

UPSHUR COUNTY COMMISSIONERS COURT  
GILMER, TEXAS

June 13, 1977

Commissioners Court met in regular session with Bernice Nobles, J.W. Meadows, Charles Still, Floyd Drennan and Judge Everett Dean present.

Judge Dean read the minutes of the previous meeting. Charles Still made a motion, seconded by Floyd Drennan to approve the minutes as read. Motion carried.

Charles Still made a motion, seconded by Floyd Drennan, to approve a special agreement between the Texas Department of Health Resources and the Local Appropriating Agencies to extend the budget operating under for the period of July, August and September, 1977. Motion carried.

Charles Still made a motion, seconded by Floyd Drennan, to approve a permit application from Aubrey S. Kirby to place a water line on the ROW of Silver Maple Road. Motion carried. (Permit attached)

Charles Still made a motion, seconded by Floyd Drennan, to consider a permit application from Western Gas Corporation for a proposed pipeline in Precinct #3 and #4, and to look at and approve or disapprove each of the 12 crossings as a separate permit. Motion carried.

J.W. Meadows made a motion, seconded by Floyd Drennan, to advertise for leases on the minerals on 2816 acres of School Land located in Baylor and Throckmorton Counties. Motion carried. *more or less*

Mr. George Cooper met with the court and presented a proposed order for consideration. Judge Dean read the order as follows: "AN ORDER by the Commissioners' Court of Upshur County, Texas, authorizing and directing the County Judge to give notice of the County's intention to issue certain obligations and of the intention to incur claims and accounts to represent an undivided interest therein; and making certain findings in connection therewith."

Charles Still made a motion, seconded by J.W. Meadows, to go ahead with the proposal for issuance of \$750,000 in Certificates of Obligation. Motion carried.

Charles Still made a motion, seconded by J.W. Meadows, to approve the unpaid bills. Motion carried.

Judge Dean made a motion to adjourn, seconded by Floyd Drennan. Court adjourned:

Everett Dean

Charles L. Still

Bernice Nobles

Floyd Drennan

J.W. Meadows

\_\_\_\_\_

AN AGREEMENT BETWEEN THE TEXAS DEPARTMENT OF HEALTH RESOURCES AND THE LOCAL APPROPRIATING AGENCIES IN THE OPERATION OF THE Upshur County HEALTH Department (Department or District)

1. The expenditures on the face of this budget represent funds furnished by the Texas Department of Health Resources and the Local Appropriating Agencies of the Upshur County in the operation of the Upshur County Health Department or District.

2. All personnel carried on this budget will meet at least minimum personnel qualifications established by the Merit System Council.

Merit System Rules and Regulations of the Texas Department of Health Resources will be followed in full-time local health department jurisdictions that do not have an accepted local Merit System or Civil Service. Local systems may be accepted by the Texas Department of Health Resources, provided the local systems operate in conformity with standards comparable to those contained in the Rules and Regulations of the Merit System Council.

3. A Director shall be appointed to operate and administer the full-time Local Health Department or District. The Director of the Health Department shall be a physician, licensed or eligible to be licensed by the Texas State Board of Medical Examiners.

The Local Governing Bodies, by joint action or by concurrent agreement, shall appoint a Director who has been certified by the Director of Health Resources as being qualified under the minimum qualifications for Directors as established by the Texas Board of Health Resources.

4. The Director of the full-time Local Health Department or District is to be in complete charge of all public health activities of the Department and shall direct the personnel. He will have full authority to employ, discharge, and transfer any and all personnel under his direction as provided in the Merit System Rules and Regulations.

The Local Appropriating Agencies shall establish a Board of Health for the Upshur County Health Department or District.

5. It is understood that in the Upshur County Health Department or District jurisdiction, there will be no independent public health services carried out which may in any way conflict with or duplicate the activities of the health department. The Director will be in charge of the full-time Local Health Department's or District's activities for that area, and personnel on the face of this budget will be allowed to serve in any section of the jurisdiction and at any time that the Director deems necessary.

6. The Local Health Department Director or District Director will make such financial and activity reports as may be required by the Texas Department of Health Resources. The Texas Department of Health Resources reserves the right to audit such reports.

7. It is understood that due to lack of State funds it may be necessary at some future date to reduce the financial participation on the part of the State.

8. Compliance with all sections of Title VI of the Civil Rights Act of 1964 as amended through July 5, 1973, is assured.

[Signature]

Bernice Nobles  
[Signature]  
[Signature]  
[Signature]

Officials representing Local Appropriating Agencies (Mayor, City Manager, County Judge, Etc.)

PERMIT APPLICATION FOR  
USE OF UPSHUR COUNTY RIGHT OF WAY

Date \_\_\_\_\_

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

Formal notice is hereby given that Gregory S. Kinley  
whose principal address is RT-1-BOX 87B BIG SAND  
does propose to place a WATER LINE  
within the ROW of County Road SILVER MAPLE  
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 \_\_\_\_\_, 19\_\_\_\_.

FIRM: \_\_\_\_\_

TITLE: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

*Approved*  
*6-13-77*

MINUTES RELATING TO ORDER APPROVING AND  
AUTHORIZING THE GIVING OF NOTICE OF  
INTENTION TO ISSUE CERTAIN INDEBTEDNESS  
AND TO INCUR CLAIMS AND ACCOUNTS

THE STATE OF TEXAS       §  
  §  
COUNTY OF UPSHUR       §

ON THIS, the 13th day of June, 1977, the Commissioners' Court of Upshur County, Texas, convened in regular session at the regular meeting place thereof in the Courthouse at Gilmer, Texas, the meeting being open to the public, and notice of said meeting having been given as prescribed by Article 6252-17, Section 3A, V.A.T.C.S., with the following members of said Court being present and in attendance, to wit:

EVERETT DEAN	COUNTY JUDGE
MRS. OFFIE NOBLES	COMMISSIONER, PRECINCT 1
J. W. MEADOWS	COMMISSIONER, PRECINCT 2
CHARLES STILL	COMMISSIONER, PRECINCT 3
FLOYD DRENNAN	COMMISSIONER, PRECINCT 4

and with the following absent: None, constituting a quorum; and among other business considered at said meeting, an order was submitted to the Commissioners' Court for passage, such order being entitled as follows:

"AN ORDER by the Commissioners' Court of Upshur County, Texas, authorizing and directing the County Judge to give notice of the County's intention to issue certain obligations and of the intention to incur claims and accounts to represent an undivided interest therein; and making certain findings in connection therewith."

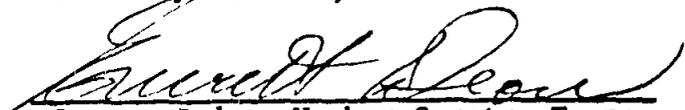
The order was read in full. Thereupon, Commissioner STILL made a motion that the order be passed finally. The motion was seconded by Commissioner MEADOWS and carried by the following vote.

AYES: County Judge Dean and Commissioners Nobles, Meadows, Still and Drennan.

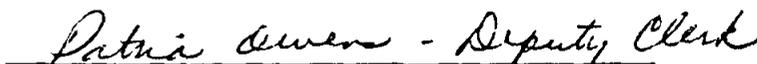
NOES: None.

The Presiding Officer then announced that the order had been finally passed and adopted.

MINUTES APPROVED, this the 13th day of June, 1977.

  
County Judge, Upshur County, Texas

ATTEST:

  
County Clerk and Ex-Officio Clerk  
of the Commissioners' Court of  
Upshur County, Texas

(Comm.Crt.Seal)

AN ORDER by the Commissioners' Court of Upshur County, Texas, authorizing and directing the County Judge to give notice of the County's intention to issue certain obligations and of the intention to incur claims and accounts to represent an undivided interest therein; and making certain findings in connection therewith.

WHEREAS, it has been determined that certain road improvements should be undertaken and materials, supplies and equipment purchased and that the same should be financed by the issuance of interest bearing obligations; and

WHEREAS, it is now proper for this governing body to give notice of its intention to issue such obligations; therefore,

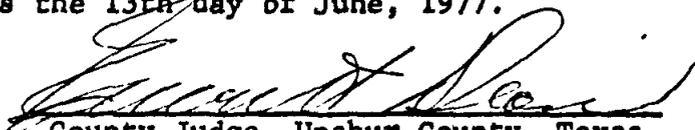
BE IT ORDERED BY THE COMMISSIONERS' COURT OF UPSHUR COUNTY, TEXAS:

SECTION 1: That the County Judge of this County is hereby authorized and directed to give notice of the County's intention to issue certificates of indebtedness for the purposes set forth in the notice (the form of which is prescribed by this order) and of the intention of the County to incur claims and accounts representing an undivided interest therein.

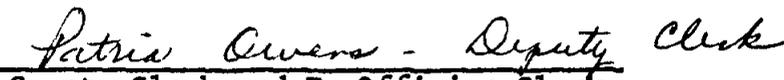
SECTION 2: The notice to be issued and published shall be in the form attached hereto (as Exhibit A) and made a part of this order for all purposes. The notice shall be published in a newspaper of general circulation in this County once a week for two consecutive weeks, the date of the first publication to be at least fourteen (14) full days prior to the date set therein for the passage of the order authorizing the said certificates.

SECTION 3: Further orders are reserved until such notice has been issued and published as required by law.

PASSED AND APPROVED, this the 13th day of June, 1977.

  
County Judge, Upshur County, Texas

ATTEST:

  
County Clerk and Ex-Officio Clerk  
of the Commissioners' Court of  
Upshur County, Texas

(Comm.Crt.Seal)

EXHIBIT "A"

Notice of Intention of Upshur County, Texas, to  
issue certain indebtedness and of the intention  
of the County to incur claims and accounts.

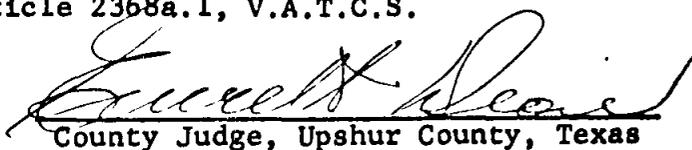
Notice is hereby given that on the 11th day of July, 1977, at 10:00 o'clock A.M., the governing body of Upshur County, Texas, proposes to convene at its regular meeting place, at the Courthouse in Gilmer, Texas, and at that time and place proposes to authorize the issuance of \$750,000 in principal amount of indebtedness (to be called Certificates of Obligation) which will not be payable from current funds, but which shall be payable from ad valorem taxes levied and to be levied for the payment of the principal of the obligations and the interest thereon.

The obligations to be authorized shall precede the execution of the contract or contracts (when the contract is required to be in writing), which are to be paid through the issuance and delivery thereof, but no contract shall be made payable therefrom, or from claims and accounts incurred, unless (1) competitive bids have been received and the contract awarded to the lowest and best bidder or (2) the contract is not required to be let upon competitive bids by the provisions of applicable law.

The obligations shall be authorized for the purpose of paying all of a part of the contractual obligations to be incurred for the construction of public works (the construction and reconstruction of county roads and bridges) and for the purchase of materials, supplies, equipment and machinery and for the acquisition of land and rights of way for county roads. The Certificates shall mature not later than December 31, 2016.

Upon the authorization of the said obligations, the governing body of the County may provide that claims and accounts may be (1) incurred to represent an undivided interest in the obligations simultaneously authorized and (2) funded or exchanged for a like principal amount of such obligations, with any amount in excess of the principal amount of certificates so exchanged or delivered at any one time to be (a) paid in cash or (b) carried forward to a subsequent exchange of claims and accounts for such obligations.

This notice is issued and caused to be published by reason of the adoption of an order by the governing body of Upshur County, Texas, and as provided by Article 2368a.1, V.A.T.C.S.

  
County Judge, Upshur County, Texas

RONNIE H. MINNICK  
605 W. 5TH 793-3134  
TEXARKANA, TEXAS 75501

805

June 15 1977 <sup>81-75</sup> 829

PAY TO THE ORDER OF

J. B. Hill, Jr. County Clerk

\$150.00

One Hundred Fifty and no/100 DOLLARS



STATE  
FIRST NATIONAL BANK  
TEXARKANA, ARKANSAS 75501

FOR

Lawyers Title Agency

Joyce Hyde

⑆0829⑆0075⑆

⑈03⑈533⑈5⑈

Rec- 6-16-77