



Minutes for the  
Madison County Commissioners Court  
Monday, September 12, 2022

THE STATE OF TEXAS  
COUNTY OF MADISON

IN COMMISSIONERS COURT  
OF MADISON COUNTY TEXAS

The Madison County Commissioners Court met in Regular Session the 12<sup>TH</sup> day of September 2022, 8:32 a.m., at the Madison County Courthouse Annex, County Courtroom, 103 W. Trinity Street, Suite 106, Madisonville, Texas with the following members:

Clark Osborne	County Judge	Present
Billy McNutt	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

Commissioner Cannon gave the invocation and Judge Osborne led pledges of allegiance to the United States and Texas flags.

ITEM 2. CALL THE MEETING TO ORDER

Judge Osborne called the meeting to order with a quorum present.

COUNTY CLERK – SUSANNE MORRIS

ITEM 3. Review and/or correct minutes of Regular Session Meeting held August 22, 2022, Regular Session Meeting August 29, 2022. See attached.

ITEM 4. COLLECTION REPORTS

a) Approve collection reports for County Clerk and County Criminal Court

Susanne Morris, County Clerk reported County Clerk Collections for August 2022, \$28,513.75 and County Criminal Court Collections, \$3,746.41, August 2022. See attached.

Commissioner Cannon moved to approve; Commissioner Wiseman gave a second; and Judge Osborne called for a vote to approve the collection reports for County Clerk and County Criminal Court, all in favor.

VOTING:

Court	Aye	Nay	ABSTAIN	RECUSE
Clark Osborne, County Judge	X			
Billy McNutt, 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.

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

TREASURER – JUDI DELESANDRI

ITEM 5. Approve paying County bills.

Accounts Payable Claims List for September 12, 2022, was submitted by Judi Delesandri, County Treasurer. See A/P Claims List attached.

Commissioner Pohorelsky made a motion to approve; Commissioner Wiseman gave a second; and Judge Osborne said we have a motion and second and called for a vote to approve paying September 12, 2022, county bills, all in favor.

VOTING:

Court	Aye	Nay	ABSTAIN	RECUSE
Clark Osborne, County Judge	X			
Billy McNutt, 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 August 22, 2022. See attached.

Commissioner Cannon made a motion to approve; Commissioner Wiseman gave a second; and Judge Osborne called for a vote to approve bills paid since last court date August 22, 2022, all in favor.

VOTING:

Court	Aye	Nay	ABSTAIN	RECUSE
Clark Osborne, County Judge	X			
Billy McNutt, 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.

Judi Delesandri, Treasurer submitted August 2022 Monthly Treasurer’s Report, a combined statement of cash receipts and disbursements. See attached.

Commissioner Cannon made a motion; Commissioner Wiseman seconded the motion; and Judge Osborne called for a vote to approve the Treasurer’s Report for August 2022, all in favor.

VOTING:

Court	Aye	Nay	ABSTAIN	RECUSE
Clark Osborne, County Judge	X			
Billy McNutt, 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 8. Approve personnel changes.

Judi Delesandri, Treasurer reported one payroll change, Heather Reeves, Clerk in Tax Office replacing Tamara Moore, employment beginning 9/19/22, rate of pay \$13.00 hourly. See attached. Commissioner Wisemen moved to approve personnel change; Commissioner McNutt seconded the motion; and Judge Osborne said we have a motion and second to approve personnel change, all in favor.

VOTING:

Court	Aye	Nay	ABSTAIN	RECUSE
Clark Osborne, County Judge	X			
Billy McNutt, 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.

#### AUDITOR – TONI JOYNER

ITEM 9. Auditor's Report

A budget analysis report was provided by auditor's office. A copy is included in these minutes for review.

ITEM 10. Budget Amendments

Toni Joyner, Auditor submitted an Order to Amend 2021-2022 Budget. A copy is recorded in these minutes for review.

Commissioner Cannon made a motion to approve; Commissioner Pohorelsky gave a second to the motion; and Judge Osborne called for a vote to approve Order to Amend 2023-2022 Budget, all in favor.

VOTING:

Court	Aye	Nay	ABSTAIN	RECUSE
Clark Osborne, County Judge	X			
Billy McNutt, 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.

#### DEPARTMENTAL REPORTS

ITEM 11. Designated Representative Monthly Report - Lynn Jeffries

Lynn Jeffries, DR reported issuing ten septic applications for August 2022, total fees collected, \$2,300.00; and four Health Permit Applications, August 2022, \$502.00 fees collected. Keith Hahn, Madison County First Responder, gave a demonstration on proper use of an AED defibrillator at August 2022 Safety Meeting, seventeen employees attended. AED defibrillators are located in each hallway of the courthouse and annex.

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

Karen Lane, TAC submitted August 2022, total funds collected \$47,313.40. Registration and title system, \$763,818.40, boats and motor titles, \$6,588.22. See attached.

ITEM 13. Emergency Management Report – Shelly Butts

Shelly Butts gave an August 2022 report for electric permits, signs, subdivisions, and exceptions. A copy of this report is recorded in these minutes for review.

ITEM 14. County Extension Agent Monthly Report-Allen Homann  
No report was submitted.

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

ITEM 16. Elections Administrator-Bobbie Duke  
No report was submitted.

ITEM 17. Justice of the Peace – Steve Cole/Jon Stevens  
Justice of the Peace Office provided an August 2022 Distribution Summary for J.P. Jon Stevens J.P. Pct. 1, total fees collected, \$12,762.32, and Steve Cole J.P. Pct. 2, total fees collected, \$6,702.20. See attached.

ITEM 18. Sheriff’s Department – Bobby Adams  
Sheriff Adams submitted August 2022 Patrol Division, Deputy Monthly Activity Report as follows: total calls, 382; total mileage, 24,607; total arrests by S.O., 25; total charges by S.O., 62; total citations, 65; total warnings, 99; total arrests to jail, 67; and serious incidents in jail, 0. See attached.

ITEM 19. Madison County Library – Veronica Landmann  
Madison County Library Financial Report 10-19-2021 to 09-01-22 (FY22) was submitted by Veronica Landmann, Library Director, reporting total fees, fines, gifts, and bequests, \$6,228.78. See attached.

ITEM 20. Historical Commission –  
No. report was submitted.

ITEM 21. **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 22. Discuss and consider action on setting the County Holidays for county employees for 2023. See attached.

Commissioner Cannon moved to approve; Commissioner McNutt gave a second; and Judge Osborne called for a vote to approve setting County Holidays for county employees for 2023, all in favor.

VOTING:

Court	Aye	Nay	ABSTAIN	RECUSE
Clark Osborne, County Judge	X			
Billy McNutt, 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 23. Discuss and consider approving an Order to Set the Term and Time for Commissioners Court Meetings for FY 2023. See attached.

Judge Osborne said he have discussed this and had a couple of public comments previously to move the meetings off of Monday to another day. Wednesday seems to be the day that is in agreement and moving the time later in the morning to 9:30 a.m. We will try to publish the agenda on Friday before the following Wednesday meeting giving the public time to do research on agenda items.

Commissioner Pohorelsky moved for approval; Commissioner McNutt seconded the motion; and Judge Osborne called for a vote to approve an Order to Set the Term and Time for Commissioners Court Meetings for FY 2023, all in favor.

VOTING:

Court	Aye	Nay	ABSTAIN	RECUSE
Clark Osborne, County Judge	X			
Billy McNutt, 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 24. Discuss and consider New Rate Setting Worksheet for Senior Meals. See attached.

Toni Joyner, Auditor explained Laura Meece, Executive Director of Madison County Resource Center is in charge of grant funded senior meals plan, a part of the Brazos Valley Area Agency on Aging. Our county contribution is for the services provided, we do financing and management, she said.

Commissioner Wiseman moved to approve; Commissioner Pohorelsky gave a second; and Judge Osborne called for a vote to approve New Rate Setting Worksheet for Senior Meals, all in favor.

VOTING:

Court	Aye	Nay	ABSTAIN	RECUSE
Clark Osborne, County Judge	X			
Billy McNutt, 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 FY2023 Contract for Senior meals for the BVAAA. See attached.

Commissioner Cannon moved to approve; Commissioner Wiseman gave a second; and Judge Osborne called for a vote to approve FY2023 Contract for Senior meals for the BVAAA, all in favor.

VOTING:

Court	Aye	Nay	ABSTAIN	RECUSE
Clark Osborne, County Judge	X			
Billy McNutt, 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 26. Discuss and consider September 20, 2022, as National Voter Registration Day in Madison County. See attached.

Bobbie Duke, Elections Administrator explained 2022 National Voter Registration Day, September 20, 2022, resolution. The plan is to have registration tables set up at Walmart and Brookshire Brothers Grocery. Payment to judges and clerks working the registration day will be paid from Chapter 19 funds, she said. Judge Osborne read the Resolution.

Commissioner Wiseman moved to approve; Commissioner McNutt seconded the motion; and Judge Osborne said we have a motion and second to approve September 20, 2022, as National Voter Registration Day in Madison County, all in favor.

VOTING:

Court	Aye	Nay	ABSTAIN	RECUSE
Clark Osborne, County Judge	X			
Billy McNutt, 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 Request for Acceptance of Culton Lane as a Private Road. See attached. Shelly Butts, Subdivisions/Rural Development explained this request for a private road dedicated as Culton Ln., Madison County, situated within property known as Madison CAD Property ID's 45074 owned by Tommy Culton, 45072 and 45073 owned by Peggy Culton and 36568 owned by Marlan and Lolita Brown. Mr. Culton requests commissioners court approve the designation of Culton Lane as an official private road in Madison County and understands that the county if not responsible for the construction or maintenance of said road. "Let it be known that this document does not provide access onto nor through any of the properties listed, nor any other properties. This only provides a 911 designation to the road for emergency related concerns" Butts said.

Commissioner Wiseman moved to approve; Commissioner Pohorelsky gave a second to the motion; and Judge Osborne called for a vote to approve Request for Acceptance of Culton Lane as a Private Road, all in favor.

VOTING:

Court	Aye	Nay	ABSTAIN	RECUSE
Clark Osborne, County Judge	X			
Billy McNutt, 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 28. Discuss and consider Minor Final Plat with Variance for property recorded in volume 275, Page 19, volume 830, page 10, volume 1873, page 268, number 118418, volume 1874, page 318, number 118476 and volume 1884, page 160, number 118898 of the Madison County records. Located in Rebecca Robbins Survey, Abstract 0188, Tract 18, Tract 17 (PT), previously divided. See attached. Shelly Butts, Subdivisions/Rural Development Coordinator said the reason for reference to these properties is because subdivision rules were not followed at the immediate time of division. This is taking 33.62 acres tract dividing into two tracts, a 23.61 acre tract and ten acres being further divided into two tracts, each five acres. The five acre tract off of FM 2158 has road frontage, but the other five acre tract does not have road frontage, so a variance is requested. The same landowner owns both five acre tracts which are continuance and Madison County Appraisal has agreed to accept this minor plat, Butts said.

Commissioner Pohorelsky made a motion to approve; Commissioner Wiseman gave a second to the motion; and Judge Osborne said we have a motion and second to approve Minor Final Plat with Variance for property recorded in volume 275, Page 19, volume 830, page 10, volume 1873, page 268, number 118418, volume 1874, page 318, number 118476, and volume 1884, page 160, number 118898 of the Madison County records. Located in Rebecca Robbins Survey, Abstract 0188, Tract 18, Tract 17 (PT), previously divided, all in favor.

VOTING:

Court	Aye	Nay	ABSTAIN	RECUSE
Clark Osborne, County Judge	X			
Billy McNutt, 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 29. Discuss and consider adopting the Fiscal Year 2023 Madison County Budget. See attached. Commissioner Wiseman made a motion to approve; Commissioner Pohorelsky gave a second; and Judge Osborne called for a vote to adopt the Fiscal Year 2023 Madison County Budget, all in favor.

VOTING:

Court	Aye	Nay	ABSTAIN	RECUSE
Clark Osborne, County Judge	X			
Billy McNutt, 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 30. Discuss and consider action that the property tax rate be decreased by the adoption of a tax rate of \$0.4864/\$100 of valuation, which is effectively an 11.56 percent decrease in the tax rate. Commissioner Cannon made a motion; Commissioner Wiseman seconded the motion; and Judge Osborne called for a vote to approve that the property tax rate be decreased by the adoption of a tax rate of \$0.4864/\$100 of valuation, which is effectively an 11.56 percent decrease in the tax rate, all in favor.

VOTING:

Court	Aye	Nay	ABSTAIN	RECUSE
Clark Osborne, County Judge	X			
Billy McNutt, 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 action on adopting Tax Year 2022 Maintenance and Operations Tax Rate of \$0.4714/\$100 valuation and a 2022 Debt Service Tax Rate of \$0.0150/\$100 valuation for the total 2022 Tax Rate of \$0.4864/\$100 valuation.

Commissioner Cannon made a motion to adopt the Tax Year 2022 Maintenance and Operations Tax Rate of \$0.4714/\$100 valuation and a 2022 Debt Service Tax Rate of \$0.0150/\$100 valuation for the total 2022 Tax Rate of \$0.4864/\$100 valuation; Commissioner Wiseman gave a second to the motion; and Judge Osborne called for a vote to adopt the Tax Year 2022 Maintenance and Operations Tax Rate of \$0.4714/\$100 valuation and a 2022 Debt Service Tax Rate of \$0.0150/\$100 valuation for the total 2022 Tax Rate of \$0.4864/\$100 valuation, all in favor.

VOTING:

Court	Aye	Nay	ABSTAIN	RECUSE
Clark Osborne, County Judge	X			
Billy McNutt, 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 32. 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 the Clerk of Court.

ITEM 33. ADJOURN:

Commissioner Wiseman made a motion to adjourn; Commissioner McNutt gave a second; and Judge Osborne called for a vote to adjourn, all in favor.

VOTING:

Court	Aye	Nay	ABSTAIN	RECUSE
Clark Osborne, County Judge	X			
Billy McNutt, 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, September 12, 2022, at 9:09 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 12, 2022.

Approved and signed this 26<sup>th</sup> day of September 2022.

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Susanne Morris, Clerk  
 Commissioners Court  
 Madison County, Texas