



UPSHUR COUNTY COMMISSIONERS COURT

GILMER, TEXAS

4-30-90

Commissioners Court met in special session with all members present.

Motion by Bill Loggins seconded by Gaddis Lindsey to approve the minutes of the previous meeting. Motion carried.

Motion by David Loyd seconded by Tommy Eatherton to approve the special road use agreement by Lynn Johnston to haul logs on Catalpa Road. Motion carried, copy attached.

Motion by Bill Loggins seconded by Gaddis Lindsey to approve the permit application of Vic Block to install a culvert within ROW of Arthur Drive. Motion carried, copy attached.

Motion by David Loyd seconded by Tommy Eatherton to approve the permit application of Keith Miller to install a culvert within ROW of Coconut Road. Motion carried, copy attached.

A letter was presented to the court concerning the benefits paid in Upshur County through the Veterans Commission. This was accepted and placed in the minutes. Copy attached.

Motion by Bill Loggins seconded by David Loyd to approve the payroll changes of Mark Boobar and David Allen. Motion carried, copy attached.

Motion by Bill Loggins seconded by Gaddis Lindsey to approve the payment of the payroll for April. Motion carried, copy attached.

Motion by Bill Loggins seconded by Gaddis Lindsey to approve the payment of the bills now due. Motion carried, copy attached.

Karen Funk presented a resolution to the court concerning the 125 plan. Motion by David Loyd seconded by Bill Loggins to accept this and place in the minutes. Motion carried, copy attached.

A lease agreement between Mark Boobar and Upshur County was presented. Motion by David Loyd seconded by Bill Loggins to accept the lease. Motion carried, copy attached.

Motion by Gaddis Lindsey seconded by Bill Loggins to accept a plat of Pineridge Place Subdivision for recording purposes only. The road will be known as Pineridge Road and is 1950 feet long by 50 feet wide. This will start the two year period of upkeep before it is accepted into the lateral road system. Motion carried, copy on file in the plat records.

Motion by Bill Loggins seconded by Tommy Eatherton to adopt a resolution concerning the imposition of an additional penalty on delinquent taxes. Motion carried, copy attached.

The roof on the courthouse was discussed and it was decided to add two weeks time to re-bid this since the specifications have just now been drawn up. The bids will be opened June 11, 1990. Motion by Judge Dean seconded by Bill Loggins to do this. Motion carried.

Motion by Judge Dean seconded by David Loyd to adopt the resolution setting the homestead exemption for the 1990 taxes. Motion carried, copy attached.

Motion by Bill Loggins seconded by Tommy Eatherton to adjourn. Motion carried.

Edward Dean
COUNTY JUDGE

Gaddis Lindsey
COMMISSIONER PCT. # 1

Bill Loggins
COMMISSIONER PCT. # 2

David Loyd
COMMISSIONER PCT. # 3

Tommy Eatherton
COMMISSIONER PCT. # 4

SPECIAL ROAD USE AGREEMENT CONTRACT

THE STATE OF TEXAS §
COUNTY OF UPSHUR §

KNOW ALL MEN BY THESE PRESENTS

The undersigned Lynn Johnston, 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 exact route, direction and miles in tenths) _____

Catalpa 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. 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 Commissioner's 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.

Lynn Johnston
First Party Signature

Edward Dean
County Judge

Rt. 3 Box 452
Street or Box

Charles Lutz
Commissioner 1

Gilmer, Texas 75644
City, State and Zip Code

Bill Liggins
Commissioner 2

214-734-7126
Telephone

David Boyd
Commissioner 3

Bob Coatsman
Timber Tract

Jimmy Ethel
Commissioner 4

April 26, 1990
Date Signed

Date Signed

Permit issued for a period not to exceed 90 days.

PERMIT APPLICATION FOR
USE OF UPSHUR COUNTY RIGHT OF WAY

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

PRECINCT H 3
DATE April 23, 1990

Formal notice is hereby given that Keith Miller
whose principal address is 2243 Garden Road, Peoria, Ill 60506
does propose to place a culvert installation
within the ROW of County Road Cocoanut 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 Keith L. Miller

TITLE _____

ADDRESS _____

Billy Billmeyer

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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 2

DATE April 24, 1990

Formal notice is hereby given that Vic Block
whose principal address is Rt 1 Box 507, Ore City, Tx 75683
does propose to place a culvert installation
within the ROW of County Road Arthur Drive (Camp Joy)
as follows:

968-3294

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 _____

ADDRESS _____



ARTURO T. BENAVIDES
CHAIRMAN

SAMUEL BIER
VICE CHAIRMAN

BILLY E. KIRBY
SECRETARY

JUDGE JAMES A. ENDICOTT, JR.
MEMBER

BARNIE O. MENDERSON, JR.
MEMBER



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TEXAS VETERANS COMMISSION
E.O. THOMPSON STATE OFFICE BUILDING
P.O. BOX 12277, CAPITOL STATION
AUSTIN, TEXAS 78711
PHONE (512) 463-5538

April 20, 1990

DOUGLAS K. BROWN
EXECUTIVE DIRECTOR
CHARLES A. BUERSCHINGER
CHIEF DEPUTY ADMINISTRATOR
BILLY G. GREEN
DEPUTY ADMINISTRATOR
HERMAN L. WILSON
REGIONAL DIRECTOR
HOUSTON
RANDALL R. COLLINS
REGIONAL DIRECTOR
WACO
RICHARD M. PRETE
CHIEF, INFORMATION & TRAINING

Mr. Danny M. Loyd
Upshur County Service Officer
P.O. Box 730
Gilmer, Texas 75644

Dear Danny:

The Texas Veterans Commission has recently received an official report showing the amount of monetary benefits paid to the veterans residing in your county by the Department of Veterans Affairs for Fiscal Year 1989. We feel that this information is important, as it is an excellent barometer of the effectiveness of the valuable service you perform for the veterans, their dependents and survivors who reside in your county. As you are well aware, upon receipt, most of these benefits are placed in immediate circulation, thereby providing a significant economic stimulus to the economy of your county. The amount of monetary benefits by category are as follows:

<u>Compensation and Pension</u>	<u>Readjustment and Vocational Rehab</u>	<u>Insurance and Indemnities</u>	<u>TOTAL</u>
\$3,361,256	\$72,545	\$215,185	\$3,648,986

We hope that this information will be of interest to you, your Commissioners Court and the residents of your county. Likewise, congratulations on a job well done for your county's veterans. Please let us know if we can be of any further assistance to you concerning this report or any other matter.

Sincerely yours,

Doug Brown

DOUGLAS K. BROWN
Executive Director

DKB/njg

cc: Commissioners Court
Upshur County

TO: PAYROLL DEPARTMENT

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

EFFECT 4-1-90
(DATE & TIME)
 EMPLOYEE Mark Boobar (Pet #3)
 SOCIAL SECURITY NO _____ CLOCK NO 409

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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		<u>\$200⁰⁰ month</u>
<input type="checkbox"/>		

REASON FOR THE CHANGE(S)

- | | |
|---|--|
| <input type="checkbox"/> HIRED | <input type="checkbox"/> PROBATIONARY PERIOD COMPLETED |
| <input type="checkbox"/> RE HIRED | <input type="checkbox"/> LENGTH OF SERVICE INCREASE |
| <input type="checkbox"/> PROMOTION | <input type="checkbox"/> RE-EVALUATION OF EXISTING JOB |
| <input type="checkbox"/> DEMOTION | <input type="checkbox"/> RESIGNATION |
| <input type="checkbox"/> TRANSFER | <input type="checkbox"/> RETIREMENT |
| <input type="checkbox"/> MERIT INCREASE | <input type="checkbox"/> LAYOFF |
| <input type="checkbox"/> UNION SCALE | <input type="checkbox"/> DISCHARGE |

LEAVE OF ABSENCE FROM _____ (DATE) UNTIL _____ (DATE)
 OTHER (EXPLAIN) Service truck rental

CHANGE AUTHORIZED BY David Boyd DATE 4/23/90

CHANGE APPROVED BY _____ DATE _____

TO: PAYROLL DEPARTMENT VOL 35 PG 427

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

EFFECT 4-24-90
(DATE & TIME)

EMPLOYEE DAVID ALLEN Pct # 3

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 _____ UNTIL _____
(DATE) (DATE)

OTHER (EXPLAIN) PART-TIME employee
MIN-WAGE

CHANGE AUTHORIZED BY David Roy DATE _____

CHANGE APPROVED BY _____ DATE _____

CHECK.	DATE PRINTED	PAYROLL DATE	Issued to.....	NET PAY	STATUS.
40237-P	04/25/90	04/30/90	DEAN, CHARLES EVERETT	1,951.79	
40238-P	04/25/90	04/30/90	JOHNSON, BOBBIE EVELYN	1,041.01	
40239-P	04/25/90	04/30/90	CAIN, DERONDA KAYE	887.27	
40240-P	04/25/90	04/30/90	LOFTIS, JO ANN	757.39	
40241-P	04/25/90	04/30/90	MORRIS, ADDIE RENE	784.42	
40242-P	04/25/90	04/30/90	SHAW, REX AUDENE	1,389.54	
40243-P	04/25/90	04/30/90	LOYD, DANNY MICHAEL	985.23	
40244-P	04/25/90	04/30/90	COX, MARY ROSE	617.49	
40245-P	04/25/90	04/30/90	FORE, SHIRLEY C.	1,949.02	
40246-P	04/25/90	04/30/90	WHITESIDE, RUTH TYSON	1,014.85	
40247-P	04/25/90	04/30/90	EAST, KAREN A	794.19	
40248-P	04/25/90	04/30/90	HAMBERLIN, FRANKIE M	859.83	
40249-P	04/25/90	04/30/90	MASK, JANET F.	785.13	
40250-P	04/25/90	04/30/90	PILCHER, JEAN S	760.88	
40251-P	04/25/90	04/30/90	RAY, HORACE ANDY	1,340.70	
40252-P	04/25/90	04/30/90	MOORE, BARBARA L.	684.20	
40253-P	04/25/90	04/30/90	RAY, WILLIAM VALTON	1,099.05	
40254-P	04/25/90	04/30/90	SMITH, NADRA CITA	734.62	
40255-P	04/25/90	04/30/90	WEAVER, CAROLYN JO	875.68	
40256-P	04/25/90	04/30/90	CROWDER, R. E.	473.50	
40257-P	04/25/90	04/30/90	CHASTEEN, W S.	627.46	
40258-P	04/25/90	04/30/90	TURNER, GASTEL	54.75	
40259-P	04/25/90	04/30/90	MARLOWE, CLED RANDALL	535.15	
40260-P	04/25/90	04/30/90	BRUNSON, MARY DELL	916.51	
40261-P	04/25/90	04/30/90	GREENE, CYNTHIA JEAN	711.97	
40262-P	04/25/90	04/30/90	JONES, EVELYN D	763.08	
40263-P	04/25/90	04/30/90	NISBETT, ROBERT S	1,720.75	
40264-P	04/25/90	04/30/90	WOODFIN, ROBERT STEPHEN	1,989.46	
40265-P	04/25/90	04/30/90	FLIPPO, DONA	817.01	
40266-P	04/25/90	04/30/90	WEIN, NANETTE RUTH	1,571.87	
40267-P	04/25/90	04/30/90	HARRIS, MYRA NELL	841.19	
40268-P	04/25/90	04/30/90	HOWELL, LINDA LOUISE	749.95	
40269-P	04/25/90	04/30/90	STEELMAN, KARMEN CITA	238.18	
40270-P	04/25/90	04/30/90	VICK, THOMAS VERNON	1,520.58	
40271-P	04/25/90	04/30/90	DAVIS, LAVADA M	886.39	
40272-P	04/25/90	04/30/90	HOLLOWAY, BARBARA J	871.90	
40273-P	04/25/90	04/30/90	HUTCHINS, WANDA L.	637.55	
40274-P	04/25/90	04/30/90	KING, BATINA ANN	528.41	
40275-P	04/25/90	04/30/90	PATTERSON, SHIRLEE H	556.47	
40276-P	04/25/90	04/30/90	RAMSEY, MARSHA MARTIN	92.04	
40277-P	04/25/90	04/30/90	SMITH, MICHAEL LOYD	1,421.28	
40278-P	04/25/90	04/30/90	THOMPSON, TALITHA LYNN	588.95	
40279-P	04/25/90	04/30/90	WESSON, PAMELA JOY	714.52	
40280-P	04/25/90	04/30/90	WHITAKER, LADONNA LEE	800.82	
40281-P	04/25/90	04/30/90	COOK, JOHN RUBIN	900.92	
40282-P	04/25/90	04/30/90	NIX, CHESTER WAYNE	598.32	
40283-P	04/25/90	04/30/90	PALMER, LINDA S	640.45	
40284-P	04/25/90	04/30/90	TOWNSEND, JOHN BURL	752.08	
40285-P	04/25/90	04/30/90	WEBB, SHAUNDA D	570.44	
40286-P	04/25/90	04/30/90	SMITH, BARNEY GRANT	397.92	
40287-P	04/25/90	04/30/90	HOLT, ONIE JR	510.89	
40288-P	04/25/90	04/30/90	BARTON, BOBBY G.	637.27	

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CHECK.	DATE PRINTED	PAYROLL DATE	Issued to.....	NET PAY	STATUS.
40289-P	04/25/90	04/30/90	SEAHORN, CHARLES WAYNE	510.89	
40290-P	04/25/90	04/30/90	JENKINS, STANLEY EUGENE	320.03	
40291-P	04/25/90	04/30/90	ALEJANDRO, ADOLFO	1,177.64	
40292-P	04/25/90	04/30/90	BENGE, RONALD DALE	1,171.35	
40293-P	04/25/90	04/30/90	BETTERTON, ANTHONY SCOTT	1,309.96	
40294-P	04/25/90	04/30/90	CROMLEY, ROBERT ALLEN	1,224.17	
40295-P	04/25/90	04/30/90	CROSS, RICHARD D.	1,582.23	
40296-P	04/25/90	04/30/90	FORTSON, LARRY WAYNE	1,232.32	
40297-P	04/25/90	04/30/90	GAGE, JANIE ELIZABETH	1,185.41	
40298-P	04/25/90	04/30/90	GARNER, PAULA NANETTE	981.18	
40299-P	04/25/90	04/30/90	JORDAN, MURRAY K.	1,457.85	
40300-P	04/25/90	04/30/90	JULIAN, MARCENE	818.26	
40301-P	04/25/90	04/30/90	KUHN, JERRY LYNN	1,167.53	
40302-P	04/25/90	04/30/90	MAYFIELD, KENNETH MURL	826.46	
40303-P	04/25/90	04/30/90	MITCHELL, DENNIS E.	1,326.92	
40304-P	04/25/90	04/30/90	NORMAN, SELTON RONALD	1,276.48	
40305-P	04/25/90	04/30/90	SANDERS, BOBBY NEAL	1,305.85	
40306-P	04/25/90	04/30/90	YOUNG, LELAND WAYNE	1,209.11	
40307-P	04/25/90	04/30/90	BARBER, B. DARLENE	1,006.77	
40308-P	04/25/90	04/30/90	BEAN, ELIZABETH M.	870.13	
40309-P	04/25/90	04/30/90	BETTERTON, NANCY LYN	1,378.04	
40310-P	04/25/90	04/30/90	GARDNER, LENA F.	1,023.26	
40311-P	04/25/90	04/30/90	GRISWOLD, JAMES E.	986.80	
40312-P	04/25/90	04/30/90	GRUNDEN, JULIE F.	973.37	
40313-P	04/25/90	04/30/90	HAYS, SHELIA R.	945.87	
40314-P	04/25/90	04/30/90	HUDGINS, ROYCE L.	974.87	
40315-P	04/25/90	04/30/90	JENKINS, STANLEY E.	902.72	
40316-P	04/25/90	04/30/90	LINGLE, JOSEPH RICHARD JR.	991.51	
40317-P	04/25/90	04/30/90	MARSHALL, ELDORA	594.23	
40318-P	04/25/90	04/30/90	MULLINIX, LARRY WAYNE	632.75	
40319-P	04/25/90	04/30/90	MURPHY, NADRA H.	1,023.26	
40320-P	04/25/90	04/30/90	ROBINSON, BARBARA GALE	909.69	
40321-P	04/25/90	04/30/90	ROBINSON, DONNA G.	1,047.91	
40322-P	04/25/90	04/30/90	SALOIS, GEORGE CARL	977.72	
40323-P	04/25/90	04/30/90	WALKER, DIANE	682.37	
40324-P	04/25/90	04/30/90	WEBB, JERRY H.	899.44	
40325-P	04/25/90	04/30/90	MITCHELL, RONNIE GENE	1,892.86	
40326-P	04/25/90	04/30/90	TOMLIN, NORMA C.	1,400.51	
40327-P	04/25/90	04/30/90	BECK, EARNEST EARL	850.88	
40328-P	04/25/90	04/30/90	CROW, ARTICE JR.	612.09	
40329-P	04/25/90	04/30/90	FIELDS, ROBERT LEWIS	629.65	
40330-P	04/25/90	04/30/90	GILMORE, LARRY F.	684.47	
40331-P	04/25/90	04/30/90	JOHNSON, ARCHIE LEON	780.92	
40332-P	04/25/90	04/30/90	LINDSEY, GADDIS M.	1,714.04	
40333-P	04/25/90	04/30/90	MYERS, GLENN W. JR.	818.86	
40334-P	04/25/90	04/30/90	PENDARVIS, RANDY D.	907.21	
40335-P	04/25/90	04/30/90	SMITH, EDDIE J.	883.01	
40336-P	04/25/90	04/30/90	STOKER, JAMES LOUIS	1,160.38	
40337-P	04/25/90	04/30/90	CROCKETT, HARRY JAMES	808.97	
40338-P	04/25/90	04/30/90	FATHERREE, MERKEL FREDERICK	544.71	
40339-P	04/25/90	04/30/90	JEFFERY, DONALD RAY	856.94	
40340-P	04/25/90	04/30/90	JOHNSON, IVORY GENE	1,243.39	

CHECK.	DATE PRINTED	PAYROLL DATE	Issued to.....	NET PAY	STATUS
40341-P	04/25/90	04/30/90	LOGGINS, BILL JR	1,715.44	
40342-P	04/25/90	04/30/90	MITCHELL, DAVID T	686.44	
40343-P	04/25/90	04/30/90	PENDARVIS, ABBOTT LYNN	1,247.27	
40344-P	04/25/90	04/30/90	ROEDER, RAYMOND R.	833.19	
40345-P	04/25/90	04/30/90	SMITH, RANDAL E	662.79	
40346-P	04/25/90	04/30/90	TACKETT, RUSSELL JUNIOR	373.44	
40347-P	04/25/90	04/30/90	ARRINGTON, ROBBIE L	1,286.21	
40348-P	04/25/90	04/30/90	BOOBAR, MARK B.	1,116.74	
40349-P	04/25/90	04/30/90	CHALK, FLOYDIA EDWARD	1,098.55	
40350-P	04/25/90	04/30/90	GLENN, BILLY E.	935.10	
40351-P	04/25/90	04/30/90	GORDON, R C.	538.03	
40352-P	04/25/90	04/30/90	HODGES, ALBERT EARL	609.92	
40353-P	04/25/90	04/30/90	LOYD, DAVID GRANT	1,829.92	
40354-P	04/25/90	04/30/90	THOMPSON, THOMAS A.	1,187.11	
40355-P	04/25/90	04/30/90	TUCKER, HOWARD KEVIN	929.04	
40356-P	04/25/90	04/30/90	WALTON, MELVIN	816.36	
40357-P	04/25/90	04/30/90	CAMPBELL, GLENN EDWARD	1,170.49	
40358-P	04/25/90	04/30/90	EATHERTON, THOMAS EDWARD	1,743.19	
40359-P	04/25/90	04/30/90	GURLEY, WILLIAM EDWARD	1,036.86	
40360-P	04/25/90	04/30/90	HUTCHINGS, JAMES HOWARD	603.32	
40361-P	04/25/90	04/30/90	KELLY, ROOSEVELT	574.12	
40362-P	04/25/90	04/30/90	MORRIS, BEN SPENCER	983.63	
40363-P	04/25/90	04/30/90	SHAW, TOM P.	496.18	
40364-P	04/25/90	04/30/90	TIMMONS, GERALD WAYNE	908.10	
40365-P	04/25/90	04/30/90	WEAVER, D. B.	523.74	
40366-P	04/25/90	04/30/90	JOHNSON, GERALD DON	1,299.30	
40367-P	04/25/90	04/30/90	HOWELL, LUANA G	286.75	
40368-P	04/25/90	04/30/90	MONK, ALTA GRACE	566.67	
40369-P	04/25/90	04/30/90	MORRISON, JOYCE FRANCES	1,328.92	
40370-P	04/25/90	04/30/90	SANDERS, SANDY E	240.09	
40371-P	04/25/90	04/30/90	SMITH, EMMA JEAN	767.93	
40372-P	04/25/90	04/30/90	WILLIAMS, JANET C.	517.77	
40373-P	04/25/90	04/30/90	YOUNG, YOLANDA	719.15	
40374-P	04/25/90	04/30/90	COLLIER, ANNIE BELLE	943.55	
40375-P	04/25/90	04/30/90	NICKERSON, JEROME EDWIN	270.59	
40376-P	04/25/90	04/30/90	SHATTLES, CYNTHIA C	265.50	
				128,754.96	
				128,754.96	

FILED
 REX A. SHAW
 COUNTY CLERK
 UPSHUR COUNTY, W.VA.
 30 APR 30 AM 10:08
 DEPUTY

VOL 35 PG 430

Everett Dean
 County Judge, Everett Dean

Gaddis Lindsey
 Commissioner Pct.#1, Gaddis Lindsey

Bill Loggins
 Commissioner Pct.#2, Bill Loggins

David Loyd
 Commissioner Pct.#3, David Loyd

Tommy Eatherton
 Commissioner Pct.#4, Tommy Eatherton

UPSHUR COUNTY

ACCOUNTS PAYABLE SYSTEM

30 APR 1990

Approved Disbursements

ALL Checking Accounts

THE SOFTWARE GROUP, INC.

Disbursements Made from 04/24/90 thru 04/30/90

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Check #	Date	Vendor	Check Amount	Invoice Amt	Invoice Descriptions
40150-AP	04/24/90	BETTIE VOL. FIRE DEPARTMENT	\$482.94	\$482.94	FIRE PROTECTION-39calls QTR. ENDING 3/31/90
40151-AP	04/24/90	BIG SANDY VOLUNTEER FIRE DEPAR	\$408.64	\$408.64	FIRE PROTECTION-33calls QTR. ENDING 3/31/90
40152-AP	04/24/90	CLEO MARLOWE, JP#5	\$210.00	\$210.00	APRIL '90/OFFICE EXPENSE
40153-AP	04/24/90	DIANA VOLUNTEER FIRE DEPARTMEN	\$445.79	\$445.79	FIRE. PROTECTION-36calls QTR. ENDING 3/31/90
40154-AP	04/24/90	EAST MOUNTAIN VOLUNTEER FIRE D	\$222.89	\$222.89	FIRE PROTECTION-18calls QTR. ENDING 3/31/90
40155-AP	04/24/90	EWELL VOL. FIRE DEPT.	\$99.06	\$99.06	FIRE. PROTECTION-8calls QTR. ENDING 3/31/90
40156-AP	04/24/90	GAYNELL HOLMES	\$25.00	\$25.00	ELECTION-2nd PRIMARY ELECTION 4/10/90 CENTRAL COUNTING/MACH
40157-AP	04/24/90	GILMER VOLUNTEER FIRE DEPARTME	\$1,473.57	\$1,473.57	FIRE. PROTECTION-119calls QTR. ENDING 3/31/90
40158-AP	04/24/90	GLADEWATER FIRE DEPARTMENT	\$321.96	\$321.96	FIRE. PROTECTION-26calls QTR. ENDING 3/31/90
40159-AP	04/24/90	GLENWOOD ACRES FD	\$74.30	\$74.30	FIRE PROTECTION-6calls QTR. ENDING 3/31/90
40160-AP	04/24/90	HARMONY VOLUNTEER FIRE DEPARTH	\$507.70	\$507.70	FIRE. PROTECTION-41calls QTR. ENDING 3/31/90
40161-AP	04/24/90	LAFAYETTE VOL. FIRE DEPT.	\$111.45	\$111.45	FIRE. PROTECTION-9calls QTR. ENDING 3/31/90
40162-AP	04/24/90	LONG MOTOR COMPANY, INC.	\$9,975.00	\$9,975.00	PCT#4-(1)USED '89 FORD PICKUP F150 S#1FTDF15N2KNB19202
40163-AP	04/24/90	ORE CITY VOLUNTEER FIRE DEPART	\$582.00	\$582.00	FIRE. PROTECTION-47calls QTR. ENDING 3/31/90
40164-AP	04/24/90	PEGGY HALL	\$25.00	\$25.00	ELECTION-2nd PRIMARY 4/10/90 CENTRAL COUNTING/MACH
40165-AP	04/24/90	PERRYVILLE VOLUNTEER FD	\$198.13	\$198.13	FIRE PROTECTION-16calls QTR. ENDING 3/31/90
40166-AP	04/24/90	PRITCHETT VOLUNTEER FIRE DEPAR	\$309.57	\$309.57	FIRE PROTECTION-25calls QTR. ENDING 3/31/90
40167-AP	04/24/90	AUTRY W. YOUNG	\$6.00	\$6.00	D CT-ONE DAY JURY SERVICE 04/23/90
40168-AP	04/24/90	ALBERTINE FOWLER	\$6.00	\$6.00	D CT-ONE DAY JURY SERVICE 04/23/90
40169-AP	04/24/90	MARCUS LOUIE SMITH	\$6.00	\$6.00	D CT-ONE DAY JURY SERVICE 04/23/90
40170-AP	04/24/90	JIMMY RAY MURRELL	\$6.00	\$6.00	D CT-ONE DAY JURY SERVICE 04/23/90
40171-AP	04/24/90	ELIZABETH ANN LANE	\$6.00	\$6.00	D CT-ONE DAY JURY SERVICE 04/23/90
40172-AP	04/24/90	BARBARA HAYS	\$6.00	\$6.00	D CT-ONE DAY JURY SERVICE 04/23/90
40173-AP	04/24/90	DANIEL E HOLLOWAY	\$6.00	\$6.00	D CT-ONE DAY JURY SERVICE 04/23/90

UPSHUR COUNTY

ACCOUNTS PAYABLE SYSTEM

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ALL Checking Accounts

THE SOFTWARE GROUP, INC.

Disbursements Made from 04/24/90 thru 04/30/90

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40174-AP	04/24/90	MARY KING	\$6 00	\$6.00	D. CT-ONE DAY JURY SERVICE 04/23/90
40175-AP	04/24/90	JDAN-YVONNE SMALL	\$6.00	\$6.00	D. CT-CNE DAY JURY SERVICE 04/23/90
40176-AP	04/24/90	MORGAN ROSS WHITELEY	\$6.00	\$6.00	D. CT-ONE DAY JURY SERVICE 04/23/90
40177-AP	04/24/90	BILLIE TOM KING	\$6.00	\$6.00	D. CT-ONE DAY JURY SERVICE 04/23/90
40178-AP	04/24/90	LARRY-MICHAEL-CHRISTIE	\$6 00	\$6.00	D. CT-ONE DAY JURY SERVICE 04/23/90
40179-AP	04/24/90	DON ALLAN MAINES	\$6.00	\$6.00	D. CT-ONE DAY JURY SERVICE 04/23/90
40180-AP	04/24/90	PATRICIA ROBERTS	\$6.00	\$6.00	D. CT-ONE DAY JURY SERVICE 04/23/90
40181-AP	04/24/90	SANDRA KAY DOUGLAS	\$6.00	\$6.00	D CT-ONE DAY JURY SERVICE 04/23/90
40182-AP	04/24/90	A D VARNER	\$6.00	\$6.00	D. CT-ONE DAY JURY SERVICE 04/23/90
40183-AP	04/24/90	DAVID LEE STEVENSON	\$6.00	\$6 00	D. CT-ONE DAY JURY SERVICE 04/23/90
40184-AP	04/24/90	ALVIN LEE SKINNER	\$6.00	\$6.00	D. CT-ONE DAY JURY SERVICE 04/23/90
40185-AP	04/24/90	JIMMY RUDOLPH FREEMAN	\$6.00	\$6.00	D. CT-ONE DAY JURY SERVICE 04/23/90
40186-AP	04/24/90	DANIEL TODD SORRELLS	\$6.00	\$6.00	D. CT-ONE DAY JURY SERVICE 04/23/90
40187-AP	04/24/90	LARRY-DON GUATTLEBAUM	\$6.00	\$6.00	D. CT-ONE DAY JURY SERVICE 04/23/90
40188-AP	04/24/90	SHIRLEY ANN JOHNSTON	\$6.00	\$6.00	D CT-ONE DAY JURY SERVICE 04/23/90
40189-AP	04/24/90	MARION CANN	\$6 00	\$6 00	D. CT-ONE DAY JURY SERVICE 04/23/90
40190-AP	04/24/90	L D FENNEL	\$6.00	\$6.00	D. CT-ONE DAY JURY SERVICE 04/23/90
40191-AP	04/24/90	GREGORY SCOTT NORMAN	\$6.00	\$6.00	D. CT-ONE DAY JURY SERVICE 04/23/90
40192-AP	04/24/90	ALVIN DEAN WOODS	\$6 00	\$6 00	D. CT-ONE DAY JURY SERVICE 04/23/90
40193-AP	04/24/90	CLAUDIE LEE BARNELL	\$6.00	\$6.00	D CT-ONE DAY JURY SERVICE 04/23/90
40194-AP	04/24/90	MICHAEL VAIL SHAW	\$6 00	\$6 00	D. CT-ONE DAY JURY SERVICE 04/23/90
40195-AP	04/24/90	RUTH SANDERS	\$6.00	\$6.00	D CT-ONE DAY JURY SERVICE 04/23/90
40196-AP	04/24/90	MAX WILLIAM SHEAHAN	\$6.00	\$6 00	D CT-ONE DAY JURY SERVICE 04/23/90
40197-AP	04/24/90	CHARLES A BOUKNIGHT	\$6 00	\$6 00	D CT-ONE DAY JURY SERVICE 04/23/90
40198-AP	04/24/90	JACK RICHARD ARRINGTON	\$6 00	\$6 00	D CT-ONE DAY JURY SERVICE 04/23/90

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THE SOFTWARE GROUP, INC.

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40199-AP	04/24/90	WALTER EARL KELLEY	\$6.00	\$6.00	D. CT-ONE DAY JURY SERVICE 04/23/90
40200-AP	04/24/90	WAYMON NOBLE ELLISON	\$6.00	\$6.00	D. CT-ONE DAY JURY SERVICE 04/23/90
40201-AP	04/24/90	RONALD DALE RYAN	\$6.00	\$6.00	D. CT-ONE DAY JURY SERVICE 04/23/90
40202-AP	04/24/90	CYNTHIA ANN WEBB	\$6.00	\$6.00	D. CT-ONE DAY JURY SERVICE 04/23/90
40203-AP	04/24/90	JOANNA HARPER	\$6.00	\$6.00	D. CT-ONE DAY JURY SERVICE 04/23/90
40204-AP	04/24/90	STACIE DUGGER	\$6.00	\$6.00	D. CT-ONE DAY JURY SERVICE 04/23/90
40205-AP	04/24/90	JIMMY LYNN DAVIS	\$6.00	\$6.00	D. CT-ONE DAY JURY SERVICE 04/23/90
40206-AP	04/24/90	KATHY DIANE CAPPS	\$6.00	\$6.00	D. CT-ONE DAY JURY SERVICE 04/23/90
40207-AP	04/24/90	RONNIE RAY COTHARD	\$6.00	\$6.00	D. CT-ONE DAY JURY SERVICE 04/23/90
40208-AP	04/24/90	DONALD DUANE ARRICK	\$6.00	\$6.00	D. CT-ONE DAY JURY SERVICE 04/23/90
40209-AP	04/24/90	RONALD KENNETH LEONARD	\$6.00	\$6.00	D. CT-ONE DAY JURY SERVICE 04/23/90
40210-AP	04/24/90	BUFORD R BAKER	\$6.00	\$6.00	D. CT-ONE DAY JURY SERVICE 04/23/90
40211-AP	04/24/90	OSCAR EDWARD REDDING	\$6.00	\$6.00	D. CT-ONE DAY JURY SERVICE 04/23/90
40212-AP	04/24/90	MARIE ANN DAVIS	\$6.00	\$6.00	D. CT-ONE DAY JURY SERVICE 04/23/90
40213-AP	04/24/90	LINDA PALMER	\$6.00	\$6.00	D. CT-ONE DAY JURY SERVICE 04/23/90
40214-AP	04/24/90	KATHRYN WALLACE	\$6.00	\$6.00	D. CT-ONE DAY JURY SERVICE 04/23/90
40215-AP	04/24/90	TAMMY LYNNE GIBBONS	\$6.00	\$6.00	D. CT-ONE DAY JURY SERVICE 04/23/90
40216-AP	04/24/90	K A JOHNSTON	\$6.00	\$6.00	D. CT-ONE DAY JURY SERVICE 04/23/90
40217-AP	04/24/90	MARIE LEWIS	\$6.00	\$6.00	D. CT-ONE DAY JURY SERVICE 04/23/90
40218-AP	04/24/90	CHRIS EDWARD JONES	\$6.00	\$6.00	D. CT-ONE DAY JURY SERVICE 04/23/90
40219-AP	04/24/90	MELVA GILLIAM	\$6.00	\$6.00	D. CT-ONE DAY JURY SERVICE 04/23/90
40220-AP	04/24/90	ALTON DALE STEPHENS	\$6.00	\$6.00	D. CT-ONE DAY JURY SERVICE 04/23/90
40221-AP	04/24/90	AMMIE MAE ARRINGTON	\$6.00	\$6.00	D. CT-ONE DAY JURY SERVICE 04/23/90
40222-AP	04/24/90	RUTH ANN DUKE	\$6.00	\$6.00	D. CT-ONE DAY JURY SERVICE 04/23/90
40223-AP	04/24/90	SANDRA KAY HASSELL	\$6.00	\$6.00	D. CT-ONE DAY JURY SERVICE 04/23/90

UPSHUR COUNTY

ACCOUNTS PAYABLE SYSTEM

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ALL Checking Accounts

THE SOFTWARE GROUP, INC.

Disbursements Made from 04/24/90 thru 04/30/90

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Check #	Date	Vendor	Check Amount	Invoice Amt	Invoice Descriptions
40224-AP	04/24/90	JIMMIE DAN MORRIS	\$6.00	\$6.00	D. CT-ONE DAY JURY SERVICE 04/23/90
40225-AP	04/24/90	BILLY WATKINS	\$6.00	\$6.00	D. CT-ONE DAY JURY SERVICE 04/23/90
40226-AP	04/24/90	BRENDA BEEKMAN	\$6.00	\$6.00	D. CT-ONE DAY JURY SERVICE 04/23/90
40227-AP	04/24/90	ALMA DAVIS	\$6.00	\$6.00	D. CT-ONE DAY JURY SERVICE 04/23/90
40228-AP	04/24/90	CLAIRE KENNEDY	\$6.00	\$6.00	D. CT-ONE DAY JURY SERVICE 04/23/90
40229-AP	04/24/90	DANNY RAY PHILLIPS	\$6.00	\$6.00	D. CT-ONE DAY JURY SERVICE 04/23/90
40230-AP	04/24/90	BARBARA ELOISE WOODS	\$6.00	\$6.00	D. CT-ONE DAY JURY SERVICE 04/23/90
40231-AP	04/24/90	TEXAS COLLEGE OF PROBATE JUDGE	\$300.00	\$100.00	CO. CT-REGIS/BOBBIE JOHNSON(TCPJ CONFERENCE 5/9-11/90@MARSHALL, TX)
				\$100.00	CO. CT-REGIS/JUDGE E. DEAN(TCPJ CONFERENCE 5/9-11/90@MARSHALL, TX)
				\$100.00	CO. CT-REGIS/ADDIE R MORRIS(TCPJ CONFERENCE 5/9-11/90@MARSHALL, TX)
40232-AP	04/24/90	UNION GROVE VOLUNTEER	\$396.26	\$396.26	FIRE. PROTECTION-32calls QTR. ENDING 3/31/90
40233-AP	04/24/90	WEST MOUNTAIN VOL. FIRE DEPT.	\$185.74	\$185.74	FIRE-PROTECTION-15calls QTR ENDING 3/31/90
40377-AP	04/25/90	POSTMASTER	\$2,000.00	\$2,000.00	CO. CLK-POSTAGE FOR METER
40380-AP	04/27/90	GUS L. WILSON	\$6.00	\$6.00	D. CT-ONE DAY GRAND JURY SERVICE 4/26/90
40381-AP	04/27/90	TOM K. DUFFEY	\$6.00	\$6.00	D. CT-ONE DAY GRAND JURY SERVICE 4/26/90
40382-AP	04/27/90	RICHARD HESS	\$6.00	\$6.00	D. CT-ONE DAY GRAND JURY SERVICE 4/26/90
40383-AP	04/27/90	HENRY PAUL BROWN	\$6.00	\$6.00	D. CT-ONE DAY GRAND JURY SERVICE 4/26/90
40384-AP	04/27/90	CATHA McDANIEL (JONES)	\$6.00	\$6.00	D. CT-ONE DAY GRAND JURY SERVICE 4/26/90
40385-AP	04/27/90	ROY ELLEDGE	\$6.00	\$6.00	D. CT-ONE DAY GRAND JURY SERVICE 4/26/90
40386-AP	04/27/90	GLENN HAWKINS	\$6.00	\$6.00	D. CT-ONE DAY GRAND JURY SERVICE 4/26/90
40387-AP	04/27/90	BRUCE DEDMAN	\$6.00	\$6.00	D. CT-ONE DAY GRAND JURY SERVICE 4/26/90
40388-AP	04/27/90	HAROLD SHERIDAN	\$6.00	\$6.00	D. CT-ONE DAY GRAND JURY SERVICE 4/26/90
40389-AP	04/27/90	SANDY DEAN	\$6.00	\$6.00	D. CT-ONE DAY GRAND JURY SERVICE 4/26/90
40390-AP	04/27/90	BARBARA W HINSON	\$6.00	\$6.00	D. CT-ONE DAY GRAND JURY SERVICE 4/26/90

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Disbursements Made from 04/24/90 thru 04/30/90

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Check #	Date	Vendor	Check Amount	Invoice Amt	Invoice Descriptions
40391-AP	04/27/90	ALBERTINE FOWLER	\$6.00	\$6.00	D. CT-CAUSE#487-8 JURY SERVICE 04/24/90
40392-AP	04/27/90	BARBARA HAYS	\$6.00	\$6.00	D. CT-CAUSE#487-8 JURY SERVICE 04/24/90
40393-AP	04/27/90	BILLIE TOM KING	\$6.00	\$6.00	D. CT-CAUSE#487-8 JURY SERVICE 04/24/90
40394-AP	04/27/90	PATRICIA ROBERTS	\$6.00	\$6.00	D. CT-CAUSE#487-8 JURY SERVICE 04/24/90
40395-AP	04/27/90	DAVID LEE STEVENSON	\$6.00	\$6.00	D. CT-CAUSE#487-8 JURY SERVICE 04/24/90
40396-AP	04/27/90	SHIRLEY ANN JOHNSTON	\$6.00	\$6.00	D. CT-CAUSE#487-8 JURY SERVICE 04/24/90
40397-AP	04/27/90	RONNIE RAY GOTHARD	\$6.00	\$6.00	D. CT-CAUSE#487-8 JURY SERVICE 04/24/90
40398-AP	04/27/90	DONALD DUANE ARRICK	\$6.00	\$6.00	D. CT-CAUSE#487-8 JURY SERVICE 04/24/90
40399-AP	04/27/90	KATHRYN WALLACE	\$6.00	\$6.00	D. CT-CAUSE#487-8 JURY SERVICE 04/24/90
40400-AP	04/27/90	TAMMY LYNNE GIBBONS	\$6.00	\$6.00	D. CT-CAUSE#487-8 JURY SERVICE 04/24/90
40401-AP	04/27/90	AMMIE MAE ARRINGTON	\$6.00	\$6.00	D. CT-CAUSE#487-8 JURY SERVICE 04/24/90
40402-AP	04/27/90	CLAIRE KENNEDY	\$6.00	\$6.00	D. CT-CAUSE#487-8 JURY SERVICE 04/24/90
40405-AP	04/30/90	ARKLA GAS	\$672.23	\$214.58 \$457.65	CT. H-ACCT#1520708296005/APRIL 20'90 BILLING J. CTR-ACCT#1520708101502/APRIL 20'90 BILL
40406-AP	04/30/90	BENEFIT PLAN ADMINISTRATORS, I	\$8,013.93	\$8,013.93	BENEFIT CONTRIBUTIONS/APRIL '90 PAYROLL
40407-AP	04/30/90	CITY OF GILMER	\$865.91	\$132.13 \$81.49 \$652.29	CT H-ACCT#130274000/APRIL 23'90 BILLING RDCK BLDG-ACCT#130345000/APRIL 23'90 BILLING J CTR-ACCT#010067500/APRIL '90 BILLING
40408-AP	04/30/90	DANA COMMERCIAL CREDIT	\$240.50	\$240.50	4/2/90 TO 5/1/90 TELETYPE LEASE#162362
40409-AP	04/30/90	DAVID P. MOONEY	\$307.50	\$307.50	CO. EMRG-SERVICES RENDERED/FEB&MAR '90&L. D. CALLS
40410-AP	04/30/90	DENNIS MITCHELL	\$14.96	\$14.96	CO S-REIMBURSE/MEALS
40411-AP	04/30/90	EVERETT DEAN	\$408.84	\$408.84	CO. CT-REIMBURSE/ED. COURSE@LUBBOCK 4/17-20/90
40412-AP	04/30/90	GENERAL TELEPHONE COMPANY	\$433.76	\$459.01 \$25.25CR	TELE COMM-#843-3083/APRIL 22'90 BILLING CO S-#636-4200(ACCT CREDIT)&CO TAX-#1FD-2004/FEB '90 BILLING
40413-AP	04/30/90	GILMER NATIONAL BANK	\$41,363.60	\$15,072.24 \$26,291.36	WITHHOLDING FOR APRIL '90 PAYROLL FICA FOR APRIL '90 PAYROLL
40414-AP	04/30/90	HENRY T. LYNN	\$75.00	\$75.00	PCT#2-(30)LOADS SANDE#2 50ea

UPSHUR COUNTY

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THE SOFTWARE GROUP, INC

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40415-AP	04/30/90	INMATE COMMISSARY FUND	\$89.15	\$89.15	CD. JIAL-REIMBURSE ACCT/FOOD PURCHASED
40416-AP	04/30/90	JESSE MASK	\$765.00	\$550.00 \$215.00	CO LIB-(OLD LIB)CEILING REPAIR&(ROCK. BLDG) ROCK. BLDG-NEW PLUMBLING, LABOR
40417-AP	04/30/90	NANCY BETTERTON	\$166.38	\$166.38	CD. JAIL-REIMBURSE/FOOD, GAS, MEALS, LABOR, GASKETS
40418-AP	04/30/90	PEBSCO PAYROLL PROCESSING	\$146.09	\$146.09	ENTITY CODE#52939/APRIL '90 PAYROLL DEDUCTIONS
40419-AP	04/30/90	SHARDN-WATER SUPPLY CORP	\$14.70	\$14.70	PCT#4-ACCT#00001133 04/24/90 BILLING
40420-AP	04/30/90	STATE COMPROLLER	\$4,457.56	\$4,457.56	CJD JUV. GRANT#J489C032872 REFUND OF OVERPAYMENT
40421-AP	04/30/90	TEXAS COUNTY & DISTRICT RETIRE	\$24,746.04	\$24,746.04	UNIT 329/APRIL '90 RETIREMENT REPORT
40422-AP	04/30/90	UNION GROVE WATER SUPPLY CORP	\$12.50	\$12.50	WT. MT-ACCT#237/APRIL 16'90 WATER BILLING
40423-AP	04/30/90	UPSHUR CO. PAYROLL CLEARING	\$275.00	\$275.00	CAUSE#88-2006-E/APRIL '90
40424-AP	04/30/90	UPSHUR COUNTY INSURANCE ACCOUN	\$25,609.99	\$25,609.99	MAY '90 INSURANCE CLAIMS
40425-AP	04/30/90	UPSHUR COUNTY INSURANCE ACCOUN	\$12,838.62	\$12,838.62	MAY '90 INSURANCE PREMIUMS
40426-AP	04/30/90	UPSHUR COUNTY PAYROLL	\$386.23	\$386.23	APRIL '90 PAYROLL DEDUCTION/S#460-60-1186
40427-AP	04/30/90	UPSHUR COUNTY PAYROLL	\$10.00	\$10.00	UPSHUR CO. PAYROLL CLEARING/APRIL '90
40428-AP	04/30/90	UPSHUR COUNTY PAYROLL	\$160.00	\$160.00	CASE#89-62092-A/APRIL '90 DEDUCTION
40429-AP	04/30/90	UPSHUR-RURAL ELECTRIC COOP., C	\$47.00	\$8.43 \$38.57	LAFAY. BDLG-ACCT#505279486/APRIL 20'90 PCT#2-ACCT#41186523/APRIL 20'90 BILL
40430-AP	04/30/90	W V RAY	\$23.52	\$23.52	JP#1-REIMBURSE/98a1e.24ea(TYLER MEETING)
Total for AP - ACCOUNTS PAYABLE			\$141,021.01		

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UPSHUR COUNTY

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THE SOFTWARE GROUP, INC

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127-INS	04/30/90	BENEFIT PLAN ADMINISTRATORS	\$280.00	\$280.00	ADMINISTRATION FEES(70 EMP.) APRIL '90 PAYROLL
128-INS	04/30/90	GILMER NATIONAL BANK	\$200,000.00	\$200,000.00	CD#5468 PURCHASED@9.31% TO MATURE 5/31/90
Total for INS - INSURANCE			\$200,280.00		

UPSHUR COUNTY

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Check #....	Date....	Vendor.....	Check Amount.	Invoice Amt	Invoice Descriptions.....
126-PC	04/30/90	ATTORNEY GENERAL OF TEXAS	\$10.00	\$10.00	CASE#2359681TN2/CAUSE#26078/461-86-4938(4'90)
127-PC	04/30/90	SMITH COUNTY DISTRICT CLERK	\$275.00	\$275.00	CAUSE#88-2006-E/APRIL '90 DEDUCTION
128-PC	04/30/90	MICHAEL GROSS	\$160.00	\$160.00	CASE#89-62092-A/APRIL '90 PAYROLL S#461-64-3475
129-PC	04/30/90	INTERNAL REVENUE SERVICE	\$386.23	\$386.23	APRIL '90 PAYROLL DEDUCTION/S#460-60-1186
Total for PC CLEARING ACCT/PAYROLL			\$831.23		
Grand Total			\$342,132.24		

Everett Dean
County Judge, Everett Dean

Gaddis Lindsey
Commissioner Pct#1, Gaddis Lindsey

Bill Loggins
Commissioner Pct#2, Bill Loggins

David Royd
Commissioner Pct#3, David Royd

Tommy Eatherton
Commissioner Pct#4, Tommy Eatherton

FILED
REX A. SWAN
COUNTY CLERK
UPSHUR COUNTY, TX.
MAY -2 11:11 AM '90
DEPUTY

VOL 25 PG 438

CERTIFICATION OF
RESOLUTIONS ADOPTED BY THE
COMMISSIONERS COURT OF
UPSHUR COUNTY

VOL 35 PG 439

ON THE 30TH DAY OF APRIL, 1990

A RESOLUTION OF THE COMMISSIONER'S COURT OF UPSHUR COUNTY, TEXAS REVISING THE UPSHUR COUNTY CUSTOM BENEFIT PLAN FOR THE EMPLOYEES OF UPSHUR COUNTY FOR THE PURPOSE OF MEETING THE REQUIREMENTS OF THE REVISION TO INTERNAL REVENUE PROPOSED REGULATIONS 1.125-2, AND TO MAKE CERTAIN OTHER DESIRED CHANGES.

WHEREAS, the Commissioners Court of Upshur County believes it to be in the best interests of the employees of Upshur County to continue a cafeteria plan for the employees, such plan to be qualified under Section 125 of the Internal Revenue Code.

WHEREAS, the document embodying the revised cafeteria plan agreement, entitled the UPSHUR COUNTY CUSTOM BENEFIT PLAN, was placed before the Commissioners Court of Upshur County and the members examined the instrument and discussed it and, on motion duly made, seconded and unanimously adopted, it was:

RESOLVED, by the Commissioners Court of UPSHUR COUNTY, Gilmer, Texas that the UPSHUR COUNTY CUSTOM BENEFIT PLAN, as revised and restated effective June 1, 1990, heretofore, considered and discussed, and the same hereby is, adopted in full.

FURTHER RESOLVED, that the County Judge of UPSHUR COUNTY be, and hereby is, authorized and directed to execute said Plan on behalf of UPSHUR COUNTY and to have the County Clerk attest to such execution.

FURTHER RESOLVED, that the Commissioners Court of UPSHUR COUNTY will remain designated as the Plan Administrator of said Plan with regard to the participation of its employees under the Plan.

FURTHER RESOLVED, the RISK FUNDING ALTERNATIVES, INC. remains as the appointed Administrative Service Provider of the Plan.

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BE IF FURTHER RESOLVED, that the County Judge and other officers of the Commissioners Court be, and they hereby are, authorized to take such other actions as they deem appropriate to effectuate the purposes of these resolutions.

PASSED AND APPROVED this the 30th day of April, 1990.




Judge Charles Everett Dean
County Judge
UPSHUR COUNTY


Rex A. Shaw
County Clerk
UPSHUR COUNTY

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UPSHUR COUNTY CUSTOM BENEFIT PLAN

EFFECTIVE JULY 1, 1987
RESTATED JUNE 1, 1990

UPSHUR COUNTY CUSTOM BENEFIT PLAN

SECTION 1: PURPOSE

- 1.1 The purpose of this legal instrument is to set forth the provision of the UPSHUR COUNTY CUSTOM BENEFIT PLAN (hereinafter called the "Plan"). The Plan is established for the exclusive benefit of the eligible employees of the Employer, as defined in Section 2.10 herein.

This Plan does not apply to any employee who terminated employment prior to the Effective Date unless such employee becomes reemployed on or after such date. Employees may become eligible for benefits under this Plan as described in Section 3.1.

- 1.2 This Plan is a "Cafeteria Plan" under Section 125 of the Internal Revenue Code of 1986. The Plan will be "nondiscriminatory" as such term is used in Section 125 of the Internal Revenue Code and the regulations thereunder, and the Employer will take whatever steps are necessary to maintain the Plan as "nondiscriminatory" under Section 125.

Although this plan is a "Cafeteria Plan" as described in Section 125 of the Internal Revenue Code and has been reduced to writing in order to comply with said Section, the Plan shall also serve as an amendment to certain welfare plans presently in effect for the Employer. Thus, to the extent necessary, this legal instrument will serve as an amendment to each of said welfare plans in order to permit the benefits of this Plan to be fully implemented for Participants.

SECTION 2: DEFINITIONS

The following words when appearing in this Plan have the meanings set forth below unless the context clearly denotes otherwise:

- 2.1 ADMINISTRATOR shall mean the Commissioner's Court of UPSHUR COUNTY or such other person or entity designated in writing by an authorized officer of the Employer.
- 2.2 ANNIVERSARY DATE shall mean each June 1 of each calendar year.
- 2.3 CODE shall mean the Internal Revenue Code of 1986, as the same may be amended from time to time.
- 2.4 COMPENSATION shall mean the total compensation actually paid to a Participant by the Employer including overtime pay, scheduled bonuses, and commissions, but excluding expense allowances and all other extraordinary compensation.

- 2.5 CONTROL GROUP shall mean the Employer and such corporations and unincorporated trades or businesses which are common members with the Employer in a Controlled Group, as determined under Sections 414(b) and (c) of the Code, or which, together with the Employer form an Affiliated Service Group within the meaning of Section 414 (m) of the Code.
- 2.6 CUSTOM BENEFIT DOLLARS shall mean the dollar credits available to the participant under this Plan determined in accordance with Section 4.
- 2.7 DEPENDENTS shall mean a participant's spouse, and unmarried children (including step-children, adopted children and foster children) who depend on the participant for more than one-half of their support and who are less than 19 years of age, or if full-time students, are less than 27 years of age.
- 2.8 EFFECTIVE DATE shall mean July 1, 1987.
- 2.9 EMPLOYEE shall mean any person employed or compensated for services by the Employer and, to the extent necessary, a retired or terminated Employee who is eligible to receive benefits under this Plan. Individuals employed on a contract basis shall not be considered employees for purposes of the Plan.
- 2.10 EMPLOYER shall mean UPSHUR COUNTY, or any successor thereto which shall adopt this Plan pursuant to the provisions of Section 11.1 hereto.
- 2.11 HIGHLY COMPENSATED EMPLOYEE means an Employee who, during the Plan Year or during the preceding 12-month period:
- (a) is more than a 5% owner of the Employer (applying the constructive ownership rules of Code -318, and applying the principles of Code -318, for an unincorporated entity);
 - (b) has compensation in excess of \$75,000 (as adjusted by the Commissioner of Internal Revenue for the relevant year);
 - (c) has compensation in excess of \$50,000 (as adjusted by the Commissioner of Internal Revenue for the relevant year) and is part of the top-paid 20% group of employees (based on compensation for the relevant year);
 - (d) has compensation in excess of 50% of the dollar amount prescribed in Code-415 (b)(1)(A) (relating to defined benefit plans) and is an officer of the Employer.

If the Employee satisfies the definition in clause (b), (c) or (d) in the Plan Year but not during the preceding 12-month period and does not satisfy clause (a) in either period, the employee is a highly compensated employee only if he is one of

the 100 most highly compensated employees for the Plan Year. The number of officers taken into account under clause (d) will not exceed the greater of 3 or 10% of the total number (after application of the Code -414(q) exclusions) of employees, but no more than 50 officers. If no Employee satisfies the Compensation requirement in clause (d) for the relevant year, the Plan Administrator will treat the highest paid officer as satisfying clause (d) for that year.

- 2.12 KEY EMPLOYEE means an Employee who, during the Plan Year,
- (a) has compensation in excess of 50% of the dollar amount prescribed in Code- 415(b)(1)(A) (relating to defined benefit plans) and is an officer of the Employer;
 - (b) has compensation in excess of the dollar amount prescribed in Code -415 (c)(1)(A) and is one of the Employees owning the ten largest interests in the Employer;
 - (c) is more than a 5% owner of the Employer;
 - (d) is a more than 1% owner of the Employer and has compensation of more than \$150,000.

The constructive ownership rules of Code -318 (or the principles of that section, in the case of an unincorporated Employer), will apply to determine ownership in the Employer. The number of officers taken into account under clause (a) will not exceed the greater of 3 or 10% of the total number (after application of the Code -414 (q)(8) exclusions) of Employees, but no more than 50 officers. The Plan Administrator will make the determination of who is a Key Employee in accordance with Code -416(i)(1) and the regulation under that Code section.

- 2.13 NON-HIGHLY COMPENSATED EMPLOYEE is an Employee who does not meet the definition of a Highly-Compensated Employee.
- 2.14 NON-KEY EMPLOYEE is an Employee who does not meet the definition of a Key Employee.
- 2.15 PARTICIPANT shall mean an Employee of the Employer who is eligible to participate in this Plan in accordance with Section 3.
- 2.16 PLAN shall mean the "UPSHUR COUNTY CUSTOM BENEFIT PLAN" as embodied in this document and as it may be amended from time to time.
- 2.17 PLAN YEAR shall mean the eleven (11) month period commencing on July 1, 1987 and ending on May 31, 1988 and in succeeding years, commencing on the first day of June of each calendar year and ending the last day of each following May thereafter.

SECTION 3: ELIGIBILITY FOR PARTICIPATION

3.1 ELIGIBILITY: An Employee of the Employer must satisfy one of the following eligibility requirements in order to become a Participant in the Plan:

- (a) An Employee who is designated as a permanent, full-time Employee as of the Effective Date, as defined herein, will become a Participant on the Effective Date, or
- (b) A permanent, full-time Employee on or after the Effective Date, who had not been hired prior to the Effective Date will become a Participant on the first day of hire as a permanent, full-time employee.

A permanent, full-time Employee shall mean an Employee who normally works at least 30 hours per week. There will be no minimum or maximum age requirements for participation in the Plan.

SECTION 4: DEVELOPMENT OF CUSTOM BENEFIT DOLLARS FOR PARTICIPANTS

4.1 SALARY CONVERSION: Subject to the further provisions of Section 6.2, on and after the Effective Date each Participant will be permitted, at the Participant's sole discretion, to convert up to \$5,000 of the Participant's annual compensation into Custom Benefit Dollars. This election shall be made by each participant on the date of entering the Plan and on every Anniversary Date thereafter. For years after the Effective Date, the Company may use a different method for making this calculation as long as the basis is uniform and nondiscriminatory in its application to Participants.

4.2 EMPLOYEE CONTRIBUTIONS: To the extent a Participant does not have sufficient Custom Benefit Dollars to pay for the premiums required for the elected coverages under this Plan, the Employer will be authorized to deduct the required amounts from the Participant's monthly compensation to the extent required to pay for said coverages under Section 6 of this Plan.

SECTION 5: NONDISCRIMINATION

5.1 NONDISCRIMINATION RULES: The nondiscrimination rules of Code Section 125 and 129 are intended to ensure the qualified status of the Plan.

(a) As set forth in Code Section 125(b)(1):

"(1) in the case of a Highly Compensated Participants, shall not apply to any benefit attributable to a Plan Year for which the Plan discriminates in favor of:

(a) Highly Compensated Individuals as to eligibility to participate, or

(b) Highly Compensated Participants as to contributions and benefits."

(b) As set forth in Code Section 125 (b)(2):

"In the case of a Key Employee (within the meaning of Section 416 (1)(1), subsection (a) shall not apply to any benefit which the statutory nontaxable benefits provided to Key Employees exceed 25 percent of the aggregate of such benefits provided for all employees under the Plan."

5.2 FAILURE TO MEET NONDISCRIMINATION REQUIREMENTS: In the event the aforementioned nondiscrimination requirements are not met, the Employer will reduce the future contributions of the prohibited group to bring the Plan into compliance.

SECTION 6: SPENDING CUSTOM BENEFIT DOLLARS

6.1 AREAS WHERE CUSTOM BENEFIT DOLLARS CAN BE APPLIED: In general, Custom Benefit Dollars can be used to pay for the Participant's required and elective premiums for coverage under:

the UPSHUR COUNTY Health Insurance Plan,
the UPSHUR COUNTY Cancer Insurance Plan.

The following Sections determine the methods and procedures for the Participant's participation in these benefits.

6.2 DETAILS OF PLAN - HEALTH INSURANCE PLAN: The UPSHUR COUNTY Health Insurance Plan will be the same after the Effective Date as in effect prior thereto. Custom Benefit Dollars may be used, if the Participant elects, to pay for all or part of the Participant's required premiums occurring on and after the latest of: (a) the Effective Date for the Health Insurance Plan; (b) the Participant's execution of an election to participate in this Plan; or (c) the commencement date for his coverage under the Health Insurance Plan.

6.3 DETAILS OF PLAN - CANCER INSURANCE PLAN: The UPSHUR COUNTY Cancer Insurance Plan will be the same after the Effective Date as in effect prior thereto. Custom Benefit Dollars, may be used, if the Participant elects, to pay for all or part of the Participant's required premiums occurring on and after the latest of: (a) the Effective Date for the Cancer Insurance Plan, (b) the Participant's execution of an election to participate in this Plan; or (c) the commencement date for his coverage under the Cancer Insurance Plan.

6.4 DETAILS OF PLAN - BENEFIT ELECTIONS: Prior to the date an Employee becomes eligible to participate in the Plan in accordance with Section 3 hereof, such Employee shall elect, for the Plan Year in which he will enter the plan, the benefits for which he will spend his Custom Benefit Dollars, and the amount of Custom Benefit Dollars he will spend for each benefit. Such election shall be effective from the date such Employee enters the Plan to the next following Anniversary Date. Prior to each Anniversary Date, each participant shall make a new election with regard to the succeeding Plan Year. A Participant shall not be permitted to revoke his election during the Plan Year except as permitted under Section 7.1 below.

SECTION 7: CHANGE IN PARTICIPANT STATUS

7.1 REVOCATION OF ELECTION: A participant may revoke his election regarding the amount of his compensation which he elects to have converted into Custom Benefit Dollars only if such revocation is made prior to the commencement of the Plan Year for which the election is made or if the Participant experiences a change in family status.

An election revocation will not be permitted under any other circumstance. In the event of a change in family status (i.e. marriage, divorce, death of spouse or child, birth or adoption of child, termination or commencement of employment of spouse, change from full-time to part-time or part-time to full-time employment of employee or spouse, commencement of an unpaid leave of absence by the employee or spouse and significant change in health coverage of the employee or spouse attributable to the spouse's employment) a Participant may revoke a prior salary conversion election and make a new election if the revocation and new election are consistent with the change in family status. Revocation or alterations of elections must be made within (30) days following the date of the change in family status.

7.2 TERMINATED PARTICIPANTS: A participant whose employment with the Employer is terminated during the Plan Year shall cease to have Custom Benefit Dollars credited to his accounts. Any Custom Benefit Dollars remaining in such participants accounts will be used to pay premiums for the UPSHUR COUNTY Health Insurance Plan, Dental Insurance Plan and/or Cancer Insurance Plan.

SECTION 8: PLAN ADMINISTRATION

8.1 PAYMENT OF BENEFITS: Prior to making any payment of benefits hereunder, the Employer may require the Participant to provide such information and complete such documents or forms as are necessary for the proper administration of this Plan or any other plan maintained by the Employer. The Employer's request

may also include the requirement that the Participant file all appropriate claims and requests for payment with any insurance carrier which has the responsibility for making any benefit payments under any plans maintained by the Employer.

The Employer, upon request of the Participant, shall provide the Participant with any and all necessary forms.

8.2 AVAILABILITY OF PLAN DETAILS: The Employer has and will continue to make available descriptive materials to Participants concerning how the Plan operates, including the process by which benefits are payable. If Participants have questions concerning the operation of the Plan or the Participant's eligibility for the payment of benefits under the Plan, the Plan's Administrator is to be contacted.

8.3 RESPONSIBILITY FOR ADMINISTRATION: The Employer shall have the sole responsibility for making the contributions in accordance with Section 4 and shall have the sole authority to amend or terminate, in whole or in part, this Plan at any time with the approval of the officers of UPSHUR COUNTY.

The Administrator shall have the sole responsibility for the administration of this Plan, which responsibility is specifically described in this Plan.

The Administrator warrants that any directions given, information furnished, or action taken by it shall be in accordance with the provisions of the Plan authorizing or providing for such direction, information or action. Furthermore, the Administrator may rely upon any such direction, information or action of another Employee of the Employer as being proper under this Plan, and is not required under the Plan to inquire into the propriety of any such direction, information or action. It is intended under this Plan that the Administrator shall be responsible for the proper exercise of its own powers, duties, responsibilities and obligations under this Plan and shall not be responsible for any act or failure to act of another Employee of the Employer. Neither the Administrator nor the Employer makes any guarantee to any Participant in any manner for any loss or other event due to the Participant's participation in this Plan.

8.4 APPOINTMENT OF ADMINISTRATOR: The Plan shall be administered by the Administrator as described in Section 2.1 hereof. All usual and reasonable expenses of the Administrator may be paid in whole or in part by the Employer and any expenses not paid by the Employer shall not be the responsibility of the Administrator personally. The Administrator or any other designated representative of the Employer who is an Employee of the Employer shall not receive any compensation with respect to services hereunder except as such persons may be entitled to benefits under this Plan.

- 8.5 CLAIMS PROCEDURE: The Administrator may seek assistance or advice in order to make determinations as to the right of any person to a benefit under this Plan. Any denial of the claim for benefits under the Plan by a Participant shall be stated in writing and delivered to the Participant by the Administrator and such notice shall set forth the reasons for the denial. In addition, any Participant whose claim for benefits has been denied shall be afforded a reasonable opportunity for a review of the decision denying the claim.
- 8.6 RECORDS AND REPORTS: The Administrator shall exercise such authority and responsibility as it deems appropriate in order to comply with the terms of the Plan relating to the records of the Participants and the balances which are payable under this Plan.
- 8.7 OTHER POWERS AND DUTIES OF THE ADMINISTRATOR: The Administrator shall have such duties and powers as may be necessary to discharge its duties hereunder including, but not limited to, the following:
- (a) to construe and interpret the Plan, decide all questions of eligibility, and determine the amount of any benefits in accordance with the provisions of the Plan;
 - (b) to prescribe procedures to be followed by Participants filing applications for benefits;
 - (c) to prepare and distribute information explaining the Plan in such manner as the Administrator determines to be appropriate;
 - (d) to receive from the Employer and from Participants such information as shall be necessary for the proper administration of the Plan;
 - (e) to furnish the Employer, upon request, such annual reports with respect to the administration of the Plan as are reasonable and appropriate;
 - (f) to appoint individuals to assist in the administration of the Plan and any other agents it deems advisable, including legal and actuarial counsel.

The Administrator shall have no power to add to, subtract from, or modify any of the terms of the plan, or to change or add to any benefits provided by the Plan, or to waive or fail to apply any requirements of eligibility for a benefit under the Plan.

- 8.8 RULES AND DECISIONS: The Administrator may adopt such rules as it deems necessary or appropriate. All rules and decisions of the Administrator shall be uniformly and consistently applied to all Participants in similar circumstances. When

making a determination or calculation, the Administrator shall be entitled to rely upon information furnished by a Participant, the Employer, or the legal counsel of the Employer.

- 8.9 PROEDURES: The Administrator may act at a meeting or in writing without a meeting. The Administrator may adopt such by-laws and regulations as it deems appropriate for the conduct of its affairs.
- 8.10 AUTHORIZATION OF BENEFIT PAYMENTS: The Administrator shall issue directions to the Employer concerning all benefits which are to be paid from the Employer's general assets pursuant to the provisions of the Plan, and warrants that all such directions are in accordance with the Plan.
- 8.11 APPLICATIONS AND FORMS FOR BENEFITS: The Administrator may require a Participant to complete and file with the Administrator an application for a benefit and all other forms approved by the Administrator and all pertinent information requested by the Administrator. The Administrator may rely upon all such information so furnished it.
- 8.12 FACILITY OF PAYMENT: Whenever, in the Administrator's opinion, a person entitled to receive any payment of benefit hereunder is under a legal disability or is incapacitated in any way so as to be unable to manage his personal financial affairs, the Administrator may direct the Employer to make payments to such person or to the person's representative or to a relative or friend of such person or to the person's legal representative for such person's benefit; or the Administrator may direct the Employer to apply the payment for the benefit of such person in such manner as the Administrator considers advisable. Any payment of a benefit or installment thereof in accordance with the provisions of this Section shall be a complete discharge of any liability for the making of such payment under the provisions of the Plan.
- 8.13 INDEMNIFICATION OF THE ADMINISTRATOR: The Administrator shall be indemnified by the Employer against any and all liabilities arising by reason of any act or failure to act made in good faith pursuant to the provisions of the Plan, including expenses reasonably incurred in the defense of any claim relating thereto.

SECTION 9: MISCELLANEOUS

- 9.1 NONGUARANTEE OF EMPLOYMENT: Nothing contained in this Plan shall be construed as a contract of employment between the Employer and any Employee, or as a right of any Employee to be continued in the employment of the Employer, or as a limitation of the right of the Employer to discharge any of its Employees with or without cause.

- 9.2 **RIGHTS TO EMPLOYER'S ASSETS:** No Employee or beneficiary shall have any right to, or interest in, any assets of the Employer upon termination of employment or otherwise except to the extent of the benefits payable under this Plan to such Employee or beneficiary. All payments of benefits as provided for in this Plan shall be made solely out of the assets of the Employer, and the Administrator shall not be liable therefor in any manner.
- 9.3 **NONALIENATION OF BENEFITS:** Benefits payable under this Plan shall not be subject in any manner to anticipation, alienation, sale, transfer, assignment, pledge, encumbrance, charge, garnishment, execution, or levy of any land, either voluntary or involuntary, including any such liability which is for alimony or other payments for the support of a spouse or former spouse, or for any other relative of the Employee, prior to actually being received by the person entitled to the benefit under the terms of the Plan; and any attempt to anticipate, alienate, sell, transfer, assign, pledge, encumber, charge or otherwise dispose of any right to benefits payable hereunder shall be void. The Employer shall not in any manner be liable for, or subject to, the debts, contracts, liabilities, engagements or torts or any person entitled to benefits hereunder.
- 9.4 **DIVESTMENT OF BENEFITS:** Subject only to the specific provisions of this Plan, nothing shall be deemed to divest a Participant of a right to the benefit to which the participant becomes entitled in accordance with the provisions of the Plan.
- 9.5 **DISCONTINUANCE OF CONTRIBUTIONS:** In the event of a permanent discontinuance of contributions to the Plan, a Participant shall receive any and all benefits to which that participant was entitled as of the date the discontinuance of contributions occurred.

SECTION 10: AMENDMENTS AND ACTION BY EMPLOYER

- 10.1 **AMENDMENTS:** The Employer, UPSHUR COUNTY, reserves the right to make from time to time any amendment or amendments to this Plan, with or without retroactive effect.
- 10.2 **ACTION BY EMPLOYER:** Any action by the Employer under this Plan may be by resolution of its officers or by any person or persons duly authorized by resolution of said officers to take such action.

SECTION 11: PLAN TERMINATION

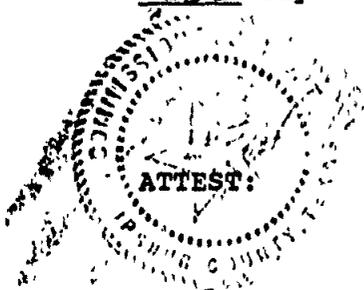
- 11.1 **RIGHT TO TERMINATE:** The Employer has adopted this Plan with the intention of permanently providing the benefits hereunder. However, the Employer may terminate the Plan at any time in

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accordance with the procedures set forth in this document. In the event of the dissolution, merger, consolidation or reorganization of the Employer, the Plan shall terminate unless the Plan is continued by a successor to the Employer in accordance with a resolution of its officers.

11.2 PLAN TERMINATION: Upon the termination of the Plan, any salary conversion agreements executed in accordance with Section 4.1 shall remain in effect for a period of at least 30 days. Any balances remaining to the Participant's credit shall continue to be used to reimburse the Participants for eligible expenses, in accordance with Section 5, for the remainder of the Plan Year.

IN WITNESS WHEREOF, the Employer has caused this UPSHUR COUNTY CUSTOM BENEFIT PLAN to be executed by its duly authorized officers on this 30th day of APRIL, 1990, effective as of June 1, 1990.



Rex A. Shaw
Rex A. Shaw
County Clerk

UPSHUR COUNTY

Charles Everett Bean
Judge Charles Everett Bean
County Judge

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SUMMARY PLAN DESCRIPTION
FOR THE
UPSHUR COUNTY CUSTOM BENEFIT PLAN

EFFECTIVE JULY 1, 1987
RESTATED JUNE 1, 1990

DATED: 05/31/90

GENERAL INFORMATION

This booklet is intended to summarize the benefits available to you under the CUSTOM BENEFIT PLAN FOR EMPLOYEES OF UPSHUR COUNTY. You need to know certain facts about the Plan. These facts are listed below.

1. **Employer:** For purposes of this document, the Employer is:
UPSHUR COUNTY
P. O. BOX 730
GILMER, TEXAS 75644
2. **Plan Name:** UPSHUR COUNTY CUSTOM BENEFIT PLAN
3. **Plan Sponsor:** UPSHUR COUNTY
P. O. BOX 730
GILMER, TEXAS 75644
(214) 843-3083 (EXT. 22)
4. **Plan Sponsor's Employer Identification Number and Plan Number:**
75-6001187/505
5. **Plan Year:** July 1, 1987 through May 31, 1988 and
June 1 to May 31 for subsequent plan years
6. **Fiscal Year End:** May 31
7. **Effective Date:** July 1, 1987
8. **Plan Trustee/Administrator:** UPSHUR COUNTY
9. **Agent for Service of Legal Process:**
UPSHUR COUNTY
P. O. BOX 730
GILMER, TEXAS 75644
10. **Benefit Administrative Services Provider:**
RISK FUNDING ALTERNATIVES, INC.
P.O. BOX 130187
TYLER, TEXAS 75713-0187
(214) 581-2600
(800) 777-9066

This summary describes only the most important features of the Plan and the provisions are greatly simplified; therefore, the Plan, and not this summary, will determine each employee's rights under the Plan. A copy of the Plan Agreement is on file at the Employer and is available for your inspection.

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CUSTOM BENEFIT PLAN FOR EMPLOYEES OF
UPSHUR COUNTY

1. WHAT IS THE CUSTOM BENEFIT PLAN FOR EMPLOYEES OF UPSHUR COUNTY?

The CUSTOM BENEFIT PLAN FOR EMPLOYEES OF UPSHUR COUNTY is an employee benefit plan established by your employer under Section 125 of the Internal Revenue Code which permits employees to pay for certain eligible expenses with pre-tax dollars.

2. WHEN AM I ELIGIBLE TO PARTICIPATE?

All permanent, full-time employees who are employed on the Effective Date are eligible as of that date. All permanent, full-time employees hired after the Effective Date will be eligible on the first day of hire.

To be considered a "permanent, full time employee" you must normally work at least 30 hours per week.

3. HOW DOES THE PLAN WORK?

Each employee may elect to contribute up to \$5,000 of his pre-tax salary to the Plan. Certain nondiscrimination requirements must be met to remain in compliance. In the event you are affected by these rules, you will be contacted. These contributions are then used to pay for eligible expenses on behalf of that employee. Eligible expenses include the portion of group insurance premiums that you pay to have your yourself and/or dependents insured under the medical and cancer plans offered by your Employer.

When you pay for these expenses with pre-tax dollars, you pay no social security or federal income tax on your contribution. Your taxable income, and therefore, your taxes are reduced. Here's how it works:

Employee A earns \$15,000 per year. He is paid monthly so each paycheck is for gross compensation of \$1,250.00. Employee A has insurance premiums eligible for payment through the Plan of \$100.00 per pay period. Here is a comparison of what his paycheck looks like both before and after the Custom Benefit Plan.

	Without Plan -----	With Plan -----
Gross Earnings	\$1250.00	\$1250.00
Plan Contributions	-----	100.00
Taxable Earnings	1250.00	1150.00
Less Taxes		
FICA	95.63	87.98
Federal*	95.00	77.00
	\$1059.37	\$ 985.02
Less Eligible Expenses	100.00	From CBP
Spendable Income	\$ 959.37	\$ 985.02
GAIN		\$ 25.65 Monthly \$ 307.80 Annually

*Assumes married taxpayer, with 2 dependents, two exemptions, based on 1990 withholding tables.

As you can see, when you pay for your expenses with pre-tax dollars, your net income is increased. You can use all or part of this increase to improve your personal or family welfare.

4. WHEN DO I SIGN UP?

You must sign an election form which describes the amount and type of contributions that you plan to put into the Plan. This election must be made before the date you enter the Plan and is effective for the entire Plan Year. The IRS requires that you cannot change the basis of your contribution during the year except in the event of a change in family status. This is explained in more detail in Question 5 below.

You'll have the opportunity to make a new election prior to the beginning of each Plan Year.

5. MAY I CHANGE MY ELECTION AT ANY TIME?

Once made, your election must stay the same for the full Plan Year, unless the change is occasioned by a change in premiums for the coverages you have already elected or by a "change in family status". A "change in family status" includes the following circumstances:

Marriage
Divorce
Death of spouse or child

Birth or adoption of child
Commencement or termination of employment of spouse
Change from full-time to part-time or part-time to full-time employment of employee or spouse
Commencement of an unpaid leave of absence by the employee or spouse

If you experience such a change and you want to change your election as a result, you must complete a "Change in Family Status Form" and return it to the Plan Administrator. Your form must be submitted within thirty (30) days of the date of the change in family status.

6. WHAT HAPPENS IF I TERMINATE?

When your income from the employer ceases, you must stop making contributions to this Plan. However, you might be eligible to continue some portion of your health coverage outside this Plan. Ask your employer whether such option exists for you.

7. STATEMENT OF PARTICIPANT'S ERISA RIGHTS

As a participant in the Plan you are entitled to certain rights and protections under the Employee Retirement Income Security Act of 1974 (ERISA). ERISA provides that all Plan Participants shall be entitled to:

examine, without charge, at the Plan Administrator's office, all Plan documents, including insurance contracts, and copies of all documents filed by the Plan with the U.S. Department of Labor, such as detailed annual reports and Plan descriptions;

obtain copies of all Plan documents and other Plan information upon written request to the Plan Administrator. The Plan Administrator may make a reasonable charge for the copies.

In addition to creating rights for Plan Participants, ERISA imposes duties upon the people who are responsible for the operation of the employee benefit plan. The people who operate your Plan, called "fiduciaries" of the Plan, have a duty to do so prudently and in the best interest of you and other Plan Participants and beneficiaries. No one, including your employer or any other person, may fire you or otherwise discriminate against you in any way to prevent you from obtaining a benefit or exercising your rights under ERISA.

If your claim for a benefit is denied in whole or in part, you must receive a written explanation of the reason for denial. You have the right to have the Plan Administrator review and reconsider your claim. Under ERISA, there are steps you can take to enforce the above rights. For instance, if you request materials from the Plan and do not receive them within 30 days, you may file suit in a federal court. In such a case, the court may require the Plan Administrator to provide the materials and pay you up to \$100 a day until you receive the materials, unless the materials were not sent because of reasons beyond the control of the Plan Administrator. If you have a claim for benefits which is denied or ignored, in whole or in part, you may file suit in a state or federal court. If it should happen that Plan fiduciaries misuse the Plan's money, or if you are discriminated against for asserting your rights, you may seek assistance from the U.S. Department of Labor, or you may file suit in a federal court. The court will decide who should pay court costs and legal fees. If you are successful, the court may order the person you have sued to pay these costs and fees. If you lose, the court may order you to pay these costs and fees, for example, if it finds your claim is frivolous. If you have any questions about your Plan, you should contact the Plan Administrator. If you have any questions about this statement or about your rights under ERISA, you should contact the nearest Area office of the U.S. Labor-Management Services Administration, Department of Labor.

FILED
FLEX A. SHAW
COUNTY CLERK
99 APR 30 AM 10:08
Lynch County, TX
BY _____
DEPUTY

VOL 35 PG 440 LEASE AGREEMENT

THIS LEASE, made this the 25th day of APRIL, 1990, between Mark Boobar of Gilmer, Texas, hereinafter know as LESSOR, and UPSHUR COUNTY The State of Texas, as LESSEE, acting by and through its COMMISSIONER'S COURT Pursuant to an order duly and regularly passed on the 30TH day of APRIL, 1990, witnesseth that:

Whereas, the LESSEE requires the use of the following equipment: 1982 Chevrolet, 1/2 Ton Pick-up and mechanics tools, Lessor provides own insurance, Lessee will replace broken tools, on job, only.

hereinafter referred to as Truck and equipment for the purpose of maintaining equipment; and whereas, there is now available, and will be available in said County's Road and Bridge Fund, monies which it may lawfully spend for leasing said Truck and Equipment.

Now therefore, the LESSOR in consideration of the payment of Two Hundred Dollars and no/100----- (\$ 200.00) monthly on the first day of each month, hereby leases to LESSEE said Truck and Equipment for a period commencing on the date of this LEASE and ending April 25, 1991.

The LESSEE acknowledges receipt of above desired Truck and Equipment, in good order and condition and upon the expiration of the term of this lease, or upon the prior termination of this lease, the LESSOR shall be entitled to the immediate possession of said Truck and Equipment and the LESSEE shall thereupon deliver said Truck and Equipment to the LESSOR at Gilmer, Texas, in good order and condition, ordinary wear and tear thereof expected.

The LESSEE shall have the right to make any reasonable and lawful use of said Truck and equipment and shall take reasonable and proper care thereof, and at its own expense make all necessary repairs and replacements. In the event of any default by the LESSEE in the payment of rent, or otherwise, this LEASE shall terminate at the option of the LESSOR.

It is hereby expressly understood and agreed that the LESSOR shall not in any case, or under any circumstances, be held liable for any loss or damage, or claims for loss or damage, of any kind or character whatsoever, to persons or property, or otherwise, arising from, or in any manner connected with the use or operation of said Truck and Equipment and any and all loss or damage, and claims for loss or damage, are hereby specifically waived by the LESSEE.

Any notice that either party desires to give to the other shall be in writing and forwarded by registered mail to the other party.

Mark Bradley Boobar
LESSOR

[Signature]
LESSEE County Judge

[Signature]
Commissioner 1

[Signature]
Commissioner 2

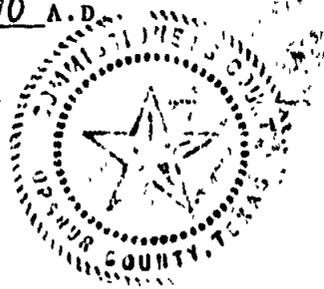
[Signature]
Commissioner 3

[Signature]
Commissioner 4

STATE OF TEXAS
COUNTY OF UPSHUR

I, Rex Shaw, County Clerk in and for Upshur County, Texas do hereby certify that the above and foregoing copy of the LEASE AGREEMENT entered into this day by and between Mark Boobar, as LESSOR, and Upshur County, Texas, as LESSEE, and the same appears of record in Volume _____ Page _____, of the COMMISSIONERS' COURT MINUTES of Upshur County, Texas.

Given under my hand and seal of office, this the 30th day of April, 1990 A.D.



[Signature]
Rex Shaw
County Clerk, Upshur County, Texas

RESOLUTION

providing for the imposition of an additional penalty on delinquent taxes

WHEREAS Upshur County has contracted with an attorney to collect delinquent taxes due the County and Gilmer Independent School District pursuant to the authority granted in Section 6.30 of the Property Tax Code; and

WHEREAS said contract provides that said attorney is to be paid a fee of 15% of all delinquent taxes, penalty and interest that are collected; and

WHEREAS Section 33.07 of the Property Tax Code provides that an additional penalty secured by a tax lien may be imposed to defray the cost of collection, not to exceed 15% of the taxes, penalty and interest due;

NOW, THEREFORE, BE IT RESOLVED BY the Commissioners Court of Upshur County, Texas, pursuant to the provisions of Section 33.07 of the Property Tax Code, that:

1. The tax collector is directed to annually mail notices during the month of May to all current year delinquent taxpayers advising them of the additional penalty, as hereinafter set forth, to be imposed as of July 1 on all unpaid current year delinquent taxes;

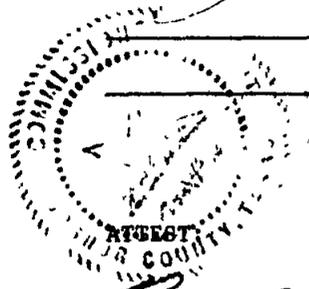
2. Effective on July 1, 1990, after the tax collector has mailed the hereinabove referenced notices, with respect to taxes delinquent for 1988, an additional penalty of 15% of the taxes, penalty and interest shall be incurred; furthermore, taxes becoming delinquent during 1991 and thereafter shall not incur this additional penalty until July 1 of the year in which they become delinquent.

Passed and approved this the 30 day of April, 1990.

Those voting "Aye" were:

Gregory Shaw
Madge Lindsey
Bill Leggett
David R. O'Neil
Fernando Estrella

Those voting "No" were:



Gregory Shaw

BY:



UPSHUR COUNTY COMMISSIONERS COURT
DILMER, TEXAS

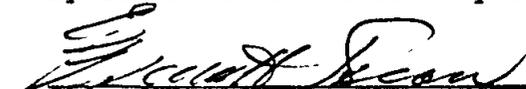
RESOLUTION

The Commissioners Court of Upshur County meeting in special session on April 30, 1990, with all members present adopted the following resolution:

BE IT RESOLVED as allowed by the amended Texas Constitution under Article VIII Section 1b Subsection E and Subsection C.

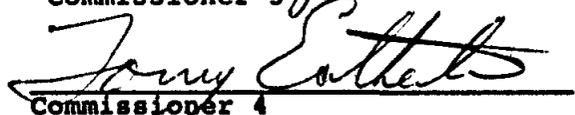
The Commissioners Court of Upshur County voted to grant an exemption of 20% of the market value of residence homestead for the year January 1, 1990 to December 31, 1990.

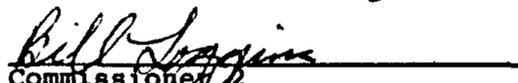
A homestead exemption of \$10,000 for 65 years of age or over, will be granted. A homestead exemption of \$3,000, for persons receiving disability benefits under the Federal Old-Age, Survivors, and Disability Insurance Act will be granted; however a person by law is entitled to only one of these two exemptions.


Everett Dean, County Judge


Commissioner 3


Commissioner 1


Commissioner 4


Commissioner 2

FILED
REX A. SHAW
COUNTY CLERK

90 MAY -8 AM 11:02

UPSHUR COUNTY, TX.

BY _____
DEPUTY

2882

JACK M. FINLEY, INC.
DBA PROFESSIONAL LAND TITLE SERVICES
OPERATING ACCOUNT
811A GILMER RD. PH. 214-297-7721
P. O. BOX 9909
LONGVIEW, TEXAS 75608

88-1379/1119

5-4 19 90

PAY TO THE ORDER OF Upsheur County Clerk \$ 156⁰⁰

One Hundred Fifty-Six and ⁰⁰/₁₀₀ DOLLARS

<u>Plant upkeep</u>	150 00
<u>+ add. rec. fee + copy</u>	6 00
	156 00

PROFESSIONAL LAND TITLE SERVICES
OPERATING ACCOUNT

Matthe W. Finley

THIS CHECK IS DELIVERED FOR PAYMENT ON THE ACCOUNTS LISTED

⑆002882⑆ ⑆11913798⑆ ⑆9013423⑆

FIRST STATE BANK MEMBER FDIC
P.O. BOX 1432 GLADEWATER, TX 79647

VOL 35 PG 464

VOL 35 466



UPSHUR COUNTY COMMISSIONERS COURT
GILMER, TEXAS

5-7-90

Commissioner Court met in special session with all members present.

The votes for the Rural Fire Prevention District Election were canvassed. Motion by David Loyd seconded by Bill Loggins to accept the count as presented. The vote was 796 for and 626 against. Motion carried, copy attached.

Motion by Bill Loggins seconded by Gaddis Lindsey to approve the payment of the election judges and clerks who worked the Fire Prevention District election. Motion carried.

Motion by Bill Loggins seconded by Tommy Eatherton to adjourn. Motion carried.

[Handwritten signature]

COUNTY JUDGE

[Handwritten signature]

COMMISSIONER PCT. # 1

[Handwritten signature]

COMMISSIONER PCT. # 2

[Handwritten signature]

COMMISSIONER PCT. # 3

[Handwritten signature]

COMMISSIONER PCT. # 4

UPSHUR COUNTY, TEXAS
SPECIAL ELECTION MAY 6, 1998

Vol 35 PG 467

FIRE PREVENTION DIST. NO. 1 PROPOSITION

FOR	796	55.78%
AGAINST	626	43.86%
.....		
Total Votes Cast	1427	
Number Under Votes	5	.35%
Number Over Votes	0	.0%

TOTAL BALLOTS CAST 1427

TOTAL TYPE 3 BALLOTS 1427

UPSHUR COUNTY, TEXAS
SPECIAL ELECTION MAY 6, 1998

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