



UPSHUR COUNTY COMMISSIONERS COURT

GILMER, TEXAS

5-4-92

Commissioners Court met in special session with all members present.

Curtis Bright met with the court concerning the way Upshur County's Insurance is being bid. He stated that he is not in agreement with the way it is bid. Gerald Deen asked if a local agent bid on the insurance, would he get the commission? Tom Slack told him that the administrator of the account is not up for bid this year. He stated that beginning last year the county named him as the administrator. Gerald Deen asked about the process of bidding on the insurance and who writes the specification. Tom Slack told him that he writes the specs as the court instructs him to and the bids are then received in the Treasurer's office. Mr. Deen then stated that the bids should be received by the Auditor's office according to Section 172 of the county code. He also asked if the plan had been audited and the audit sent to the State Auditor. Tom Slack told him that the county had not set up a risk pool until this year and the audit is not due until the end of the year. After more discussion about this, Tommy Eatherton asked Mr. Deen if he was not upset because his company had bid on County Insurance in years past and did not get the contract? Also, Commissioner Eatherton asked him if his company had not made contributions to candidates who were running against two of the present commissioners and if the Dept. of Labour was not investigating the company? Other persons taking part in the discussion were: Jim Williams, Keith Barber and Butch Ragland. No action was taken at this time.

Motion by Tommy Eatherton seconded by Gaddis Lindsey to adjourn. Motion carried.

5-4-92

Court met to discuss a prison for Upshur County with all members present.

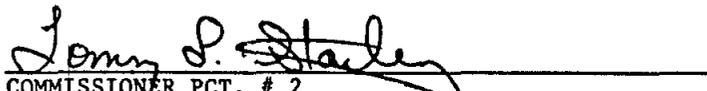
Kirk Clennan told the court that he had a call that El Paso had turned down the prison they were supposed to get and would Upshur County be interested in trying for it. He said that this is a 500 bed substance abuse facility and he thought there might be a chance for future expansion. Gaddis Lindsey stated that he did not think this was a good idea since it is only 500 beds. He said the jobs created would not justify the expense of building a prison this small. Gaston DeBerry of Ore City read a letter from the mayor of Ore City urging the county to try for this prison. Tommy Stanley stated that he did not want a substance abuse facility in Upshur County and that he did not think there would be enough jobs to justify this. Gaston DeBerry pointed out that Ore City would pay part of the cost but commissioner Lindsey told him that the city would get re-imbursed through cost of utilities and the county would not. No action taken at this time. Copy of the letter from Robert Cook is attached.

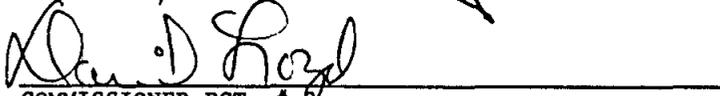
The law enforcement liability insurance was presented. This was excepted from the bills paid 4-30-92 so it could be studied further. Motion by Judge Dean seconded by Tommy Eatherton to accept the policy with a \$1,000.00 deductible. Motion carried, copy attached.

Motion by Gaddis Lindsey seconded by Tommy Stanley to adjourn. Motion carried.


 COUNTY JUDGE


 COMMISSIONER PCT. # 1


 COMMISSIONER PCT. # 2


 COMMISSIONER PCT. # 3


 COMMISSIONER PCT. # 4

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TEXAS ASSOCIATION OF COUNTIES
RISK MANAGEMENT GROUP

DATE: May 1, 1992

NAME OF INSURED: Upshur County

TYPE OF COVERAGE: Law Enforcement Liability Coverage

TO: TEXAS ASSOCIATION OF COUNTIES

THIS IS TO DECLARE AND CONFIRM THAT AS OF May 4, 1992 NO FACT, CIRCUMSTANCE OR SITUATION INDICATING THE PROBABILITY OF A CLAIM OR ACTION AGAINST WHICH INDEMNIFICATION IS OR WOULD BE AFFORDED BY THE PROPOSED COVERAGE IS NOW KNOWN TO ANY OFFICIAL OR EMPLOYEE OF THIS ENTITY, AND IT IS AGREED BY ALL CONCERNED THAT IF THERE BE KNOWLEDGE OF ANY SUCH FACT, CIRCUMSTANCE OR SITUATION, ANY CLAIM OR ACTION SUBSEQUENTLY EMANATING THEREFROM SHALL BE EXCLUDED FROM COVERAGE UNDER THE PROPOSED INSURANCE.

FURTHER, THE INFORMATION CONTAINED IN THE TAC APPLICATION DATED April 13, 1992 REMAINS ACCURATE IN EVERY RESPECT.

SIGNED

[Signature]
(AUTHORIZED REPRESENTATIVE)

TITLE

County Judge

DATE

5-4-92

(AUTHORIZED REPRESENTATIVE SHOULD BE THE SAME INDIVIDUAL THAT SIGNED THE ORIGINAL APPLICATION REFERRED TO ABOVE.)

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TEXAS ASSOCIATION OF COUNTIES
P. O. BOX 2131
AUSTIN, TEXAS 78768

**PROPOSAL FOR LAW ENFORCEMENT LIABILITY COVERAGE
(Claims Made Form)**

ENTITY: Upshur County PROPOSAL DATE: May 1, 1992

BASIC \$2,000,000 ANNUAL AGGREGATE LIMIT

\$1,000 Deductible

ANNUAL CONTRIBUTION: \$27,589

Includes:
Retrodate: 3/29/89

*Punitive Damages Endorsement (\$1,000,000) Limit within Basic Coverage Limits @ N/C

*OPTION: With Punitive Damages as an addition to Basic Coverage Limits add an additional \$2,759

Jim Jean
Signature of TAC Official

May 1, 1992
Date

COVERAGE ACCEPTANCE

Liability coverage as offered on this proposal is accepted.

Effective Date

Dona Higgs
Insurance Coordinator

Signature and Title of Accepting Official

5-4-92
Date

This acceptance not valid unless received by the TAC office no later than 60 days from the proposal date shown above unless extension is granted by TAC.

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TEXAS ASSOCIATION OF COUNTIES
P. O. BOX 2131
AUSTIN, TEXAS 78768

PROPOSAL FOR LAW ENFORCEMENT LIABILITY COVERAGE
(Claims Made Form)

ENTITY: Upshur County PROPOSAL DATE: May 1, 1992

BASIC \$2,000,000 ANNUAL AGGREGATE LIMIT

\$2,500 Deductible

ANNUAL CONTRIBUTION: \$26,594
Includes:
Retrodate: 3/29/89
*Punitive Damages Endorsement (\$1,000,000) Limit within Basic Coverage Limits @ N/C

*OPTION: With Punitive Damages as an addition to Basic Coverage Limits add an additional \$2,660

Aime Jean May 1, 1992
Signature of TAC Official Date

COVERAGE ACCEPTANCE

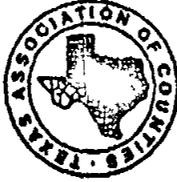
Liability coverage as offered on this proposal is accepted.

Effective Date Insurance Coordinator

Signature and Title of Accepting Official Date

This acceptance not valid unless received by the TAC office no later than 60 days from the proposal date shown above unless extension is granted by TAC.

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TEXAS ASSOCIATION OF COUNTIES
P. O. BOX 2131
AUSTIN, TEXAS 78768

**PROPOSAL FOR LAW ENFORCEMENT LIABILITY COVERAGE
(Claims Made Form)**

ENTITY: Upshur County PROPOSAL DATE: May 1, 1992

BASIC \$2,000,000 ANNUAL AGGREGATE LIMIT

\$5,000 Deductible

ANNUAL CONTRIBUTION: \$24,154

Includes:

Retrodate: 3/29/89

*Punitive Damages Endorsement (\$1,000,000) Limit ~~within~~ Basic Coverage Limits @ N/C

*OPTION: With Punitive Damages as an addition to Basic Coverage Limits add an additional \$2,415

Jim Jean
Signature of TAC Official

May 1, 1992
Date

COVERAGE ACCEPTANCE

Liability coverage as offered on this proposal is accepted.

Effective Date

Insurance Coordinator

Signature and Title of Accepting Official

Date

This acceptance must be received by the TAC office no later than 60 days from the proposal date shown above unless extension is granted by TAC.

COUNTESSIN,

5 WEEKS AGO, WE HELD A PUBLIC HEARING IN OREGON CITY TO HEAR WHAT OUR RESIDENTS HAD TO SAY ABOUT A PRISON COMING TO WASHUR COUNTY. AS WE ALL KNOW, UPWARDS OF 500 PEOPLE ATTENDED THIS MEETING AND ALL BUT A FEW WERE IN FAVOR OF US GETTING A PRISON. WE ALL KNOW WHAT HAPPENED TWO WEEKS AFTER THE MEETING WHEN WE FOUND OUT WE WERE TURNED DOWN.

NOW, IT SEEMS WE MIGHT HAVE A CHANCE FOR ANOTHER PRISON, IF EL PASO TURNS THEIRS DOWN. I FEEL WE SHOULD PURSUE THIS CHANCE JUST AS DILIGENTLY AS WE DID IN THE PAST. I KNOW WE ALL WANTED A 1000 BED OR LARGER PRISON. I DID TOO. WELL, A 500 BED IS A START. NO ONE KNOWS WHAT WILL BECOME OF THESE PRISONS IN YEARS TO COME. THE STATE WILL PROBABLY HAD TO THEM OR CONVERT THEM TO REGULAR PRISONS. EITHER WAY, I THINK WE STAND TO GAIN.

TELL ME, CAN ANY OF YOU THINK OF ANYTHING WE CAN DO RIGHT NOW THAT WOULD BRING THIS MANY JOBS TO WASHUR

COUNTY? IF MEADOW PINES OR CHARTER FOREST WANTED TO BUILD A HOSPITAL IN OUR AREA, WOULD WE SAY NO? HOW MANY PEOPLE STOOD UP AT THIS PUBLIC HEARING AND SAID "NO" TO A SUBSTANCE ABUSE FACILITY? WE HAVE A MANDATE FROM OUR CITIZENS TO DO WHATEVER IS NECESSARY TO GET A PRISON. NO MATTER WHAT YOU CALL IT, A SUBSTANCE ABUSE FACILITY IS STILL A STATE PRISON. A STATE PRISON WILL BEING JOBS TO OUR COMMUNITY, AND WE ALL KNOW HOW MANY NEW JOBS ARE COMING OPEN IN OREGON CITY AND VESPER COUNTY.

I'M SORRY I COULDN'T ATTEND THIS MEETING TODAY, BUT THANK YOU FOR THIS TIME TO GIVE MY OPINION.

Robert Cook
MAYOR
OREGON CITY

