



Minutes for the  
Madison County Commissioners Court  
Monday, November 23, 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 23<sup>rd</sup> day of November 2020, 9:31 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	Absent
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 November 9, 2020. 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 report was submitted.
- 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 November 23, 2020 was submitted. See A/P Claims List attached. Commissioner Pohorelsky made a motion to approve paying county bills; Commissioner Cannon; 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, Absent				
Carl Cannon, Commissioner Pct. 3	X			
David Pohorelsky, Commissioner Pct. 4	X			

All agreed, motion carried.

ITEM 6. Approve bills paid since last court date November 9, 2020. See attached.

Commissioner Driskell made a motion to approve bills paid since last court date, November 9, 2020.

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, Absent				
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.

Two payroll promotions were reported, Jafrenda Roberts is Administrative Assistant replacing Ashley Lawrenz at Sheriff's Department effective 11/16/2020, rate of pay, \$18.36. Danyel Byrd, J.P. Clerk was previously approved by Commissioners' Court, increased to \$14.75 hourly effective 11/16/2020.

Commissioner Pohorelsky made a motion to approve payroll promotions; 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, Absent				
Carl Cannon, Commissioner Pct. 3	X			
David Pohorelsky, Commissioner Pct. 4	X			

All approved, motion carried.

**AUDITOR – TONI JOYNER**

ITEM 9. Auditor' Report

A Budget Analysis Usage report for November 23, 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  
No report was submitted.

ITEM 12. Tax Assessor/Collector Monthly Report – Karen Lane, Tax A/C  
Tax Assessor Collector, Karen Lane submitted October 2020 report for current taxes collected, delinquent taxes collected, fees collected, title registrations and Texas Parks & Wildlife collections. See attached.

ITEM 13. Emergency Management Report – Shelly Butts  
A report was submitted by Shelly Butts, EM Coordinator, discussing COVID-19 Pandemic, DR2016 grant projects, annual tire collections for November 30<sup>th</sup> thru December 11<sup>th</sup> at the Precinct 3 Transfer Station and BVWACS installation of new interior radio tower equipment. See attached.

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-Janet Boone  
No report was submitted.

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

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 Order Restricting Outdoor Burning. See attached.  
Commissioner Driskell moved to approve the Order Restricting Outdoor Burning; 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, Absent				
Carl Cannon, Commissioner Pct. 3	X			
David Pohorelsky, Commissioner Pct. 4	X			

All agreed, motion carried.

ITEM 20. Discuss and consider closing the 30-day comment period and approving re-plat of the John Batson Subdivision, Tract 3, previously divided. Recorded in Volume 1634, Page 288, Number 104903, of the Madison County Records as Independent Executrix’s Special Warranty Deed to Alanna Adcock Coker. Located in the John Batson Subdivision Lot 3/Samuel Hews Survey, A-0122. See attached.

Shelly Butts reported that during the 30-day comment period several persons contacted her but were mainly questioning a prior re-plat of the subdivision which occurred before county subdivision rules and regulations were put into place. So, the motion today would be closing the 30-day comment period, Judge Leago asked. Butts said yes and accepting the application division order.

Commissioner Cannon made a motion to that effect; 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, Absent				
Carl Cannon, Commissioner Pct. 3	X			
David Pohorelsky, Commissioner Pct. 4	X			

No one opposed, motion carried.

ITEM 21. Discuss and consider approval on Final Minor Plat on property recorded in Volume 1265, Page 207, Number 81805 of the Madison County Records. Located in the Jesse Young Survey Tract 3, Abstract 0247, 5.000 acres from 123.610 acres previously divided, adjacent to 20,000-acre tract recently surveyed and sold to same buyers: Bobby & Deborah Cammack. See attached.

Shelly Butts corrected the agenda item, it should read 20.000-acre tract not 20,000 acre-tract, she said. Normally when a track is three times wider, its width times its length, it does not fall under the current subdivision rules it would be too long and narrow to sell on its own but, it is being sold to the land owners adjacent to it and it needs Commissioners' Court approval, Butts said.

Commissioner Cannon moved to approve the Final Minor Plat application; Commissioner Driskell seconded the motion to approve; 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, Absent				
Carl Cannon, Commissioner Pct. 3	X			
David Pohorelsky, Commissioner Pct. 4	X			

All in favor, motion carried.

ITEM 22. Discuss and consider approval of Final Minor Plat on property recorded in Volume 1228, Page 141, Number 79220, of the Madison County Records. Located in the Mahala Wilkinson Survey, Abstract 0234, Tract 3-2, 59.38 acres; more or less. See attached.

Shelly Butts said this is located at the intersection of New Road and Lone Star Road. The owner is taking three acres out of its original 59.38 acres, retaining three acres with the home on it and selling the 56.38 acres.

Commissioner Cannon moved for approval of Final Minot Plat; 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, Absent				
Carl Cannon, Commissioner Pct. 3	X			
David Pohorelsky, Commissioner Pct. 4	X			

All approved, motion carried.

ITEM 23. Discuss and consider approval of Final Minor Plat on property recorded in Volume 1763, Page 28, Number 11246 of the Madison County Records. Located in the Samuel Larry Survey, Abstract 0021. See attached.

A variance is requested on 0.867-acre property, because it is less than ten acres and remaining with the adjacent landowner, Shelly Butts, reported.

Commissioner Cannon moved for approval of Final Minot Plat; 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, Absent				
Carl Cannon, Commissioner Pct. 3	X			
David Pohorelsky, Commissioner Pct. 4	X			

No one opposed, motion carried.

ITEM 24. Discuss and consider appointment of Madison County Sheriff's Office Investigator Ashley Kishino to fill the unexpired term of Tyler Ogle on the Homeland Security Advisory Committee to serve through March 31, 2021.

This is a Homeland Security Advisory Committee with Brazos Valley Council of Governments, Judge said and asked Shelly Butts how many from Madison County serve on this committee. She said the County Health Nurse, City Police Chief Herbert Gilbert, Sheriff's Office representative and herself.

Commissioner Driskell moved for approval of Ashley Kishino, Madison County Sheriff's Investigator to serve on the Homeland Security Advisory Committee; 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, Absent				
Carl Cannon, Commissioner Pct. 3	X			
David Pohorelsky, Commissioner Pct. 4	X			

All in favor, motion carried.

ITEM 25. Discuss and consider appointment of Madison County Judge Tony Leago to serve on the Brazos Valley Wide Area Communications System (BVWACS) Governing Board effective immediately until superseded.

Commissioner Driskell moved for approval and appointment of Judge Leago to serve on the BVWACS Governing Board effective immediately until superseded; 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, Absent				
Carl Cannon, Commissioner Pct. 3	X			
David Pohorelsky, Commissioner Pct. 4	X			

All approved, motion carried.

ITEM 26. Discuss and consider appointment of Madison County Emergency Management Coordinator Shelly K. Butts to serve as a Member of, and Madisonville Police Department Captain Richard Morris as Alternate Member of the Brazos Valley Wide Area communications system (BVWACS) Operating Board effective immediately until superseded.

Commissioner Driskell moved to approve appointment of Shelly Butts, Emergency Management Coordinator as Member; and Captain Richard Morris, Madisonville Police Department as Alternate Member effective immediately until superseded; Commissioner Cannon 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, Absent				
Carl Cannon, Commissioner Pct. 3	X			
David Pohorelsky, Commissioner Pct. 4	X			

All in favor, motion carried.

ITEM 27. Discuss and consider for approval Texas County and District Retirement System Plan Agreement for Plan Year 2021. See attached.

Commissioner Pohorelsky moved for approval of TCDRS Plan Agreement for 2021; 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, Absent				
Carl Cannon, Commissioner Pct. 3	X			
David Pohorelsky, Commissioner Pct. 4	X			

No one opposed, motion carried.

ITEM 28. Discuss and consider for approval Interlocal Agreement Between the Regional Public Defender Office Local Government Corporation and Madison County, Texas. See attached.

Donna Cuevas, Assistant to Judge Leago, said we currently have a contract agreement with Lubbock County, Texas and their service has grown so, they have formed a Regional Public Defender Office Local Government Corporation. Judge said this is an insurance policy for our protection should the county have a capital murder case which could cost a considerable amount of money. Commissioner Cannon asked if the fee is the same, Cuevas said yes, \$14,830.00.

Commissioner Cannon made a motion to approve Interlocal Agreement between the Regional Public Defender Office Local Government Corporation and Madison County, Texas; Commissioner Driskell seconded the motion; 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, Absent				
Carl Cannon, Commissioner Pct. 3	X			
David Pohorelsky, Commissioner Pct. 4	X			

Motion carried unanimously.

ITEM 29. Discuss and consider Proclamation for MHMR Event. See attached.

Lawrence Harris is retiring from MHMR Authority of Brazos Valley and the Life Choices Center in Madisonville, Texas and MHMR would like to recognize him with a Declaration for his years of service, Judge Leago said and read the Declaration to the court.

Commissioner Pohorelsky moved to approve the Proclamation to Mr. Harris; 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, Absent				
Carl Cannon, Commissioner Pct. 3	X			
David Pohorelsky, Commissioner Pct. 4	X			

All approved, motion carried.

ITEM 30. Discuss and consider awarding bid for road and bridge materials for Madison County from January 1, 2021-December 31, 2021.

Judge Leago said you are being asked to decline the hauling of road and bridge materials but to accept and approve the bids for materials. There was only one bid received for hauling, so it will have to be re-bid. So, we will approve the materials bids received and reject the hauling and we will resubmit for the hauling, he said.

Commissioner Cannon made a motion to accept bids for materials and reject hauling so it may be re-bid; 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, Absent				
Carl Cannon, Commissioner Pct. 3	X			
David Pohorelsky, Commissioner Pct. 4	X			

All in favor, motion carried.

**31. 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 Pohorelsky made a motion 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	X			
Carl Wiseman, Commissioner Pct. 2, Absent				
Carl Cannon, Commissioner Pct. 3	X			
David Pohorelsky, Commissioner Pct. 4t	X			

No one opposed, motion carried.

Meeting was adjourned Monday, November 23, 2020 at 10:11 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 November 23, 2020.

Approved and signed this 14<sup>th</sup> day of December 2020.

*Susanne Morris*  
Susanne Morris for: Susanne Morris  
 Susanne Morris, Clerk  
 Commissioners Court  
 Madison County, Texas

