



J. B. HILL, JR.
COUNTY CLERK
UPSHUR COUNTY COURTHOUSE
GILMER, TEXAS 75644

PHONE 843-3118

April 5, 1976

Commissioners Court met in special session with four members, J. W. Meadows, Charles Still, Floyd Drennan, and Judge Everett Dean, present.

Those present at the court meeting were C. F. Wallace, Wilfred Parker, Sarah Greene and Phillip Williams.

Minutes of the previous meeting of March 15, 1976 were read by Judge Dean. A motion was made by J. W. Meadows and seconded by Floyd Drennan to approve the minutes as read. Motion carried.

C. F. Wallace made a report to the court concerning rabies in the county and ask the people of Upshur County to destroy the dens of skunks. Mr. Wallace ask the court to study the Bell County Sanitation Program which has been very successful in that county.

Wilfred Parker explained the operation of the probation system. The system has been self supporting for the last four years. He stated that the probation system was in need of Upshur, Wood, Marion and Camp Counties to help finance the expense. Upshur County was ask to pay \$748.00 a month in the fund. Judge Dean said the court would discuss this at a later date. No action was taken.

Motion was made by Floyd Drennan and seconded by J. W. Meadows to approve a permit application for use of Upshur County roads. The permit was from the Western Gas Corporation of Longview, Texas. Motion carried. (Copy attached)

Motion was made by J. W. Meadows and seconded by Charles Still to approve a permit application for use of Upshur County right of way from M. J. Delaney Co. Motion carried. (Copy attached)



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Judge Everett Dean read a proclamation from the Governor which announced the vacancy existing in the House of Representatives from the First Congressional District in Texas. Judge Dean ask to have this letter placed in the commissioners court minutes. (Copy of letter attached)

Motion was made by J. W. Meadows and seconded by Floyd Drennan to pay a fee of \$277.00 for joining the National Association of Counties. Motion carried. (Copy attached)

Motion was made by Floyd Drennan and seconded by Charles Still to pay the Diana Volunteer Fire Department, Inc., East Mountain Volunteer Fire Department, Inc., and the Gladewater Volunteer Fire Department, each \$50.00 a month. Motion carried. (Articles of Incorporation for Diana Volunteer Fire Department and East Mountain Volunteer Fire Department attached)

Motion was made by J. W. Meadows and seconded by Charles Still to pay the bills. Motion carried.

Motion was made by J. W. Meadows and seconded by Floyd Drennan to adjourn. Motion carried.

Everett Dean

J. W. Meadows

C. L. Still

Floyd Drennan

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PERMIT APPLICATION FOR
USE OF UPSHUR COUNTY ROADS

Date March 16, 1976

TO: THE UPSHUR COUNTY COMMISSIONERS COURT
% COUNTY OF UPSHUR
GILMER, TEXAS 75644

Formal notice is hereby given that Western Gas Corporation whose principal address is P. O. Box 392 - 110 East Cotton, Longview, Texas, Telephone 214 - 758-0611, does propose to conduct drilling operations and proposes to utilize County roads shown on Exhibit "A" attached for transporting equipment and materials in connection therewith.

The general location of the proposed well and roads to be used is more fully shown by three (3) copies of Exhibit "A" attached to this application.

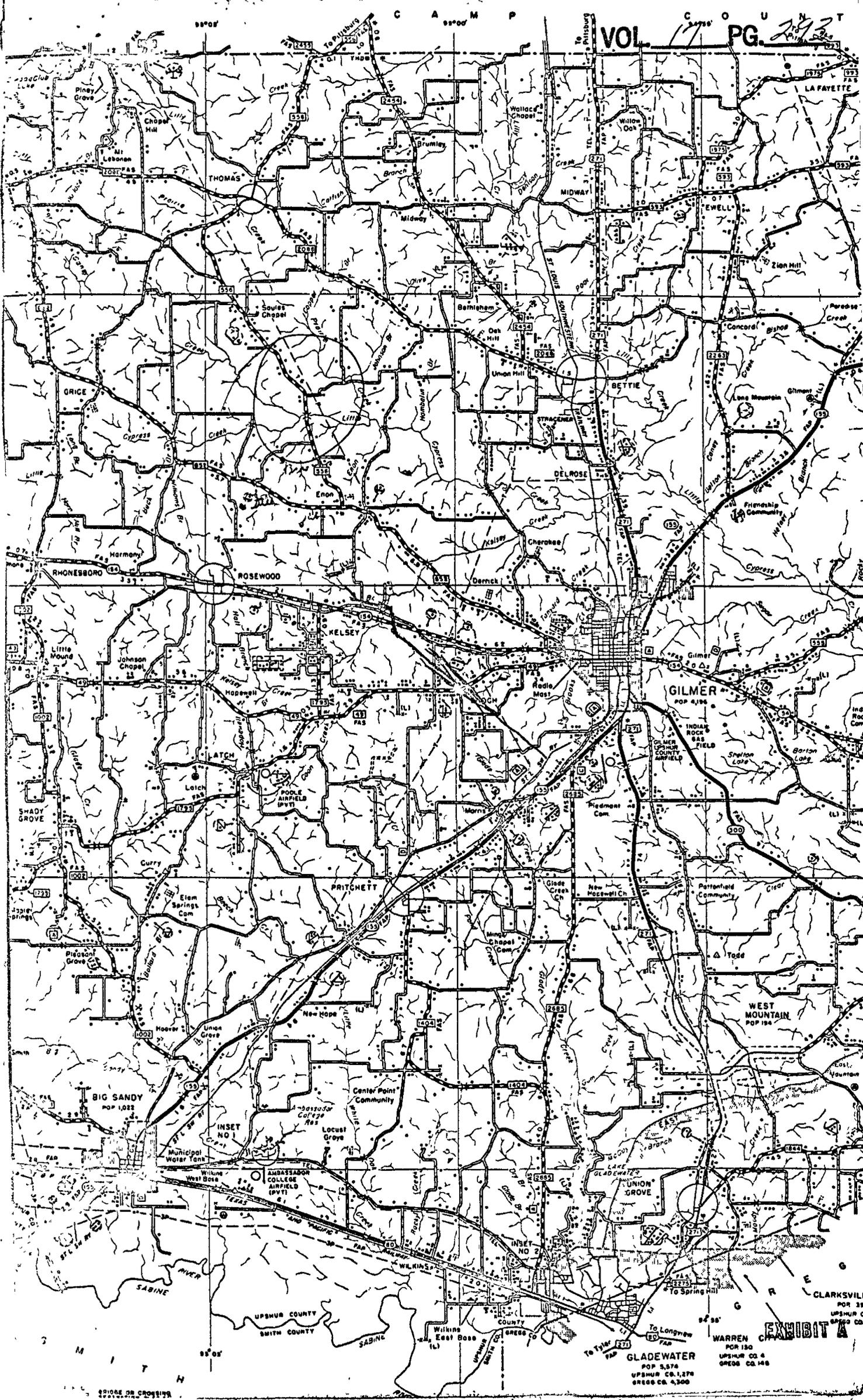
We will fully comply with Upshur County Road and Bridge Department policies and specifications.

Proposed operations will begin, on or after the 20th day of March, 1976.

Firm: WESTERN GAS CORPORATION

By: I. D. "Irv" Nelson
I. D. "Irv" Nelson, Landman

Address: P. O. Box 392
Longview, Texas 75601



SCALE OR CROSSING

CLARKSVILLE
POP 311
UPSHUR CO.
SPRING CO.

EXHIBIT A

WARREN CO.
POP 150
UPSHUR CO. 4
GREGG CO. 148

GLADEWATER
POP 5376
UPSHUR CO. 1,278
GREGG CO. 4,300

To Longview
To Spring Hill

UPSHUR COUNTY
SMITH COUNTY

INSET NO 1
Municipal Water Tank
Willie West Base

INSET NO 2

BIG SANDY
POP 1,022

UNION GROVE

Center Point
Community
Locust Grove

NEW HOPE

SHADY GROVE

GILMER
POP 4,196

ROSEWOOD

GRICE

BETHLEHEM

THOMAS

LA FAYETTE

C A M P

C O U N T Y

PERMIT APPLICATION FOR
USE OF UPSHUR COUNTY RIGHT OF WAY

Date 3-29-76

TO: THE UPSHUR COUNTY COMMISSIONERS COURT
COUNTY OF UPSHUR
GILMER, TEXAS

Formal notice is hereby given that M. J. Dalzey Co.
whose principal address is Gilmer, Texas
does propose to place a Water Line
within the ROW of County Road Western Road
as follows:

The location and description of the proposed lines or appertenances
is more fully shown by three (3) copies of drawings attached to
this application.

All work will be as directed by the County Commissioner or his
designate in full accordance with Upshur County Road & Bridge
Department policies and specifications.

Proposed construction will begin, if approved, on or after

_____ day of _____ 1976 J. W. R.

Firm: M. J. Dalzey Co.

Title: Tool Pusher

Address: 216. Elizabeth St.
Gilmer Texas.

PROCLAMATION

BY THE

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Governor of the State of Texas

41-1577

TO ALL TO WHOM THESE PRESENTS SHALL COME:

WHEREAS, a vacancy now exists in the Membership of the United States House of Representatives from the 1st Congressional District in Texas.

WHEREAS, Chapter 715, Section 1, page 2295, Acts of the 64th Legislature, Regular Session, 1975 (Article 2.01b, Vernon's Texas Election Code, as amended), requires elections to be held on uniform dates absent the finding of an emergency.

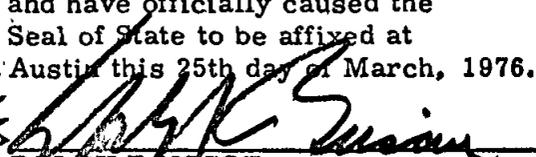
NOW, THEREFORE, I, DOLPH BRISCOE, GOVERNOR OF TEXAS, do hereby find the existence of an emergency due to the urgent need for a replacement in the Texas congressional delegation; I find further that the heavy administrative burdens attached to a special election during this period in which primary elections are being held, requires that such election be held no earlier than the third week in June, 1976.

NOW, THEREFORE, I, DOLPH BRISCOE, GOVERNOR OF TEXAS, under the authority vested in me by the Constitution and statutes of the State of Texas, do hereby order a special election and issue a writ of election directing that a special election be held in the 1st Congressional District on the 19th day of June, 1976, for the purpose of electing a Congressman for the 1st Congressional District, to serve out the unexpired term of the Honorable Wright Patman, deceased.

Applications to be placed on the special election ballot must be filed with the Secretary of State no later than 6 p. m. on the 19th day of May, 1976.

A copy of this order will be mailed immediately to the County Judges of Bowie, Camp, Cass, Cherokee, Delta, Fannin, Franklin, Harrison, Henderson, Hopkins, Lamar, Marion, Morris, Panola, Red River, Rusk, San Augustine, Shelby, Titus, Upshur, Wood and the parts of Hunt and Rains counties contained in the 1st Congressional District, and all appropriate writs will be issued and all proper proceedings will be followed to the end that said election may be held and its results proclaimed in accordance with law.

IN TESTIMONY WHEREOF, I have hereunto signed my name and have officially caused the Seal of State to be affixed at Austin this 25th day of March, 1976.


DOLPH BRISCOE
GOVERNOR OF TEXAS

ATTEST:


MARK WHITE
SECRETARY OF STATE



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NATIONAL ASSOCIATION of COUNTIES

1735 NEW YORK AVENUE, N. W. • WASHINGTON, D. C. 20006
TELEPHONE (202) 785-9577

INVOICE

for
NEW MEMBERSHIP

NAME OF COUNTY:

Upsher

STATE

Texas

\$ 277.00
AMOUNT PAID

DATE		AMOUNT												
	County Member Service Fee													
	for 12 Months													
	<table><tr><td>Your County 1970 Population</td><td>)x</td><td>Cost Per Person</td><td>Processing Fee</td><td>=</td><td>CMS Fee</td></tr><tr><td></td><td></td><td>1.2 CENTS</td><td>+\$ 25</td><td></td><td>**</td></tr></table>	Your County 1970 Population)x	Cost Per Person	Processing Fee	=	CMS Fee			1.2 CENTS	+\$ 25		**	\$ **
Your County 1970 Population)x	Cost Per Person	Processing Fee	=	CMS Fee									
		1.2 CENTS	+\$ 25		**									
		AMOUNT DUE												
	**NOTE: MINIMUM CMS FEE \$ 200.00													
	PLEASE ENCLOSE WITH PAYMENT YOUR CURRENT LIST OF ELECTED AND APPOINTED COUNTY OFFICIALS,													
	NATIONAL ASSOCIATION OF COUNTIES 1735 NEW YORK AVE., N. W., WASHINGTON, D. C. 20006 PH. (202) 785-9577													

attn: Walter Byers
NACo



STATE OF TEXAS
OFFICE OF THE SECRETARY OF STATE
AUSTIN, TEXAS 78711
MAR. 16, 1976

MARK WHITE
SECRETARY OF STATE

HOLLIE G. MCCLAIN
P.O. BOX 670
GILMER, TEXAS 75644

RE: DIANA VOLUNTEER FIRE DEPARTMENT, INC.
CHARTER NUMBER 377076-1

DEAR SIR:

IT HAS BEEN OUR PLEASURE TO APPROVE AND PLACE ON RECORD THE ARTICLES OF INCORPORATION THAT CREATED YOUR CORPORATION. WE EXTEND OUR BEST WISHES FOR SUCCESS IN YOUR NEW VENTURE.

AS A CORPORATION, YOU ARE SUBJECT TO THE FRANCHISE TAX LAWS. WE ARE INFORMED BY THE OFFICE OF THE COMPTROLLER OF PUBLIC ACCOUNTS THAT YOU WILL SOON BE CONTACTED BY THAT OFFICE CONCERNING THE PAYMENT OF AN INITIAL MINIMUM FRANCHISE TAX PAYMENT TO BE PAID WITHIN 45 TO 75 DAYS AFTER THE DATE OF YOUR CHARTER OR CERTIFICATE OF AUTHORITY.

UNDER THE FRANCHISE TAX LAWS, SOME NON-PROFIT CORPORATIONS ARE EXEMPT FROM THE PAYMENT OF FRANCHISE TAXES. IF YOU FEEL THAT UNDER THE LAW YOUR CORPORATION IS ENTITLED TO BE EXEMPT FROM PAYMENT OF FRANCHISE TAX YOU MUST APPLY TO THE COMPTROLLER OF PUBLIC ACCOUNTS FOR SUCH EXEMPTION. THE SECRETARY OF STATE CANNOT MAKE SUCH DETERMINATION FOR YOUR CORPORATION.

IF WE CAN BE OF FURTHER SERVICE AT ANY TIME, PLEASE LET US KNOW.

VERY TRULY YOURS,
MARK WHITE
SECRETARY OF STATE

BY: BILL KIMBROUGH
DIRECTOR, CORPORATION DIVISION

TELEX: 77-8494

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The State of Texas
Secretary of State

CERTIFICATE OF INCORPORATION
OF

DIANA VOLUNTEER FIRE DEPARTMENT, INC.
CHAPTER NUMBER 377076

THE UNDERSIGNED, AS SECRETARY OF STATE OF THE STATE OF TEXAS,
HEREBY CERTIFIES THAT DUPLICATE ORIGINALS OF ARTICLES OF INCORPORATION
FOR THE ABOVE CORPORATION, DULY SIGNED AND VERIFIED, HAVE BEEN RECEIVED
IN THIS OFFICE AND ARE FOUND TO CONFORM TO LAW.

ACCORDINGLY THE UNDERSIGNED, AS SUCH SECRETARY OF STATE, AND BY
VIRTUE OF THE AUTHORITY VESTED IN HIM BY LAW, HEREBY ISSUES THIS
CERTIFICATE OF INCORPORATION AND ATTACHES HERETO A DUPLICATE ORIGINAL
OF THE ARTICLES OF INCORPORATION.

DATED MAR. 12, 1976



Mark W. White
Secretary of State

AFA

ARTICLES OF INCORPORATION

OCT 01 1974

of

Billy Waller

EAST MOUNTAIN VOLUNTEER FIRE DEPARTMENT, INC. Secretary of State of Texas

WE, the undersigned natural persons of the age of twenty-one (21) years or more, at least two of whom are citizens of the State of Texas, acting as incorporators of a corporation under the Texas Non-Profit Corporation Act, do hereby adopt the following Articles of Incorporation for such corporation:

ARTICLE ONE

The name of the corporation is EAST MOUNTAIN VOLUNTEER FIRE DEPARTMENT, INC.

ARTICLE TWO

The corporation is a Non-profit corporation.

ARTICLE THREE

The period of its duration is perpetual.

ARTICLE FOUR

The purpose or purposes for which the corporation is organized is:

1. To acquire, operate and maintain fire fighting, rescue and other emergency equipment necessary for the preservation of life and the protection of property from and during fire or other emergencies within the area of its operation in Upshur County, Texas.
2. To teach, educate and train citizens of said area in the art of the prevention and fighting of fires.
3. To provide rescue and various other emergency services in the event of catastrophe, illness and accident.

4. To raise the funds essential to the successful operation thereof.

ARTICLE FIVE

The street address of the initial registered office of the corporation is: Rt. #1, Box 95-B, Gilmer, Texas, 75644, and the name of its initial registered agent at such address is ONIE HOLT, JR.

ARTICLE SIX

The number of directors constituting the initial Board of Directors of the corporation is three, and the names and addresses of the persons who are to serve as the initial directors are:

<u>NAME</u>	<u>ADDRESS</u>
Onie Holt, Jr.	Rt. 1, Box 95-B, Gilmer Texas 75644
Donald Pugh	Rt. 2, Gladewater, Texas 75647
Archie Cude	Rt. 1, Box 95-BC, Gilmer, Texas 75644

ARTICLE SEVEN

The names and street addresses of each incorporator are:

<u>NAME</u>	<u>ADDRESS</u>
Onie Holt, Jr.	Rt. 1, Box 95-B, Gilmer, Texas 75644
Donald Pugh	Rt. 2, Gladewater, Texas 75647
Archie Cude	Rt. 1, Box 95-BC, Gilmer, Texas 75644

ARTICLE EIGHT

Upon the dissolution of the corporation, the Board of Directors shall, after paying or making provision for payment of all of the liabilities of the corporation, dispose of all of the assets of the corporation exclusively for the stated purposes of the corporation that will insure continued fire protection and prevention in the area of this organization.

ARTICLE NINE

Provisions for the regulation of the internal affairs of the corporation, including the number of permanent directors and the time and manner of their election; the method, time and manner of member acquisition shall be regulated by the by-laws of the corporation and this corporation may also promulgate all necessary by-laws and amendments thereto as from time to time it may deem necessary, all of which are to be established and passed by majority vote of the directors of said corporation.

IN WITNESS WHEREOF, we have hereunto set our hands, this the 30th day of September, 1974.

Onie Holt, Jr.
Onie Holt, Jr.

Donald Pugh
Donald Pugh

Archie Cude
Archie Cude

THE STATE OF TEXAS |
COUNTY OF GREGG |

BEFORE ME, the undersigned authority, a Notary Public, in and for said County, and State of Texas, do hereby certify that on this the 30th day of September, 1974 personally appeared ONIE HOLT, JR., DONALD PUGH and ARCHIE CUDE, who each being by me first duly sworn, severally declared that they are the persons who signed the foregoing document as incorporators, and that the statements therein contained are true.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of office this the day and year above written.

Mary H Brock
Notary Public in and for Gregg County, Texas.
My commission expires: 6-1-75