



Minutes for the
Madison County Commissioners Court
Monday, September 9, 2019

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 9th day of September, 2019, 9:30 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	Present
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.

COUNTY CLERK – SUSANNE MORRIS

ITEM 3. Review and/or correct minutes of Regular meeting held August 26, 2019, and Special Meeting, August 29, 2019.

Judge Leago asked for any comments or corrections to regular and special meeting minutes, there were none, Commissioner Cannon moved to approve both minutes; Commissioner Driskell 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			

All approved, motion carried.

ITEM 4. COLLECTION REPORTS

- a) Approve Collection Reports for County Clerk and County Criminal Court.

Adrian Lawson, Chief Deputy Clerk in the absence of Susanne Morris, County Clerk reported on August 2019 County Clerk collections, \$21,643.00, and County Criminal Court collections, \$3,298.75. See attached.

Commissioner Cannon moved for approval of the County Clerk and County Criminal Court collection reports; Commissioner Driskell gave his 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			

All in favor, motion carried.

- b) Approve Collection Reports for District Attorney
No report was submitted.
- c) Approve Collection Reports for District Clerk
No report was submitted.

TREASURER – JUDI DELESANDRI

ITEM 5. Approve paying County bills.

Accounts Payable Claims List for September 9, 2019, was submitted by Judi Delesandri, County Treasurer. See A/P Claims List attached.

Commissioner Cannon made a motion to approve payment of county bills; Commissioner Wiseman gave a second; 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			

Motion carried unanimously.

ITEM 6. Approve bills paid since last court date, August 26, 2019. See report attached.

Commissioner Pohorelsky made a motion to approve bills paid since last court date, August 26, 2019; Commissioner Wiseman 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.

Treasurer's Monthly Report for August 2019, a Combined Statement of Cash Receipts and Disbursements were submitted by Judi Delesandri, Treasurer. See attached.

Commissioner Cannon moved to approve Treasurer's Report for August; Commissioner Wiseman 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			

All in favor, motion carried.

ITEM 8. Approve personnel changes.

No personnel changes to report.

AUDITOR – TONI JOYNER

ITEM 9. Auditor' Report

A Budget Analysis Usage report for September 9, 2019 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. Safety Meeting Monthly Report - Lynn Jeffries

Lynn Jeffries, DR reported receiving 10 septic applications, a fee of \$2,300 collected. And a recent Safety meeting with 14 in attendance.

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

An August 2019 Tax Assessor/Collector report was submitted by Karen Lane, TAC. A copy of current taxes collected, delinquent taxes collected, fees collected, registration and title system, and Texas Parks & Wildlife collections are recorded in these minutes.

ITEM 13. County Library Monthly Report – Veronica Grooms, Librarian

No report was submitted.

ITEM 14. Emergency Management Report – Shelly Butts

No report was submitted.

ITEM 15. County Extension Agent Monthly Report – Chadd Caperton

Leslie Lazenby, Extension Program Assistant, told about Dr. Billy Zanolini in 2011 developed the Ross Garrett Memorial Livestock Project. Mr. Garrett was a Madison County Agent for many years. The Ross Garrett Outreach Project is for minority and underprivileged youth in Madison County wanting to participate in the Madison County Fair, this program gives them the opportunity to raise a livestock project. Ross Garrett Outreach Project has grown due to the support of volunteers and donors. See attached.

Lazenby told about a number of exhibitors participating in the State Fair of Texas and Brazos County Fair, and there will be a number of agricultural exhibits set up at the Mushroom Festival this year. Currently, there are 10 Clubs chartered in the 4-H organization.

ITEM 16. Veterans Affairs – Danny Singletary

Since last reporting, Danny Singletary, Veterans Office for Madison County, assisted three veterans to medical facilities in Bryan-College Station; assisted one veteran with survivor benefits; assisted a vet with his discharge, received 12 hours continuing education hours and completed his annual Veteran’s Administration examination.

ITEM 17. Elections Administrator-Earl Parker

November 5, 2019 is Election Day to Amend the Texas Constitution, said Earl Parker, Elections Administrator. He provided an outline of dates leading up to the March 2020 Primaries as recorded in these minutes.

ITEM 18. Public Comment – Hear Comments in reference to the *following Agenda Items Only*. There is a time limit of 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.

One Public Participation form was submitted by James Luce in regards to Wilson Shoals Road, Precinct 1, Midway, Texas. He addressed the court and voiced his concern about the road.

ITEM 19. Conduct public hearing on proposed Fiscal Year 2020 Madison County Budget.

Judge Leago opened a Public Hearing for any comments on the proposed Fiscal Year 2020 Madison County Budget. There were no public comments, so the Public Hearing was closed.

ITEM 20. Discuss and approve adopting the Fiscal Year 2020 Madison County Budget.

Commissioner Driskell questioned the four percent raise for employees, saying in his opinion it should be three percent. Commissioner Cannon agreed with a three percent raise too. Toni Joyner advised that changes would create delays in the budget process. Counties have a deadline, September 30, 2019, to have an approved budget. Judge Leago said a Proposed Budget was posted on July 31, 2019, for review and any suggested changes. In the future you should bring up issues before time for the final budget to be approved. Order and copy of budget is enclosed in these minutes.

Commissioner Cannon moved to approve adopting the Fiscal Year 2020 Madison County Budget;

Commissioner Driskell 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			

All accepted, motion carried.

ITEM 21. Discuss and consider action on adopting Tax Year 2019 Maintenance and Operations Tax Rate of 0.5051/\$100 valuation and Tax Year 2019 Debt Service Tax Rate of 0.0449/\$100 valuation of the total Tax Year 2019 Tax Rate of \$0.5500/\$100 valuation. Motion should be made in the following form: "I move that the property tax rate be increased by the adoption of a tax rate of .55/\$100, which is effectively a 11.36 percent increase in the tax rate. See attached.

Commissioner Cannon said, due to upcoming project with TxDOT and unforeseen expenses such as our County Jail, "I move that the property tax rate be increased by the adoption of a tax rate of .55/\$100, which is effectively a 11.36 percent increase in the tax rate;" Commissioner Driskell seconded the motion; 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			

All in favor, motion carried.

ITEM 22. Discuss and consider action on ratifying that the adoption of the Fiscal Year 2020 Madison County Budget will raise more total property taxes than last year's budget by 13.57% an increase of \$203,828. The property tax revenue to be raised from new property added to the tax roll this year is \$747,430. See attached.

Commissioner Cannon moved to approve ratifying the adoption of the Fiscal Year 2020 Madison County Budget, I move we approve this Item 22; Commissioner Driskell gave a second; and Judge Leago read the Order Ratifying Tax Increase 2020. The budget will require raising more revenue from property taxes than in the previous year, so Commissioner Cannon moved to ratify the property tax increase as reflected in the 2020 Adopted Budget of Madison County, Texas and it was seconded by Commissioner Driskell. 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			

All approved, motion carried.

Judge Leago read an Order Levying Property Taxes for the Year 2019 as adopted in open court by the Commissioners' Court of Madison County, Texas, this 9th day of September 2019. Copy of Order Levying Property Taxes for the Year 2019 is recorded in these minutes.

Commissioner Cannon moved to adopt Order Levying Property Taxes for the Year 2019; Commissioner Driskell seconded the motion; 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			

All in favor, motion carried.

ITEM 23. Discuss and consider signing Vendor Agreement with Brazos Valley Area Agency on Aging Meals Plan effective October 1, 2019 to September 30, 2020. See attached.

Judge Leago said it is his understanding this Vendor Agreement with Brazos Valley Area Agency on Aging Meals plan is an annual renewal. Commissioner Driskell moved for approval; Commissioner Wiseman 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			

All approved, motion carried.

ITEM 24. Discuss and consider approving final minor plat creating two divisions recorded in Volume 182, Page 313 of the Madison County Records located in Adaline Jacques Survey Tract 5, Abstract 0262, 266.1 acres. Directions to Property: To north boundary of Madison County on FM 579, known as 911 address 9662 FM 579, Midway Texas 75852. See attached.

Shelly Butts, 911 Coordinator, explained this application is for a minor plat and most of the acreage is in Leon County only 0.89 acres in Madison County, but for taxing purposes it must be approved in open court.

Commissioner Cannon moved for approval; Commissioner Driskell seconded the motion; 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			

All approved, motion carried.

ITEM 25. Discuss and consider approving final minor plat creating four divisions recorded in Volume 1706, Page 171, Number 109474 of the Madison County Records. Located in the Peter H. Fullenwider

Survey Tract 91, 2.0 acres, Abstract 0015 recorded in Volume 1706, Page 171, Number 109474 of the Madison County Records. Directions to Property: Southwest corner of 8th Street and Zulch Avenue in the North Zulch community known as 911 address 11513 Eighth Street, North Zulch, Texas 77872 and new addresses to be assigned. See attached.

Shelly Butts, 911 Coordinator explained this minor plat dividing 2.0 acres into four lots, requires court approval.

Commissioner Driskell made a motion to approve final minor plat; 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			

All in favor, motion carried.

ITEM 26. Discuss and consider accepting application for re-plat of lot 23, Mathis Meadows Subdivision, triggering a 30-day notification period. See attached.

Shelly Butts, 911 Coordinator, said this application for re-plat of lot 23, Mathis Meadows Subdivision requires a 30-day notification period to all land owners within 200 feet of the property. After 30-days the application will be submitted for approval.

Commissioner Cannon moved to accept application for re-plat; Commissioner Driskell 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 in agreement, motion carried.

ITEM 27. Discuss and consider closing road in 9-acre subdivision on Wilson Shoals.

Commissioner Driskell made a motion *not* to close Wilson Shoals road; 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			

All approved, motion carried.

ITEM 28. Discuss and consider Memorandum of Understanding between Madison County and the City of Madisonville relative to the Madisonville Volunteer Fire Department. See attached.

Judge Leago said this is a renewal agreement that has been in place for several years, there are no changes to the agreement.

Commissioner Driskell moved to approve this MOU; Commissioner Wiseman seconded the motion; 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			

Unanimous vote, motion carried.

ITEM 29. Discuss and consider approval to maintain Settlers Lane.

Commissioner Wiseman made a motion to continue to maintain Settlers Lane to the residence of a handicapped child living there; Commissioner Driskell gave a second and Judge Leago called 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 30. Discuss and consider accepting a bid from Historical Antioch Church of Christ in the amount of \$1,619.00 on property described in suit number 09-11898. See attached.

Commissioner Driskell made a motion to accept a bid in the amount of \$1,619.00 from Historical Antioch Church of Christ; Commissioner Wiseman seconded the motion; 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			

All in favor, motion carried.

ITEM 31. Discuss and consider approving request from J.P. Court for \$2,000 to be moved from contingency budget to J. P. budget to be used for a temporary clerical position during the absence of J.P. clerk.

Commissioner Cannon made a motion to approve request from J.P. Court for \$2,000 to be moved from contingency budget to J.P. budget for temporary clerk; Commissioner Wiseman gave a second; and Judge called the 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 32. Discuss and consider approving request from Land of My Grandfathers, North Zulch, for a Burn Ban Exemption.

Judge Leago had talked with the persons making this request. They want to have a small fire with extinguishes available, he said. Commissioner Cannon did not think it would be a good idea, it would set a president for others.

Commissioner Cannon moved to not approve request for Burn Ban Exemption; Commissioner Pohorelsky seconded the motion; 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			

Unanimous vote on motion not to approve.

ITEM 33. 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 one presented a Public Participation form.

ITEM 30. Adjourn

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

VOTING:

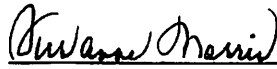
Court	Aye	Nay	ABSTAIN	RECUSE
Tony Leago, County Judge	X			
Ricky Driskell, Commissioner Pct. 1	X			
Carl Wiseman, Commissioner Pct. 2	X			
Carl Cannon, Commissioner Pct. 3	X			
David Pohorelsky, Commissioner Pct. 4	X			

No one opposed, motion carried.

Meeting was adjourned Monday, September 9, 2019, at 10:26 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 September 9, 2019.

Approved and signed this 23rd day of September, 2019.



Susanne Morris, County Clerk
Clerk of Commissioners Court
Madison County, Texas

