



**Minutes for the
Madison County Commissioners Court
Wednesday, October 14, 2020**

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 14th day of October 2020, 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	Commissioner, Precinct 1	Present
Carl Wiseman	Commissioner, Precinct 2	Present
Carl Cannon	Commissioner, Precinct 3	Absent
David Pohorelsky	Commissioner, Precinct 4	Absent

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 September 28, 2020 and Special Meeting held October 2, 2020. See attached.

Judge Leago asked for any comments or corrections to both minutes there were none, they stand as presented, he said.

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 gave September 2020 collection reports; County Clerk collections, \$20,502.25 and County Court collections, \$1,895.58. See attached.

Commissioner Driskell moved for approval; 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, absent				
David Pohorelsky, Commissioner Pct. 4, absent				

All approved, motion carried.

b) Approve Collection Reports for District Attorney

No report was submitted.

c) Approve Collection Reports for District Clerk

Rhonda Savage, District Clerk gave a Fee Report for September 2020, total fees submitted to treasurer was \$8,899.61. See attached.

Commissioner Driskell moved for approval; 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, absent				
David Pohorelsky, Commissioner Pct. 4, absent				

All in favor, motion carried.

TREASURER – JUDI DELESANDRI

ITEM 5. Approve paying County bills.

Accounts Payable Claims List for October 14, 2020 was submitted by Judi Delesandri, County Treasurer.

See A/P Claims List attached.

Commissioner Wiseman made a motion to approve paying county bills; Commissioner Driskell gave a second to the motion; 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, absent				
David Pohorelsky, Commissioner Pct. 4, absent				

All agreed, motion carried.

ITEM 6. Approve bills paid since last court date September 28, 2020. See attached.

Commissioner Driskell made a motion to approve bills paid since last court date, September 28, 2020;

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, absent				
David Pohorelsky, Commissioner Pct. 4, absent				

No one opposed, motion carried.

ITEM 7. Approve Treasurer's Reports.

County Treasurer, Judi Delesandri gave September 2020 Monthly Report, a Combined Statement of Cash Receipts and Disbursements for September 2020. See attached.

Commissioner Driskell moved to approve Treasurers' Monthly Report for September 2020; 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, absent				
David Pohorelsky, Commissioner Pct. 4, absent				

All in favor, motion carried.

Judi Delesandri, Treasurer submitted a Quarterly Report for quarter ending September 30, 2020. See attached.

Commissioner Driskell made a motion to approve the Quarterly Report; Commissioner Wiseman seconded 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, absent				
David Pohorelsky, Commissioner Pct. 4, absent				

All approved, motion carried.

ITEM 8. Approve personnel changes.

There was one Payroll Change said Judi Delesandri, Treasurer, Brady Bills was employed 9/29/2020 as a driver for MHRC, a part-time position, rate of pay \$8.50 hourly. A Payroll Promotion was awarded at Sheriff's Department to Curtis Klinge, Deputy, promoted to Sergeant Deputy, rate of pay from \$22.59 to \$23.09, effective 10-3-2020. See attached.

Commissioner Wiseman made a motion to approve personnel changes; Commissioner Driskell 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, absent				
David Pohorelsky, Commissioner Pct. 4, absent				

All approved, motion carried.

AUDITOR – TONI JOYNER

ITEM 9. Auditor' Report

A Budget Analysis Usage report for October 14, 2020 was provided by auditor's office.

A copy is included in these minutes for review.

ITEM 10. Budget Amendments

No report was submitted,

DEPARTMENTAL REPORTS

ITEM 11. Designated Representative Monthly Report - Lynn Jeffries

In Lynn Jeffries absence, Judge Leago gave his report. In the month of September 2020 there were ten septic applications filed with the county for a total fee of \$2,300. Judge had asked Jeffries how many applications had been filed by this time last year and was told 50 applications were filed. To date this year 80 applications have been filed. Judge commented, people are coming this way.

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

Tax Assessor/Collector Karen Lane submitted September 2020 Monthly Report. A copy of TAC's report is recorded in these minutes.

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

Veterans Service Officer, Danny Singletary reported one contact with a Veteran concerning a VA claim.

ITEM 16. Elections Administrator-Janet Boone

No report was submitted.

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

Jon Stevens, JP, Pct. 1 gave a report for September 2020 and Steve Cole, JP, Pct 2 gave his report too. See attached.

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.

ITEM 19. Discuss and consider for approval County Commissioner Pct. 3's request to purchase a 2012 Mack Pinnacle CHU613 Dump Truck and approval to use Capital Outlay funds for said purchase.

In Commissioner Carl Cannon's absence, Judge said he could not verify that purchasing requirements for this acquisition have been met. Judge tabled the agenda item.

ITEM 20. Discuss and consider for approval 2021 Madison County Resolution – Indigent Defense Grant Program Application. See attached.

Judge Leago said this is an application for an Indigent Defense Grant that is applied for yearly. It assists in the implementation and improvement of the indigent criminal defense services in this county.

Commissioner Driskell moved to approve Resolution for Indigent Defense Grant Program application; 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, absent				
David Pohorelsky, Commissioner Pct. 4, absent				

All in favor, motion carried.

ITEM 21. Discuss and consider ratifying Madison County Historical Commission By-Laws. See attached. Judge Leago said there were several typo errors in the document that would need to be corrected. He requested a motion with the understanding that the errors would be corrected.

Commissioner Driskell made a motion to approve the Madison County Historical Commission By-Laws with the understanding that typo's will be corrected; 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, absent				
David Pohorelsky, Commissioner Pct. 4, absent				

All agreed, motion carried.

ITEM 22. Discuss and consider for approval Madison County Solid Waste Disposal Rules. See attached. Commissioner Wiseman moved to approve Madison county Solid Waste Disposal Rules; Commissioner Driskell seconded 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, absent				
David Pohorelsky, Commissioner Pct. 4, absent				

All approved, motion carried.

ITEM 23. Discuss and consider accepting application for re-plat of John Batson Subdivision, Tract 3, previously divided, triggering a 30-day comment period. See attached.

Bunny Unterreiner, 911 Assistant explained this is a request for a re-plat of Tract 3 in the John Batson Subdivision, previously divided. We are asking the court to accept, not approve, this application for opening a 30-day comment period ending November 30,2020. Judge said at the conclusion of the comment period the application will come back to the court for final approval.

Commissioner Driskell made a motion to accept the application for re-plat of John Batson Subdivision, Tract 3 to open the comment period; 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, absent				
David Pohorelsky, Commissioner Pct. 4, absent				

All in favor, motion carried.

ITEM 24. Discuss and consider Final Major Plat of C. W. Estates on property recorded in Volume 1555, Page 216, Number 99961, of the Madison County Records. Located in the Champion Blythe Survey, Abstract 0043, Tract 6, 75.94 acres more or less. Directions to property: South of FM 1452 along Diserens Road, known as 911 addresses, to be determined in the 25-400 blocks of Diserens Rd., along private road within subdivision to be determined, North Zulch, Texas 77872. See attached.

Judge Leago said the request for this Major Plat meets county subdivision rules. The road that runs down the center of these lots is a private road and the county has no liability for this road. Landowners have an agreement to maintain it.

Commissioner Driskell moved to approve Final Major Plat of C. W. Estates; 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, absent				
David Pohorelsky, Commissioner Pct. 4, absent				

All approved, motion carried.

ITEM 25. Discuss and consider accepting FY 2020 EMPG Grant Award and FY 2020 EMPG terms and Conditions. See attached.

Judge Leago explained this is an annual grant we apply for and we have been informed that our application for financial assistance has been approved in the amount of \$26,642.07. As a condition of this grant the county is required to contribute a cost match in the amount \$26,642.07. This grant benefits our Emergency Management department.

Commissioner Wiseman made a motion to approve the EMPG Grant Award; Commissioner Driskell 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	X			
Carl Wiseman, Commissioner Pct. 2	X			
Carl Cannon, Commissioner Pct. 3, absent				
David Pohorelsky, Commissioner Pct. 4, absent				

All in favor, motion carried.

ITEM 26. Discuss and consider ROHN 45 Tower Lease Agreement between Razer Wireless, Inc. and the County of Madison for tower located at 922 S. Zulch in North Zulch, Texas. See attached.

This is an annual lease agreement Razer Wireless, Inc. leases space on its tower to Madison County, a fee of \$150 monthly or \$1,800 yearly. Commissioner Driskell asked if there is an increase in the price, Judge said no there is not a fee increase.

Commissioner Driskell made a motion to approve ROHN 45 Tower Lease Agreement between Razer Wireless, Inc. and Madison County for tower located in North Zulch, Texas; 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, absent				
David Pohorelsky, Commissioner Pct. 4, absent				

All agreed, motion carried.

ITEM 27. Discuss and consider ROHN 45 Tower Lease Agreement between Razer Wireless, Inc. and the County of Madison for tower located at 5638 School Loop Street in Midway, Texas. See attached.

Commissioner Driskell asked if this is the same as Item 26 agreement, Judge said it is the same.

Commissioner Driskell made a motion to approve the ROHN 45 Tower Lease Agreement between Razer Wireless and Madison County for tower located in Midway, Texas; 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, absent				
David Pohorelsky, Commissioner Pct. 4, absent				

All in favor, motion carried.

ITEM 28. Discuss and consider action on designating October as Domestic Violence Awareness Month. See attached.

Commissioner Driskell moved for approval of designating October as Domestic Violence Awareness Month; 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, absent				
David Pohorelsky, Commissioner Pct. 4, absent				

All approved, motion carried.

ITEM 29. Discuss and consider extending Declaration of Local Disaster for Public Health Emergency for a period of thirty (30) days from October 15, 2020. See attached.

Commissioner Driskell made a motion to extend Declaration of Local Disaster for Public Health Emergency for a period of thirty (30) days from October 15, 2020; Commissioner Wiseman 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, absent				
David Pohorelsky, Commissioner Pct. 4, absent				

All in favor, 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 Clerk of Court.

ITEM 31. ADJOURN

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

VOTING:

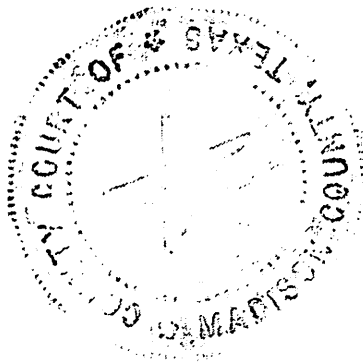
Court	Aye	Nay	ABSTAIN	RECUSE
Tony Leago, County Judge	X			
Ricky Driskell, Commissioner Pct. 1	X			
Carl Wiseman, Commissioner Pct. 2	X			
Carl Cannon, Commissioner Pct. 3, absent				
David Pohorelsky, Commissioner Pct. 4, absent				

No one opposed, motion carried.

Meeting was adjourned Wednesday, October 14, 2020 at 10:04 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 14, 2020.

Approved and signed this 26th day of October 2020.



Susanne Morris

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