



UPSHUR COUNTY COMMISSIONERS COURT

DILMER, TEXAS

August 11, 1986

Commissioners Court met in Regular Session with all members present except Paul Davis, Commissioner Pct. #4.

Motion by J. W. Meadows seconded by Gaddis Lindsey to approve the minutes of July 28, 1986, July 31, 1986 and Aug. 5, 1986. Motion carried.

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

The Court canvassed the ballots of the Aug. 9, 1986 Special Election. Motion by J. W. Meadows seconded by Gaddis Lindsey to correct the vote tally as follows: Pct. #3 - Edd Hargett - 46 votes instead of 51; Pct. #21 - Edd Hargett - 38 votes instead of 40; Pct. #27 (change on board) - Richard Anderson - 9 votes instead of 1. Motion carried.

Motion by Judge Dean seconded by David Loyd to approve the canvas. Motion carried.

Mr. & Mrs. James Waldon met with the Court regarding flexible fringe benefits. Motion by Gaddis Lindsey seconded by J. W. Meadows to table matter for further study. Motion carried.

Motion by Gaddis Lindsey seconded by David Loyd to approve Resolution concerning load limit on bridges. Motion carried. Copy attached.

Motion by Gaddis Lindsey to approve the Treasurers monthly report. Motion carried. Copy attached.

Motion by David Loyd seconded by J. W. Meadows to approve a Permit Application by Pritchett Water Supply to place a water line within the ROW of Hackberry Road. Motion carried. Copy attached.

Motion by Gaddis Lindsey seconded by J. W. Meadows to approve a Permit Application by Mark Witherspoon to place a water line within the ROW of Green Hills Road. Motion carried. Copy attached.

Motion by J. W. Meadows seconded by David Loyd to approve a Special Road Use Agreement by Snider Industry to haul logs on Aster Road and Poppy Road pending conversation between them and Mr. Meadows. Motion carried. Copy attached.

Motion by David Loyd seconded by Gaddis Lindsey to approve a Special Road Use Agreement by William Robertson to haul logs on Lemon Trail. Motion carried. Copy attached.

Motion by Gaddis Lindsey seconded by J. W. Meadows to approve a Permit Application by Dewey East to place a culvert installation within the ROW of Myrtle Road. Motion carried. Copy attached.

Motion by David Loyd seconded by J. W. Meadows to table appointment of Child Welfare Board members until next meeting. Motion carried.

Motion by J. W. Meadows seconded by Gaddis Lindsey to put opening of bids on remodeling bathrooms in Rock Building on agenda for next meeting. Motion carried.

Motion by J. W. Meadows seconded by David Loyd to repair bus turn-around at the Westendorf residence. Motion carried. Copy attached.

During the discussion on bids on computer for the jail, the Auditor recommended that we use the computer we now have in the jail and purchase a new one for the courthouse. She also stated that the bids received were not adequate. Motion by Gaddis Lindsey seconded by J. W. Meadows to readvertise for bids on computer. Motion carried.

Motion by David Loyd seconded by Gaddis Lindsey to change Personnel Policy to comply with the law regarding Deputy Sheriffs. They will receive full pay and turn their compensation money in to the County to be deposited in the General Fund. Motion carried. Copy attached.

Motion by J. W. Meadows seconded by David Loyd to approve the bills on Justice Center (Claim #85 - 89). Motion carried. Copy attached.

Motion by David Loyd seconded by J. W. Meadows to approve the bills on the jail (claim #309 - 318). Motion carried. Copy attached.

Motion by J. W. Meadows seconded by David Loyd to approve the following payroll changes:

Mary Rose Cox	---	Tele-Communications	---	Longevity
Addie Rene Morris	--	County Clerk's Office	-	Longevity
Elnora Marshall	---	Sheriff's Dept.	---	Longevity
Kenneth Mayfield	---	Sheriff's Dept.	---	Rate

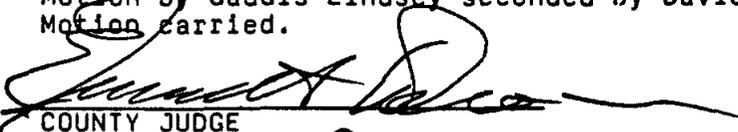
Motion carried. Copy attached.

Bill Carter of R. E. Hable met with the Court and stated that neither he nor Jim Wigginton, architect for the Justice Center, recommended accepting the low bid from Hall Manufacturing for Courtroom Seating because it did not meet specifications. He recommended that the Court accept the next lowest bid from Hoover Brothers and stated that he had written to Hall Manufacture advising them of their intention of recommending Hoover Brothers. Judge Dean said that he had received a letter from Ed Esquivel, financial advisor for Upshur County in regard to Justice Center, telling the Court that they could not accept the bid from Hoover Brothers without holding a hearing to explain why the low bid was not accepted. Copy attached.

Motion by Gaddis Lindsey seconded by J. W. Meadows to accept low bid from Hall Manufacturing. Motion carried with David Loyd opposing.

Motion by David Loyd seconded by Gaddis Lindsey to approve an amended change order with Troy Rapp. Motion carried. Copy attached.

Motion by Gaddis Lindsey seconded by David Loyd to adjourn. Motion carried.


COUNTY JUDGE


COMMISSIONER PCT. #1


COMMISSIONER PCT. #2

COMMISSIONER PCT. #3

COMMISSIONER PCT. #4

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Check #.	Date....	Vendor.....	Check Amount.	Invoice Amt	Invoice Descriptions.....
7198	07/29/86	UPSHUR COUNTY INSURANCE ACCOUN	\$20,383.50	\$20,383.50	JULY '86 INSURANCE CLAIMS
7199	07/29/86	UPSHUR COUNTY INSURANCE ACCOUN	\$6,817.70	\$6,817.70	JULY '86 INSURANCE PREMIUMS
7200	07/30/86	FIRST NATIONAL BANK	\$4,830.00	\$4,830.00	SERIES '77 C.O.'S 161 COUPONS @#31(EA)
7203	07/30/86	GASTEL TURNER	\$100.00	\$100.00	JULY '86 OFFICE EXPENSE
7204	07/30/86	HOWARD CLIFTON	\$210.00	\$210.00	JULY '86 OFFICE EXPENSE
7205	07/30/86	J. L. FENLAW, M.D.	\$569.00	\$569.00	JULY '86 HEALTH UNIT DIR. EXPENSES
7206	07/30/86	R.E. "BOB" CROWDER	\$210.00	\$210.00	JULY '86 OFFICE EXPENSE
7207	07/30/86	TIM CONE	\$25.00	\$25.00	JULY '86 LAW LIBRARIAN
7208	07/30/86	W. S. CHASTEEN	\$210.00	\$210.00	JULY '86 OFFICE EXPENSE
7342	07/31/86	GILMER NATIONAL BANK	\$3,327.52	\$3,327.52	JULY/86 PAYMENT-TELE. & COMPUTER
7343	07/31/86	SOUTHWESTERN BELL TELEPHONE	\$42.90	\$42.90	AD. PROB. -#665-2474 07/15/86 BILLING
7344	08/01/86	GILMER NATIONAL BANK	\$350,000.00	\$350,000.00	C.D. PURCHASE TO MATURE 9-01-86 @7.55%
7345	08/01/86	TEXAS DISTRIBUTORS OF POLICE S	\$3,250.00	\$3,250.00	CO. S-'85 PLY. FURY #1P3BB26S8FX607903
7346	08/01/86	TEXAS DISTRIBUTORS OF POLICE S	\$3,250.00	\$3,250.00	CO. S-'85 PLY. FURY #1P3BB26S3FX620493
7348	08/05/86	FIRST NATIONAL BANK	\$16,838.50	\$16,838.50	JULY '86 WITHHOLDING
7349	08/05/86	UPSHUR COUNTY AMBULANCE SERVIC	\$270.00	\$270.00	3/1/86-2-28-87 CT. HOUSE, JAIL&PCTS. #1-4
7350	08/06/86	EMPLOYEES RETIREMENT SYSTEM, S	\$21,958.34	\$21,958.34	JULY '86 FICA REPORT
7351	08/06/86	UPSHUR COUNTY CLERK	\$3.00	\$3.00	DPS FEES COLLECTED/J.P.#4
7352	08/07/86	TEXAS COUNTY & DISTRICT RETIRE	\$19,792.84	\$19,792.84	UNIT 329-JULY '86 RETIREMENT REPORT
7353	08/07/86	SHARON WATER SUPPLY CORP.	\$13.00	\$13.00	PCT#4-WATER/ACCT#00001133
7354	08/11/86	JAMES BEASLEY	\$800.00	\$800.00	TRANS. LEWIS MCGOWN FROM BAINBRIDGE, GA
7357	08/11/86	A & E MILL AND WELDING SUPPLY	\$18.60	\$6.20 \$6.20 \$6.20	PCT#4-2 CYLINDERS MONTHLY CHARGE PCT#2-2 CYLINDERS MONTHLY CHARGE PCT#4- 2 CYLINDERS MONTHLY CHARGE
7358	08/11/86	AGES OIL COMPANY	\$3,168.00	\$1,360.00 \$1,808.00	PCT#3- 65 BBLs. @ \$16/BBL. PCT#3-113 BBLs. @ \$16/BBL.
7359	08/11/86	APACHE RENT-ALL	\$57.55	\$4.00 \$7.50	C. BLDGS. - GAS FOR LAWNMOWER C. BLDGS. - GAS (CANS)

UPSHUR COUNTY
THE SOFTWARE GROUP, INC.

ACCOUNTS PAYABLE SYSTEM
Minutes of Accounts Approved
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Check #.	Date....	Vendor.....	Check Amount.	Invoice Amt	Invoice Descriptions.....
				\$21.00	C. BLDGS.-GAS GREEN P/U
				\$21.55	C. BLDGS.-GAS, OIL
				\$3.50	C. BLDGS.- GAS (CANS)
7360	08/11/86	ARATEX/IND. UNIFORM & TOWEL	\$28.86	\$14.43	C. BLDGS.- 2 RUGS CLEANED
				\$14.43	C. BLDGS.-2 RUGS CLEANED
7361	08/11/86	BAYLOR MEDICAL CENTER AT GILME	\$160.71	\$160.71	CO. JAIL-JOHN ELLINGTON #58622614
7364	08/11/86	BILL MCCAY	\$31.20	\$31.20	A. PROB.-JULY '86 TRAVEL
7365	08/11/86	CAREY WILLIAMSON, ATT.	\$1,931.76	\$1,931.76	DELINQUENT TAXES/JULY '86
7366	08/11/86	CLARKE & COURTS, INC.	\$470.27	\$112.74	D. CLK.-CASEBINDERS, CIVIL MANILA, DIVORCE
				\$77.87	JP#1-EXT. BILL. COST, COMP. BAD CK.,
				\$29.54	J.P. #1- 100 COMPLAINT THEFT BY CHECK
				\$98.42	C. CLK.- CIT. ON APPL., LET. TEST. & GUARDIANSHIP
				\$94.74	D. CLK.-2 BXS, 618CB, DIVORCE CASEBINDERS
				\$29.54	JP#1-100 JUDGEMENT NISI OR FORF/BOND
				\$80.92	D. CLK.-SUBPOENA-FELONY HOME COUNTY
				\$53.50CR	REF. #36061 CIVIL MANILA CASEBINDERS SENT BACK
7367	08/11/86	CLIFTON HORTON	\$225.00	\$225.00	PCT#1-90 LOADS GRAVEL @ \$2.50/LOAD
7368	08/11/86	CONSTRUCTION SUPPLY COMPANY, I	\$2.09	\$2.09	CO. BLDG.-PLUMBING SUPPLIES
7369	08/11/86	CRABTREE BARRICADE SYSTEMS	\$353.57	\$353.57	PCT#1-STOP, SPEED, ST. SIGNS, TAPE, FLAGS
7370	08/11/86	CYNTHIA SHATTLES	\$139.22	\$130.72	EXT.- JULY '86 TRAVEL
				\$8.50	EXT.-REIM. FOR FILM DEVELOPING
7371	08/11/86	DALLAS COUNTY INSTITUTE OF FOR	\$890.00	\$890.00	CO. S.-TURNER&HARRISON/PHY. EVID. ANALYSE
7372	08/11/86	DALLAS COUNTY SHERIFF'S DEPART	\$11.98	\$11.98	CO. S.-JOB #86E 217/3 ROLLS FILM
7373	08/11/86	DARR EQUIPMENT COMPANY	\$241.24	\$148.24	PCT#4-EDGES (2), BOLTS (6), NUTS (6)
				\$74.89	PCT#3-FILTER, BIT, BOLT, NUT, OLD CAT GRADER
				\$18.11	PCT#3- ELEMENT FOR GRADER
7374	08/11/86	DAVID LOYD	\$24.00	\$24.00	PCT#3- TRIP/ATLANTA TO GET PATCH TRUCK
7375	08/11/86	DESK TOP & DATA SUPPLY	\$548.64	\$110.90	D. A.-SCRATCH PADS, TAX-DATA BINDERS
				\$265.18	D. A.- 1 CHAIR
				\$67.95	EXT.- 3 BOXES COPIER LABELS
				\$34.90	TAX-PAPER CLIPS, ADDING MACHINES ROLLS
				\$35.50	AUD.-1 BOX HANGING BINDERS
				\$34.21	HEALTH & I.C.-REC. BOOKS, T.C.-TACKS
7376	08/11/86	DIANA AUTO PARTS	\$5.32	\$3.31	PCT#1-12 COYTER PINS, GASKET/PETI. MIXER
				\$2.01	PCT#1-CAP SCREWS, HEX NUTS, WASHERS

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7377	08/11/86	DIANA TEXACO	\$194.38	\$59.53 \$7.75 \$55.00 \$8.50 \$15.00 \$10.00 \$4.90 \$5.30 \$12.00 \$16.48	PCT#1-GASOLINE, GAS TREATMENT, OIL PCT#1-DIESEL PCT#1- DIESEL FOR GRADER PCT#1- DIESEL FOR GRADER PCT#1-DIESEL FOR TRACTOR PCT#1-GASOLINE FOR 1-TON TRUCK PCT#1-DIESEL PCT#1- DIESEL FOR BACK HOE PCT#1- TUBE & LABOR/TRACTOR PCT#1-GASOLINE FOR MIXER
7379	08/11/86	DOROTHY MORRISON	\$112.71	\$112.71	REFUND/INS. DED. FROM JULY CHECK #6861
7381	08/11/86	EAST TEXAS BOLT CO., INC.	\$5.15	\$5.15	PCT#4- HEX CAP, NUT, FLAT INSR/BOOM AXE
7382	08/11/86	ECONOMY AUTO SUPPLY, INC.	\$183.77	\$87.90 \$56.54 \$20.71 \$18.62	CO. BLDG. - 2 6 VOLT. BATTERIES, 1 BX FUSES PCT#4- WHEEL CYL. FOR PATCHING TRUCK PCT#4-PIPE FOR PATCHING TRUCK C. BLDGS. - 2 BELTS
7383	08/11/86	ETEX TELEPHONE COOP., INC.	\$101.20	\$23.46 \$25.26 \$20.43 \$32.05	PCT#2-#762-6266 08/01/86 BILLING PCT#4-#762-6731 08/01/86 BILLING PCT. #3-#734-5822 AUG. 01'86 BILLING PCT. #1-#734-5609 AUG. 01'86 BILLING
7384	08/11/86	EWELL SERVICE CLUB	\$750.00	\$750.00	REV. SHAR. -MAY, JUNE, JULY'86 FIRE REPORT
7385	08/11/86	EXXON COMPANY U.S.A.	\$43.91	\$43.91	CO. S. -GAS/ACCT. #182 809 387 0
7386	08/11/86	FAMILY CANCER PLAN INS. CO.	\$277.88	\$277.88	*XP38 08/15/86 BILLING
7387	08/11/86	FIRST CITY NATIONAL BANK OF AU	\$104,125.00	\$104,125.00	DEPT. SERV. -SERIES 1985A CO'S
7388	08/11/86	GENERAL TELEPHONE COMPANY	\$158.34	\$28.60 \$95.02 \$34.72	CO. TAX-#1FD-2004 JULY 28'86 BILLING CO. LIB. -#843-5001/JULY 28'86 BILLING UP. CO. EM. MGT. -#843-2328 08/04/86 BILL
7389	08/11/86	GEORGE P. BANE, INC.	\$370.79	\$72.00 \$120.60 \$67.20 \$110.99	PCT. #3-4 #70601532 EDGES/TIGER MOWER PCT. #3-4 KNIFE REVERS/TIGER MOWER PCT. #3-LIFT CABLE FOR TIGER MOWER PCT. #2-AIR ELEMMENTS FOR CHAMP. GRADER
7393	08/11/86	GOODYEAR AUTO SERVICE CENTER	\$1,486.58	\$75.65 \$155.82 \$93.39 \$214.20 \$195.36 \$5.16 \$940.36 \$193.36CR	PCT#2-TIRES, BOOT PCT#2- 2 TIRES PCT#2- 1 TIRE PCT#2- 2 TIRES, 3 TUBES C.S. -4 TIRES. 4 SPIN BALANCE, 4 VALVES PCT#2- 1 TUBE PCT#1- 8 TIRES, 4 TIRES, DUPLICATE PAYMENT

UPSHUR COUNTY
THE SOFTWARE GROUP, INC.

ACCOUNTS PAYABLE SYSTEM
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Check #.	Date....	Vendor.....	Check Amount.	Invoice Amt.	Invoice Descriptions.....
7394	08/11/86	H & D TIRE & AUTOMOTIVE	\$315.10	\$9.12 \$86.03 \$12.60 \$15.50 \$52.57 \$4.45 \$2.94 \$22.40 \$5.82 \$17.02 \$57.17 \$8.44 \$14.50 \$6.54	PCT#1-FITTING, 4BX, HOSE PCT#1-HYGRADE, WIX FILTER, MUFFLER PCT#2- 2 PINS PCT#1-OIL PCT#2- U-JOINT, SHAFT, TRU-FLATE PCT#2-2 PINS PCT#1-2 BOLTS, 2 WASHERS PCT#2- 1 YOKE PCT#2- 4 BOLTS-NUTS, 2 SNAP RINGS PCT#1-1 PLEWS, GEAR OIL PCT#2-FITTINGS, GREASE, STRT FLUID, BLUE PCT#1-2 ANTIFREEZE, 4 BOLTS PCT#1- 12 BATTERY TERMINALS PCT#2-4 CLAMPS, 1 YOKE REP KIT
7396	08/11/86	HARRELL MACHINERY, INC.	\$388.38	\$338.90 \$49.48	PCT#1-SHANK, SCARFIRE (FEET), PINS/JD GRADER PCT#1- 2 FUEL FILTERS, 2 OIL FILTERS
7397	08/11/86	HENRY T. LYNN	\$54.00	\$54.00	PCT#2- 27 LOADS OIL SAND @ \$2/LOAD
7398	08/11/86	HOLLY LAKE FIRE DEPARTMENT	\$750.00	\$750.00	REV. SHAR. -MAY, JUNE, JULY '86 FIRE REPORT
7399	08/11/86	HOLMES CONCRETE PIPE	\$46.80	\$46.80	PCT#4- (3) 15" ROAD TILES
7400	08/11/86	J & J WRECKER SERVICE	\$291.25	\$291.25	CO. S. -CASE #89-11-05 '79 BLUE BRONCO
7401	08/11/86	JACK P. KIRBY, M.D.	\$72.00	\$50.00 \$22.00	CO. JAIL-JERRY MCFADDEN/DR. VISIT/JAIL CO. JAIL-JERRY MCFADDEN/DR. VISIT/JAIL
7402	08/11/86	JERRY NICKERSON	\$241.45	\$221.60 \$19.85	EXT. - JULY '86 TRAVEL EXT. -MEALS/AGENT MEETS/OVERTON, LONGVIEW
7403	08/11/86	JIM'S AUTO PARTS	\$4.50	\$4.50	PCT#2-6 BOLTS & NUTS
7404	08/11/86	JOANN STOCKS	\$71.30	\$71.30	A. PROB. -JULY '86 TRAVEL & MEAL
7405	08/11/86	JOHNNY MILLER	\$222.20	\$222.20	HEALTH- JULY '86 TRAVEL
7406	08/11/86	JONATHAN CROW	\$250.00	\$250.00	D. CT. -#9590 ROBERT ALLEN ROBINSON
7407	08/11/86	KEITH HAMBERLIN	\$298.45	\$298.45	C. JAIL-LAUNDRY
7408	08/11/86	KELSEY WRECKER SERVICE	\$60.00	\$60.00	C. S. #209-TOWED TO GARAGE
7409	08/11/86	LEWIS POLYGRAPH SERVICE	\$150.00	\$50.00 \$100.00	CO. S. -EXAM/DENNIS EUGENE MITCHELL D. A. -POLYGRAPH/KIRBY WRIGHT
7410	08/11/86	LINDA HOWELL	\$8.00	\$8.00	COMPUTER-TRIP/LONGVIEW/SURGE PLUGS
7411	08/11/86	LINDA MITCHELL	\$39.80	\$39.80	A. PROB. -JULY '86 TRAVEL

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UPSHUR COUNTY

ACCOUNTS PAYABLE SYSTEM

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THE SOFTWARE GROUP, INC.

Minutes of Accounts Approved
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Check #.	Date....	Vendor.....	Check Amount.	Invoice Amt	Invoice Descriptions.....
7412	08/11/86	LONG MOTOR COMPANY, INC.	\$96.10	\$96.10	PCT#1-ARM BOOSTER/78 FORD TRUCK
7413	08/11/86	MEDICAL AND PATHOLOGY LABORATO	\$420.00	\$420.00	JP#3-POSTMORTEM/RONALD E. STEVENS
7414	08/11/86	MIKE SMITH	\$580.00	\$580.00	D. CT. -#207-80 ARTHUR WAYNE WRIGHT
7415	08/11/86	MRS. JOSEPH NELSON	\$36.00	\$36.00	PCT#2- 36 LOADS GRAVEL @ \$1/LOAD
7416	08/11/86	NANCY CROSS	\$48.00	\$18.00 \$30.00	D. A. -#17,614/ROBT. K. RICE JR. D. A. -#6-86-038-CR JACK HOWELL EXT. MOTION
7417	08/11/86	NARC OUT K-9 SECURITY	\$95.00	\$95.00	CO. S. -#9395/JAIL BREAK, #9445 DRUG RAID
7418	08/11/86	ORE CITY DISCOUNT AUTO PARTS	\$19.39	\$19.39	PCT#1-GEAR OIL, COTTER PINS, WRENCH SET
7420	08/11/86	PATRICIA HARRISON	\$577.00	\$27.00 \$550.00	D. A. -#68658F/ANDREWS-COPY STATE. FACTS C. CT. -REP. -07/2, 16, 17, 23, 24, 25/86
7421	08/11/86	PATTERSON PLUMBING	\$50.20	\$50.20	PCT#4-20 FT. 6" SDR PIPE
7422	08/11/86	PEEBLES LUMBER COMPANY	\$319.50	\$319.50	PCT#2- 6/2X10X14, 15/2X10X16, 15/3X10X14
7423	08/11/86	PERRY BROTHER'S, INC.	\$35.06	\$9.97 \$2.95 \$10.65 \$11.49	D. A. -FILM D. CLK. -INDEX CARDS (5) D. A. -1 NOTEBOOK & 2 PAPER, INDEX GUIDE C. BLDGS-SHAMPODER, AND SHAMPOO
7425	08/11/86	PHILLIPS PETROLEUM COMPANY	\$60.16	\$60.16	CO. S. -GAS ACCOUNT #699 268 475 @
7426	08/11/86	PITNEY BOWES	\$131.00	\$131.00	C. CLK. -ELECT. SCALE (6/1/86-5/31/87)
7427	08/11/86	POSTMASTER	\$1,000.00	\$1,000.00	C. CLK. - POSTAGE
7428	08/11/86	PRICE EQUIPMENT COMPANY	\$7.05	\$7.05	PCT#1- PARTS FOR M100 GRADER
7430	08/11/86	PRITCHETT WATER SUPPLY CORP.	\$10.00	\$10.00	PCT. #1-8-21-86 WATER BILLING
7431	08/11/86	QUILL CORPORATION	\$478.63	\$75.30 \$189.18 \$103.11 \$110.96	INV. CONTROL-OFFICE SUPPLIES A. PROB. -OFFICE SUPPLIES A. PROB. -1 H. D. CALCULATOR I. C. -PAPER CLIPS, CORR. FLUID, TAPE
7432	08/11/86	RACAL-MIL60 INFORMATION SYSTEM	\$182.00	\$182.00	CO, JAIL-AUGUST '86 TELETYPE
7433	08/11/86	ROADWAY OIL CO., INC.	\$8,594.89	\$2,961.85 \$1,168.45 \$4,464.59	PCT#1- 194.22 BBLs. @ \$15.25/BBL. PCT#1- 76.62 BBLs. @ \$15.25/BBL. PCT#1-OIL/SEAGOLILLY RD., BROWN&ROGERS
7434	08/11/86	RONNIE MITCHELL	\$69.95	\$69.95	JUV. PROB. -JULY'86 TRAVEL & MEAL
7435	08/11/86	SABINE VALLEY MHR	\$175.00	\$175.00	JUV. PROB. -PSY. EVAL. JWS, DAW, JLB

UPSHUR COUNTY

ACCOUNTS PAYABLE SYSTEM

12 AUG 1986

THE SOFTWARE GROUP, INC.

Minutes of Accounts Approved
Disbursements Made from 07/29/86 thru 08/11/86

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Check #.	Date....	Vendor.....	Check Amount.	Invoice Amt.	Invoice Descriptions.....
7436	08/11/86	SANDRA EAVES	\$105.00	\$105.00	C.S.-1 BIRD FEEDER, 1 DAYS WAGES
7437	08/11/86	SANDY LIVENGODD	\$100.00	\$50.00 \$50.00	CO.CT.-#4065 WILLIAM GLEN BRADSHAW CO.CT.-#4067 VICKIE KAYE McALISTER
7438	08/11/86	SARGENT-SOWELL, INC.	\$40.00	\$40.00	C.S.- 3 PADS FOR FINGERPRINTERS
7439	08/11/86	SEWELL'S	\$365.99	\$365.99	PCT#2-1 POLAN CHAIN SAW S#B1641671
7440	08/11/86	SMITH OIL COMPANY	\$151.00	\$151.00	PCT#2-OIL, BATTERY
7441	08/11/86	SOUTHWESTERN ELECTRIC POWER CO	\$2,949.60	\$2,841.27 \$108.33	CT.HSE.-#016301317414 08/06/86 BILL C.BLDGS.-#016301282014 OUTDOOR LIGHTS
7442	08/11/86	STAFFORD LONDON	\$381.20	\$88.64 \$220.56	COMM.CT.- 1000 ENVELOPES COMM.CT.- 1000 LETTERHEADS
7443	08/11/86	STANDARD OFFICE EQUIPMENT	\$27.37	\$27.37	D.CLK.-WRIT OF INJUNCTION STAMP
7444	08/11/86	STATE RESERVE LIFE INSURANCE C	\$1.87	\$1.87	PCT.#2-GROUP #0870,POL.#071411 MEADOWS
7445	08/11/86	TELETOUCH CORPORATION	\$25.66	\$25.66	C.S.#205- REPLACE FUSE
7446	08/11/86	TEXACO INC.	\$28.57	\$28.57	CO.S.-ACCT.#61 030 2845 9-GAS
7447	08/11/86	TEXAS INSTITUTE ON CHILDREN &	\$165.00	\$165.00	JUV.PROB.-REG., ROOM,MO RANCH 9/7-11/86
7448	08/11/86	THE GILMER MIRROR	\$66.40	\$66.40	JUV.PROB.-CALLING CARDS/NORMA & RONNIE
7449	08/11/86	THE LOGO	\$53.40	\$53.40	PCT#1-12 CAPS FOR WORKERS
7450	08/11/86	THE UNIVERSITY OF TEXAS	\$27.65	\$27.65	INDIGENT-REIM.ADVANCE/JACKIE R.FULLER
7451	08/11/86	THORNDIKE PRESS	\$75.52	\$75.52	CO.LIB.-6 BOOKS
7452	08/11/86	TODD TEFTELLER	\$310.00	\$310.00	D.CT.-#9603/LURLENE COONEY
7453	08/11/86	TRANSPORT LIFE INSURANCE COMPA	\$734.20	\$734.20	GROUP K44 AUGUST '86 PREMIUMS
7454	08/11/86	TYLER UNIFORM CO., INC.	\$200.70	\$200.70	C.S.-3 SHIRTS & PANTS/DENNIS MITCHELL
7455	08/11/86	TYPERIGHT BUSINESS SYSTEMS	\$2,315.00	\$2,195.00 \$120.00	CO.CLK.-ADLER TA-220 COPIER #37020645 C.CLK.-8 TONERS
7457	08/11/86	UPSHUR COUNTY FARM SUPPLY	\$320.00	\$320.00	PCT#4- 1 36"X24" METAL CULVERT
7458	08/11/86	UPSHUR COUNTY FORD TRACTOR	\$35.84	\$35.84	PCT#1-THERMOSTAT,CAP,65KT&SEALER,V-REG
7459	08/11/86	UPSHUR-RURAL ELECTRIC COOP., C	\$93.89	\$14.18 \$31.40	PCT#3-#902475306 08/04/86 BILLING PCT#1-#31885226 08/04/86 BILLING

VOL. 21 PG. 196

VOL. 27 PG 797

UPSHUR COUNTY

ACCOUNTS PAYABLE SYSTEM

12 AUG 1986

THE SOFTWARE GROUP, INC.

Minutes of Accounts Approved
Disbursements Made from 07/29/86 thru 08/11/86

PAGE 7

Check #.	Date....	Vendor.....	Check Amount.	Invoice Amt	Invoice Descriptions.....
				\$48.31	W.MT.-#157460538 08/04/86 BILLING
7460	08/11/86	USDATA CORP.	\$103.96	\$103.96	AD. PROB. - EX. LOGIC BOARD/WYSE TERM.
7461	08/11/86	VINGO FOODS	\$693.71	\$316.63 \$377.08	CO. JAIL-FOOD C. JAIL-FOOD
7462	08/11/86	W.S. CHASTEEN	\$54.70	\$54.70	JP#3- TRAVEL MAY 2-JULY 31, 1986
7465	08/11/86	WEST PUBLISHING COMPANY	\$235.75	\$26.50 \$32.50 \$26.50 \$64.75 \$39.00 \$26.50	LAW LIB.-FD 783 LAW LIB-TX CS 701-702 ACCT#8-583-382 LAW LIB.-FD 784 ACCT#8-583-382 LAW LIB.-TX DG 2D 1986 PP/#8-583-382 LAW LIB.-USCA T18:1-17.1 29KS LAW LIB.-FD 785/ACCT. #8-583-382
7466	08/11/86	WEST SIDE FURNITURE	\$0.36	\$0.36	C. BLDGS. - 6 BOLTS
7467	08/11/86	WILLA STEBALL	\$75.00	\$75.00	D. CT. -BAILIFF-7/22, 24, 25/86
7468	08/11/86	WILSON DISTRIBUTING COMPANY	\$278.90	\$278.90	C. BLDGS. -BUFF PADS, MAX, CLEANER, LINERS
7469	08/11/86	WILSON-RILEY, INC.	\$11,781.25	\$11,781.25	PCT#3-625 BRLS OIL/ALMOND ROAD
7470	08/11/86	YAZELL CHEVROLET-OLDS., INC.	\$7.75	\$7.75	CO. BLDG. -INSPECT. STICKER/79-GREEN FORD
7474	08/11/86	BETTIE VOLUNTEER FIRE DEPARTME	\$1,626.60	\$1,626.60	REV. SHAR. -MAY, JUNE, JULY'86 FIRE REPORT
7475	08/11/86	BIG SANDY VOLUNTEER FIRE DEPAR	\$1,407.45	\$1,407.45	REV. SHAR. -MAY, JUNE, JULY'86 FIRE REPORT
7476	08/11/86	DIANA VOLUNTEER FIRE DEPARTMEN	\$2,064.90	\$2,064.90	REV. SHAR. -MAY, JUNE, JULY'86 FIRE REPORT
7477	08/11/86	EAST MOUNTAIN VOLUNTEER FIRE D	\$1,188.30	\$1,188.30	REV. SHAR. -MAY, JUNE, JULY'86 FIRE REPORT
7478	08/11/86	GILMER VOLUNTEER FIRE DEPARTME	\$3,891.15	\$3,891.15	REV. SHAR. -MAY, JUNE, JULY'86 FIRE REPORT
7479	08/11/86	GLADEWATER FIRE DEPARTMENT	\$2,211.00	\$2,211.00	REV. SHAR. -MAY, JUNE, JULY'86 FIRE REPORT
7480	08/11/86	GLENWOOD ACRES FD	\$969.15	\$969.15	REV. SHAR. -MAY, JUNE, JULY'86 FIRE REPORT
7481	08/11/86	HARMONY VOLUNTEER FIRE DEPARTM	\$1,626.60	\$1,626.60	REV. SHAR. -MAY, JUNE, JULY'86 FIRE REPORT
7482	08/11/86	GRE CITY VOLUNTEER FIRE DEPART	\$1,626.60	\$1,626.60	REV. SHAR. -MAY, JUNE, JULY'86 FIRE REPORT
7483	08/11/86	PERRYVILLE VOLUNTEER FD	\$823.05	\$823.05	REV. SHAR. -MAY, JUNE, JULY'86 FIRE REPORT
7484	08/11/86	PRITCHETT VOLUNTEER FIRE DEPAR	\$1,042.20	\$1,042.20	REV. SHAR. -MAY, JUNE, JULY'86 FIRE REPORT
7485	08/11/86	UNION GROVE VOLUNTEER FIRE DEP	\$1,334.40	\$1,334.40	REV. SHAR. -MAY, JUNE, JULY'86 FIRE REPORT
7486	08/11/86	WAL-PART #146	\$79.53	\$79.53	D.A. -REST. CHECK #171 BRYAN NOWELL

UPSHUR COUNTY

ACCOUNTS PAYABLE SYSTEM

12 AUG 1986

THE SOFTWARE GROUP, INC.

Minutes of Accounts Approved
Disbursements Made from 8/29/86 thru 8/11/86

PAGE 8

Check #.	Date....	Vendor.....	Check Amount.	Invoice Amt	Invoice Descriptions.....
7487	08/11/86	WALMART STORE #146	\$116.74	\$37.05 \$28.80 \$34.72 \$1.97 \$14.20	C.S. - 4 DOUBLEPACKS FILM PCT. #1-1 CASE BOUNTY PAPER TOWELS COMPUTER-4 DELUXE MULTI-OUTLET STRIPS CO. BLDG. -TOILET SEAT HINGE C. BLDGS-COTTON CORD FOR BLIND
7488	08/11/86	WEST MOUNTAIN VOLUNTEER FIRE D	\$1,188.30	\$1,188.30	REV. SHAR. -MAY, JUNE, JULY'86 FIRE REPORT
Total:			\$628,188.47		

Everett Dean
County Judge, Everett Dean

Ceddis Lindsey
Commissioner Pct. #1, Ceddis Lindsey

J.W. Meadows
Commissioner Pct. #2, J.W. Meadows

David Loyd
Commissioner Pct. #3, David Loyd

Paul Davis
Commissioner Pct. #4, Paul Davis

27 PG. 798



UPSHUR COUNTY COMMISSIONERS COURT
DILMER, TEXAS

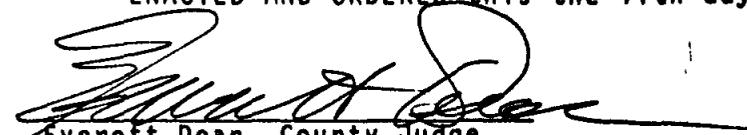
PURSUANT to Article 6701d, Section 31 of Vernon's Texas Civil Statutes, the Commissioners Court of Upshur County, hereby **ORDERS** that load limit signs be erected and maintained on the following bridges in Upshur County:

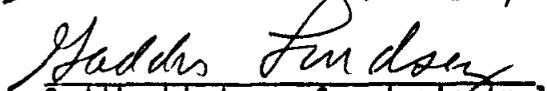
County Road Bridge Number	Weight Limits
159-1	10,000 axle
204-1	5,000 axle
211-1	7,500 axle
242-1	10,000 axle
297-1	7,500 axle
321-1	10,000 axle
322-1	7,500 axle
323-1	7,500 axle
328-1	10,000 axle
341-1	5,000 axle
408-1	10,000 axle
405-1	5,000 axle

FURTHER, the Commissioners Court of Upshur County, Texas **ORDERS** that:

- (A) no person shall without lawful authority attempt to or in fact alter, deface, injure, knockdown, or remove said load limit signs and that,
- (B) it is a misdemeanor for any person to violate this order, and
- (C) every person convicted for violation of this order shall be punished by a fine of not less than \$100.00 and not more than \$500.00.

ENACTED AND ORDERED this the 11th day of August, 1986.


Everett Dean, County Judge


Gaddis Lindsey, Commissioner 1


J. W. Meadows, Commissioner 2


David Loyd, Commissioner 3


Paul Davis, Commissioner 4

FILED
J.B. HILL, JR.
COUNTY CLERK
1986 AUG 11 AM 11:58
UPSHUR COUNTY, TX.
BY: _____
DEPUTY

UPSHUR COUNTY TREASURER'S MONTHLY REPORT

July 01, 1986 THRU July 31, 1986

101.27 PG 800

	Beginning Balance	Revenues	Disbursements	Ending Balance	Demand Balance	Time Deposits	Total Deposits
Operating Account	2,525,685.66	268,176.42	359,136.22	2,434,725.86	684,725.86	1,750,000.00	2,434,725.86
Insurance Account	226,689.98	27,489.50	26,106.91	228,072.57	78,072.57	150,000.00	228,072.57
Jail Construction Fund	848,417.29	6,822.95	104,552.16	750,688.08	250,688.08	500,000.00	750,688.08
TOTALS	3,600,792.93	302,488.87	489,795.29	3,413,486.51	1,013,486.51	2,400,000.00	3,413,486.51

Very nice

FILED
 J. M. TULL, JR.
 COUNTY CLERK
 1986 AUG 11 AM 11:58
 UPSHUR COUNTY, TX
 BY _____

PERMIT APPLICATION FOR
USE OF UPSHUR COUNTY RIGHT OF WAY

VOL. 27 PG. 801

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

PRECINCT 3
DATE 8-1-86

Formal notice is hereby given that Pritchett Water Supply
whose principal address is P. O. Box 567, Gibbon, Ok. 75644
does propose to place a water line
within the ROW of County Road Hackberry
as follows: To cross road from north east to south west
with 1 in. PVC, encased in 1 1/2 in. PVC, to
serve one meter. J. L. Hunter

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
8 day of August, 1986.

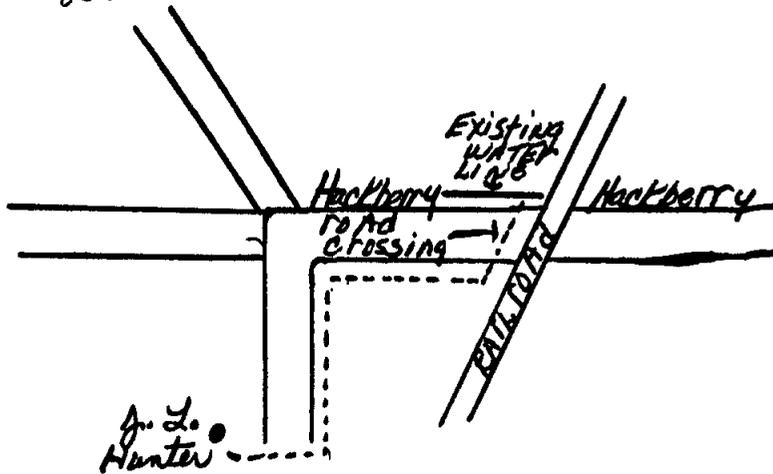


NAME J. K. Gage

TITLE Operator

ADDRESS Rt 2 Box 113
Big Sandy, Tex. 75755

27 802



FILED
J.B. HILL, JR.
COUNTY CLERK

1906 AUG 11 AM 11:58

UPPER COUNTY, TX.

BY _____
PROPERTY

PERMIT APPLICATION FOR
USE OF UPSHUR COUNTY RIGHT OF WAY

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

PRECINCT 1
DATE August 6, 1986

Formal notice is hereby given that Mark Witherspoon
whose principal address is P.O. Box 1733, Longview, Texas 75601
does propose to place a water line
within the ROW of County Road Green Hills Road
as follows:

759-4879

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 Department policies and specifications.

Proposed construction will begin, if approved, on or after _____ day of _____, 19____.

NAME Mark Witherspoon

TITLE _____

ADDRESS _____



FILED
J.B. HILL, JR.
COUNTY CLERK

1986 AUG 11 AM 11:58

UPSUR COUNTY, TX.

BY _____
DEPUTY

27 804

SPECIAL ROAD USE AGREEMENT CONTRACT

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

The undersigned, Snider Industry,
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) Aster Road and Poppy 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 logs 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 11 day of August, A.D. 19 86.

J. D. 7715 Chung
Contractor

[Signature]
FIRST PARTY Snider Industries .
P.O. Box 668
Marshall, Texas 75760

[Signature]
COUNTY JUDGE

[Signature]
COMMISSIONER #1

[Signature]
COMMISSIONER #2

[Signature]
COMMISSIONER #3

COMMISSIONER #4

FILED
J.B. HILL, JR.
COUNTY CLERK
1986 AUG 11 AM 11:58
UPSHUR COUNTY, TX...
BY _____
COUNTY

Vol. 27 806

SPECIAL ROAD USE AGREEMENT CONTRACT

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

The undersigned, William Robertson,
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) Lemon Trail

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 11 day of August, A.D. 1986.

William Robertson
FIRST PARTY

William Robertson
Rt. 1 Box 101
Ore. City, Texas 75683

[Signature]
COUNTY JUDGE

[Signature]
COMMISSIONER #1

[Signature]
COMMISSIONER #2

[Signature]
COMMISSIONER #3

COMMISSIONER #4

FILED
J.B. HILL, JR.
COUNTY CLERK
1966 AUG 11 AM 11:58
UPSHUR COUNTY, TX.
BY _____
DEPUTY

OL 27 808

PERMIT APPLICATION FOR
USE OF UPSHUR COUNTY RIGHT OF WAY

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

PRECINCT 1
DATE August 11, 1986

Formal notice is hereby given that Dewey East
whose principal address is Rt. 5 Box Gilmer, Texas 75644
does propose to place a culvert installation
within the ROW of County Road Myrtle 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 _____

TITLE _____

FILED
J.B. HILL, JR.
COUNTY CLERK

1986 AUG 11 AM 11:58 ADDRESS _____

UPSUR COUNTY, TX.

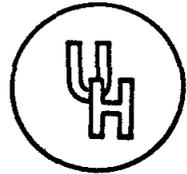
BY _____

Volume 27 809

UNION HILL INDEPENDENT SCHOOL DISTRICT

P.O. Box 370, Gilmer, Texas 75644

Phone (214) 762-2139



JAMES D. WARD
Superintendent of Schools

August 6, 1986

The Honorable Judge Dean
Upshur County
Gilmer, Texas 75644

Dear Judge Dean:

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

The turn-a-round, for Union Hill ISD bus #2, at the Westendorf residence is in poor condition and is in need of repair. We are asking for your assistance in exchange for the purchase of road oil.

Your time and consideration given this matter will be greatly appreciated.

Yours truly,

James D. Ward, Superintendent

/bt

FILED
J.D. HILL, JR.
COUNTY CLERK

1986 AUG 11 PM 4:16

UPSHUR COUNTY, TX.

BY _____

Volume 27, p. 810

8.00 MEDICAL, RETIREMENT, INSURANCE, AND EDUCATIONAL BENEFITS

**8.01
MEDICAL
INSURANCE**

The county provides group life, hospitalization, medical, perscription, and dental insurance coverage for permanent employees are paid in full by the county. An eligible employee may add dependent coverage for his or her family members to any such plan at his or her expense. A separate, more detailed booklet is in the front pocket of this manual.

**8.02
SOCIAL SECURITY**

All employees of the county are covered by Social Security. Presently a deduction of 6.7 percent is made from each employee's paycheck. That amount, plus an additional seven percent contributed by the county, is paid on a regular basis to the Social Security System. Effective January 1, 1985 the rate shall 7.05 percent for the employee and the county.

**8.03
RETIREMENT PLAN**

The county participates in the Texas County and District Retirement System. Permanent employees must participate. The county contributes an amount equal to seven percent of the employee's salary to the retirement fund. The employee also contributes seven percent. Regular retirement benefits and disability retirement benefits are available to retirement system members. A separate, more detailed booklet is in the front pocket of this manual.

**8.04
WORKERS
COMPENSATION**

All employees of the county are covered under the Texas Association of Counties' Workers' Compensation Self Insurance Fund. The county pays the premium for this insurance. The purpose of the insurance is to provide medical payments and to at least partially replace lost pay if a county employee is injured on the job.

**8.05
UNEMPLOYMENT
INSURANCE**

All employees of the county are covered under the Texas Unemployment Compensation Insurance program, and the county pays this tax.

**8.06
EDUCATIONAL AND
PROFESSIONAL
DEVELOPMENT
BENEFITS**

The county encourages its employees to pursue educational and professional development opportunities. If the training is approved by the employee's department head and there are sufficient funds in the department's budget, the county will reimburse the employee for the cost of such training upon presentation of proof of satisfactory completion of the course or seminar. Completion of educational and professional development courses or seminars may be a factor in granting merit increases.

**8.07
DETAILED BENEFITS
INFORMATION**

Pamphlets, brochures, and other detailed information about employee benefits are available in the County Auditor's office.

In El Paso County v. Jeffers, supra, however, the court suggested that section 5 of article 8309h was intended to offset only existing statutes which specifically provided for worker's compensation benefits. The court stated:

[A]n 8309h offset applies to funds for incapacity received pursuant to the firemen's and policemen's civil service provisions and any other statutes now in force and effect. We have been cited to no offset statute applicable to deputy sheriffs. The requirement that deputy sheriffs receive their 'maximum salary' while incapacitated from injuries received in the course of their duties is provided for by the Texas Constitution. It is fundamental that the Constitution is the paramount law of the state and cannot be altered by legislative amendments. [citation omitted]. On its face, the statute cited by Appellant does not apply to deputy sheriffs, and if it did it would be in conflict with the Texas Constitution. The Appellant was in error in claiming an offset under article 8309h. (Emphasis added).

699 S.W.2d at 377. In other words the court suggests that section 5 of article 8309h was intended to require only offset of specific workers' compensation statutes such as article 1269m. Article 3912k, in contrast, provides for the general compensation of county employees.

Workers' compensation benefits reimburse for loss of earning capacity, not for loss of salary. 699 S.W.2d at 377. Payments under article 3912k can be distinguished as reimbursement for loss of salary. Consequently section 5 of article 8309h does not prevent the county from paying the difference between injured employees' worker's compensation benefits and their regular salaries as part of the employees' pre-established, overall compensation under article 3912k.

You also ask whether an injured employee may receive sick leave and vacation leave in addition to workers' compensation benefits without violating article 8309h or sections 51, 52, and 53 of article III of the Texas Constitution. As indicated, Attorney General Opinion H-51 determined that retroactive payments of death benefits were not authorized by the Texas Constitution or statutes and that they therefore constituted unconstitutional grants or gifts of public funds. The opinion distinguished unused vacation time and other forms of accrued compensation. Because these types of compensation were authorized and had already been earned, payment of such benefits to survivors was not deemed an unconstitutional grant. The same considerations apply to payment for the unused sick leave and vacation time that an injured county employee has already earned; therefore,

J. B. ...
COUNTY CLERK

1986 AUG 11 AM 11:58

UPSAR COUNTY, TX.

RY

p. 2033

Vol. 27 812

AN ORDER approving and authorizing the payment of invoices or statements with claims and accounts representing an undivided interest in "Upshur County, Texas, Certificates of Obligation, Series 1985B"; and resolving other matters incident and related to the payment of such invoices or statements.

WHEREAS, pursuant to an order passed and adopted on January 14, 1985, the Commissioners' Court of Upshur County, Texas, authorized the issuance of \$750,000 "Upshur County, Texas, Certificates of Obligation, Series 1985B" (the "Certificates") for the purpose of: paying contractual obligations to be incurred for (i) the construction of public works and the purchase of equipment therefor, to wit: renovate and improve a building for the Upshur County Justice Center and (ii) professional services (collectively herein referred to as the "Projects") and further authorized claims and accounts representing an undivided interest in the Certificates to be incurred in connection with the payment of the contracts let for the Projects; and

WHEREAS, statement(s) or invoice(s) for work performed, services rendered and materials delivered under and pursuant to one or more of the contracts let in relation to the Projects to be paid with the Certificates have been submitted to the Commissioners' Court for approval and payment, such statements or invoices being identified in Exhibit A attached hereto and incorporated herein by reference as a part of this order for all purposes; and

WHEREAS, the Court has been advised and hereby finds that the work, services and materials, as the case may be, covered by each of the statement(s) or invoice(s) identified in Exhibit A has been duly performed, rendered and delivered and all consents, approvals and conditions precedent for the payment thereof have been obtained, given or satisfied; now, therefore,

BE IT ORDERED, ADJUDGED, AND DECREED BY THE COMMISSIONERS' COURT OF UPSHUR COUNTY, TEXAS:

SECTION 1: That each statement or invoice identified in the schedule attached hereto as Exhibit A is hereby approved for payment and each of said statements or invoices shall be and is hereby authorized to be paid by a claim and account representing an undivided interest in the Certificates; a listing of the claims and accounts herein authorized to be delivered in payment of such invoices and statements, the contracts that such claims are being issued to pay and the amount of the claims to be delivered being identified in Exhibit A attached hereto.

29 813

SECTION 2: That the County Auditor is hereby authorized and directed to complete the execution of the claims and accounts approved and authorized to be delivered in payment of said statement(s) or invoice(s) and, together with the County Judge and County Clerk, cause the same to be delivered to the contractors, vendors or suppliers, as the case may be.

PASSED AND ADOPTED, this the 11th day of August, 1986

UPSHUR COUNTY, TEXAS

[Signature]
County Judge

ATTEST:

[Signature]
County Clerk and Ex-Officio Clerk
of the Commissioners' Court



(Comm. Seal)

VOL. 27 815

BILLS APPROVED FOR PAYMENT 8-11-86

PAGE 1 OF 1

UPSHUR COUNTY JAIL CONSTRUCTION FUND

<u>CLAIM NO.:</u>	<u>PAY TO:</u>	<u>CLASSIFICATION:</u>	<u>AMOUNT:</u>
309	Longview Building Systems	78-775-4495	\$ 450.00
310	Mosby Mechanical Co.	78-775-4495	7,469.40
311	Byron Crook Electric Co.	78-775-4495	7,884.00
312	Mark's Quality Tile	78-775-4495	5,343.30
313	Phillips Painting Contractors	78-775-4495	3,735.00
314	Brown's Windsor Door Sales	78-775-4495	1,071.00
315	The Gilmer Mirror	78-775-4490	115.40
316	Jail Planners, Inc.	78-775-4165	228.21
317	Construction Supply Co.	78-775-3380	9.00
318	The R.E. Hable Co.	78-775-4165	8,726.82

Everett Dean

COUNTY JUDGE, EVERETT DEAN

Gaddis Lindsey

COMMISSIONER PCT.#1, GADDIS LINDSEY

J. W. Meadows

COMMISSIONER PCT.#2, J. W. MEADOWS

David Loyd

COMMISSIONER PCT.#3, DAVID LOYD

COMMISSIONER PCT.#4, PAUL DAVIS

FILED
J.B. HILL, JR.
COUNTY CLERK
1986 AUG 11 AM 11:58
UPSHUR COUNTY, TX.
BY _____

TO: PAYROLL DEPARTMENT

PLEASE ENTER THE FOLLOWING CHANGE(S) IN YOUR RECORDS TO TAKE

EFFECT 8-1-86
(DATE & TIME)

EMPLOYEE MARY ROSE COX # 237

SOCIAL SECURITY NO. _____ CLOCK NO. _____

THE CHANGE(S)

CHECK ALL APPLICABLE BOXES	FROM	TO
<input type="checkbox"/> DEPARTMENT		
<input type="checkbox"/> JOB		
<input type="checkbox"/> SHIFT		
<input type="checkbox"/> RATE		
<input type="checkbox"/>		

REASON FOR THE CHANGE(S)

- HIRED
- RE-HIRED
- PROMOTION
- DEMOTION
- TRANSFER
- MERIT INCREASE
- UNION SCALE
- PROBATIONARY PERIOD COMPLETED
- LENGTH OF SERVICE INCREASE
- RE EVALUATION OF EXISTING JOB
- RESIGNATION
- RETIREMENT
- LAYOFF
- DISCHARGE

LEAVE OF ABSENCE FROM _____ (DATE) UNTIL _____ (DATE)

OTHER (EXPLAIN) LONGEVITY 2 YEARS \$96.00

FILED
LD. HILL JR. CLERK
CHANGE AUTHORIZED BY _____ DATE 8-6-86

CHANGE APPROVED BY _____ DATE _____
1986 AUG 11 AM 11:56

FORM #08320 AMSTERDAM PRINTING AND LITHO CO. AMSTERDAM, N.Y. 10010
UPS INC. COSENT, TX.

BY _____

TO: PAYROLL DEPARTMENT

VOL. 27 pg. 817

PLEASE ENTER THE FOLLOWING CHANGE(S) IN YOUR RECORDS TO TAKE

EFFECT 8-1-86
(DATE & TIME)

EMPLOYEE Addie Rene Morris #182

SOCIAL SECURITY NO _____ CLOCK NO _____

THE CHANGE(S)

<input checked="" type="checkbox"/> CHECK ALL APPLICABLE BOXES	FROM	TO
<input type="checkbox"/> DEPARTMENT		
<input type="checkbox"/> JOB		
<input type="checkbox"/> SHIFT		
<input type="checkbox"/> RATE		
<input type="checkbox"/>		

REASON FOR THE CHANGE(S)

- HIRED
- RE-HIRED
- PROMOTION
- DEMOTION
- TRANSFER
- MERIT INCREASE
- UNION SCALE
- PROBATIONARY PERIOD COMPLETED
- LENGTH OF SERVICE INCREASE
- RE-EVALUATION OF EXISTING JOB
- RESIGNATION
- RETIREMENT
- LAYOFF
- DISCHARGE

LEAVE OF ABSENCE FROM _____ (DATE) UNTIL _____ (DATE)

OTHER (EXPLAIN) LONGEVITY 8 YEARS \$384.00

FILED
J.D. HILL, JR.
COUNTY CLERK

1986 AUG 11 AM 11:56
CHANGE AUTHORIZED BY J.D. Hill DATE 8-6-86
UPSHUR COUNTY, TX.

CHANGE APPROVED BY _____ DATE _____

TO: PAYROLL DEPARTMENT

PLEASE ENTER THE FOLLOWING CHANGE(S) IN YOUR RECORDS TO TAKE

EFFECT 8-1-86
(DATE & TIME)

EMPLOYEE ELNORA MARSHALL # 282

SOCIAL SECURITY NO. _____ CLOCK NO. _____

THE CHANGE(S)

<input checked="" type="checkbox"/> CHECK ALL APPLICABLE BOXES	FROM	TO
<input type="checkbox"/> DEPARTMENT		
<input type="checkbox"/> JOB		
<input type="checkbox"/> SHIFT		
<input type="checkbox"/> RATE		
<input type="checkbox"/>		

REASON FOR THE CHANGE(S)

- HIRED
- RE-HIRED
- PROMOTION
- DEMOTION
- TRANSFER
- MERIT INCREASE
- UNION SCALE
- PROBATIONARY PERIOD COMPLETED
- LENGTH OF SERVICE INCREASE
- RE-EVALUATION OF EXISTING JOB
- RESIGNATION
- RETIREMENT
- LAYOFF
- DISCHARGE

LEAVE OF ABSENCE FROM _____ (DATE) UNTIL _____ (DATE)

OTHER (EXPLAIN) LONGEVITY 1 YEAR \$48.00

FILED
J.B. III, JR.
COUNTY CLERK

CHANGE AUTHORIZED BY 1 AM 11:57 DATE _____

CHANGE APPROVED BY OP. SEC. COUNTY, TX. DATE _____

TO: PAYROLL DEPARTMENT

VOL. 27 P. 819

PLEASE ENTER THE FOLLOWING CHANGE(S) IN YOUR RECORDS TO TAKE

EFFECT 8-1-86
(DATE & TIME)

EMPLOYEE KENNETH MAYFIELD

SOCIAL SECURITY NO _____ CLOCK NO _____

THE CHANGE(S)

✓ CHECK ALL APPLICABLE BOXES	FROM	TO
<input type="checkbox"/> DEPARTMENT		
<input type="checkbox"/> JOB		
<input type="checkbox"/> SHIFT		
<input checked="" type="checkbox"/> RATE	19-8 1705.57	17-7 1509.25
<input type="checkbox"/>		

REASON FOR THE CHANGE(S)

- HIRED
- RE-HIRED
- PROMOTION
- DEMOTION
- TRANSFER
- MERIT INCREASE
- UNION SCALE
- PROBATIONARY PERIOD COMPLETED
- LENGTH OF SERVICE INCREASE
- RE-EVALUATION OF EXISTING JOB
- RESIGNATION
- RETIREMENT
- LAYOFF
- DISCHARGE

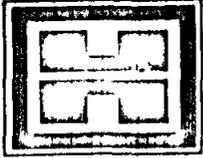
LEAVE OF ABSENCE FROM _____ (DATE) UNTIL _____ (DATE)

OTHER (EXPLAIN) _____

FILED
J.B. HILL, JR.
COUNTY CLERK

CHANGE AUTHORIZED BY AMP-57 DATE 8-5-86

CHANGE APPROVED BY _____ COUNTY, TX. DATE _____



THE R. E. HABLE COMPANY

(214) 874-8201

P.O. DRAWER 680

CORSICANA, TEXAS 75110

August 7, 1986

Hall Manufacturing
1307 Stadium Street
Henderson, Texas 75652

Attention: Mr. Ray Hall

Reference: Upshur County Justice Center

Dear Ray:

Having reviewed the bids submitted for the Court Room seating on the Upshur County Justice Center, it is our intention to recommend award to Hoover Brothers, the second bidder. The reasons are, basically, these:

1. Hoover Brothers bid products which comply more closely to that which was specified.
2. The wood furniture proposed in your bid would not "work" with the wood in the Court Room.
3. There is a limited color selection offered by your proposal.

The contract will be awarded at the next regular meeting of the Commissioner's Court on August 11th. You may attend the meeting of the court and address the issues raised by this letter.

Sincerely,

THE R. E. HABLE COMPANY

William Carter
Project Manager

WG/bt

enc.

cc: Ed Esquivel
Jim Wiginton
Judge Everett Dean

27 821

CERTIFICATE OF COUNTY CLERK

THE STATE OF TEXAS

§

COUNTY OF UPSHUR

I, the undersigned, County Clerk and Ex-Officio Clerk of the Commissioners' Court of Upshur County, Texas, DO HEREBY CERTIFY as follows:

1. That on the 11th day of August, 1986, a regular meeting of the Commissioners' Court of Upshur County, Texas, was held at the regular meeting place of the Court in the County Courthouse, Gilmer, Texas; the duly constituted members of the Court being as follows:

EVERETT DEAN

COUNTY JUDGE

GADDIS LINDSEY

COMMISSIONER, PRECINCT NO. 1

J. W. MEADOWS

COMMISSIONER, PRECINCT NO. 2

DAVID LOYD

COMMISSIONER, PRECINCT NO. 3

PAUL DAVIS

COMMISSIONER, PRECINCT NO. 4

and all of said persons were present at said meeting, except the following: Paul Davis, Commissioner Pct. #4. Among other business considered at said meeting, the attached order entitled:

"AN ORDER ratifying, confirming and approving a Change Order to the contract with Troy Rapp Concrete Contractor, Inc. in relation to the construction of a new county jail and the renovation and remodeling of a building for the Upshur County Justice Center; and resolving other matters incident and related thereto."

was introduced and submitted to the Court for passage and adoption. After presentation and due consideration of the order and, upon a motion made by David Loyd and seconded by Gaddis Lindsey, the order was duly passed and adopted by the Court to be effective immediately by the following vote:

3 voted "For" 0 voted "Against" 0 abstained

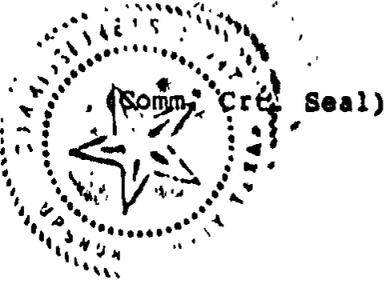
VC 271-822

all as shown in the official Minutes of the Court for the meeting held on the aforesaid date.

2. That the attached order is a true and correct copy of the original on file in the official records of the County; the duly qualified and acting members of the Commissioners' Court of said County on the date of the aforesaid meeting are those persons shown above and, according to the records of my office, advance notice of the time, place and purpose of the meeting was given to each member of the Court; and that said meeting, and the deliberation of the aforesaid public business, was open to the public and written notice of said meeting, including the subject of the above entitled order, was posted and given in advance thereof in compliance with the provisions of Article 6252-17, Section 3A, V.A.T.C.S.

IN WITNESS WHEREOF, I have hereunto signed my name officially and affixed the seal of the Commissioners' Court of said County, this the 11th day of August, 1986.

J.B. Hill, Jr.
County Clerk and Ex-Officio
Clerk of the Commissioners'
Court of Upshur County, Texas



FILED
J.B. HILL, JR.
COUNTY CLERK
1986 AUG 11 AM 11:57
UPSHUR COUNTY, TX.
BY _____

VC 27

823

AN ORDER ratifying, confirming and approving a Change Order to the contract with Troy Rapp Concrete Contractor, Inc. in relation to the construction of a new county jail and the renovation and remodeling of a building for the Upshur County Justice Center; and resolving other matters incident and related thereto.

WHEREAS, pursuant to an order duly passed and adopted on March 25, 1985, the Commissioners' Court of Upshur County, Texas, awarded a contract to Troy Rapp Concrete Contractor, Inc. in the amount of \$204,000 for concrete work in relation to the construction of the new county jail and the renovation and remodeling of a building for the Upshur County Justice Center; and

WHEREAS, said contract has heretofore been amended by reason of two Change Orders, the net effect of such Change Order being to add the sum of \$22,186.00 to the original contract amount; and

WHEREAS, it has been determined that certain additional changes, modifications and revisions should be made to the work to be performed and/or materials to be supplied under and pursuant to such contract; such changes, modifications and revisions being more fully described in the Change Order attached hereto as Exhibit A; and

27

WHEREAS, the changes to said contract have been recommended by the Construction Manager and approved by the County Judge, and this Court hereby finds and determines that said Change Order should be approved and said contract amended to incorporate the changes, modifications and revisions described therein; now, therefore,

BE IT ORDERED, ADJUDGED AND DECREED BY THE COMMISSIONERS' COURT OF UPSHUR COUNTY, TEXAS:

SECTION 1: That the recitals and findings contained in the preamble hereof are hereby incorporated herein as though set forth at length as a part of this Section.

SECTION 2: That the change order to the contract with Troy Rapp Concrete Contractors, Inc. for concrete work in relation to the construction of a new county jail and the renovation and remodeling of a building for the Upshur County Justice Center (attached hereto as Exhibit A and incorporated herein by reference for all purposes) is hereby ratified, confirmed and approved, and said contract is hereby amended to

27 825

include the changes and modifications described therein. The acts of the County Judge in executing said Change Orders for and on behalf of Upshur County, Texas, and as the act and deed of this Court are hereby ratified, confirmed and approved.

SECTION 3: That, by reason of the foregoing Change Orders, the total amount due on said contract, as amended, is hereby acknowledged and determined to be \$226,186.00.

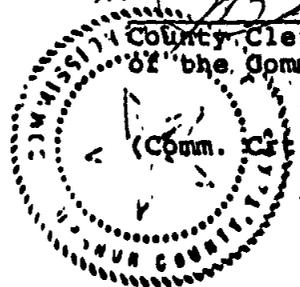
PASSED AND ADOPTED, this the 11th day of August, 1986.

UPSHUR COUNTY, TEXAS

[Handwritten Signature]
County Judge

ATTEST:

[Handwritten Signature]
County Clerk and Ex-Officio Clerk
of the Commissioners' Court
(Comm. Ct. Seal)



FILED
J.B. HILL, JR.
COUNTY CLERK
1986 AUG 11 AM 11:57
UPSHUR COUNTY, TX.
BY _____
COUNTY

UPSHUR COUNTY FIRE REPORTS
MAY, JUNE, & JULY 1986

VOL. 87 MAY 1986

DEPARTMENT	NO. OF CALLS	%	@73.05/Call	BASE	TOTAL
Gilmer	43	27.92	3,141.15	750.00	3,291.15
Gladewater	20	12.99	1,461.00	750.00	2,211.00
Harmony	12	7.79	876.60	750.00	1,626.60
Ore City	12	7.79	876.60	750.00	1,626.60
East Mountain	6	3.90	438.30	750.00	1,188.30
Big Sandy	9	5.84	657.45	750.00	1,407.45
West Mountain	6	3.90	438.30	750.00	1,188.30
Pritchett	4	2.60	292.20	750.00	1,042.20
Glenwood Acres	3	1.95	219.15	750.00	969.15
Union Grove	8	5.19	584.40	750.00	1,334.40
Diana	18	11.89	1,314.90	750.00	2,064.90
Perryville	1	.65	73.05	750.00	823.05
Hollylake	0	-----	-----	750.00	750.00
Bettie	12	7.79	876.60	750.00	1,626.60
Ewell	0	-----	-----	750.00	750.00
	<u>154</u>	<u>100.00</u>	<u>11,249.70</u>	<u>11,250.00</u>	<u>22,499.70</u>

Corrected
sheet