



# UPSHUR COUNTY COMMISSIONERS COURT

GILMER, TEXAS

April 6, 1978

VOL. 18 PG. 334

Commissioners Court met in Special session with all members present.

Judge Dean read a resolution to the City of Gilmer concerning rural fire protection, and asked the court to approve this resolution. Charles Still seconded this motion with all the members voting in favor of the resolution. Motion carried. (copy attached.)

J. W. Meadows made a motion, seconded by Bernice Nobles to adjourn. Motion carried.

Ernest Davis

Charles L. Still

Bernice Nobles

Gloyd Drennon

J. W. Meadows

PERMIT APPLICATION FOR  
USE OF UPSHUR COUNTY RIGHT OF WAY

Date March 30, 1978

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

Formal notice is hereby given that Danny Grayson  
whose principal address is Rt. 2 Box 168-A No, Tex  
does propose to place a driveway culvert  
within the ROW of County Road Pheasant Trail  
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: \_\_\_\_\_

*ap prouch  
4-3-78*

**UPSHUR COUNTY COMMISSIONERS COURT**

GILMER, TEXAS

A RESOLUTION OF THE UPSHUR COUNTY  
COMMISSIONERS COURT

APRIL 6, 1978

Mayor Harry Lucas, Sr.  
Gilmer City Council  
Upshur County Citizens

The Commissioners Court of Upshur County met in special meeting 9:00 A. M., April 6, 1978 to discuss the proposal made by the City of Gilmer concerning rural fire protection. The proposal provides that full service would be restored to the remainder of the County outside the City of Gilmer if the County would agree to contribute \$1,000 per month to the Gilmer Fire Department.

The Upshur County Commissioners Court does not feel that this is an equitable request, however, the Court would agree to continue paying the City the \$250 per month providing that at least the truck provided by the Texas Forest Service to use in the rural areas continues to answer calls outside the City. If this is not acceptable by the City Council the Commissioners Court will discontinue the \$250 per month contribution and request that the Texas Forest Service truck be relocated within the County so that it may be used for its intended purpose.

The decision made by the Commissioners Court was not made in haste, but rather after considering several factors, present and future ramifications of the proposal. The original purpose of giving contributions to the various fire departments was not to fund such operations but rather to help defray some basic expenses to the departments.

Whether or not the city, the county, or the two in combination provide monies for fire departments, all monies come from the local taxpayers. The County's main source of revenue to fund all its operations is the ad valorem tax, whereas the City has sales taxes and federal grants along with ad valorem taxes. Upshur County is approximately 25.4% urban population and 74.6% rural. Since the sales tax revenues and individual income tax revenues, which come back in the form of federal grants, and provided for proportionately by the citizens, both urban and rural. Counties do not have the authority to levy sales taxes nor are they eligible for these federal grants.

As an example, the City of Gilmer has received approximately \$701,983 in federal grants for use exclusively in the City of Gilmer. The city sales tax has steadily increased over the years. In 1975 the City received \$121,621.33, 1976-\$156,346.34, 1977-\$178,671.32 and for the first three months of 1978-\$53,299.00. This is due to the increased patronage and support of the whole area, which the Commissioners Court strongly supports the continuance of this trade. All these revenues go into the City of Gilmer's budget, but are provided for by the total population, 25.4% urban and 74.6% rural.

The Commissioners Court has never considered increasing any one departments contributions without likewise increasing all the others a like percentage. If the Court was to increase the Gilmer Fire Department's contributions to the requested \$1,000 per month, based on the current total contribution of \$750 per month to all departments the cost of rural fire protection would increase on an annual basis from \$9,000 to \$36,000 and this \$27,000 increase could only come from ad valorem taxes which all, urban and rural,

taxpayers pay. A large percentage of Upshur County's urban citizens own property in the rural areas, so everyone would bear the increase cost.

The city and county has and does work together on many joint ventures for the use and enjoyment of all citizens. Among the contributions made to these efforts by the County include sharing costs on the teletype service for the law enforcement agencies, mutual use in time of need of jail facilities, \$1,250 per year to the Upshur County Parks Board, and approximately \$20,000 to fund the County Library. Even though the County Park and County Library are within the City of Gilmer it is felt by the Court that they provide for all Upshur County citizens.

After considering all the factors, the Upshur County Commissioners Court feels that its decision is in the best interest of Upshur County citizens, both city and rural. The Commissioners Court will continue to assist the County fire departments within the budget of the County. The new budget year will begin October 1, 1978 and public hearings on the composition of the budget will be held to provide adequate participation of all citizens.

The Commissioners Court will strive to investigate any and all avenues to a permanent solution that is equitable and sufficient to meet the needs of all Upshur County citizens.

Adopted this 6th day of April, 1978.

*Charles F. Still*

Charles Still, Commissioner  
Precinct 3

*Floyd Drenman*

Floyd Drenman, Commissioner  
Precinct 4

*Everett Dean*

Everett Dean, County Judge

Bernice Nobles, Commissioner  
Precinct 1

*Bernice Nobles*

J. W. Meadows, Commissioner  
Precinct 2

*J. W. Meadows*