 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 funds from the Cares Grant Fund in the amount of \$80,000.00 for Communication System – replacement of subscriber units.

Judge Leago said we have been in the process for some length of time to upgrade our communication system. The units as we call them; and called on Sheriff Bobby Adams to hold up a handheld unit for show. The subscriber units are on loan and we will have to replace them in a timely manner. These funds would be used to start the process of us owning our own equipment and we plan to start with the handheld units. As we get the new subscriber units, we will return the loaners to BVWAC (Brazos Valley Wide-Area Communication System). We are looking at three to four years to complete the process, to get them transitioned over. Shelly Butts, Emergency Management Coordinator said we do not send the units back to BVWAC, but on to another county that has come onboard with a communication system. Commissioner Cannon asked is there one supplier or will we have to take bids to purchase the units. Butts said BVWAC has a contract with Texas Communications, and they have approved vendors who have state cooperatives for purchasing. Judge said essentially a State of Texas purchasing contract. Commissioner Cannon made a motion to approve; Commissioner Driskell gave a second to the motion; and Judge Leago said we have a motion and a second to approve funds from the Cares Grant Fund in the amount of \$80,000.00 for Communication System – replacement of subscriber units; and called for a vote.

VOTING:

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

All approved, motion carried.

ITEM 25. Discuss and consider approving funds from the Cares Grant Fund in the amount of \$8,750.00 for Communication System – batteries for handheld radios.

Commissioner Driskell moved to approve; Commissioner Cannon seconded the motion; and Judge said we have a motion and second to approve funds from the Cares Grant Fund in the amount of \$8,750.00 for Communication System – batteries for handheld radios; and called for a vote.

VOTING:

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

Unanimous vote, motion carried.

ITEM 26. Discuss and consider approving funds from the Cares Grant Fund in the amount of \$30,000.00 for Emergency Management Mitigation – update of Hazard Mitigation Plan.

Judge called on Shelly Butts, Emergency Management Coordinator to explain this request. She said we have a county-wide Hazard Mitigation Plan that covers cities and municipality, this identifies projects we can do to mitigate future damages if we want to request mitigation funds in the future, so when a disaster happens any where across the state grant funds may open for projects to help mitigate damages in other areas or the immediate area. We have several of these grants, but we applied for one several years ago to update our plan, which is out of date, and it has been tied up for about three years. We request that we hire a firm, not using a grant, to get it written. We can have our projects identified and have our mitigation plan in place. The current grant that we are waiting on will be left in place, but the plan should be updated every five years. Approving these funds would get us back up to date for plans to request funds for future mitigation projects. Judge Leago said it my understanding with the absence of this mitigation plan, where we are now, does it set up roadblocks for us getting future grants. Butts said, yes, if you have a project mentioned in your mitigation plan you can receive points on a grant application it is a major factor if you are asking for mitigation funds.

Commissioner Wiseman made a motion to approve funds from Cares Grant Fund; Commissioner Pohorelsky gave a second to the motion; and Judge Leago said motion and second have been made to approve funds from the Cares Grant Fund in the amount of \$30,000.00 for Emergency Management Mitigation – update of Hazard Mitigation Plan; and called for a vote.

VOTING:

Court	Aye	Nay	ABSTAIN	RECUSE
Tony Leago, County Judge	X			
Ricky Driskell, 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 approving funds from the Cares Grant Fund in the amount of \$50,000.00 for Sheriff's Office – New replacement vehicle.

Commissioner Pohorelsky made a motion to approve; Commissioner Wiseman gave a second to the motion; and Judge Leago called for a vote on approving funds from the Cares Grant Fund in the amount of \$50,000.00 for Sheriff's Office – New replacement vehicle.

VOTING:

Court	Aye	Nay	ABSTAIN	RECUSE
Tony Leago, County Judge	X			
Ricky Driskell, 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 approving funds from the Cares Grant Fund in the amount of \$5,500.00 for Sheriff's Office – In-car camera systems for 2 vehicles.

Judge Leago said he would like to note a correction to this agenda item, it is for one In-car camera system, Sheriff Bobby Adams agreed. Judge said it is my understanding in this budget year you are budgeted for two vehicles and those vehicles will have the cameras in place. Yes, that is correct Sheriff Adams said. So, if this is approved all sheriff department vehicles will be equipped as they should be. Sheriff answered, yes.

Commissioner Wiseman made a motion to approve; Commissioner Pohorelsky seconded the motion; and Judge Leago said we have a motion and second to approve funds from the Cares Grant Fund in the amount of \$5,500.00 for Sheriff's Office – In-car camera systems for one vehicle; and called for a vote.

VOTING:

Court	Aye	Nay	ABSTAIN	RECUSE
Tony Leago, County Judge	X			
Ricky Driskell, 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 29. Discuss and consider approving Madison County offering payroll direct deposit to County Employees.

Commissioner Pohorelsky made a motion to approve; Commissioner Wiseman seconded the motion; and Judge Leago called for a vote for approving Madison County offering payroll direct deposit to County Employees.

VOTING:

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

Unanimous vote, motion carried.

ITEM 30. Discuss and consider appointment/reappointment of Herbert Gilbert, Sara Naciencino, Steven Jeter, Ashley Kishino and Donna Cuevas to serve a two-year term as members to the BVCOG Criminal Justice Advisory Committee (CJAC).

Commissioner Driskell so moved to approve; Commissioner Cannon gave a second to the motion; and Judge Leago said we have a motion and second to approve appointment/reappointment of Herbert Gilbert, Sara Naciencino, Steven Jeter, Ashley Kishino, and Donna Cuevas to serve a two-year term as members to the BVCOG Criminal Justice Advisory Committee; and called for a vote.

VOTING:

Court	Aye	Nay	ABSTAIN	RECUSE
Tony Leago, County Judge	X			
Ricky Driskell, 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 31. Discuss and consider final minor plat and request for variance on property recorded in Volume 1674 Page 221, number 107488 of the Madison County records. Located in the Arter Crownover Survey, Abstract 0013, Tract 23, 19.24 acres more or less.

Lynn Jeffries, Designated Representative said this agenda item should be tabled until a new survey of the property is completed.

Commissioner Cannon moved to table agenda item 31; Commissioner Pohorelsky gave a second to the motion; and Judge Leago called for a vote.

VOTING:

Court	Aye	Nay	ABSTAIN	RECUSE
Tony Leago, County Judge	X			
Ricky Driskell, 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 32. Discuss and consider approving Madison County, Texas – Subdivision Regulations.

Shelly Butts, Rural Development Coordinator said this is the results of a workshop held last week. We are taking basic pieces out of current regulations and updating them. TxDOT has asked us to put a requirement in place when someone is developing and is adding a driveway off a state, maintained highway. She read Subdivision Regulations 5.2 (Page 12 or 36) Proposed Subdivision Access. "If a development fronts a state-maintained roadway, such as State Highways or Farm to Market roads, the developer must comply with TxDOT rules and regulations for access. As part of the application for subdivision development, the developer shall provide a letter of preliminary approval for subdivision access point from TxDOT, signed by duly authorized agent of TxDOT and include a longitude and latitude location for the access point". We have added TxDOT wording in several other places in the regulations. There are some other minor changes made in updating policy and procedures, and the numbering system has been realigned, she said.

Commissioner Cannon moved to approve Subdivision Regulations; Commissioner Driskell gave a second; and Judge Leago called for a vote for approving Madison County, Texas – Subdivision Regulations.

VOTING:

Court	Aye	Nay	ABSTAIN	RECUSE
Tony Leago, County Judge	X			
Ricky Driskell, 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 33. Discuss and consider approving Madison County Subdivision Regulations Fee Schedule. Shelly Butts, Rural Development Coordinator said during that same workshop, there were multiple copies of fee schedules from various counties reviewed to decide the fairest way to add some income for the review process, and for the number of hours involved. We do not want the tax payers burdened with development costs completely. This fee schedule will pull some funds from developers that are moving forward with their application. Butts read the Subdivision Regulations Fee Schedule. Commissioner Wiseman made a motion to approve; Commissioner Driskell gave a second; and Judge Leago called for a vote for approving Madison County Subdivision Regulations Fee Schedule.

VOTING:

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

All approved, motion carried.

ITEM 34. **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 Clerk of Court for comments.

ITEM 25. ADJOURN

Commissioner Wiseman made a motion to adjourn; Commissioner Pohorelsky 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	X			
Carl Wiseman, Commissioner Pct. 2	X			
Carl Cannon, Commissioner Pct. 3	X			
David Pohorelsky, Commissioner Pct. 4	X			

No one opposed, motion carried.

Meeting was adjourned Monday, April 26, 2021 at 10:08 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 April 26, 2021.



Approved and signed this 10th day of May 2021.

Susanne Morris

Susanne Morris, Clerk
Commissioners Court
Madison County, Texas