

**UPSHUR COUNTY COMMISSIONERS COURT**
GILMER, TEXAS

March 26, 1984

Commissioners Court met in Special Session with all members of the court present.

Commissioner Charles Still read the minutes of the March 12th meeting. Motion by Delmo Lawson seconded by J.W. Meadows to approve the minutes as read. Motion carried.

Motion by J.W. Meadows seconded by Delmo Lawson to place into the minutes a letter from the Secretary of State concerning the Constitutional Amendment Elections. Motion carried. Copy attached.

Garland Smith met with the court concerning Hot air balloons land or flying over pastures. The court took no action, however the court suggested that he talk to the Sheriff office.

Motion by J.W. Meadows seconded by Judge Dean to approve renewing Law Enforcement Officer Comprehensive Liability Policy. Motion Carried.

Ronnie Mitchell from the Juvenile Probation Department met with the court concerning a resolution for a grant. Motion by Charles Still seconded by Delmo Lawson to approve the Resolution. Motion carried. Copy attached.

Motion by Paul Davis seconded by Charles Still to approve Ronnie Mitchell as Chairman of the Bike-A-Thon for the St. Jude Hospital. Motion carried.

Motion by J.W. Meadows seconded by Paul Davis to approve a Permit Application by A.C. Frizzell to place a culvert installation within the ROW of Aster Road. Motion carried. Copy attached.

Motion by Delmo Lawson seconded by J.W. Meadows to approve a Permit Application by Tejas Gas Corp. to place two culvert installations within the ROW of Dove Trail. Motion carried. Copy attached.

Motion by Delmo Lawson seconded by J.W. Meadows to approve a Special Road Use Agreement by Tejas Gas Corp. for the use of Bob O Link, Dove and Bluebird Roads. Motion carried. Copy attached.

Motion by Delmo Lawson seconded by Paul Davis to approve a Permit Application by Bi-County Water Supply Corp. to place a water line within the ROW of Bob White road. Motion carried. Copy attached.

Motion by Delmo Lawson seconded by Paul Davis to approve a Permit Application by Bi-County Water Supply Corp. to place a water line within the ROW of Bob White road. Motion carried. Copy attached.

Motion by J.W. Meadows seconded by Delmo Lawson to approve a Special Road Use Agreement by Big-M Construction co. for the use of Sweet William Road. Motion carried. Copy attached.

Motion by Charles Still seconded by Delmo Lawson to approve a Special Road Use Agreement by Richard Mears Timber Co. for the use of Palm and Fig roads. Motion carried. Copy attached.

Motion by Delmo Lawson seconded by Paul Davis to approve a Permit Application by ETEX Telephone Coop. to place a buried cable within the ROW of Spiderlilly road. Motion carried. Copy attached.

Motion by Paul Davis seconded by Delmo Lawson to approve a Special Road Use Agreement by Neal and ~~W~~^{By 1/2} Parish for the use of Bear, Chipmonk and Bulldog Road. Motion carried. Copy attached.

Motion by Charles Still seconded by Paul Davis to approve a Special Road Use Agreement by Lang & Mitchell for the Use of Red Maple and Red Cedar roads. Motion carried. Copy attached.

Motion by Charles Still seconded by Paul Davis to approve a Permit Application by J.H. Gaston to place a culvert installation within the ROW of Nutmeg Lane. Motion carried. Copy attached.

Motion by J.W. Meadows seconded by Delmo Lawson to approve a Permit Application by Herman Hargest to place a culvert installation within the ROW of Poppy Lane. Motion carried. Copy attached.

Motion by J.W. Meadows seconded by Paul Davis to approve a Permit Application by Texaco Inc. to place a pipeline within the ROW of Thistle road. Motion carried. Copy attached.

Motion by J.W. Meadows seconded by Paul Davis to approve filling an abandoned well located on the property of Ludie Wright. Motion carried. Copy attached.

Motion by J.W. Meadows seconded by Paul Davis to approve officials attending Worker's Comp Fund, Unemployment Fund and Group Health Fund Meeting in Tyler April 5th. Motion carried.

Motion by Paul Davis seconded by J.W. Meadows to approve payment of the Upshur County Park Fund Allocation. Motion carried.

Motion by J.W. Meadows seconded by Delmo Lawson to approve road in the Doe Valley Subdivision into the County Lateral Road system. Motion carried.

Motion by Charles Still seconded by Delmo Lawson to approve getting Justice Precinct #5 a typewriter. Paul Davis voted No. Motion carried.

Motion by J.W. Meadows seconded by Paul Davis to approve Oakerson and Arnold finishing the County Audit. Motion carried.

Motion by Paul Davis seconded by Delmo Lawson to approve contract with Dr. J.L. Fenlaw effective Jan 1.1984. Motion carried.

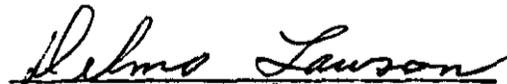
Motion by Paul Davis seconded by J.W. Meadows to approve the Payroll change of Joe Morris-----Pct. #4-----Promotion
Motion carried. Copy attached.

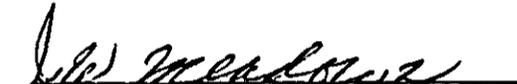
Motion by J.W. Meadows seconded by Delmo Lawson to approve the payment of the unpaid bills. Motion carried. Copy attached.

Motion by J.W. Meadows seconded by Paul Davis to approve the payroll changes of:
Paula Lewis-----Sheriff Office-----Promotion
Diane Dawson-----DA Office-----Re-Evaluation of Job
Timothy Clifton Cone-----DA Office-----Hired
Motion also included holding the payroll changes of Larry Henson and Kenneth Nielsson.
Motion carried. Copy attached.

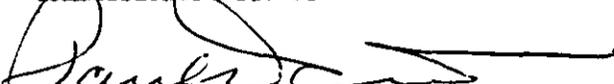
Court went onto Executive Session.


County Judge


Commissioner Pct. #1


Commissioner Pct. #2


Commissioner Pct. #3


Commissioner Pct. #4

OFFICE OF THE
SECRETARY OF STATE



JOHN W. FAINTER, JR.
SECRETARY OF STATE

March 20, 1984

EXECUTIVE DIVISION
P.O. Box 12697
Austin, Texas 78711
512 475 2015

Publications
P.O. Box 13824
512 475 7886

ELECTIONS DIVISION
P.O. Box 12887
512 475 3091

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512 475 5619

DATA SERVICES
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512 475 7881

SUPPORT SERVICES
DIVISION

Financial Management
P.O. Box 12887
512 475-0271

Staff Services
P.O. Box 12887
512 475 5905

STATUTORY FILINGS
DIVISION

Corporations
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512 475 3551

Statutory Documents
P.O. Box 12887
512 475 3061

Uniform Commercial Code
P.O. Box 13193
512 475 3457

Business Opportunities
P.O. Box 13561
512 475 1769

Notary Public
P.O. Box 12079
512 475 2701

Trademarks
P.O. Box 12887
512 475 1362

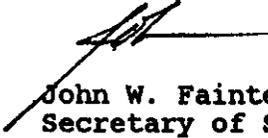
Honorable J. B. Hill, Jr.
County Clerk, Upshur County
Upshur County Courthouse
Gilmer, Texas 75644

Dear Mr. Hill:

Thank you for submitting the amount spent in your county for the November 8, 1983 Constitutional Amendment Election. I know this information will assist your Association in preparation for the next session of the Legislature.

I am pleased to assist you in this effort. Please do not ever hesitate to contact me if I can be of any assistance to you.

Sincerely,


John W. Fainter, Jr.
Secretary of State

JWF:DS:lje

An Equal Opportunity Employer

RESOLVED:

That on this the 26th day of March, 1984, the Commissioner's Court of Upshur County, Texas hereby acknowledges it's support of the Upshur County Juvenile Court Services Project and authorizes the Chief Juvenile Probation Officer to seek and accept \$5,724.00 in funding from the Criminal Justice Division, State of Texas, for the Project during the Fiscal Year 1985.

Charles J. Hill
Commissioner Precinct # 3

Ernest Deane
County Judge

[Signature]
Commissioner Precinct # 4

Dilmo Lawson
Commissioner Precinct # 1

[Signature]
Attest: County Clerk

J. W. McCalister
Commissioner Precinct # 2



PERMIT APPLICATION FOR
USE OF UPSHUR COUNTY RIGHT OF WAY

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

PRECINCT 2
DATE March 12, 1984

Formal notice is hereby given that A. C. Frizzell
whose principal address is 10634 Staghill Drive, Houston, 77064
does propose to place a culvert installation
within the ROW of County Road Aster 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 _____, 19____.

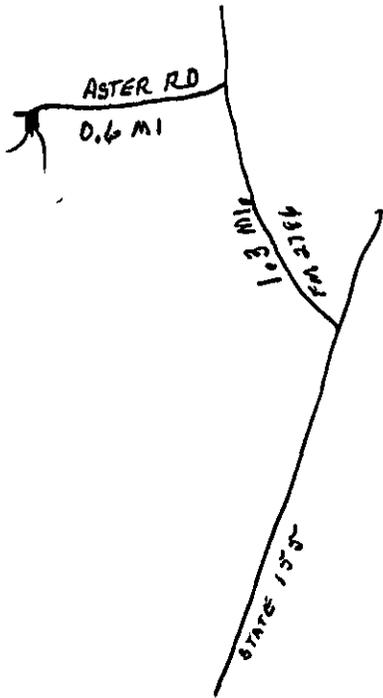
NAME A. C. Frizzell

TITLE _____

ADDRESS _____

[Handwritten signature]
3-26-84

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PERMIT APPLICATION FOR
USE OF UPSHUR COUNTY RIGHT OF WAY

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

PRECINCT 1
DATE March 13, 1984

Formal notice is hereby given that Tejas Gas Corp.
whose principal address is P.O. Box 2806, Casper, Wyoming 82413
does propose to place a 2 culvert installations
within the ROW of County Road Dove 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 (13) THIRTEEN day of MARCH, 1984.

NAME Charles Kasjowicz

TITLE CONSTRUCTION SUPV.

ADDRESS 10 TEJAS GAS CORP.


3-26-84

SPECIAL ROAD USE AGREEMENT CONTRACT

THE STATE OF TEXAS |
COUNTY OF UPSHUR | KNOW ALL MEN BY THESE PRESENTS

The undersigned, Tejas Gas Corp.,
hereinafter referred to as First Party, enters into and makes
an agreement with Upshur County Commissioner of Precinct No. 1,
Upshur County, Texas, and in order to get material to market
it is necessary to use a portion of Upshur County roads located
in Precinct No. 1, over which Commissioner has jurisdiction
and obligation to maintain in good repair and both parties
being aware of possible damage to said roads as a result of
hauling on and over same enter into the following agreement.

1.

First Party agrees to use only that section of
(describe road) Bob O Link, Dove and Bluebird Roads

2.

First Party agrees to use its vehicles in such a
manner as not to block or interfere with other traffic on said
road so that said road will be open to travel by the public
at all times.

3.

First Party agrees to grade, maintain and otherwise
repair said road using its own equipment, labor and materials,
if any needed, during the duration of time that First Party
is removing equipment for plant from its lands located
in Precinct No. 1, Upshur County.

4.

First Party agrees to put said road back into the
same condition as it was prior to the commencement of hauling
operations on the part of First Party.

5.

First Party agrees to post surety bond in the amount of _____ to Upshur County Commissioners Court to insure performance of agreement.

6.

Nothing herein shall be construed as a waiver by the Commissioner of the authority granted him by Article 6716, V.A.C.S., but the rights and authority granted the Commissioner by the terms of Article 6716, V.A.C.S. are expressly reserved by the Commissioner in the event First Party fails to abide by the conditions above set forth.

WITNESS our hands this the 26 day of March A.D. 1984.

Charles Kaymond
FIRST PARTY Texas Gas Corp.
1111 2806
Company No. 18403

[Signature]
COUNTY JUDGE

Debra Lawson
COMMISSIONER #1

[Signature]
COMMISSIONER #2

[Signature]
COMMISSIONER #3

[Signature]
COMMISSIONER #4

PERMIT APPLICATION FOR
USE OF UPSHUR COUNTY RIGHT OF WAY

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

PRECINCT 1
DATE March 13, 1984

Formal notice is hereby given that Bi-County Water Supply Corp.
whose principal address is P.O. Box 86, Pittsburg, Texas 75686
does propose to place a water line
within the ROW of County Road Bob white 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
13th day of March, 1984.

NAME Freeman Phillips

TITLE Manager

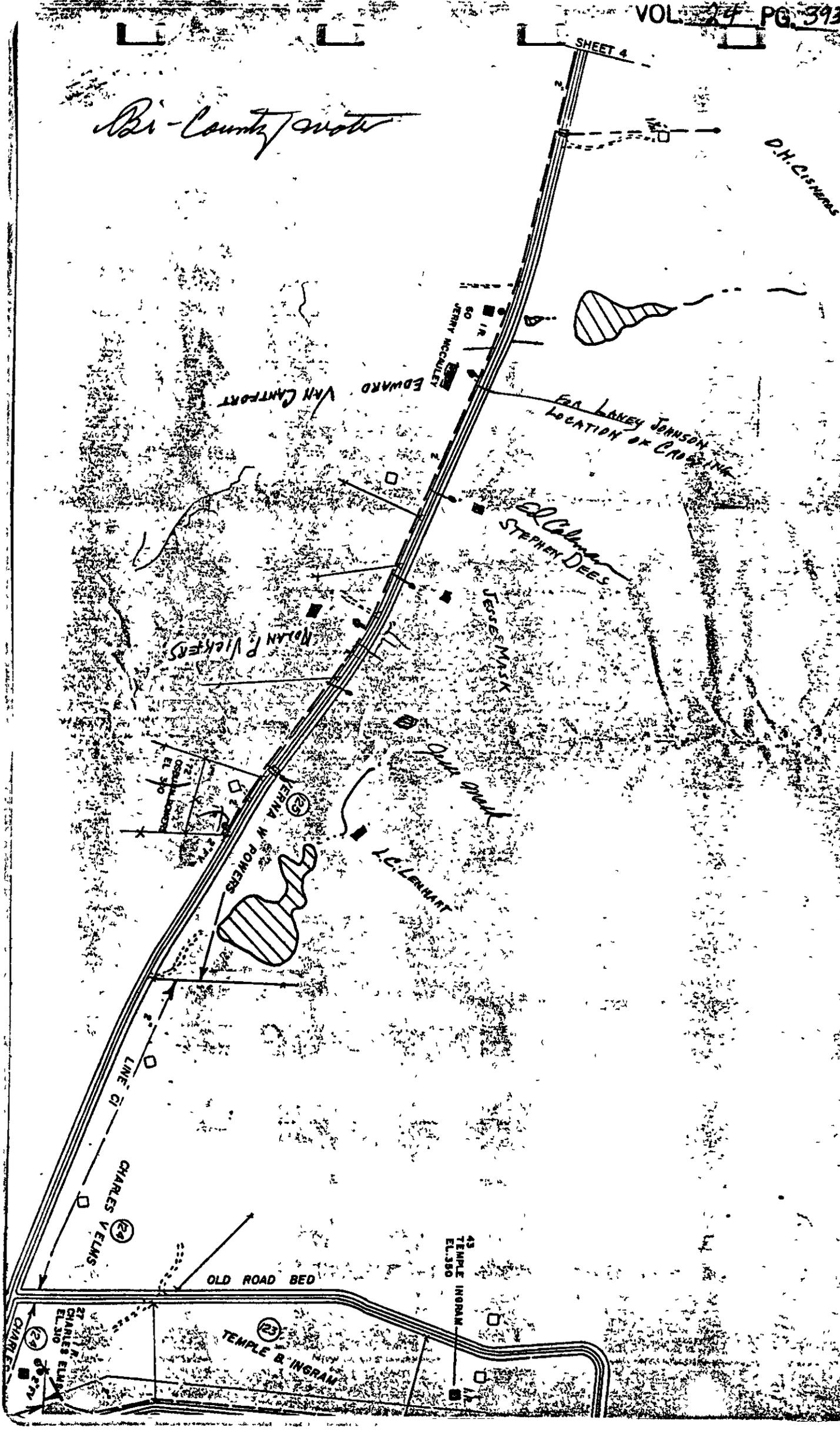
ADDRESS P.O. Box 86
Pittsburg Texas 75686

Approved
3-26-84

SHEET 4

Bi-County water

D.H. Cisterns



PERMIT APPLICATION FOR
USE OF UPSHUR COUNTY RIGHT OF WAY

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

PRECINCT 1
DATE March 13, 1984

Formal notice is hereby given that Bi-County Water Supply Corp.
whose principal address is P.O. Box 86, Pittsburg, Texas
does propose to place a water line
within the ROW of County Road Bob White Road
as follows:

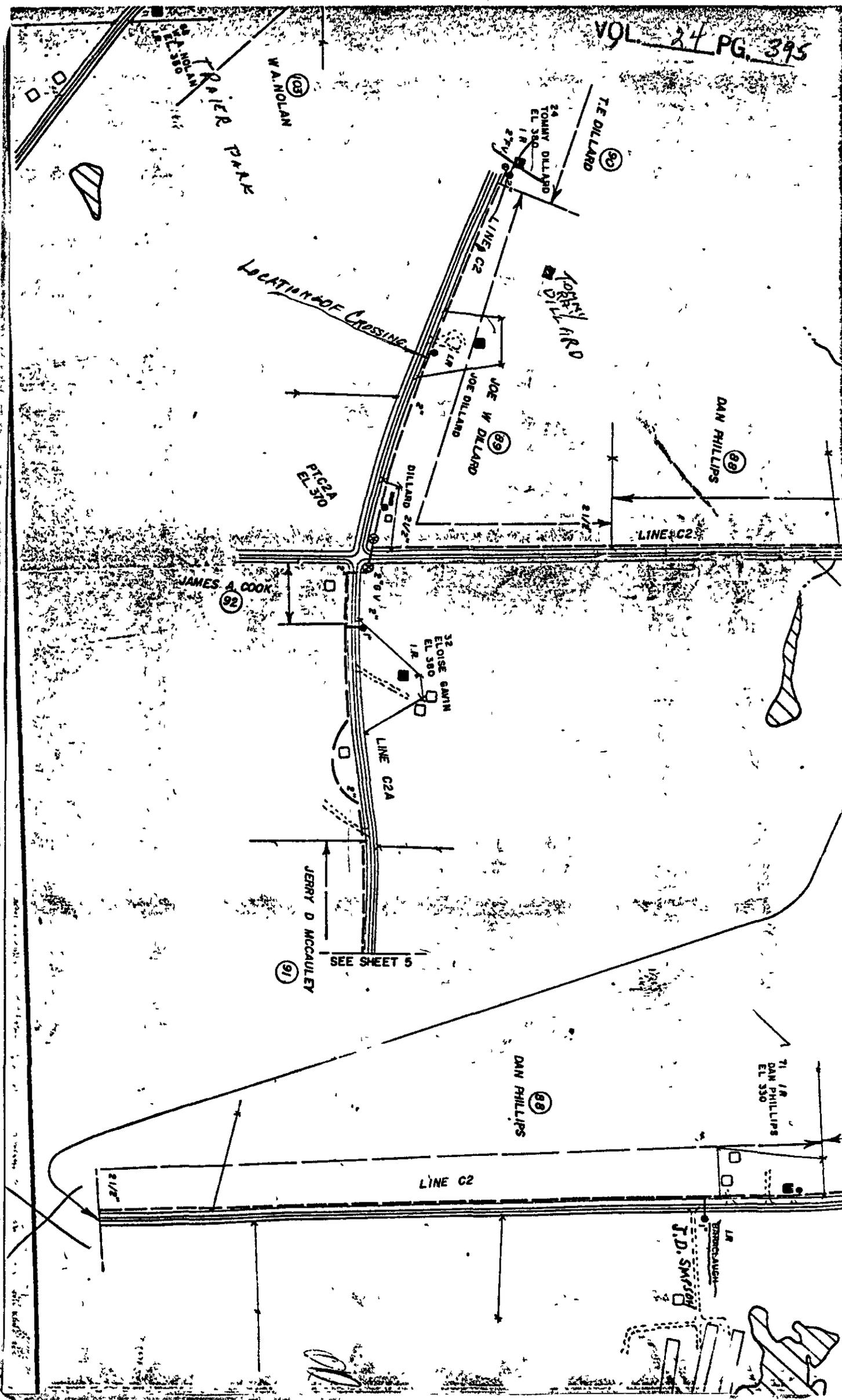
The location and description of the proposed lines or appertenances is more fully shown by three (3) copies of drawings attached to this application.
All work will be as directed by the County Commissioner or his designate in full accordance with Upshur County Road & Bridge Department policies and specifications.
Proposed construction will begin, if approved, on or after 13th day of March, 1984.

NAME Freeman Phillips

TITLE Manager

ADDRESS P.O. Box 86
Pittsburg, Texas 75686

Approved
3-26-84



SPECIAL ROAD USE AGREEMENT CONTRACT

THE STATE OF TEXAS |
COUNTY OF UPSHUR | KNOW ALL MEN BY THESE PRESENTS

The undersigned, Big M. Construction Co.,
hereinafter referred to as First Party, enters into and makes
an agreement with Upshur County Commissioner of Precinct No. 2,
Upshur County, Texas, and in order to get material to market
it is necessary to use a portion of Upshur County roads located
in Precinct No. 2, over which Commissioner has jurisdiction
and obligation to maintain in good repair and both parties
being aware of possible damage to said roads as a result of
hauling on and over same enter into the following agreement.

1.

First Party agrees to use only that section of
(describe road) Sweet William Road

2.

First Party agrees to use its vehicles in such a
manner as not to block or interfere with other traffic on said
road so that said road will be open to travel by the public
at all times.

3.

First Party agrees to grade, maintain and otherwise
repair said road using its own equipment, labor and materials,
if any needed, during the duration of time that First Party
is removing production equipment from its lands located
in Precinct No. 2, Upshur County.

4.

First Party agrees to put said road back into the
same condition as it was prior to the commencement of hauling
operations on the part of First Party.

5.

First Party agrees to post surety bond in the amount of _____ to Upshur County Commissioners Court to insure performance of agreement.

6.

Nothing herein shall be construed as a waiver by the Commissioner of the authority granted him by Article 6716, V.A.C.S., but the rights and authority granted the Commissioner by the terms of Article 6716, V.A.C.S. are expressly reserved by the Commissioner in the event First Party fails to abide by the conditions above set forth.

WITNESS our hands this the 26 day of March
A.D. 19 84.

[Signature]
FIRST PARTY Big M. Construction Co.
P.O. Box 448
Longview, Texas

[Signature]
COUNTY JUDGE

[Signature]
COMMISSIONER #1

[Signature]
COMMISSIONER #2

[Signature]
COMMISSIONER #3

[Signature]
COMMISSIONER #4

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SPECIAL ROAD USE AGREEMENT CONTRACT

THE STATE OF TEXAS |
COUNTY OF UPSHUR | KNOW ALL MEN BY THESE PRESENTS

The undersigned, Richard Mears Timber Co., hereinafter referred to as First Party, enters into and makes an agreement with Upshur County Commissioner of Precinct No. 3, Upshur County, Texas, and in order to get material to market it is necessary to use a portion of Upshur County roads located in Precinct No. 3, over which Commissioner has jurisdiction and obligation to maintain in good repair and both parties being aware of possible damage to said roads as a result of hauling on and over same enter into the following agreement.

1.

First Party agrees to use only that section of (describe road) Palm and Fig Roads

2.

First Party agrees to use its vehicles in such a manner as not to block or interfere with other traffic on said road so that said road will be open to travel by the public at all times.

3.

First Party agrees to grade, maintain and otherwise repair said road using its own equipment, labor and materials, if any needed, during the duration of time that First Party is removing logs from its lands located in Precinct No. 3, Upshur County.

4.

First Party agrees to put said road back into the same condition as it was prior to the commencement of hauling operations on the part of First Party.

5.

First Party agrees to post surety bond in the amount of _____ to Upshur County Commissioners Court to insure performance of agreement.

6.

Nothing herein shall be construed as a waiver by the Commissioner of the authority granted him by Article 6716, V.A.C.S., but the rights and authority granted the Commissioner by the terms of Article 6716, V.A.C.S. are expressly reserved by the Commissioner in the event First Party fails to abide by the conditions above set forth.

WITNESS our hands this the 26 day of March
A.D. 1984.

Richard Mears
FIRST PARTY Richard Mears Timber Co.
P.O. Box 78
Alleene, Ark. 71820

[Signature]
COUNTY JUDGE

[Signature]
COMMISSIONER #1

[Signature]
COMMISSIONER #2

[Signature]
COMMISSIONER #3

[Signature]
COMMISSIONER #4

PERMIT APPLICATION FOR
USE OF UPSHUR COUNTY RIGHT OF WAY

Date 3/15/1984

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

Formal notice is hereby given that Etex Telephone Cooperative, Inc.

whose principal address is P. O. Box 130, Gilmer, Texas 75644

does propose to place a buried telephone cable

within the RCW of County Road (s) _____

SPIDERLILLY ROAD
in Precinct # ONE as follows:

To place underground telephone cable along thre north side of
County Road right of way along or on the above mentioned road
and to make road crossing.

The location and description of the proposed lines or appertenances is
more fully shown by two (2) 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 15 th day
of Maech 19 1984.

*Approved
3-26-84*

Firm Etex Telephone Coop. Inc.
By Domnie Mitchell
Title Right of Way Agt.
Address Box 130
Gilmer, Texas 75644

