

**Minutes for the
Madison County Commissioners Court
Monday, October 25, 2021**

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 October 2021, 8:30 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 October 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 Report for District Clerk

Rhonda Savage, District Clerk gave September 2021 Fee Report submitted to County Treasurer, \$17,879.15. See attached.

Commissioner Cannon made a motion; Commissioner Driskell gave a second; and Judge said there is a motion and second to approve District Clerk's September 2021 Fee Report, all in favor.

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.

TREASURER – JUDI DELESANDRI

ITEM 5. Approve paying County bills.

Accounts Payable Claims List for October 25, 2021, was submitted. See A/P Claims List attached.

Commissioner Pohorelsky made a motion to approve; Commissioner Wiseman gave a second; and Judge Leago said we have a motion and second and called for a vote to approve paying County bills.

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

Commissioner Driskell made a motion to approve; Commissioner Wiseman gave a second; and Judge Leago called for a vote to approve bills paid since last court date October 12, 2021, all in favor.

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 Report.

No report was submitted.

ITEM 8. Approve personnel changes.

Judi Delesandri, Treasurer reported one payroll change, Devin Kindon was hired 10-18-2021, Jailer position, Sheriff's Department, replacing Kristie Brown, at \$12.79 hourly. See attached.

Commissioner Pohorelsky moved to approve; Commissioner Wiseman gave a second; and Judge Leago called for a vote to approve personnel changes.

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.

AUDITOR – TONI JOYNER

ITEM 9. Auditor's Report

A budget analysis report for October 25, 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
Jeffries reported on three septic system applications, fees totaling \$690; and September Safety meeting with fifteen county employees present.

ITEM 12. Tax Assessor/Collector Monthly Report – Karen Lane, Tax A/C
No report was submitted.

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

ITEM 14. County Extension Agent Monthly Report – Chadd Caperton
No report was submitted.

ITEM 15. Veterans Affairs – Danny Singletary
No report was submitted.

ITEM 16. Elections Administrator-Bobbie Duke
There were 295 early voters, and eleven absentee ballots received the first week of early voting, October 18-22, 2021, for the November 2, 2021, Special Constitutional Amendments and Madison County Hospital District election, Duke said.

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.

Judge Leago said due to early voting going on and to accommodate Bobbie Duke, Elections Administrator we are moving **Agenda Item 27, "Discuss and consider quotes for building cabinets to secure voting machines in the election administrator's office"** to be heard at this time. Bobbie Duke, EA, explained she has \$20,000 in Security Grants Funds and would like to remodel the EA office to accommodate and secure new election machines and equipment required by the new election law. She presented three quotes for the court's consideration. See attached. Commissioner Cannon moved to approve the quote of JDO Services LLC, \$11,750; Commissioner Driskell gave a second; and Judge called for a vote to approve quote from JDO Services, LLC, \$11,750 for building cabinets to secure voting machines in the election administrator's office, all in favor.

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 19. Discuss and consider one-year service contract with Canon Solutions for copier at Adult Probation Department. See attached.

Judge explained this is a renewal contract for the copier. Commissioner Pohorelsky moved to approve; Commissioner Cannon gave a second; and Judge said we have a motion and second to approve one-year service contract with Canon Solutions for copier at Adult Probation Department, all in favor.

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 20. Discuss and consider authorizing Madisonville Mustang Band to perform a concert on the courthouse steps on December 11, 2021, beginning at 1:00 p.m.

Commissioner Pohorelsky made a motion to approve; Commissioner Cannon gave a second to the motion; and Judge called for a vote to approve Madisonville Mustang Band to perform a concert on the courthouse steps on December 11, 2021, beginning at 1:00 p.m.

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 nomination for the Madison CAD Board of Directors. See attached.

Judge said William C. Bennett has agreed to serve on the CAD Board of Directors for term of office beginning January 1, 2022, ending December 31, 2023.

Commissioner Cannon moved to approve; Commissioner Driskell gave a second; and Judge Leago called for a vote to approve William C. Bennett for the Madison CAD Board of Directors, all in favor.

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. **PUBLIC HEARING** to discuss District Clerk's Archive Fee Plan for the District Clerk's Technology Fund, to fund, GC 51, subchapter D, for the preservation and restoration of the District Clerk's records. See attached.

Rhonda Savage, Madison County District Clerk presented a Preservation and Restoration Records Plan and requested court to sign an order to adopt. Judge Leago said this Public Hearing is now open for comment.

Commissioner Cannon made a motion to approve; Commissioner Driskell gave a second; and Judge Leago called for a vote to approve District Clerk's Archive Fee Plan for the District Clerk's Technology Fund, to fund, GC 51, subchapter D, for the preservation and restoration of the District Clerk's records, all in favor.

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.

There were no public comments, Judge Leago closed the Public Hearing.

ITEM 23. Discuss and consider Cost of Living Adjustment for Madison County Retirees and funding for such.

Judi Delesandri, Treasurer said there has not been an increase in Cost-of-Living Adjustments (COLA) for retirees since 2015, in the past they were given a CPI (Consumer Price Index) raise. Further information was requested by the commissioners, so Delesandri agreed to contact a TAC Benefits Consultant for further information and present it at the next commissioners' court meeting.

Commissioner Cannon moved to take no action on this item; Commissioner Driskell gave a second; and Judge said we have a motion and second to table Item 23 Cost of Living Adjustment for Madison County Retirees and funding for such, all in favor.

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 24. Discuss and consider minor final plat with variance for property recorded in Volume 1782, Page 9, Number 113519 of the Madison County Records. Located in the Jesse Young Survey, Abstract 0247, Tract 113-5, being 24.8729 acres more or less, known as 9892 Goose Prairie Road, Midway, Texas, and others to be determined. Said division resulting in the creation of four tracts: 1) Tract 1, 6.3192 acres, 2) Tract 2 6.2264 acres, 3) Tract 3 6.1589 acres, and 4) Tract 4 6.1684 acres, as attached to this application.

Lynn Jeffries, Designated Representative explained this is 24.8729 acres divided into four tracts each six acres more or less, they have road frontage along Goose Prairie Road in Midway, this is a minor plat with request for variance due to the width verse depth ratio.

Commissioner Cannon moved to approve; Commissioner Driskell gave a second; and Judge Leago called for a vote to approve minor final plat with variance for property recorded in Volume 1782, Page 9, Number 113519 of the Madison County Records. Located in the Jesse Young Survey, Abstract 0247, Tract 113-5, being 24.8729 acres more or less, known as 9892 Goose Prairie Road, Midway, Texas, and

others to be determined. Said division resulting in the creation of four tracts: 1) Tract 1, 6.3192 acres, 2) Tract 2 6.2264 acres, 3) Tract 3 6.1589 acres, and 4) Tract 4 6.1684 acres, as attached to this application, all in favor.

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 25. Discuss and consider revision to Minimum Wage, Overtime Pay and Compensatory Time – Law Enforcement Non-FLSA Overtime Exceptions, Section 4.03 Page 3 of the Madison County Personnel Manual.

Nicki Brady, Treasurer’s payroll clerk explained this revision is to update county’s Personnel Policy Manual for Law Enforcement Non-FLSA Overtime Exceptions. We have been complying for the past year when the law changed, but county’s Personnel Policy needs to be updated to say, the county will pay an employee any monetary values for the hour-for-hour straight time or bonus comp time-off benefit upon separation from employment by an employee.

Commissioner Driskell made a motion to approve; Commissioner Cannon gave a second; and Judge Leago called for a vote on revision to Minimum Wage, Overtime Pay and Compensatory Time – Law Enforcement Non-FLSA Overtime Exceptions, Section 4.03 Page 3 of the Madison County Personnel Manual.

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 26. Discuss and consider revision to Sick Leave Section 3.08 Page 1-e Bereavement – to include two (2) days of paid bereavement leave with no waiting period and up to three (3) days accrued paid sick leave.

Judi Delesandri, Treasurer suggested a revision in Personnel Policy asking the court to consider paying two days paid leave for Bereavement and three days accrued paid sick leave. Our current policy allows five (5) accrued paid sick leave days may be taken for the death of an employee’s immediate family. The county would pay for two (2) days and the employee may take three (3) days of their accrued Sick Leave, a total of five (5) days.

Immediate family is defined as parent, child, spouse, brother, sister, sister-in-law, grandparent, parent-in-law, brother-in-law, and grandchildren of either spouse.

Commissioner Wiseman moved to approve; Commissioner Cannon gave a second; and Judge Leago called for a vote on revision to Sick Leave Section 3.08 Page 1-e Bereavement – to include two (2) days of paid bereavement leave with no waiting period and up to three (3) days accrued paid sick leave.

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. 27. Discussed and approved prior to Item 19.

ITEM 28. 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 presented to the Clerk of Court for comment.

ITEM 29. ADJOURN:

Commissioner Wiseman made a motion to adjourn; Commissioner Pohorelsky gave a second; and Judge Leago called for a vote.

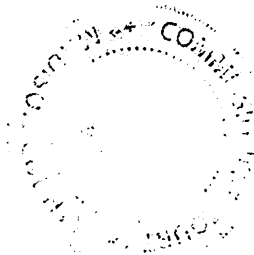
VOTING:

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.

Meeting was adjourned Monday, October 25, 2021, at 9:04 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 25, 2021.



Approved and signed this 8th day of November 2021.

Susanne Morris

Susanne Morris, Clerk
Commissioners Court
Madison County, Texas