



UPSHUR COUNTY COMMISSIONERS COURT

GILMER, TEXAS

November 19, 1979

Commissioners Court met in Special Session with Commissioners Bernice Nobles, J. W. Meadows, Charles Still and Judge Everett Dean present. Commissioner Floyd Drennan was absent.

Judge Dean read the minutes of November 1, 1979. Motion made by Charles Still and seconded by J. W. Meadows to approve the minutes as read. Motion carried.

Judge Dean read the minutes of November 12, 1979. Motion made by J. W. Meadows and seconded by Charles Still to approve the minutes as read. Motion carried.

Judge Dean read letter from Southwest Texas State University, Texas Justice of the Peace Training Center, stating that during the week of November 6-9, 1979, Judges Elmer S. Simpson, W. S. Chasteen, Howard Clifton and Gorman Coston successfully completed a twenty hour course in the responsibilities of the office of Justice of the Peace, as required by Article 5972 of Texas Revised Civil Statutes. Motion made by Charles Still and seconded by J. W. Meadows for letter to be placed in the court minutes. Motion carried. (Copy attached.)

Motion made by Charles Still and seconded by J. W. Meadows to approve permit application of Jerry W. Love to place a culvert extension within ROW of County Road, Almond Road. Motion carried. (Copy attached.)

Motion made by J. W. Meadows and seconded by Bernice Nobles to approve Special Road Use Agreement submitted by Exxon Company, for the use of County Roads located in Precinct No. 4. Motion carried. (Copy attached.)

Commissioners Court closed for an Execution Session and later reopened.

Motion made by J. W. Meadows and seconded by Bernice Nobles to approve the following Employee Change of Status:
Rhonda Yocom, new employee as Secretary in the Sheriff's Department
Margaret Richardson, new employee as Deputy Tax Clerk in Tax Office
Johnny Lummus, promotion in the Sheriff's Department
Dale Jewkes, promotion in the Sheriff's Department
Floydia Chalk, length of service increase, Precinct No. 3
Motion carried. (Copy attached.)

Motion made by J. W. Meadows and seconded by Bernice Nobles to table the bids of a Motor Grader. Motion carried.

Motion made by J. W. Meadows and seconded by Charles Still to approve the unpaid bills. Motion carried. (Copy attached.)

Motion made by Bernice Nobles and seconded by J. W. Meadows to adjourn. Motion carried.

Everett Dean

J. W. Meadows

Bernice Nobles

Charles L. Still

Floyd Drennan

FILED
J.B. HILL, JR.
CLERK UPSHUR COUNTY
DEC 3 AM 11:54

VUL. 19 PG. 818

Southwest Texas State University
Texas Justice of the Peace Training Center
San Marcos, Texas 78666

(512) 245-2349

November 14, 1979

Hon. Everett Dean
Upshur County
Courthouse
Gilmer, Texas 75644

Dear Judge Dean:

During the week of November 6-9, 1979, Judges Elmer S. Simpson, W. S. Chasteen, Howard Clifton and Gorman Coston successfully completed a twenty hour course in the responsibilities of the office of Justice of the Peace. Article 5972 of the Texas Revised Civil Statutes requires each newly elected/appointed Justice of the Peace to complete a forty hour course in the responsibilities of the J.P. office and additionally to complete a twenty hour course each year thereafter. This article encompasses all justices who took office since August 30, 1963 and are not licensed attorneys. The funding of this program, which provides free room and board for the judges at the seminar, is made possible through a grant from the Governor's Office, Criminal Justice Division.

We at the Training Center realize how important it is to you and the people you serve to insure that your county Justices of the Peace are properly trained and equipped to carry out the duties and obligations of the office. As ninety to ninety-five percent of our citizenry have their one and only contact with a lower court judge, it is imperative that this contact be as judicious as possible.

You may wish to enter this letter in the minutes of your next commissioners court meeting in order that it may become a permanent record. If we at the Training Center can ever be of assistance, please do not hesitate to call.

Sincerely,



Ronald D. Champion
Executive Director

RDC/bjm

PERMIT APPLICATION FOR
USE OF UPSHUR COUNTY RIGHT OF WAY

Date November 14, 1979

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

Formal notice is hereby given that Jerry W. Love
whose principal address is Rt. 3 Box 294A, Gilmer, Texas 75644
does propose to place a culvert extension
within the ROW of County Road Almond Road
as follows:

The location and description of the proposed lines or
improvements 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____.

BY: Jerry W. Love

TITLE: _____

ADDRESS: _____

FILED
J.B. HILL, JR.
CLERK UPSHUR COUNTY

79 NOV 19 AM 11:23

approved
11-19-79

Precinct _____

VOL. 19 PG. 220SPECIAL ROAD USE AGREEMENT

THIS AGREEMENT made and entered into by and between EXXON COMPANY, U.S.A. (a division of Exxon Corporation), herein called "Exxon," and the COUNTY COMMISSIONERS OF UPSHUR COUNTY, TEXAS,

W I T N E S S E T H :

WHEREAS, for the drilling and completing of Exxon's Hollie G. McClain Well No. 1 in the Delrose Field, Upshur County, Texas, it is necessary to transport well drilling and well servicing units over portions of Upshur County roads located in Precinct No. 4 over which the Commissioner for that Precinct has jurisdiction and the obligation to maintain said roads in good repair; and

WHEREAS, both parties are aware of possible damage to said roads as a result of Exxon's hauling and transporting said equipment on and over said roads:

NOW, THEREFORE, in consideration of the mutual covenants and agreements herein stated, it is agreed as follows:

1. Exxon agrees to use for the purposes above recited, only those sections of the county roads shown in RED on the plat marked Exhibit "A," attached hereto, which sections of road are hereinafter referred to as "the roads." The term "the roads" shall (for the purposes of this agreement) include any bridge or culvert located on or under said roads.
2. Exxon agrees to use its vehicles in such a manner as not to block or interfere with other traffic on the roads, so that the roads will be open to travel by the public at all times.
3. Exxon agrees to reimburse Upshur County for the reasonable costs of materials for maintaining and repairing the roads during the time that Exxon is transporting well drilling equipment, well servicing units and machinery to and from the site of the well identified above, to the extent that such maintaining and repairing are necessary as the result of Exxon's use of the roads. Exxon also agrees to reimburse Upshur County for such costs incurred in repairing the roads following completion of use of the roads by Exxon as herein provided, to the extent that such repairing is necessary as the result of Exxon's use of the roads as provided herein. The approximate cost of materials to completely resurface a county road is \$4,000 per mile. The length of roads to be used by Exxon is about one (1) mile. Therefore, Exxon agrees to reimburse the County for a maximum of its fair share of \$4,000.
4. During the time that Exxon is so using the roads, if the County Commissioner of Precinct No. 4 proposes to perform any maintenance work or repairs on the roads which said Commissioner deems necessary as the result of Exxon's use of the roads, said Commissioner shall give notice to Exxon of the proposed action not less than forty-eight (48) hours in advance of the performance of said work. In such event, a joint inspection shall be made by an Upshur County representative and a representative of Exxon so that a mutual agreement can be reached, if possible, as to the cause of the need for such maintenance or repair, and the nature and extent of the necessary repairs. Upon completion of Exxon's use of the roads under this agreement, Exxon shall promptly give the County Commissioner of Precinct No. 4 notice of such fact, and promptly thereafter, a joint inspection shall be made by an Upshur County representative and a representative of Exxon so that a mutual agreement can be reached, if possible,

as to the repairs which have become necessary by reason of Exxon's use of the roads. Following each such joint inspection, the County of Upshur shall submit to Exxon a written estimate of the cost of materials for such necessary repairs. The notices herein provided for shall be given in writing, addressed to Exxon at P. O. Box 2025, Tyler, Texas 75710, and to the County Commissioner of Precinct No. 4 at P. O. Box 730, Gilmer, Texas 75644.

5. Payment by Exxon hereunder shall be made upon proof of expenditures, with evidence as to what the expenditures relate, together with a written statement signed by the County Judge of Upshur County, Texas, that such repair work has been completed in a manner satisfactory to the County.

6. The road to which this Agreement applies is the same as that road which was covered by similar agreement dated August 6, 1979, in connection with Exxon's Ralph A. Byman No. 1 well. It is recognized that Exxon may be billed for road repairs yet to be made pursuant to that earlier agreement and also for materials for road repairs under this present Agreement. However, in no event shall Exxon be required to reimburse Upshur County for any part of the same materials under both of the agreements.

7. Nothing herein shall be construed as a waiver by the Commissioner of Precinct No. 4 of the authority granted him by Article 6717, V.A.C.S., but the rights and authority granted said Commissioner by the terms of said statute are expressly reserved by the Commissioner in the event Exxon fails to abide by the conditions herein stated.

IN WITNESS WHEREOF, the parties hereto have signed this agreement this 19 day of November, A. D., 1979.

EXXON COMPANY, U.S.A.
(a division of Exxon Corporation)

By MR Soudant
For H. W. Brown, District Manager
Tyler Production District
East Texas Division

[Signature]
COUNTY JUDGE
UPSHUR COUNTY, TEXAS

[Signature]
COMMISSIONER OF PRECINCT NO. 1

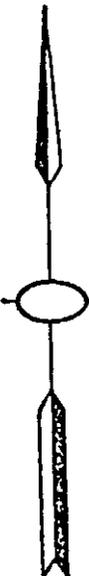
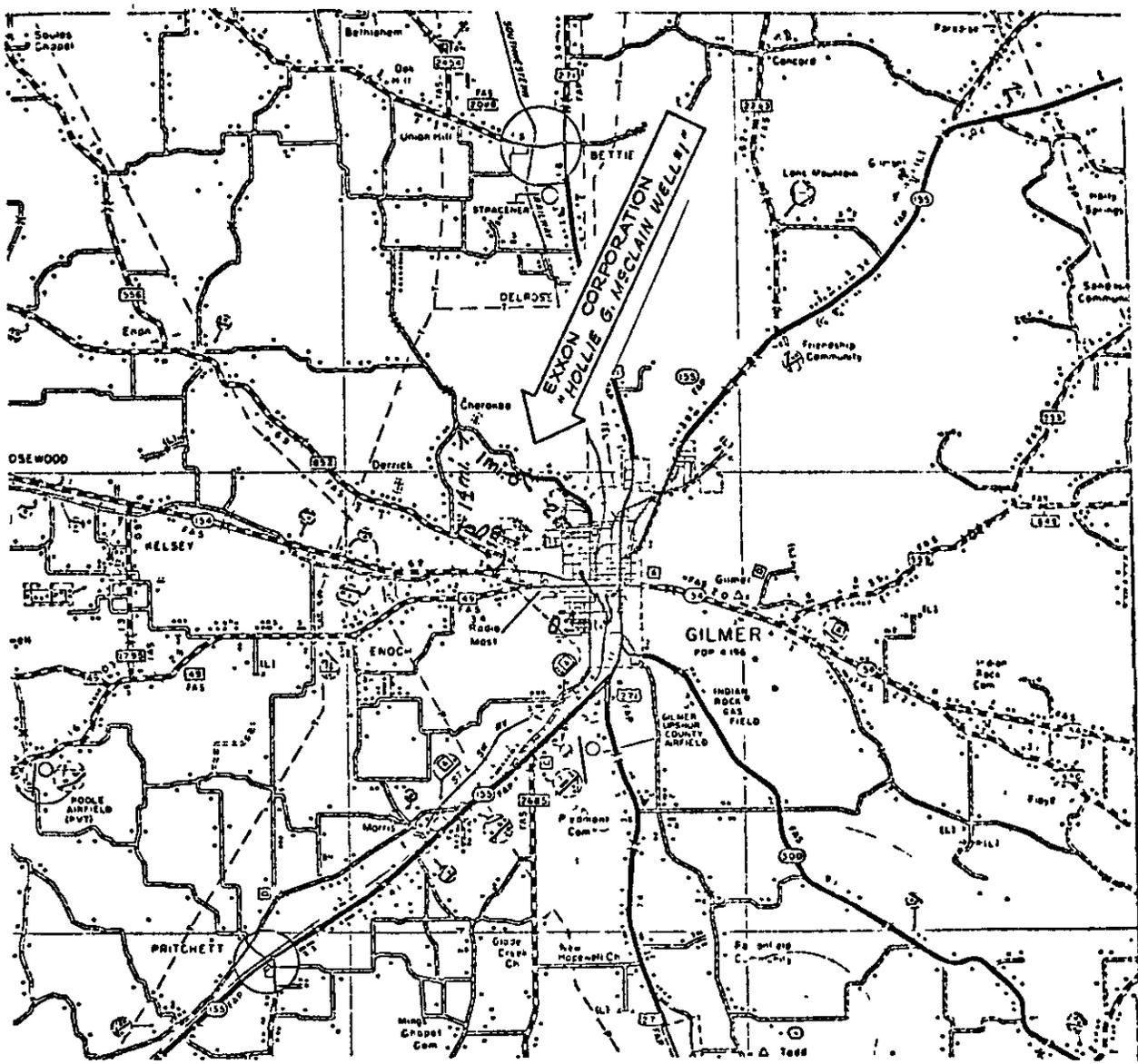
[Signature]
COMMISSIONER OF PRECINCT NO. 2

[Signature]
COMMISSIONER OF PRECINCT NO. 3

COMMISSIONER OF PRECINCT NO. 4

FILED
J.B. HILL, JR.
CLERK UPSHUR COUNTY

'79 NOV 19 AM 11:24



LEGEND

- ===== PRIVATE ROAD
- PRIMITIVE ROAD
- ===== BLADED EARTH ROAD
- ===== GRADED AND DRAINED ROAD
- ===== SOIL SURFACED ROAD
- ===== METAL SURFACED ROAD
- ===== BITUMINOUS SURFACED ROAD
- ===== PAVED ROAD
- ===== DIVIDED ROADWAY
- FA FEDERAL AID ROAD
- FAS FEDERAL AID SECONDARY ROAD
- 6 2 6 MILEAGE BETWEEN POINTS
- 77 US NUMBERED HIGHWAY
- 26 STATE HIGHWAY
- 212 FARM OR RANCH TO MARKET ROAD
- DWELLING
- + GATE
- ===== CATTLE GUARD
- INTERMITTENT STREAM
- ===== FLOWING STREAM

FROM LOCATION:

- 244 MILES TO DIVISION OFFICE (HOUSTON)
- 45 MILES TO DISTRICT OFFICE (TYLER)
- 15 MILES TO FIELD OFFICE (GLADEWATER)

ROAD ROUTE TO HOLLIE G. MCCLAIN # 1
(DELROSE G.U.#9) WM. H. HART SUR. A-238
DELROSE FIELD UPSHUR CO., TEXAS

EXXON CORPORATION
CIVIL ENGINEERING DIVISION
TYLER, TEXAS

DRAWN <u>BDS</u>	SCALE <u>1" = 2 miles</u>	FILE NO.
CHECKED <u>DEU</u>	DATE <u>10-22-79</u>	MA-4653
APPR. <u>WRF</u>	REVISED _____	
APPR. _____		

EXHIBIT "A"

VOL 19 PG 823

EMPLOYEE CHANGE OF STATUS REPORT

Please enter the following change(s) as of November 30, 1979

Name Rhonda Yocom Clock or Payroll No. _____
 Soc. Sec. Number 451-35-0259

FROM

Job	Dept.	Shift	Rate

TO

Job	Dept.	Shift	Rate
Secretary 2-A	Sheriff		559.00

REASON FOR CHANGE-

- | | |
|---|---|
| <input checked="" type="checkbox"/> Hired
<input type="checkbox"/> Re-hired
<input type="checkbox"/> Promotion
<input type="checkbox"/> Demotion
<input type="checkbox"/> Transfer
<input type="checkbox"/> Merit Increase | <input type="checkbox"/> Length of Service Increase
<input type="checkbox"/> Re-evaluation of Existing Job
<input type="checkbox"/> Resignation
<input type="checkbox"/> Retirement
<input type="checkbox"/> Layoff
<input type="checkbox"/> Discharge |
|---|---|

Leave of Absence to _____ Date _____

Other reason or explanation _____

AUTHORIZED BY *[Signature]* APPROVED BY _____

Prepare in triplicate. (1) Personnel (2) Payroll (3) Employee's Department

VOL. 19 824 EMPLOYEE CHANGE OF STATUS REPORT

Please enter the following change(s) as of November 30, 1979

Name Margaret Richardson Clock or Payroll No. _____
 Soc. Sec. Number 466-68-2959

FROM

Job	Dept.	Shift	Rate

TO

Job	Dept.	Shift	Rate
Deputy Tax Clerk 1-A	Tax		516.00

REASON FOR CHANGE.

- | | |
|---|--|
| <input checked="" type="checkbox"/> Hired | <input type="checkbox"/> Length of Service Increase |
| <input type="checkbox"/> Re-hired | <input type="checkbox"/> Re-evaluation of Existing Job |
| <input type="checkbox"/> Promotion | <input type="checkbox"/> Resignation |
| <input type="checkbox"/> Demotion | <input type="checkbox"/> Retirement |
| <input type="checkbox"/> Transfer | <input type="checkbox"/> Layoff |
| <input type="checkbox"/> Merit Increase | <input type="checkbox"/> Discharge |

Leave of Absence to _____ Date _____

Other reason or explanation: _____

AUTHORIZED BY W. Bill Jones APPROVED BY _____

Prepare in triplicate: (1) Personnel (2) Payroll (3) Employee's Department

Please enter the following change(s) as of November 30, 1979

Name Johnny Lummus Clock or Payroll No. _____
 Soc. Sec. Number 459-68-4643

FROM

Job	Dept	Shift	Rate
Deputy Sheriff 11-A	Sheriff		868.60

TO

Job	Dept	Shift	Rate
Deputy Sheriff 11-C	Sheriff		885.97

REASON FOR CHANGE:

- | | |
|---|--|
| <input type="checkbox"/> Hired | <input type="checkbox"/> Length of Service Increase |
| <input type="checkbox"/> Re-hired | <input type="checkbox"/> Re-evaluation of Existing Job |
| <input checked="" type="checkbox"/> Promotion | <input type="checkbox"/> Resignation |
| <input type="checkbox"/> Demotion | <input type="checkbox"/> Retirement |
| <input type="checkbox"/> Transfer | <input type="checkbox"/> Layoff |
| <input type="checkbox"/> Merit Increase | <input type="checkbox"/> Discharge |

Leave of Absence to _____ Date _____

Other reason or explanation: _____

AUTHORIZED BY *John Lummus* APPROVED BY _____

Prepare in triplicate (1) Personnel (2) Payroll (3) Employee's Department

EMPLOYEE CHANGE OF STATUS REPORT

Please enter the following change(s) as of November 30, 1979

Name Dale Jewkes Clock or Payroll No. _____
 Soc. Sec. Number 261-56-3346

FROM

Job	Dept	Shift	Rate
Deputy Sheriff 11-D	Sheriff		899.00

TO

Job	Dept.	Shift	Rate
Asst. Investigator 12-D	Sheriff		925.70

REASON FOR CHANGE:

- Hired
- Re-hired
- Promotion
- Demotion
- Transfer
- Merit Increase
- Length of Service Increase
- Re-evaluation of Existing Job
- Resignation
- Retirement
- Layoff
- Discharge

Leave of Absence to _____ Date _____

Other reason or explanation: _____

AUTHORIZED BY *Taylor* APPROVED BY _____

Prepare in triplicate. (1) Personnel (2) Payroll (3) Employee's Department

Please enter the following change(s) as of November 30, 1979

Name Floydia Chalk Clock or Payroll No. _____
 Soc. Sec. Number 449-48-6260

FROM

Job	Dept	Shift	Rate
Equipment Operator 8-A	R&B 3		799.80

TO

Job	Dept.	Shift	Rate
Equipment Operator 8-B	R&B 3		807.80

REASON FOR CHANGE.

- Hired
- Re-hired
- Promotion
- Demotion
- Transfer
- Merit Increase
- Length of Service Increase
- Re-evaluation of Existing Job
- Resignation
- Retirement
- Layoff
- Discharge

Leave of Absence to _____ Date _____

Other reason or explanation _____

AUTHORIZED BY *C. L. Still* APPROVED BY _____

Prepare in triplicate. (1) Personnel (2) Payroll (3) Employee's Department

GENERAL FUND

<u>Claim No.</u>	<u>Pay To:</u>	<u>Classification</u>	<u>Amount</u>
177	Brodart, Inc.	Supplies	187.47
178	Yazell Chevrolet - Olds, Inc.	Capital Outlay	6,704.00
179	El Juana Kuntz	Services & Charges	37.15
180	Kaufman County Sheriff	Services & Charges	10.00
181	Walraven	Supplies	346.92
182	Mike McKinley	Services & Charges	5.00
183	Bently Brown	Services & Charges	5.00
184	W. O. Irons	Services & Charges	5.00
185	James Dent	Services & Charges	10.00
186	R. R. Elms	Services & Charges	5.00
187	Jerry Meador	Services & Charges	5.00
188	Charles Still	Services & Charges	88.60
189	Bessie Faye Hill	Services & Charges	32.40
190	Cynthia C. Shattles	Supplies	42.59
TOTAL			7,484.13

REVENUE SHARING FUND

22

Long Motor Company

Capital Outlay, Pct #1 12,960.21

79 NOV 20 AM 9:44

FILED
J.B. HILL, JR.
CLERK US SHERIFF COUNTY

LAWYERS TITLE AGENCY

422 NORTH GREEN PH 757-5118
LONGVIEW, TX 75801

183

88-560
1119

11-28 1979

PAY TO THE ORDER OF County Clerk, Upshur County

\$ 150 ⁰⁰/₁₀₀

One Hundred Fifty and 00/100

DOLLARS



FIRST NATIONAL BANK
GILMER, TEXAS 75644

LAWYERS TITLE AGENCY

FOR Dec. 1979

Elizabeth Barlow

⑆011905609⑆ ⑈00⑈0942⑈3⑈0⑈

FILED
J.B. HILL, JR.
CLERK UPSHUR COUNTY
NOV 29 AM 8:35 '79