



**UPSHUR COUNTY COMMISSIONERS COURT**  
**GILMER, TEXAS**

June 18, 1979

Commissioners Court met in Special Session with all members present.

Judge Dean read the minutes of June 11, 1979. J.W. Meadows made motion, seconded by Floyd Drennan for the minutes to stand as read. Motion carried.

Charles Still made motion, seconded by Floyd Drennan to approve an order authorizing the County Judge to give notice to bidders to advertise for road oil. Bids will be opened July 9, 1979 at 9:00 A.M. Motion carried. (Copy attached)

Turner Ranch submitted a permit application to place a culvert within the ROW of county road, Raccoon Trail. Floyd Drennan made motion, seconded by Charles Still to approve this permit. Motion carried. (Copy attached)

Motion was made by J.W. Meadows, seconded by Floyd Drennan to approve the unpaid bills. Motion carried. (Copy attached)

County Auditor, Keith Barber presented budget amendments to the court. Motion was made by Charles Still, seconded by J.W. Meadows to approve the order approving the amendments. Motion carried. (Copy attached)

Motion was made by Floyd Drennan, seconded by Charles Still for Connie Allen to replace Mary Marie Cook as lay representative for the County Library. Motion carried.

Commissioners Court adjourned for an Executive Session.

*J. W. Meadows*      *J. W. Meadows*  
 \_\_\_\_\_      \_\_\_\_\_

*Bernice Dohles*      *Charles Still*  
 \_\_\_\_\_      \_\_\_\_\_

*Floyd Drennan*  
 \_\_\_\_\_

**ORDER AUTHORIZING COUNTY JUDGE TO GIVE NOTICE  
TO BIDDERS OF UPSHUR COUNTY'S INTENTION TO PURCHASE  
MATERIALS AND PROVIDE FOR CERTAIN WORK TO BE DONE AND  
TO DELIVER CERTAIN CERTIFICATES OF OBLIGATION (OR CLAIMS  
AND ACCOUNTS REPRESENTING AN UNDIVIDED INTEREST THEREIN)  
IN PAYMENT OF ALL OR A PORTION OF THE COST THEREOF**

THE STATE OF TEXAS                   §  
  §  
COUNTY OF UPSHUR                   §

ON THIS, the 18th day of June, 1979, the Commissioners' Court of Upshur County, Texas, convened in special 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 NO. 1
J. W. MEADOWS	COMMISSIONER, PRECINCT NO. 2
CHARLES STILL	COMMISSIONER, PRECINCT NO. 3
FLOYD DRENNAN	COMMISSIONER, PRECINCT NO. 4

and with the following absent: \_\_\_\_\_, constituting a quorum; and among other business considered at said meeting, an order was submitted to the Commissioners' Court for passage, such order being as follows:

WHEREAS, by its order passed on the 14th day of May, 1979, this Court has duly authorized the issuance of \$500,000 certificates of obligation for the purpose of paying all or 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; and

WHEREAS, it is now found necessary and proper to receive bids for certain materials and labor which are necessary for the re-construction and improvement of the county roads; therefore,

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

**SECTION 1:** That the County Judge be and he is hereby authorized and directed to cause to be published in the time and manner prescribed by law, notice that the Commissioners' Court of Upshur County will receive bids for certain materials to be purchased and for certain work to be done in the re-construction and improvement of county roads.

**SECTION 2:** The form and content of said notice shall be as follows, to wit:

NOTICE TO BIDDERS OF UPSHUR COUNTY'S INTENTION TO PURCHASE MATERIALS AND CONTRACT FOR THE PERFORMANCE OF CERTAIN WORK IN CONNECTION WITH THE RECONSTRUCTION AND IMPROVEMENT OF COUNTY ROADS AND TO DELIVER CERTIFICATES OF OBLIGATION (OR CLAIMS AND ACCOUNTS REPRESENTING AN UNDIVIDED INTEREST THEREIN) IN PAYMENT OF ALL OR A PORTION OF THE COST THEREOF

SEALED PROPOSALS, addressed to the Commissioners' Court of Upshur County, Texas, will be received at the office of the County Judge, Courthouse, Gilmer, Texas, until 9:00 o'clock A. M., on the 9th day of July, 1979, for the furnishing of certain materials and the performance of certain work in connection with the reconstruction and improvement of county roads of said County, and at such time and place all such proposals will be publicly opened and read.

The materials to be purchased by the County consists of road oil which shall be purchased in the following lots:

- Lot 1 - up to 30,000 barrels of crude oil
- Lot 2 - up to 30,000 barrels of refined oil

THE BIDDER may specify whether the oil will be delivered in bulk at facilities owned by the bidder or delivered in bulk to the County at the places to be designated by the Court or whether delivery will be made to the job site (in transports equipped to supply oil with spoon, or other device) for direct application to the roads by the driver of the transport.

BIDS will also be received for the transport of such oil (either lot) from a point within 18 miles of the City of Gilmer, Texas, for delivery in bulk to the County at the places to be designated by the Court or for delivery to the job site (in transports equipped to supply oil with spoon or other device) for direct application to the road by the driver of the transport.

A CERTIFIED OR CASHIER'S CHECK or an acceptable bid bond in an amount not less than five per cent (5%) of the total bid shall accompany each bid as a guaranty that, if awarded the contract, the bidder will promptly enter into contract with the County, and bids without a check or bid bond will not be considered.

BIDDERS may submit proposals on one or more items. All unit prices must be stated in both script and figures. In case of ambiguity or lack of clearness in stating price in the bids, the County reserves the right to consider the most advantageous contraction thereof or to reject the bid.

ALL BIDS must be submitted on the forms provided and must specify the delivery time required on all items included therein.

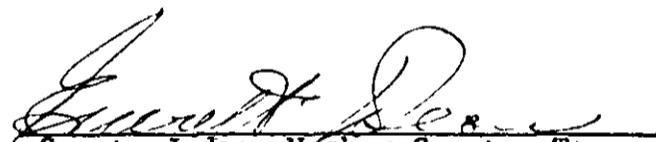
THE SUCCESSFUL BIDDER on delivery of oil to the County (except where delivery is at the facilities owned by the bidder) will be required to furnish a performance bond and a payment bond each in the full amount of the contract, written by a responsible surety company authorized to do business in the State of Texas and satisfactory to the Commissioners' Court as required by Article 5160, V.A.T.C.S. Attention is directed that Article 5159a, V.A. T.C.S., requires that not less than the general prevailing rates of per diem wages for work of a similar character in the locality where the work is performed shall be paid all laborers, workmen and mechanics employed in the construction of public works. Where delivery of oil is at the facilities owned by the bidder, only a performance bond (in the full amount of the contract) will be required.

NOTICE is hereby further given that the County proposes to pay all or part of the contractual obligations to be incurred through the issuance and delivery of such amount of the \$500,000 "Upshur County, Texas, Certificates of Obligation, Series 1979," (as authorized by an order passed and adopted on the 14th day of May, 1979) as shall be required. Such certificates mature in the years 1980 through 1995; bear interest at the rate of 6% per annum; are payable from taxation; and reference is made to the aforesaid authorizing order for a full and complete description of the terms of such certificates. Claims and accounts (representing an undivided interest in such certificates may be delivered to the contractor.

THE COUNTY has made arrangements for the successful bidder to assign any certificates of obligation or claims and accounts to a financial institution at the price of par flat (no accrued interest) or the successful bidder may elect to retain the certificates or claims and accounts. Claims and accounts, if retained, must be surrendered in exchange for certificates of obligation within five (5) business days of a request that such action be taken.

NOTICE is hereby further given that the contract to be entered into by and between the successful bidder or bidders and the County will contain the provision that "this agreement may be cancelled by either party on five days notice."

THE COUNTY reserves the right to reject any and all bids and to award the contract to the bidder or bidders who, in the opinion of the Commissioners' Court, offer the proposal or proposals to the best interest of the County, and to waive formalities.

  
County Judge, Upshur County, Texas

**SECTION 3:** That all information, directions and recitals contained in the foregoing notice be and the same are hereby expressly adopted and made a part of this order and to the same extent and with like effect as if here now separately stated.

**SECTION 4:** Further orders are reserved by this Court until sealed proposals or bids are received and publicly opened and read.

\* \* \* \* \*

The above order having been read in full, it was moved by Commissioner Still and seconded by Commissioner Drennan that the same be passed and adopted. Thereupon, the question being called for, the County Judge put the motion to a vote of the members of the Commissioners' Court and the motion carried by the following vote: County Judge Dean and Commissioners Nobles, Meadows, Still and Drennan voting "AYE"; and none voting "NO".

The County Judge declared the motion carried and the order passed, and the Clerk was instructed to record the same in the proper Minutes of the Court.

PASSED AND ADOPTED, this the 18th day of June, 1979.

Garrett Dean  
County Judge, Upshur County, Texas

ATTEST:

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

(Comm. Crt. Seal)





GENERAL FUND

<u>Claim No.</u>	<u>Pay To:</u>	<u>Classification</u>	<u>Amount</u>
576	Postmaster	Supplies	500.00
577	First National Bank	Transfer (Non Add)	25,090.23
578	First National Bank	C.D. Purchase	45,000.00
579	First National Bank	C.D. Purchase	9,000.00
580	Copy Products	Supplies	233.60
581	Dr. John Holbrook	Services & Charges	400.00
582	MUM County Probation System	Services & Charges	1,216.70
583	Swepeco	Services & Charges	1,115.42
584	General Telephone	Services & Charges	842.77
585	Red Ball Motor Freight	Supplies	4.79
586	J.B. Hill, Jr.	Services & Charges	258.24

UNDIVIDED ROAD & BRIDGE

15	First National Bank	Transfer (Non Add)	6,938.84
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ROAD & BRIDGE #1

136	First National Bank	Transfer (Non Add)	6,350.36
137	First National Bank	C.D. Purchase	50,000.00
138	Gulf Oil Corporation	Supplies	980.68

ROAD & BRIDGE #2

175	First National Bank	Transfer (Non Add)	6,439.06
176	First National Bank	C.D. Purchase	68,000.00
177	Gulf Oil Corporation	Supplies	823.27

ROAD & BRIDGE #3

148	First National Bank	Transfer (Non Add)	1,151.59
149	First National Bank	C.D. Purchase	28,000.00
150	Gulf Oil Corporation	Supplies	1,922.42

ROAD & BRIDGE #4

180	First National Bank	Transfer (Non Add)	8,720.14
181	First National Bank	C.D. Purchase	33,000.00
182	Leland Equipment Company	Supplies	123.60
183	Gulf Oil Corporation	Supplies	84.95

SALARY FUND

57 First National Bank Transfer (Non Add) 17,641.48

REVENUE SHARING FUND

66 First National Bank Transfer (Non Add) 826.37

MUW PROBATION FUND

9 First National Bank Transfer (Non Add) 20,041.99  
10 MUW County Probation System Monthly Requisition 9,531.00

LAW LIBRARY FUND

20 First National Bank Transfer (Non Add) 1,163.27

ROW FUND

First National Bank Transfer (Non Add) 669.22

LEOS&E FUND

First National Bank Transfer (Non Add) 1,036.00

CRIMINAL JUSTICE FUND

First National Bank Transfer (Non Add) 4,088.10

PERM SCHOOL FUND

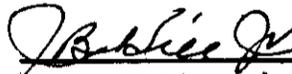
First National Bank Transfer (Non Add) 4,717.66

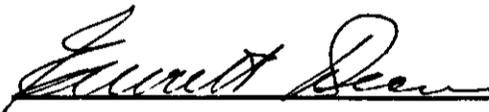
ORDER

The Upshur County Commissioner's Court meeting in special session this the 18th day of June, 19 79 and under the provision stated in Section 11 of Article 689a of Vernon's Civil Status, does declare that an emergency exists, and it is a case of grave public necessity, to meet unusual and unforeseen conditions which could not, by reasonably diligent thought and attention, have been included in the original budget, does hereby amend the budget.

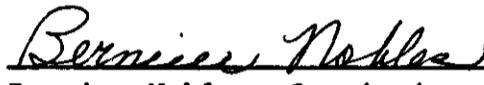
Those sections that are amended are attached and shall be entered upon the minutes of the Commissioners Court.

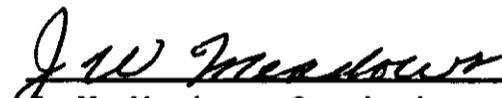
Signed this the 18th day of June, 19 79.

  
\_\_\_\_\_  
J. B. Hill, Jr., County Clerk

  
\_\_\_\_\_  
Everett Dean, County Judge



  
\_\_\_\_\_  
Bernice Nobles, Commissioner  
Precinct 1

  
\_\_\_\_\_  
J. W. Meadows, Commissioner  
Precinct 2

  
\_\_\_\_\_  
Charles Still, Commissioner  
Precinct 3

  
\_\_\_\_\_  
Floyd Drennan, Commissioner  
Precinct 4

\* Previously Amended

	FUND	1	2	3	4
	DEPARTMENT		Adopted	Requested	As
	Line Item		1979*	Amendment	Amended
1	GENERAL				
2					
3	COMMISSIONERS COURT				
4	OTHER SERVICES & CHARGES				
5	Travel		650.00	128.38	778.38
6	Utilities		350.00	250.00	600.00
7					
8					
9	COUNTY CLERK				
10	SALARIES				
11	* Extra		4,610.30	52.44	4,662.74
12	OTHER SERVICES & CHARGES				
13	* Travel		327.47	272.82	585.71
14	Utilities		360.00	260.00	620.00
15	Miscellaneous		102.72	547.11	649.83
16	CAPITAL OUTLAY				
17	Equipment		1,086.00	650.83	1,736.83
18					
19					
20	VETERAN'S SERVICE OFFICE				
21	OTHER SERVICES & CHARGES				
22	Miscellaneous		-0-	62.13	62.13
23					
24					
25	DISTRICT COURT				
26	SUPPLIES				
27	* Office Supplies		594.47	144.80	739.27
28	OTHER SERVICES & CHARGES				
29	Professional		3,000.00	1,796.77	4,796.77
30					
31					
32	DISTRICT CLERK				
33	SALARIES				
34	* Extra		1,300.00	28.77	1,328.77
35	BENEFITS				
36	Insurance		471.00	55.72	526.72
37	Unemployment Insurance		48.00	48.00	96.00
38	SUPPLIES				
39	Office Supplies		1,500.00	687.76	2,187.76
40	OTHER SERVICES & CHARGES				
	Miscellaneous		857.50	73.45	930.95

		1	2	3	4
			Adopted 1979*	Requested Amendment	As Amended
1					
2					
3					
4					
5					
6	<b>JUSTICE OF THE PEACE</b>				
7	<b>SUPPLIES</b>				
8	* Office Supplies		1,716.44	166.09	1,882.53
9					
10					
11	<b>DISTRICT ATTORNEY</b>				
12	<b>BENEFITS</b>				
13	Unemployment Insurance		144.00	17.38	161.38
14					
15					
16	<b>COUNTY AUDITOR</b>				
17	<b>SALARIES</b>				
18	Extra		900.00	900.00	1,800.00
19					
20					
21	<b>COUNTY TREASURER</b>				
22	<b>SUPPLIES</b>				
23	* Office Supplies		210.00	383.80	593.80
24	<b>CAPITAL OUTLAY</b>				
25	Equipment		-0-	143.95	143.95
26					
27					
28	<b>TAX ASSESSOR - COLLECTOR</b>				
29	<b>SUPPLIES</b>				
30	Office Supplies		2,500.00	616.03	3,116.03
31	<b>OTHER SERVICES &amp; CHARGES</b>				
32	* Travel		400.00	650.92	1,050.92
33	Miscellaneous		50.00	275.51	325.51
34					
35					
36	<b>BUILDING MAINTENANCE</b>				
37	<b>BENEFITS</b>				
38	Worker's Comp.		496.00	145.12	641.12
39	<b>OTHER SERVICES &amp; CHARGES</b>				
40	Professional		1,000.00	349.92	1,349.92

		2	3	4
		Adopted 1979*	Requested Amendment	As Amended
1	BUILDING MAINTENANCE Cont.			
2	CAPITAL OUTLAY			
3	Equipment	1,000.00	88.22	1,088.22
4				
5	COUNTY SHERIFF			
6	OTHER SERVICES & CHARGES			
7	Repairs	1,300.00	585.40	1,885.40
8				
9				
10				
11	COUNTY HEALTH UNIT			
12	BENEFITS			
13	Worker's Comp	8.00	1.72	9.72
14	Unemployment Insurance	43.85	30.54	54.39
15				
16				
17	COUNTY LIBRARY			
18	SALARIES			
19	Extra	900.00	138.00	1,038.00
20	BENEFITS			
21	Worker's Comp	50.00	9.61	59.61
22	OTHER SERVICES & CHARGES			
23	Travel	100.00	29.93	129.93
24				
25				
26	COUNTY EXTENSION SERVICE			
27	SALARIES			
28	Extra	900.00	900.00	1,800.00
29	BENEFITS			
30	Unemployment Insurance	51.57	28.36	79.93
31				
32				
33				
34				
35				
36				
37				
38				
39				
40				

FUND		1	2	3	4
DEPARTMENT	Line Item		Adopted 1979*	Requested Amendment	As Amended
ROAD & BRIDGE #2	BENEFITS				
	Unemployment Insurance		240,00	10,58	250,58
DEBT SERVICE	Interest		-0-	1,285,64	1,285,64
ROAD & BRIDGE #3	DEBT SERVICE				
	Interest		-0-	10,342,63	10,342,63
ROAD & BRIDGE #4	BENEFITS				
	Unemployment Insurance		240,00	97	240,97
DEBT SERVICE	Interest		-0-	5,250,87	5,250,87
REVENUE SHARING	GENERAL OPERATIONS				
	Capital Outlay		9,964,00	(3,675,72)	6,288,28
	Debt Service		49,000,00	1,000,00	50,000,00
	Services & Charges		30,000,00	(7,496,80)	22,503,20
PRECINCT #1	Supplies		5,000,00	2,381,97	7,381,97
PRECINCT #2	Supplies		5,000,00	(540,82)	4,459,18
	Capital Outlay		10,997,72	3,017,28	14,015,00
PRECINCT #3	Supplies		686,06	2,864,73	3,550,79
PRECINCT #4	Supplies		5,000,00	7,548,36	12,548,36
	Services & Charges		5,000,00	(5,000,00)	-0-
				99,00	

VOL. 19 PG. 454

LONGVIEW  
BANK & TRUST  
LONGVIEW, TEXAS 75601

LAWYERS TITLE AGENCY OF GREGG CO.  
422 NORTH GREEN 757-5116  
LONGVIEW, TEXAS 75601

897

PAY  
TO THE  
ORDER OF

County Clerk, Upshaw County

6-1 1079 88-2329  
1119  
\$150 <sup>00</sup>/<sub>100</sub>

One Hundred Fifty & <sup>00</sup>/<sub>100</sub> DOLLARS

BY ENDORSEMENT THIS CHECK WHEN PAID IS ACCEPTED IN FULL PAYMENT OF THE FOLLOWING ACCOUNT

LAWYERS TITLE AGENCY OF GREGG CO.

Elizabeth Barlow

⑆111923238⑆ ⑆02 0629 ⑆