

**UPSHUR COUNTY COMMISSIONERS COURT**

GILMER, TEXAS

August 5, 1985

Commissioners Court met in Special Session with all members present.

The Court canvassed the votes of the Aug. 3, 1985 second Special Election for the First Congressional District. Motion by David Loyd seconded by Paul Davis to accept the tally as correct. Motion carried.

David Loyd read the minutes of the July 31, 1985 meeting. Motion by David Loyd seconded by Paul Davis to approve the minutes as read. Motion carried.

Norma Tomlin from the Juvenile Probation Department met with the Court regarding the budget for that department. The new budget submitted asked for \$400.00 less than the one submitted on July 31, 1985 but asked for a raise of 6% for Ronnie Mitchell and a 3% increase for Norma Tomlin. Motion by David Loyd seconded by Paul Davis to accept budget approved in the July 31, 1985 meeting. Motion carried.

Motion by David Loyd seconded by J. W. Meadows to approve the Resolution supporting the Upshur County Juvenile probation Department budget and authorizing the Chief Juvenile Probation Officer to seek and accept \$47,091.00 in funding from the Texas Juvenile Probation Commission State Aid Funds for the Fiscal Year 1986. Motion carried. Copy attached.

District Clerk, Horace Ray, met with the Court regarding the selection of persons for jury service by mechanical or electronic means. Motion by David Loyd seconded by J. W. Meadows to use the computer method of selecting jury members. Motion carried. Copy attached.

Motion by David Loyd seconded by Gaddis Lindsey to accept the roads in Carrington Estates Addition into the county lateral road system. Motion carried. Copy attached.

Motion by Gaddis Lindsey seconded by David Loyd to approve a plat of survey for Bertelle McCrary for recording purposes only. Motion carried.

Motion by David Loyd seconded by Paul Davis to approve a Special Road Use Agreement by Luckwood Construction Co. to haul gravel on Silver Maple Road. Motion carried. Copy attached.

Motion by Gaddis Lindsey seconded by J. W. Meadows to approve a Permit Application by Etex Telephone Cooperative, Inc. to place a buried cable within the ROW of Wild Daisy. Motion carried. Copy attached.

Motion by J. W. Meadows seconded by Gaddis Lindsey to approve a Permit Application by Etex Telephone Cooperative, Inc. to place a buried cable within the ROW of Nuthatcher Road. Motion carried. Copy attached.

Motion by Paul Davis seconded by David Loyd to repair bus turn-around for Union Hill ISD bus #1 at the Aubrey Hamilton drive way. Motion carried. Copy attached.

Motion by David Loyd seconded by J. W. Meadows to approve a Permit Application by Southwestern Electric Power Co to place an overhead electric line within the ROW of South Tyler (Water Tower-West). Motion carried. Copy attached.

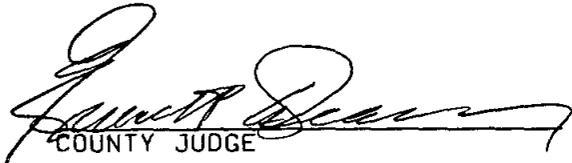
VOL. 26 PG. 34

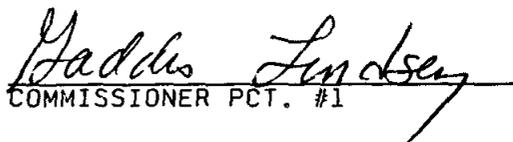
Motion by Gaddis Lindsey seconded by David Loyd to approve filling an abandoned well owned by John Williford, Hwy 154, Gilmer, Tx. Motion carried. Copy attached.

Commissioner Gaddis Lindsey brought to the attention of the Court the trash problem in Upshur County. He was advised that trash picked up from rural areas by a pick-up service can be dumped at Pine Hill.

Motion by J. W. Meadows seconded by Gaddis Lindsey to approve the unpaid bills. Motion carried. Copy attached.

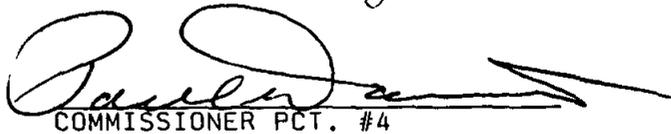
Court went into Executive Session.


COUNTY JUDGE


COMMISSIONER PCT. #1

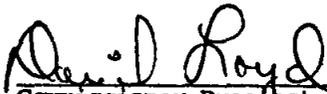

COMMISSIONER PCT. #2


COMMISSIONER PCT. #3


COMMISSIONER PCT. #4

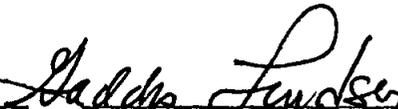
RESOLVED:

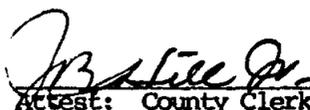
That on this the 5th day of August, 1985, the Commissioner's Court of Upshur County, Texas hereby acknowledges its support of the Upshur County Juvenile Probation Department budget and authorizes the Chief Juvenile Probation Officer to seek and accept \$47,091.00 in funding from the Texas Juvenile Probation Commission State Aid Funds for the Fiscal Year 1986.


Commissioner Precinct #3


County Judge


Commissioner Precinct #4


Commissioner Precinct #1


Attest: County Clerk


Commissioner Precinct #2

UPSHUR COUNTY, TEXAS
PROCEDURES FOR THE SELECTION OF
PERSONS FOR JURY SERVICE

By virtue of a special order signed by the District Judge of Upshur County, Texas, and the Commissioners Court of Upshur County, Texas, approving said special order which pertains to the selection of persons for jury service in Upshur County, Texas, with the aid of mechanical or electronic means, the following procedures for implementation of the approved plan are presented to the District Judge for approval to be effectuated, as directed to comply with Article 2100A, V.A.T.S.

PROCEDURES

1.

Source of Names. The source from which names shall be taken will be the current voter registration lists of all precincts in Upshur County, Texas, except permanently exempt persons under Article 2137A, as certified by the (Registrar of Voters/Tax Collector) of Upshur County, Texas.

2.

Charging of the Jury Wheel. On or before the 15th day of August of each year, the District Clerk will cause the jury wheel to be "re-charged" by a qualified computer software engineer. The District Clerk will cause this person to activate a computer program which will assign a random number to every voter specified in Section 1. These random numbers will become part of the voter records which are stored on a computer disk file. The collective voter records will be used to randomly select lists of jurors from the voter registration data base (computer disk file).

3.

Selection of Jurors. When the District Clerk has been instructed by the Court to summons jurors, he/she or a designated assistant will activate a computer program to randomly select (via the random numbers described in Section 2) a sufficient number of jurors. The District Clerk or his/her designated assistant shall then activate a computer

program to assign juror numbers and print a list of those selected jurors. The listing shall include the jurors name, juror number and mailing address. The District Clerk or his/her designated assistant shall use said list to notify each selected juror via a jury summons.

4.

Selection of the Jury Panel. When the District Clerk has been instructed by the Court to select a jury panel from the list of jurors described in Section 3, he/she or a designated assistant will activate a computer program which will assign a second random number to each "eligible juror" and randomly select via the second random number a sufficient number of jurors. The list of "eligible jurors" shall be the original list of jurors described in Section 3 less those who have been excused, or are disqualified or are ineligible under Articles 2120, 2133 and 2135 respectively of V.A.T.S. The District Clerk or his/her designated assistant shall then activate a computer program to print a list of the jury panel. The listing shall include the jurors name and juror number.

5.

Summoning Jurors. The District Clerk of Upshur County, Texas, shall summon, by first class mail for the dates designated, all persons so listed to be called for jury service on such dates. The Clerk shall supply the computerized summon forms which shall be addressed to all persons selected for that date by the random process above described.

6.

Additional Jurors. Whenever the Presiding Judge determines that the number of jurors previously selected for any designated date is insufficient, he shall direct the Clerk to prepare a supplemental list containing a specified number of persons to be called for jury service in addition to those previously selected.

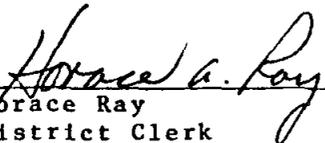
7.

Listings of Prospective Jurors. The District Clerk shall cause, by electronic means, the prospective jurors to be selected by the above program and to be printed on a list showing names and address of

persons to be summoned to begin jury service on a particular date. Said list shall be filed on record with the County Clerk at least ten (10) days prior to the date such persons are to begin jury service. Additional lists may be produced to facilitate the handling of the necessary paperwork in processing said jury list.

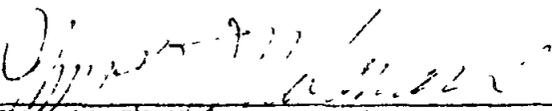
These procedures may be amended or modified from time to time upon the approval of the District Judge of Upshur County, Texas.

Procedures submitted by,



Horace Ray
District Clerk
Upshur County, Texas.

The foregoing procedures are approved by the District Judge of Upshur County, Texas, this 30 day of July, 1985.



Virgil E. Mulanax, Judge
115th Judicial District Court.

JULY 31, 1985

VOL. 26 PG. 29

KNOW ALL MEN BY THESE PRESENTS:

THAT WE, being ALL THE RESIDENTS of CARRINGTON ESTATES ADDITION, a sububan addition in the G.C.PATILLO SURVEY, UPSHUR County, TEXAS, containing 28.195 acres, do hereby DEDICATE to UPSHUR COUNTY our residence roads, as acknowledged by all undersigned herein:

Legend Betty Erickson, Box 193

John and Dee Trotter Rt 2 Box 191

Kevin & Renee White Rt 2 Box 188

Haynes & Jacques Anderson Rt #2 Box 179

J. W. & Emma Fields Rt 2 Box 192

Steven D Kraft Rt 2 Box

Anita Gentry Rt 2 Box 185

Charles & Barbara Black Rt 2, Box 181

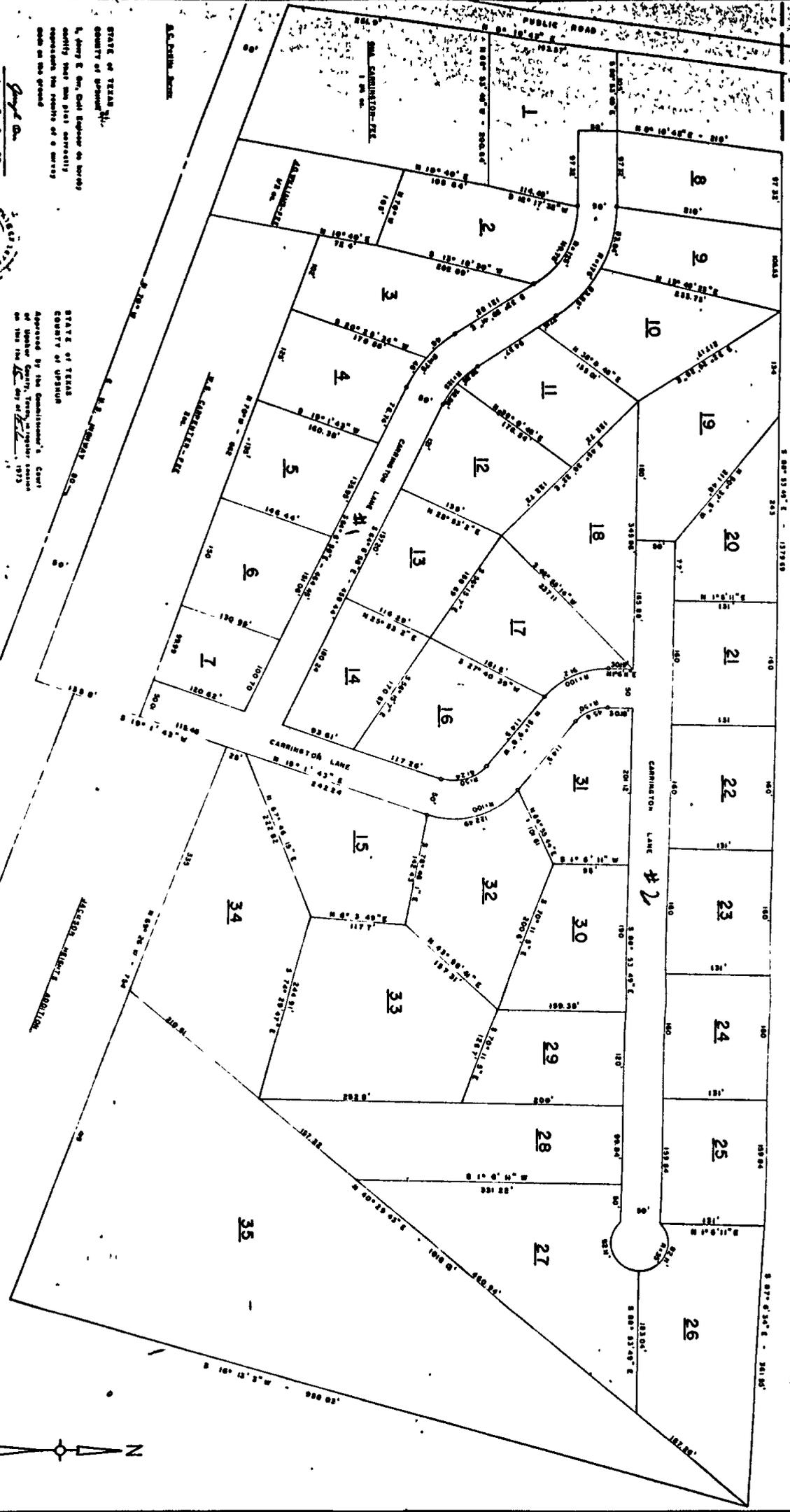
Big Sandy, TX.
75755

CARRINGTON ESTATES ADDITION
in the
G. C. PATILLO SURVEY, UPSHUR CO, TEXAS
containing 28 195 acres

FILED
DAVID LLOYD
CLERK UPSHUR COUNTY

73 FEB 16 PM 2:32

530



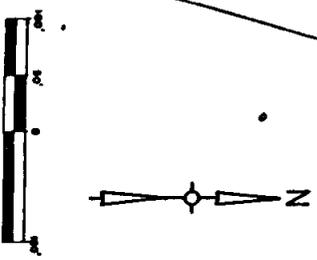
STATE OF TEXAS
COUNTY OF UPSHUR
I, Jerry E. Gray, Civil Engineer do hereby
certify that this plat correctly
represents the records of a survey
made on the ground

Jerry E. Gray
Civil Engineer
January 28, 1973



STATE OF TEXAS
COUNTY OF UPSHUR
Approved by the Commissioner's Court
of Upshur County, Texas, on regular session
on this 15th day of February, 1973

W. B. Beckwith
County Clerk, Upshur County



SPECIAL ROAD USE AGREEMENT CONTRACT

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

The undersigned, Luckwood Construction 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) Silver Maple 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 gravel 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 _____ day of _____ A.D. 19____.

George J. ... V-Pros.
FIRST PARTY Luckwood Construction
P.O. Box 1168
Gladewater, Texas 75644

[Signature]
COUNTY JUDGE

Harold Lindsey
COMMISSIONER #1

[Signature]
COMMISSIONER #2

David Loyd
COMMISSIONER #3

[Signature]
COMMISSIONER #4

PERMIT APPLICATION FOR

VOL. 24 PG. 33

USE OF UPSHUR COUNTY RIGHT OF WAY

Date 8-2-85

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) Wild Daisy

in Precinct # 2 as follows:

*To make Road Crossing on
Above mentioned Rd*

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 2nd day of Aug. 19 85.



Firm Etex Telephone Coop

By James M. [unclear]

Title Right of Way Agt

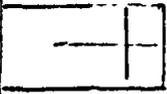
Address Box 130

Gilmer, Texas 75644

VOL. 26 PG. 24

VERBENA

STATE # 155



MILK DAIRY



PERMIT APPLICATION FOR
USE OF UPSHUR COUNTY RIGHT OF WAY

Date 8-2-85

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) ~~1217~~ Nutcracker Rd

in Precinct # 1 as follows:

*To make Road crossing on above
named Rd -*

The location and description of the proposed lines or appertenences 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 2nd day
of Aug 19 85.



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

F.M. # 1650

Bethlehem Rd

+
Bethlehem

MARTIN LANE RD

+
New Bethlehem
East Springfield

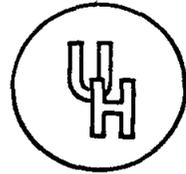


1/2

UNION HILL INDEPENDENT SCHOOL DISTRICT

P.O. Box 370, Gilmer, Texas 75644

Phone (214) 762-2139



WELDON SNODGRASS
Superintendent of Schools

July 30, 1985

Upshur County Commissioners Court
Upshur County
Gilmer, Texas 75644

Dear Sirs:

On behalf of the Union Hill Board of Trustees, I request the following:

The turn-a-round, for Union Hill ISD bus #1, at the Aubrey Hamilton drive way is in poor condition and is in need of repair. We are asking your assistance in exchange for the purchase of road oil.

Time and consideration you may give this matter will be greatly appreciated.

Yours truly,

Weldon Snodgrass
Weldon Snodgrass, Superintendent
by: Bettye Thomas Weathers
Stw

A large, stylized handwritten signature in cursive script, which appears to be the signature of Bettye Thomas Weathers, the person acting on behalf of the Superintendent.

PERMIT APPLICATION FOR
USE OF UPSHUR COUNTY R.O.W.

Date July 31, 1985

TO: THE UPSHUR COUNTY COMMISSIONERS COURT
c/o COUNTY OF UPSHUR
GILMER, TEXAS

Formal notice is hereby given that Southwestern Electric Power Co.

whose principal address is _____

does propose to place a n overhead electric line

within the ROW of County road South Tyler Street

as follows: Install 4-poles on south right-of-way line of South

Tyler Street extending 855' east of pole #10847 south of Big Sandy,
Texas in Upshur County, Texas.

Water Tower - West

The location and description of the proposed lines or appurtenances
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 Depart-
ment policies and specifications.

Proposed construction will begin, if approved, on or after
Fifth: _____ day of August 1985.

SWEPCO J. O. # 670-4430

Southwestern Electric Power Co.
Firm: Howard Selph
District Engineering Supervisor

Title: _____
P. O. Bo. 2312

Address: _____
Longview, Texas 75606



NOTE: This form to be submitted in duplicate for each
proposed installation.

Gilmer St.
Railroad

S Tyler St.

Trk # 148
Gladewater Office
Upshur Co, Tx
670-4430



Install 855' #2 AAC Pr. & Neutral

Pole # _____ Install
PLA-535, 4-RAK-100,
GND-1.

Install 70' #110 Triplex

Δ 152mv.

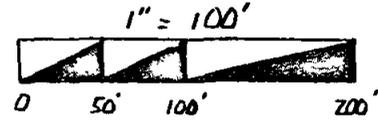
Pole # _____ Install PLA-445,
SPN-14, #2 Top Tie, RAK-100, GND-1

Pole # _____ Install PLA-440,
DED-24, 4-RAK-100, GND-1, GHW-2,
GUY-211, ANS-1, 15 Conv Trans.,
3 #110 LDs, Hot Line Clip, #2 Stirrup,
9KV Arrester, SWF-112Z.

Pole # DOB47 Install DED-13,
SPN-14.

Pole # _____ Install PLA-440,
SPN-14, #2 Top Tie, RAK-100, GND-1.

Pole # _____ Install PLA-440,
DED-13, DED-24, GND-1, GHW-2,
GUY-211, ANS-1, Hot Line Clip,
#2 Stirrup, SWF-112Z, 2-RAK-100.



VOL. 26 PG. 40 Upshur County Health Dept.

BOX 639

GILMER, TEXAS 75644

August 5, 1985

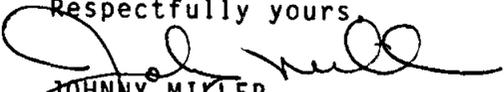
Commissioner's Court of
Upshur County, Texas
P.O. Box 730
Gilmer, Texas 75644

RE: Abandoned well owned by John Williford, Hwy 154,
Gilmer, Texas.

Gentlemen:

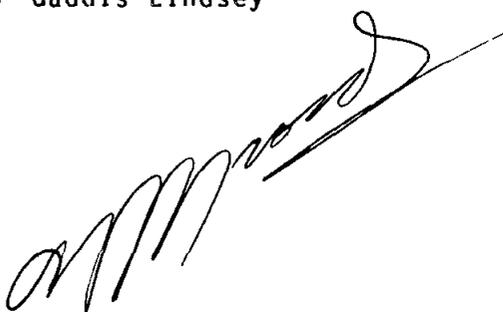
Due to health as well as safety hazzards, our Department
recommends that the above abandoned water well be filled
as soon as possible.

Respectfully yours,


JOHNNY MIXLER
Sanitation Inspector II

JM:cs

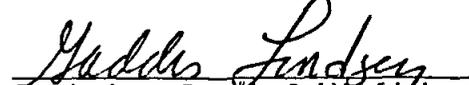
cc: Gaddis Lindsey



REVENUES OR ACCOUNTS APPROVED

Check #.	Date....	Vendor.....	Check Amount.	Invoice Amt	Invoice Descriptions.....
1000	08/05/85	INVENTORY CONTROL		\$296.76	INVENTORY ISSUED FOR JULY 1985
				\$296.76CR	INVENTORY REQUISITIONED
1001	08/05/85	EUSEBIA SOLIS	\$51.25	\$51.25	TICKET-JOHN SEALEY HOSP. 8/5/85
1002	08/05/85	EVERETT DEAN	\$55.46	\$55.46	INDIGENT MEET.-MT. PLEASANT
1003	08/05/85	ARKLA GAS	\$59.98	\$59.98	ACT.# 1520708296005
1004	08/05/85	SOUTHWESTERN BELL TELEPHONE	\$143.07	\$143.07	PROBATION # 665-2474
1005	08/05/85	RONNIE MITCHELL	\$255.85	\$255.85	LEG. CONF. 7/30-8/1-85, JULY 85 TRAVEL
Totals:			\$565.61		


 County Judge, Everett Dean


 Commissioner Pct.#1, Gaddis Lindsey


 Commissioner Pct.#3, David Loyd


 Commissioner Pct.#2, J.W. Meadows


 Commissioner Pct.#4, Paul Davis

VOL 26 PG 4

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TO: UPSHUR COUNTY COMMISSIONERS COURT
UPSHUR COUNTY
GILMER, TEXAS 75644

SUBJECT: ANY CONTRACT BETWEEN UPSHUR COUNTY ROAD & BRIDGE DEPARTMENTS AND ANY POLITICAL SUBDIVISION DESIRING TO CONTRACT WITH UPSHUR COUNTY TO MUTUALLY ACCOMPLISH A PROJECT TO IMPROVE THE EFFICIENCY AND EFFECTIVENESS OF THE LOCAL POLITICAL ENTITIES INVOLVED.

AUTHORITY: ARTICLE 3 SECTION 64b OF THE TEXAS CONSTITUTION
ARTICLE 4411-32c TCS OR THE INTERLOCAL COOPERATION ACT

PROJECT OR OBJECTIVES TO BE ACCOMPLISHED:

To spread dirt and level dirt which is
(SPECIFIC JOB, JOBS OR ACTS)
presently on school ground.

PROPOSED TIME: As time and machinery become available.
(START)
(FINISH)

POLITICAL SUBDIVISION DOES PROPOSE:
To compensate the Court for this work and
machinery by purchase of Texas road oil
at a time designated by both parties.

UPSHUR COUNTY DOES PROPOSE:
Furnish labor and machinery necessary
to complete project.

This agreement made between the County of Upshur, Texas by and through the Commissioners Court of Upshur County, hereinafter called Upshur County and the Union Hill Independent School District by and through its Board of Trustees hereinafter called Union Hill Independent School District, subject to approval of both governmental bodies within the provisions of the Open Meeting Act.

It is understood by both contracting parties that each party will pay for these services or charges with funds currently available to each party.

It is understood by both contracting parties that any civil liability or any other liability relating to the furnishing of these services is the responsibility of the party receiving the services.

It is understood that Upshur County Road and Bridge Departments can only accomplish the execution of this contract as the availability of county labor and equipment warrants. The County Commissioner acting as Road Commissioner or the designated foreman of the precinct Road and Bridge Department will have the sole responsibility as to what time is designated or allocated for execution of this contract.

It is further understood by all contracting parties this contract or agreement can only be final after examination by the attorney or legal advisors of both parties and the signature of the County or District Attorney is hereby affixed.

It is further agreed and understood between the parties herein that this Interlocal Governmental Agreement shall be for a period of one year from date of execution.

Witness our hands in triplicate, either of which may be used as an original, this the _____ day of _____, 19_____.

[Handwritten Signature]

County Judge

[Handwritten Signature]

Commissioner Precinct 1

[Handwritten Signature]

Commissioner Precinct 2

[Handwritten Signature]

Commissioner Precinct 3

[Handwritten Signature]

Commissioner Precinct 4

7-23-85

Jerry R. Tucker, absent,
this meeting.
(B.J.)

PARTICIPATING ENTITY
UNION HILL ISD BOARD OF TRUSTEES

7-23-85

Kenneth Amos V.P.

Lilly Joe Beene

Kenneth S. Canell

Kenneth Matney

John Hammond
Phoebe A. Patton

I have examined this contract and find it in compliance
with Article 661 & 62c TCS of the Interlocal Cooperation Act.

Lewell E. Hall
DEPUTY ATTORNEY

THIS INSTRUMENT APPROVED July 31, 1985 in Commissioners Court
Special MEETING BUT NOT BROUGHT INTO CLERK'S OFFICE FOR RECORDING
UNTIL AUG. 5, 1985.

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

FIRST
STATE BANK
MEMBER FDIC
P.O. BOX 1432 GLADEWATER, TX 75647

JACK M. FINLEY, INC.
DBA LAWYERS TITLE AGENCY
OPERATING ACCOUNT
811A GILMER RD. 297-7721
LONGVIEW, TEXAS 75604

2346

88-1379/1119

PAY
TO THE
ORDER OF

Upshur County Clerk

8-6 1985

\$ 150.00

One hundred fifty and no/100 DOLLARS

<u>August 1985</u>				
<u>Copies of Plant upkeep</u>				

LAWYERS TITLE AGENCY
OPERATING ACCOUNT

Jack M. Finley

THIS CHECK IS DELIVERED FOR PAYMENT ON THE ACCOUNTS LISTED

⑈002346⑈ ⑆111913798⑆ ⑈9004300⑈