

NOTICE OF MEETING

COMMISSIONERS COURT OF UPSHUR COUNTY, TEXAS
MONDAY, MARCH 29, 1996, 9:00 AM, SPECIAL SESSION
UPSHUR COUNTY COURTHOUSE, THIRD FLOOR

AGENDA

1. Approve the minutes of prior meetings.
2. Consider any budget amendments and take appropriate action.
3. Consider approval of payroll changes.
4. Consider approval of accounts payable and take appropriate action.
5. Accept payroll register for March, 1996.
6. Approve applications for use of Upshur County roads and right of way. Consider permits for gas line that were not accepted at the last meeting.
7. Hear Sheriff Cross concerning a sale of confiscated property.
8. Have a work session on security in the Courthouse and Justice Center.
9. Discuss changes in the personnel manual.
10. Hear persons not on the agenda but take no action.
11. Consider items to be placed in the Court Minutes for recording only.
12. Consider further action on the burning ban.
13. Sheriff Cross to discuss funds for transporting prisoners.



Charles L. Still
County Judge

UPSHUR COUNTY COMMISSIONER'S COURT
3-29-1996

COMMISSIONER' COURT MET IN SPECIAL SESSION. ALL MEMBERS PRESENT.

1. MOTION BY TOMMY STANLEY SECONDED BY GADDIS LINDSEY TO APPROVE MINUTES OF PREVIOUS MEETING DATED 3-25-1996. MOTION CARRIED.

2. THERE WERE NO BUDGET AMENDMENTS.

3. MOTION BY TOMMY STANLEY SECONDED BY GADDIS LINDSEY TO APPROVE PAYROLL CHANGES FOR THE FOLLOWING PEOPLE: SELTON RONNIE NORMAN, DUE TO DISCHARGE, LARRY WAYNE SEWELL DUE TO GRADE STEP, JASON KEITH WEEKS AND GARY DALE ROBERTS DUE TO NEW HIRE. MOTION CARRIED. COPIES OF ALL PAYROLL CHANGE REPORTS ATTACHED.

4. MOTION BY TOMMY STANLEY SECONDED BY DAVID LOYD TO APPROVE PAYMENT OF BILLS NOW DUE. MOTION CARRIED. COPY OF BILLS ATTACHED.

5. MOTION BY TOMMY STANLEY SECONDED BY GADDIS LINDSEY TO APPROVE PAYROLL REGISTER FOR MONTH OF MARCH. MOTION CARRIED. COPY OF PAYROLL REGISTER ATTACHED.

6. MOTION BY TOMMY STANLEY SECONDED BY DAVID LOYD TO APPROVE THE FOLLOWING SPECIAL ROAD USE AGREEMENT CONTRACTS, PERMIT APPLICATIONS, APPLICATIONS FOR FILLING ABANDONED WELLS AND/OR PUBLIC NECESSITY WORK RELEASE AND AUTHORIZATION FORMS:

PERMIT APPLICATION SUBMITTED BY C.W. RESOURCES TO BORE WITHIN THE ROW OF PHEASANT TRAIL.

PERMIT APPLICATION SUBMITTED BY C.W. RECOURSES TO BORE WITHIN ROW OF ROBIN LANE.

PERMIT APPLICATION SUBMITTED BY C.W. RESOURCES TO BORE WITHIN ROW OF MEDLIN ROAD.

SPECIAL ROAD USE AGREEMENT SUBMITTED BY TOMMY TUCKER TRUCKING TO HAUL LOGS ON ELDERBERRY AND RED OAK.

SPECIAL ROAD USE AGREEMENT SUBMITTED BY LASCO TO HAUL LOGS ON COCONUT AND LOCUST.

PERMIT APPLICATION SUBMITTED BY HUBERT MERCER TO PLACE A CULVERT IN ROW OF DEADEND AND ASTER.

MOTION CARRIED ON ALL THE ABOVE. COPIES ATTACHED.

7. MOTION BY KENNEY THOMPSON SECONDED BY DAVID LOYD TO APPROVE SHERIFF AUCTIONING TWO COUNTY OWNED 1988 CARS. MOTION CARRIED.

8. MOTION BY TOMMY STANLEY SECONDED BY KENNEY THOMPSON TO APPROVE RAY ROEDER, HEAD OF COUNTY MAINTENANCE, PUTTING LOCKS ON THE COURTHOUSE DOORS AND THE LAW LIBRARY DOORS AT THE JUSTICE CENTER. MOTION CARRIED.

12. MOTION BY DAVID LOYD SECONDED BY TOMMY STANLEY TO APPROVE LIFTING THE ORDER BANNING OUTDOOR BURNING IN UPSHUR COUNTY. MOTION CARRIED.

13. SHERIFF BUCK CROSS MET WITH COURT TO STATE THE SHERIFF'S OFFICE BUDGET FUND USED FOR TRANSPORTING PRISONERS IS DOWN TO AROUND \$300.00. SHERIFF CROSS STATED THAT SHERIFF'S OFFICE, ON AN AVERAGE, TRANSPORTED ONE PRISONER A WEEK. BASED ON THIS AND THE FACT THAT THERE WERE 6 MORE MONTHS IN THE BUDGET YEAR, SHERIFF CROSS ASKED THE COURT FOR MORE FUNDS FOR THIS PURPOSE. AFTER BRIEF DISCUSSION, MOTION BY DAVID LOYD SECONDED BY GADDIS LINDSEY TO APPROVE PLACING INTO THIS FUND AN ADDITIONAL \$1,700.00. MOTION CARRIED.

9. AFTER A LENGTHY DISCUSSION BETWEEN COMMISSIONERS, COUNTY TREASURER AND JUVENILE PROBATION OFFICE IT WAS DECIDED A WORKSHOP CONCERNING CHANGES IN PERSONNEL MANUAL WILL BE HELD AFTER COMMISSIONER'S COURT ON 4-30-1996.

10. SEVERAL PEOPLE, NOT ON AGENDA, SPOKE WITH COURT:
DONA FLIPO-COUNTY AUDITOR
DAVID LOYD-COMMISSIONER OF PCT. 3

11. MOTION BY KENNEY THOMPSON SECONDED BY GADDIS LINDSEY TO APPROVE PLACING INTO MINUTES, FOR RECORDING PURPOSES ONLY, COPIES OF SECTIONS FROM THE VERNON'S TEXAS CODES ANNOTATED HUMAN RECOURSE CODE BOOK. MOTION CARRIED. COPIES ATTACHED.

Charles Still

COUNTY JUDGE CHARLES STILL

Gaddis Lindsey

COMMISSIONER PCT. #1 GADDIS LINDSEY

Tommy Stanley

COMMISSIONER PCT. #2 TOMMY STANLEY

David Loyd

COMMISSIONER PCT. #3 DAVID LOYD

Charles (Kenney) Thompson

COMMISSIONER PCT. #4 CHARLES (KENNEY) THOMPSON

UPSHUR COUNTY STATUS/PAYROLL CHANGE REPORT

VOL 45 PG 700

PLEASE NOTE THE FOLLOWING CHANGE(S):

Effective Date 3-14-96 Dept. 560/Cb. Sheriff

Employee Selton RONNIE NORMAN

Social Security No. _____ Emp ID# 435

X	CHANGE(S)	FROM	TO
	Grade, Step		
	Rate		
	Department		
	Position		

REASON(S) FOR THE CHANGE(S)			
<input type="checkbox"/>	Hired	<input type="checkbox"/>	Re-Hired
<input type="checkbox"/>	Introductory Period Ended	<input type="checkbox"/>	Merit Increase
<input type="checkbox"/>	Promotion	<input type="checkbox"/>	Transfer
<input type="checkbox"/>	Longevity Increase	<input type="checkbox"/>	Demotion
<input type="checkbox"/>	Re-evaluation of Job	<input type="checkbox"/>	Retirement
<input type="checkbox"/>	Layoff	<input checked="" type="checkbox"/>	Discharged
<input type="checkbox"/>	Leave-of-Absence	<input type="checkbox"/>	Other

Comments

Authorized by *M. Harris* Date 3-29-96

Approved by _____

UPSHUR COUNTY STATUS/PAYROLL CHANGE REPORT

PLEASE NOTE THE FOLLOWING CHANGE(S):

Effective Date 4-1-96 Dept. Sheriff
 Employee Sewell, Larry Wayne
 Social Security No 4167-94-8035 Emp ID# _____

10175
131

X	CHANGE(S)	FROM	TO
<input checked="" type="checkbox"/>	Grade Step	17.9 1799.33	17.11 1880.55
	Rate		
	Department		
	Position		

REASON(S) FOR THE CHANGE(S)

	Hired		Re-Hired
	Introductory Probationary Period Ended		Mert Increase
<input checked="" type="checkbox"/>	Promotion		Transfer
	Longevity Increase		Demotion
	Re-valuation of Job		Retirement
	Layoff		Discharged
	Leave of Absence		Other

Comments:

R. Norman Position
Deputy II

Authorized by: R.D. Crow

Approved by _____

Date: 3-25-96

UPSHUR COUNTY STATUS/PAYROLL CHANGE REPORT

PLEASE NOTE THE FOLLOWING CHANGE(S):

Effective Date 4-8-96 Dept. Sheriff / Sailer
 Employee Weeks, Jason Keith
 Social Security No. 452-95-6714 Emp. ID# _____

739
43
VOL 101

X	CHANGE(S)	FROM	TO
X	Grade, Step	4.7	511.33
	Rate		
	Department		
	Position		

REASON(S) FOR THE CHANGE(S)

X	Hired		Re-Hired
	Introductory Period Ended		Mert Increase
	Promotion		Transfer
	Longevity Increase		Demotion
	Re-evaluation of Job		Retirement
	Layoff		Discharged
	Leave-of-Absence		Other

Comments

Opening left by Erik Kyorsvik

Authorized by

R. D. Crow

Approved by

Date

3-25-96

UPSHUR COUNTY STATUS/PAYROLL CHANGE REPORT

PLEASE NOTE THE FOLLOWING CHANGE(S):

Effective Date 4-1-96 Dept Sheriff
 Employee Roberts, Gary Dale
 Social Security No 458-85-7969 Emp ID# _____

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pg 133

X	CHANGE(S)	FROM	TO
	Grade Step	17.8	1760.68
	Rate		
	Department		
	Position		

REASON(S) FOR THE CHANGE(S)

X	Reason	Other
<input checked="" type="checkbox"/>	Hired	Re-Hired
	Introductory Introductory Period Ended	Ment Increase
	Promotion	Transfer
	Longevity Increase	Demotion
	Re-evaluation of Job	Retirement
	Layoff	Discharged
	Leave-of-Absence	Other

FILED
 APR 11 11:54 AM '96
 COUNTY CLERK
 UPSHUR COUNTY, TX

Comments

Introductory Period
Deputy I
L. Sewell position

Authorized by: P. D. Crow

Approved by: _____ Date: 3-25-96

UPSHUR COUNTY

ACCOUNTS PAYABLE SYSTEM

04 APR 1996

Approved Disbursements
ALL Checking Accounts

THE SOFTWARE GROUP, INC

Disbursements Made from 03/29/96 thru 04/04/96

PAGE 1

Check #	HC Date	Vendor	Check Amount	Invoice Amt	Invoice Descriptions
54643-AP	03/29/96	UPSHUR COUNTY INSURANCE ACCO	\$4,800 85	\$4,800 85	ADP/CLAIMS,EMP COSTS, 03/31/96 PAYROL
54644-AP	03/29/96	PEBSO PAYROLL PROCESSING	\$1,593.44	\$1,593 44	ENTITY#52939 03/31/96 PAYROLL DEDUCTIONS
54645-AP	03/29/96	GILMER NATIONAL BANK	\$36,948 78	\$36,948 78	FICA, MEDICARE DEDUCTIONS 3/31/96 PAYROLL
54646-AP	03/29/96	GILMER NATIONAL BANK	\$20,894 56	\$20,894 56	WITHHOLDING DEDUCTIONS 03/31/96 PAYROLL
54647-AP	03/29/96	ATTORNEY GENERAL OF TEXAS	\$650 68	\$650.68	03/31/96 PAYROLL DEDUCTIONS
54648-AP	03/29/96	EAST TEXAS PROFESSIONAL	\$1,790 00	\$1,790 00	ETPCU/PAYROLL SAVINGS PLAN 03/31/96
54649-AP	03/29/96	FIRST NATIONAL BANK	\$1,075 00	\$1,075 00	FNB/PAYROLL SAVINGS PLAN 03/31/96
54650-AP	03/29/96	GILMER NATIONAL BANK	\$365 00	\$365.00	GNB/PAYROLL SAVINGS PLAN 03/31/96
54651-AP	03/29/96	GILMER SAVINGS BANK	\$100 00	\$100 00	GSB/PAYROLL SAVINGS PLAN 03/31/96
54652-AP	03/29/96	UPSHUR COUNTY INSURANCE ACCO	\$6,942 13	\$6,942 13	DEPENDENT INS PREMIUMS 03/31/96 PAYROLL
54653-AP	03/29/96	RHONDA GAIL YOUNG	\$250.00	\$250.00	#281-93; JOEY YOUNG#460253977 02/29/96
54654-AP	03/29/96	PATTI JILL YOUNG	\$240 00	\$240 00	#548-90/L W YOUNG/#417628077 03/31/96
54655-AP	03/29/96	DARLA SEWELL	\$300 00	\$300 00	L SEWELL/DARLA SEWELL #94-536 03/31/96
54656-AP	03/29/96	RUBY COOPER, DISTRICT CLERK	\$282.00	\$282 00	RONALD D. BERGE/CAUSE#81-405-DR 03/31/96
54657-AP	03/29/96	TEXAS COUNTY & DISTRICT RETI	\$37,754 60	\$37,754 60	UNIT#329 MONTHLY REPORT 03/31/96 PAYROLL
54661-AP	03/29/96	24TH ANNUAL COUNTY TREASURER	\$130 00	\$130 00	CO TREAS-REGISTRATION/MYRA HARRIS, CO TREAS(24th. ANNUAL CONF)
54662-AP	03/29/96	ACORDIA BENEFITS OF TEXAS, I	\$9,888 97	\$9,888 97	125 PLAN CONTRIBUTIONS 03/29/96 PAYROLL (98 EMP)
54663-AP	03/29/96	AMERICAN BLDG MAINTENANCE CO	\$3,008 36	\$3,008 36	CO BLDGS-FEB '96 JANITORIAL SERVICES
54664-AP	03/29/96	AMERICAN HERITAGE LIFE	\$326.03	\$326 03	CASE#47939/MARCH '96 PAYROLL DEDUCTIONS
54665-AP	03/29/96	AT & T INFORMATION SYSTEMS	\$5 78	\$5 78	TELE. COMM-ACCT#7303179690001/MARCH 12 '96 BILLING
54666-AP	03/29/96	BROOKSHIRES	\$307.37	\$23.78 \$39.44 \$244.15	D. A-RODGER THREADGILL/HOT CK RESTITUTION D. A-KIMBERLY NANCE/HOT CK RESTITUTION D. A-TIMOTHY HARVEY/HOT CK RESTITUTION
54667-AP	03/29/96	CITY OF GILMER	\$1,498.17	\$324 79 \$101.00 \$20.20	CO CTH-ACCT#130274000/MARCH 19 '96 BILLING RDCK BLDG-ACCT#130345000/MARCH 19 '96 BILLING BANK ANNEX-ACCT#120151000/MARCH 19 '96 BILLING

PRINTED IN U.S.A.

701-54-101

UPSHUR COUNTY

ACCOUNTS PAYABLE SYSTEM

04 APR 1996

Approved Disbursements

ALL Checking Accounts

Disbursements Made from 03/29/96 thru 04/04/96

THE SOFTWARE GROUP, INC

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Check #	HC Date	Vendor	Check Amount	Invoice Amt	Invoice Descriptions
				\$15 00	DRIVE INN-ACCT#010076050/MARCH 19'96 BILLING
				\$15 00	PORTER BLDG-ACCT#12071000/MARCH 19'96 BILLING
				\$1,022 18	J CTR-ACCT#010067500/MARCH 19'96 BILLING
54668-AP	03/29/96	FLOWERS THRIFT STORE	\$78 00	\$78 00	CO JAIL-(200)LOAVES OF BREAD
54669-AP	03/29/96	GENERAL TELEPHONE COMPANY	\$2,934 09	\$2,904 37	TELE COMM-#843-3083/MARCH 13'96 BILLING
				\$29 72	COMPUTER-#636-9970/MARCH 13'96 BILLING(JP#3)
54670-AP	03/29/96	GILMER CABLE TV CO, INC	\$245 00	\$245 00	NON DEPT-ACCT#15446/APRIL'96 RADIQ MAINT
54671-AP	03/29/96	JOHN DEERE CREDIT	\$1,489.19	\$1,439 19	PCT#2-ACCT#17-999994141/JD WHEEL LOADER(3'96)
54672-AP	03/29/96	KATHY LANGFORD	\$34 05	\$34 05	CO EXT-REIMBURSE/SUPPLIES & TAPE
54673-AP	03/29/96	NANCY REESE	\$42 00	\$42 00	D A-MICHELLE COPE/HOT CK RESTITUTION
54674-AP	03/29/96	NATIONAL FAMILY CARE	\$141 55	\$141 55	ID#3152 MARCH'96 PAYROLL DEDUCTIONS
54675-AP	03/29/96	OTIS ELEVATOR COMPANY	\$170 51	\$170 51	TY78748E496/ELEVATOR MAINT 4/1-30/96
54676-AP	03/29/96	REX SHAW	\$53 25	\$53 25	CO CLK-REIMBURSE/MEALS&LDDGING(DIET)@SEM1N6R
54678-AP	03/29/96	SOUTHWESTERN ELECTRIC POWER	\$3,686 72	\$42 31	PORTER BLDG-ACCT#55685/MARCH 18'96 BILLING
				\$2,104 12	J CTR-ACCT#71686/MARCH 18'96 BILLING
				\$425 19	BANK ANNEX-ACCT#25410695/MARCH 20'96 BILLING
				\$123 24	MOTOR BANK-ACCT#25413695/MARCH 18'96 BILLING
				\$172 29	ROCK BLDG-ACCT#40681/MARCH 18'96 BILLING
				\$208 74	ROCK BLDG-ACCT#359669/MARCH 18'96 BILLING
				\$88 97	CO LIB-ACCT#403669/MARCH 18'96 BILLING
				\$521 36	CO LIB-ACCT#66685/MARCH 18'96 BILLING
54679-AP	03/29/96	TEXAS ASSOC OF CO. AUDITORS	\$45 00	\$45 00	CO AUD-1996 ANNUAL DUES/D FLIPPO&K EAST
54680-AP	03/29/96	TEXAS COMMISSION ON ALCOHOL	\$10 00	\$10 00	CCF-VHS VIDEO/EFFECTS OF ALCOHOL ON DRIVING
54681-AP	03/29/96	TEXAS DEPT OF LICENSING	\$80 00	\$80 00	CO BLDGS-BOLIER #058752/INSPECTION 2/6/96
54682-AP	03/29/96	TEXAS SCHOOL ASSESSORS ASSOC	\$85 00	\$85 00	CO TAX-REGISTRATION/MICHEAL L SMITH(29th ANNUAL CONF)
54683-AP	03/29/96	TRANSPORT LIFE INSURANCE COM	\$334 90	\$334 90	GROUP K44 MARCH'96 PAYROLL DEDUCTIONS
54684-AP	03/29/96	UPSHUR RURAL ELECTRIC	\$58 73	\$58 73	D A-RODGER THREADGILL/HOT CK RESTITUTION
54685-AP	03/29/96	UPSHUR-RURAL ELECTRIC COOP	\$27 50	\$27 50	PCT#2-ACCT#41186523/MARCH 20'96 BILLING
54686-AP	03/29/96	VINYARD'S	\$44.22	\$44 22	D A-ALICE GILBERT/HOT CK RESTITUTION
54687-AP	03/29/96	WHITE SWAN, NORTH	\$242 05	\$242 05	CO JAIL-CUST#420711/ASSORTED FOODS(LCST INV)

101 45 05

UPSHUR COUNTY

ACCOUNTS PAYABLE SYSTEM

Approved Disbursements

ALL Checking Accounts

Disbursements Made from 03/29/96 thru 04/04/96

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THE SOFTWARE GROUP, INC

Check #	HC Date	Vendor	Check Amount	Invoice Amt	Invoice Description
54688-AP	HC 03/29/96	GILMER NATIONAL BANK	\$200,000.00	\$200,000.00	CD#12314 PURCHASED 28X(63days)10 MATURE 5/31/96
54689-AP	HC 04/04/96	TJPC	\$25.00	\$25.00	JUV PROB-LEWIS FUELLEN/BASIC TRAINING@LONGVIEW 4/8/96
54690-AP	HC 04/04/96	DESIGN/GRAPHICS	\$1,415.75	\$1,415.75	911-MEMORY UPGRADE, SYS BD; CD-ROM, (COUNTY 911 COMPUTER)
54691-AP	HC 04/04/96	TAC UNEMPLOYMENT FUND	\$3,259.67	\$3,259.67	UNIT #230 1ST QUARTER PREMIUMS/QTR ENDING 03/31/96
Total for AP - ACCOUNTS PAYABLE			\$343,653.90		

Approved Disbursements

ALL Checking Accounts

Disbursements Made from 03/29/96 thru 04/04/96

THE SOFTWARE GROUP, INC

Check #	HC Date	Vendor	Check Amount	Invoice Amt	Invoice Descriptions
305-INS	HC 03/29/96	GILMER NATIONAL BANK	\$50,000 00	\$50,000 00	CD#12315 PURCHASED@5.28%(32days) TO MATURE 4/30/96
306-INS	HC 03/29/96	ACORDIA BENEFITS OF TEXAS, I	\$245 00	\$245 00	AD FEES-03/29/96 PAYROLL (98 EMP@2.50/EA)
307-INS	HC 04/04/96	BEHRENS INCORPORATED	\$1,414 19	\$1,414 19	GROUP #160. PAYMENT REGISTER DATED 03/29/96
Total for INS - INSURANCE			\$51,659.19		
Grand Total			\$395,313 09		

Charles L. Still
COUNTY JUDGE, CHARLES L. STILL

Gaddis Lindsey
COMMISSIONER PCT#1, GADDIS LINDSEY

Tommy Stanley
COMMISSIONER PCT#2, TOMMY STANLEY

David Loyd
COMMISSIONER PCT#3, DAVID LOYD

Charles K. Thompson
COMMISSIONER PCT#4, CHARLES K. THOMPSON

FILED
REX A. SHAW
COUNTY CLERK
96 APR -8 AM 10:09
UPSHUR COUNTY, TX
DEPUTY

CHECK	DATE PRINTED	PAYROLL DATE	Issued to.....	NET PAY.	DD	STATUS
54475-P	03/28/96	03/29/96	LOFTIS, JO ANN	986.27	N	
54476-P	03/28/96	03/29/96	STILL, CHARLES L	2,274.45	N	
54477-P	03/28/96	03/29/96	CAIN, DERONDA KAYE	1,140.70	N	
54478-P	03/28/96	03/29/96	CHILDRESS, JANIS L.	690.94		
54479-P	03/28/96	03/29/96	MORRIS, ADDIE RENE	1,037.75	N	
54480-P	03/28/96	03/29/96	RODENBERG, ROBIN D.	523.49	N	
54481-P	03/28/96	03/29/96	SHAW, REX AUDENE	1,606.64	N	
54482-P	03/28/96	03/29/96	LOYD, DANNY MICHAEL	1,280.26	N	
54483-P	03/28/96	03/29/96	DRENNAN, DEANNA R	2,184.63		
54484-P	03/28/96	03/29/96	ENGLISH, LOUIE M.	1,041.93		
54485-P	03/28/96	03/29/96	ROSS, TERRI LYNN	1,208.25	N	
54486-P	03/28/96	03/29/96	BERRY, D DENISE	773.50	N	
54487-P	03/28/96	03/29/96	CHEVALIER, MELISSA K.	885.35		
54488-P	03/28/96	03/29/96	HAMBERLIN, FRANKIE M.	961.05	N	
54489-P	03/28/96	03/29/96	RAY, HORACE ANDY	1,596.85	N	
54490-P	03/28/96	03/29/96	STINNETT, SCARLETT T.	913.74	N	
54491-P	03/28/96	03/29/96	STRACENER, CASEY N.	870.41	N	
54492-P	03/28/96	03/29/96	COSTON, WANDA C.	1,301.25		
54493-P	03/28/96	03/29/96	CROW, JAMES A	1,239.21	N	
54494-P	03/28/96	03/29/96	MILLER, JEAN	520.49		
54495-P	03/28/96	03/29/96	PERRY, CAROLYN JO	1,038.92	N	
54496-P	03/28/96	03/29/96	POTTER, LYLE M JR	1,078.81		
54497-P	03/28/96	03/29/96	RAY, WILLIAM VALTON	1,071.44	N	
54498-P	03/28/96	03/29/96	BRUNSON, MARY DELL	1,184.20	N	
54499-P	03/28/96	03/29/96	BURROWS, DALE A	2,068.19		
54500-P	03/28/96	03/29/96	JONES, CAROLYN SUE	1,274.56	N	
54501-P	03/28/96	03/29/96	JONES, EVELYN D.	1,302.50	N	
54502-P	03/28/96	03/29/96	MOORE, BARBARA L	1,015.65	N	
54503-P	03/28/96	03/29/96	STEELMAN, KARMEN C.	16.25		
54504-P	03/28/96	03/29/96	EAST, KAREN A.	1,080.98	N	
54505-P	03/28/96	03/29/96	FLIPPO, DONA	1,785.00	N	
54506-P	03/28/96	03/29/96	HARRIS, MYRA NELL	1,156.04	N	
54507-P	03/28/96	03/29/96	STEELMAN, KARMEN CITA	677.39	N	
54508-P	03/28/96	03/29/96	TUEL, LINDA LOUISE	733.55	N	
54509-P	03/28/96	03/29/96	BOWDEN, CLAUDENE	938.61	N	
54510-P	03/28/96	03/29/96	DAVIS, LAVADA M.	1,077.28	N	
54511-P	03/28/96	03/29/96	DAVIS, SHERRY R	945.81	N	
54512-P	03/28/96	03/29/96	EVANS, BERNADINE A	784.66		
54513-P	03/28/96	03/29/96	FAILS, PATSY M.	982.27	N	
54514-P	03/28/96	03/29/96	GENTRY, PAULA A	955.71		
54515-P	03/28/96	03/29/96	HALLMAN, CHRISTIE J	911.72	N	
54516-P	03/28/96	03/29/96	HOLLOWAY, BARBARA J.	1,061.72	N	
54517-P	03/28/96	03/29/96	HUTCHINS, WANDA L	830.92	N	
54518-P	03/28/96	03/29/96	JAMISON, HANNAH S	303.73		
54519-P	03/28/96	03/29/96	SMITH, MICHAEL LOYD	1,611.73	N	
54520-P	03/28/96	03/29/96	WEBB, TERRI L.	915.56	N	
54521-P	03/28/96	03/29/96	COOK, JOHN RUBIN	1,107.67	N	
54522-P	03/28/96	03/29/96	DANIELS, CHARLES D.	899.81	N	
54523-P	03/28/96	03/29/96	ROEDER, RAYMOND R	1,253.96	N	
54524-P	03/28/96	03/29/96	HOLT, ONIE JR	919.13	N	
54525-P	03/28/96	03/29/96	ROGERS, WILLIAM A	950.38		
54526-P	03/28/96	03/29/96	JENKINS, STANLEY EUGENE	861.24	N	

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14112 C D

Upshur County Treasurer
THE SOFTWARE GROUP, INC

PAYROLL / PERSONNEL SYSTEM
CHECK REGISTER FOR CURRENT PAYROLL

11 22 25 28 MAR 1996
PAGE 2

CHECK	DATE PRINTED	PAYROLL DATE	Issued to...	NET PAY.	DD	STATUS
54527-P	03/28/96	03/29/96	HENSON, CLODDIE D	420.94	N	
54528-P	03/28/96	03/29/96	ALFORD, JOHN MATTHEW	1,305.38	N	
54529-P	03/28/96	03/29/96	BENGE, RONALD DALE	1,100.41	N	
54530-P	03/28/96	03/29/96	BETTERTON, ANTHONY S	1,518.18	N	
54531-P	03/28/96	03/29/96	BROWN, KAY LYNN	1,417.99	N	
54532-P	03/28/96	03/29/96	BURRIS, RANDY DAVID	1,433.32	N	
54533-P	03/28/96	03/29/96	CROMLEY, ROBERT ALLEN	1,399.27	N	
54534-P	03/28/96	03/29/96	CROSS, RICHARD D	1,561.89	N	
54535-P	03/28/96	03/29/96	DECUIR, JAMES A	1,373.61	N	
54536-P	03/28/96	03/29/96	FORTSON, LARRY WAYNE	1,434.02	N	
54537-P	03/28/96	03/29/96	HAYS, SHELIA R.	1,029.45	N	
54538-P	03/28/96	03/29/96	JORDAN, MURRAY K.	1,598.18	N	
54539-P	03/28/96	03/29/96	KUZA, HENRY MICHAEL II	1,150.17	N	
54540-P	03/28/96	03/29/96	MATTHEWS, G NELL	905.36	N	
54541-P	03/28/96	03/29/96	NORMAN, SELTON RONALD	2,330.77	N	
54542-P	03/28/96	03/29/96	SANDERS, BOBBY NEAL	1,500.06	N	
54543-P	03/28/96	03/29/96	SEWELL, LARRY W	906.26	N	
54544-P	03/28/96	03/29/96	YOUNG, LELAND WAYNE	1,148.17	N	
54545-P	03/28/96	03/29/96	BARBER, B DARLENE	1,134.80	N	
54546-P	03/28/96	03/29/96	BEAN, ELIZABETH M	1,103.19	N	
54547-P	03/28/96	03/29/96	BETTERTON, NANCY LYN	1,543.36	N	
54548-P	03/28/96	03/29/96	CLAMPITT, ANGELA KAY	1,182.61	N	
54549-P	03/28/96	03/29/96	DAVIS, MICHAEL WAYNE	1,159.91	N	
54550-P	03/28/96	03/29/96	EDWARDS, SANDRA D	1,161.24	N	
54551-P	03/28/96	03/29/96	FATHERREE, VIRGINIA LEE	1,159.41	N	
54552-P	03/28/96	03/29/96	FENNELL, SHERRY L	1,080.75	N	
54553-P	03/28/96	03/29/96	GRISWOLD, JAMES E	1,183.36	N	
54554-P	03/28/96	03/29/96	HELPESTILL, RAY B	1,047.11	N	
54555-P	03/28/96	03/29/96	HOPKINS, ALICE MATHIS	844.26	N	
54556-P	03/28/96	03/29/96	JENKINS, STANLEY E.	1,161.48	N	
54557-P	03/28/96	03/29/96	JONES, PENNY L	277.05	N	
54558-P	03/28/96	03/29/96	KJORSVIK, ERIK DAVID	452.67	N	
54559-P	03/28/96	03/29/96	LEWIS, BARRY L.	944.46	N	
54560-P	03/28/96	03/29/96	LINGLE, J. RICHARD JR	1,099.79	N	
54561-P	03/28/96	03/29/96	MONTS, BRANDY L	1,135.77	N	
54562-P	03/28/96	03/29/96	MOORE, JERRY A.	1,210.88	N	
54563-P	03/28/96	03/29/96	MURPHY, NADRA H	1,155.76	N	
54564-P	03/28/96	03/29/96	SALDIS, GEORGE CARL	1,161.48	N	
54565-P	03/28/96	03/29/96	WALKER, DIANE	855.68	N	
54566-P	03/28/96	03/29/96	WHORTON, PAULA N.	1,089.50	N	
54567-P	03/28/96	03/29/96	BICKERDIKE, CARA L	1,631.61	N	
54568-P	03/28/96	03/29/96	BROWN, CHRISTOPHER E.	1,464.56	N	
54569-P	03/28/96	03/29/96	GEE, JAMES R	1,117.98	N	
54570-P	03/28/96	03/29/96	GRANT, GLENDA ANN	982.62	N	
54571-P	03/28/96	03/29/96	HANCOCK, KATHRYN B.	1,158.33	N	
54572-P	03/28/96	03/29/96	HUDGINS, ROYCE L III	1,480.03	N	
54573-P	03/28/96	03/29/96	JACKSON, SHANE	1,660.53	N	
54574-P	03/28/96	03/29/96	MAYFIELD, KENNETH MURL	562.66	N	
54575-P	03/28/96	03/29/96	MCCAY, WILLIAM CARTER	1,863.87	N	
54576-P	03/28/96	03/29/96	RANCILIO, VICKI J	971.46	N	
54577-P	03/28/96	03/29/96	RAY, JIMMY DARRELL	2,227.62	N	
54578-P	03/28/96	03/29/96	STANFIELD, VICKY JONES	1,428.85	N	

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CHECK. ...	DATE PRINTED	PAYROLL DATE	Issued to....	NET PAY.	DD	STATUS
54579-P	03/28/96	03/29/96	STOCKS, JO ANN	2,169.56	N	
54580-P	03/28/96	03/29/96	FLUELLEN, LEWIS D L	1,536.36		
54581-P	03/28/96	03/29/96	MITCHELL, RONNIE GENE	2,141.87	N	
54582-P	03/28/96	03/29/96	SMITH, MELINDA L.	1,276.16	N	
54583-P	03/28/96	03/29/96	VINES, LISA S	1,160.54	N	
54584-P	03/28/96	03/29/96	WYLIE, MILTON J	1,527.16	N	
54585-P	03/28/96	03/29/96	SMITH, NADRA CITA	848.61	N	
54586-P	03/28/96	03/29/96	BECK, EARNEST EARL	844.38	N	
54587-P	03/28/96	03/29/96	BULLOCK, JOEL K.	655.93		
54588-P	03/28/96	03/29/96	DAVIS, CECIL W. SR.	1,025.81	N	
54589-P	03/28/96	03/29/96	JONES, ELLIS	668.15		
54590-P	03/28/96	03/29/96	LINDSEY, GADDIS M	1,399.17	N	
54591-P	03/28/96	03/29/96	ROBERTSON, OSCAR	950.87	N	
54592-P	03/28/96	03/29/96	SMITH, EDDIE J	1,142.26	N	
54593-P	03/28/96	03/29/96	STINE, ANTHONY CARL	694.63		
54594-P	03/28/96	03/29/96	STOKER, JAMES LOUIS	1,404.23	N	
54595-P	03/28/96	03/29/96	WILSON, JAMES R.	981.56	N	
54596-P	03/28/96	03/29/96	CROCKETT, HARRY JAMES	1,011.31	N	
54597-P	03/28/96	03/29/96	ELWELL, CHAD B	659.86		
54598-P	03/28/96	03/29/96	HARGEST, CHARLES P	785.77	N	
54599-P	03/28/96	03/29/96	JEFFERY, DONALD RAY	935.22	N	
54600-P	03/28/96	03/29/96	JOHNSON, IVORY GENE	1,388.56	N	
54601-P	03/28/96	03/29/96	NELSON, WILLIAM B	965.22		
54602-P	03/28/96	03/29/96	PENDARVIS, ABBOTT LYNN	1,381.86	N	
54603-P	03/28/96	03/29/96	STANLEY, TOMMY LEE	1,970.99	N	
54604-P	03/28/96	03/29/96	YOUNG, JOEY A	794.59	N	
54605-P	03/28/96	03/29/96	DODD, JOHN M	115.69		
54606-P	03/28/96	03/29/96	DRIGGERS, BOBBY D	1,325.19	N	
54607-P	03/28/96	03/29/96	GAGE, PAUL E	1,171.43		
54608-P	03/28/96	03/29/96	GLENN, GEORGE R	543.32	N	
54609-P	03/28/96	03/29/96	LATHAM, GARY D	1,015.20	N	
54610-P	03/28/96	03/29/96	LOYD, DAVID GRANT	1,978.64	N	
54611-P	03/28/96	03/29/96	MILLER, LONNIE E	911.44		
54612-P	03/28/96	03/29/96	TIMMONS, GERALD WAYNE	1,154.95	N	
54613-P	03/28/96	03/29/96	BALLARD, GERALD WAYNE	1,130.39	N	
54614-P	03/28/96	03/29/96	BLACKSTONE, WILLY PAT	867.47		
54615-P	03/28/96	03/29/96	CAMPBELL, GLENN EDWARD	1,328.09	N	
54616-P	03/28/96	03/29/96	DAVIS, GARY W.	1,093.23		
54617-P	03/28/96	03/29/96	HELLENSTILL, EDWIN J	1,029.48		
54618-P	03/28/96	03/29/96	RITTER, DON L.	984.74		
54619-P	03/28/96	03/29/96	SHAW, TOM P	1,048.75	N	
54620-P	03/28/96	03/29/96	SMITH, MELVIN DON	1,050.10		
54621-P	03/28/96	03/29/96	THOMPSON, CHARLES K	1,942.96		
54622-P	03/28/96	03/29/96	JOHNSON, GERALD DON	1,411.06	N	
54623-P	03/28/96	03/29/96	ELMORE, STACI M	229.82		
54624-P	03/28/96	03/29/96	KOONTZ, CONSTANCE I	276.08		
54625-P	03/28/96	03/29/96	MORRISON, JOYCE FRANCES	1,546.38	N	
54626-P	03/28/96	03/29/96	RUSSELL, PAULA J.	614.65	N	
54627-P	03/28/96	03/29/96	SANDERS, BARBARA ELAINE	240.41	N	
54628-P	03/28/96	03/29/96	SMITH, EMMA JEAN	883.90	N	
54629-P	03/28/96	03/29/96	THOMPSON, NANCY K.	770.82	N	
54630-P	03/28/96	03/29/96	WILLIAMS, ANNA L	1,073.76	N	

VOL 115 pg 2110

Upshur County Treasurer
THE SOFTWARE GROUP, INC

PAYROLL / PERSONNEL SYSTEM
CHECK REGISTER FOR CURRENT PAYROLL

11.22 27 28 MAR 1996
PAGE 4

CHECK	DATE PRINTED	PAYROLL DATE	Issued to	NET PAY.	DD	STATUS
54631-P	03/28/96	03/29/96	WILLIAMS, JANET C	867.52	N	
54632-P	03/28/96	03/29/96	WILSON, FELISHA M	139.29		
54633-P	03/28/96	03/29/96	CAMPBELL, MARY ROSE	1,061.05	N	
54634-P	03/28/96	03/29/96	LANGFORD, KATHLEEN D	407.01	N	
54635-P	03/28/96	03/29/96	REEVES, DAVID RANDALL	442.24	N	
				178,038.29		
				178,038.29		

14112 0 0

176 04 100
vol 45 pg 241

CHECK #...	CHECK DATE	VENDOR NAME.	AMOUNT.
54643-AP	03/29/96	UPSHUR COUNTY INSURANCE ACCOUNT	4,800 85
54644-AP	03/29/96	PEBSO PAYROLL PROCESSING	1,593.44
54645-AP	03/29/96	GILMER NATIONAL BANK	36,948.78
54646-AP	03/29/96	GILMER NATIONAL BANK	20,894.56
54647-AP	03/29/96	ATTORNEY GENERAL OF TEXAS	650 68
54648-AP	03/29/96	EAST TEXAS PROFESSIONAL	1,790 00
54649-AP	03/29/96	FIRST NATIONAL BANK	1,075 00
54650-AP	03/29/96	GILMER NATIONAL BANK	365 00
54651-AP	03/29/96	GILMER SAVINGS BANK	100 00
54652-AP	03/29/96	UPSHUR COUNTY INSURANCE ACCOUNT	6,942.13
54653-AP	03/29/96	RHONDA GAIL YOUNG	250 00
54654-AP	03/29/96	PATTI JILL YOUNG	240 00
54655-AP	03/29/96	DARLA SEWELL	300 00
54656-AP	03/29/96	RUBY COOPER, DISTRICT CLERK	282 00
54657-AP	03/29/96	TEXAS COUNTY & DISTRICT RETIREMENT SYSTE	37,754.60
Total for All Payments -			113,987 04

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14112 C L

Charles L. Still
COUNTY JUDGE, CHARLES L. STILL

Gaddis Lindsey
COMMISSIONER PCT#1, GADDIS LINDSEY

Tommy Stanley
COMMISSIONER PCT#2, TOMMY STANLEY

David D. Boyd
COMMISSIONER PCT#3, DAVID BOYD

Charles K. Thompson
COMMISSIONER PCT#4, CHARLES K. THOMPSON

FILED
REX A. STAMM
COUNTY CLERK
96 MAR 29 11:11:54
UPSHUR COUNTY, TX
DEPUTY

PERMIT APPLICATION FOR USE OF UPSHUR COUNTY RIGHT OF WAY

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

PRECINCT # 1

DATE 3-21-96

Formal notice is hereby given that C.W. RESOURCES whose
principal address is P.O. BOX 1004
WHITE, OAK, TX. 75699 does hereby propose

to place a GAS LINE (Bore) within the ROW of County Road
PHEASANT TRAIL. The location and description of

the proposed lines or appurtenances is more fully shown by three
(3) copies of drawings attached to the application. Proposed
construction will begin, if approved, on or after the _____
day of _____, 19____.

I, ROB THOMPSON, hereby attest that I have read the
conditions set forth in this application and understand it's
contents. NAME ROB THOMPSON TITLE LANDMAN
759-8019

APPROVAL OF PERMIT APPLICATION

The Upshur County Commissioners Court offers no objections to
the location on the right of way of your proposed _____
as shown by accompanying drawings and notice dated _____,
except as noted below:

It is expressly understood that the Upshur County Commissioners
Court does not purport, hereby, to grant any right, claim, title,
or easement in or upon this county road; it is further understood
that in the future should for any reason Upshur County need to
work, improve, relocate, widen, increase, add to or in any manner
change the structure of this right of way, this appurtenance, if
affected, will be moved under the direction of the Upshur County
Commissioners Court representative and shall be relocated at the
complete expense of the owner within thirty (30) days upon receipt
of notice from the Commissioners Court.

All work on the County right of way shall be performed in
accordance with the Commissioners Court intructions. The
installation shall not damage any part of the roadway and adequate
provisions must be made to cause minimum inconvenience to traffic
and adjacent owners. Specifications for placing this line are as
follows:

1. Barricades, warning signs, lights and flagmen when necessary
shall be provided by the contractor or owner. One half of the
traveled portion of the road must be open at all times.

2. All lines, where practicable, shall be located to cross
roadbed at approximately right angles. No lines are to be installed
under or within 50 feet of either end of any bridge. No lines shall
be placed in any culvert or within 10 feet of the closest point of
same.

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3. Parallel lines will be installed as near the right of way lines as possible and no parallel line will be installed in the roadbed or between the drainage ditch and the roadbed without special permission of the County Commissioners Court.

4. Overhead lines will have minimum clearance of 18 feet above the road surface at the point of crossing.

5. Operations along roadways shall be performed in such a manner that all excavated material be kept off the surface at all times, as well as all operating equipment and materials. No equipment or installation procedures will be used which will damage any road surface, roadbed, structures or other right of way feature. Any expenditure that is a direct result of this installation will be borne by owner of this line.

6. All lines under roads carrying pressure in excess of 50 psi shall be enclosed in satisfactory casing extending from the right of way line to right of way line. Pipe used for casing may be of any type approved by the County Engineer or Commissioners Court and shall be capable of supporting load of roadbed and traffic and shall be so constructed that there will be no leakage of any matter through casing for its entire length; Inside diameter of casing shall be at least 2 inches greater than the largest diameter of carrier pipe, joints or couplings.

7. All excavations within the right of way and not under surfacing shall be backfilled by tamping in 6 inch horizontal layers. All surplus material will be removed from the right of way and the excavation finished flush with surrounding natural ground.

8. All ground lines are to be installed a minimum of 36 inches below the flow line of the adjacent drainage or borrow ditch. (Any material placed in county right of way by permit will be of a nature or composition that said line can be located with the use of a standard locator device used in locating buried cables and pipe.)

9. Lines crossing under roads and under cross roads within the right of way will be placed by boring. Boring shall extend from crown line to crown line. Gravity flow sewer lines under roadway will be cast iron or equivalent pipe.

10. Where evidence is presented indicating the impracticability of boring or tunnelling, the Commissioners Court may grant permission to cut the surface no wider than 4 inches. In the event a cut is permitted the following conditions will govern: (a) Excavation areas are to be filled and packed with compatible material. (b) The surfacing will be replaced with equivalent quality surfacing.

11. Notice will be given to the precinct Commissioner 48 hours prior to starting construction of the line in his precinct.

12. Where in the opinion of the Commissioners Court it may be necessary to protect losses incurred by damage to the roads, bridges or right of way structures, they may by action of the Court require a surety bond in an amount sufficient to cover any damages.

13. Where, in the opinion of the Commissioners Court, an inspector is necessary, the party receiving permit will bear the cost of the inspection.

APPROVED ON THIS _____ DAY OF _____

Chas. [Signature]
COUNTY JUDGE

[Signature]
COMMISSIONER PCT. 1

[Signature]
COMMISSIONER PCT. 2

[Signature]
COMMISSIONER PCT. 3

[Signature]
COMMISSIONER PCT. 4

FILED
REX A. SHAW
COUNTY CLERK
96 MAR 29 AM 11:54
BY [Signature]
UPPER QUALITY
19

PERMIT APPLICATION FOR USE OF UPSHUR COUNTY RIGHT OF WAY

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

PRECINCT #1

DATE 3-21-96

Formal notice is hereby given that C W. RESOURCES whose
P.O. BOX 1004
principal address is WHITE OAK, TX. 75693 does hereby propose

to place a GAS LINE (Base) within the ROW of County Road
ROBIN LANE. The location and description of

the proposed lines or appurtenances is more fully shown by three
(3) copies of drawings attached to the application. Proposed
construction will begin, if approved, on or after the _____
day of _____, 19____.

I, ROBT THOMPSON, hereby attest that I have read the
conditions set forth in this application and understand it's
contents. NAME ROBT THOMPSON TITLE LANDMAN

759-8019

APPROVAL OF PERMIT APPLICATION

The Upshur County Commissioners Court offers no objections to
the location on the right of way of your proposed _____
as shown by accompanying drawings and notice dated _____
except as noted below:

FILED
REX A. SHAW
COUNTY CLERK
96 MAR 29 AM 11:54
UPSHER COUNTY, TX.
BY _____
TITLE _____

It is expressly understood that the Upshur County Commissioners
Court does not purport, hereby, to grant any right, claim, title,
or easement in or upon this county road; it is further understood
that in the future should for any reason Upshur County need to
work, improve, relocate, widen, increase, add to or in any manner
change the structure of this right of way, this appurtenance, if
affected, will be moved under the direction of the Upshur County
Commissioners Court representative and shall be relocated at the
complete expense of the owner within thirty (30) days upon receipt
of notice from the Commissioners Court.

All work on the County right of way shall be performed in
accordance with the Commissioners Court instructions. The
installation shall not damage any part of the roadway and adequate
provisions must be made to cause minimum inconvenience to traffic
and adjacent owners. Specifications for placing this line are as
follows:

1. Barricades, warning signs, lights and flagmen when necessary shall be provided by the contractor or owner. One half of the traveled portion of the road must be open at all times.
2. All lines, where practicable, shall be located to cross roadbed at approximately right angles. No lines are to be installed under or within 50 feet of either end of any bridge. No lines shall be placed in any culvert or within 10 feet of the closest point of same.

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3. Parallel lines will be installed as near the right of way lines as possible and no parallel line will be installed in the roadbed or between the drainage ditch and the roadbed without special permission of the County Commissioners Court.

4. Overhead lines will have minimum clearance of 18 feet above the road surface at the point of crossing.

5. Operations along roadways shall be performed in such a manner that all excavated material be kept off the surface at all times, as well as all operating equipment and materials. No equipment or installation procedures will be used which will damage any road surface, roadbed, structures or other right of way feature. Any expenditure that is a direct result of this installation will be borne by owner of this line.

6. All lines under roads carrying pressure in excess of 50 psi shall be enclosed in satisfactory casing extending from the right of way line to right of way line. Pipe used for casing may be of any type approved by the County Engineer or Commissioners Court and shall be capable of supporting load of roadbed and traffic and shall be so constructed that there will be no leakage of any matter through casing for its entire length; Inside diameter of casing shall be at least 2 inches greater than the largest diameter of carrier pipe, joints or couplings.

7. All excavations within the right of way and not under surfacing shall be backfilled by tamping in 6 inch horizontal layers. All surplus material will be removed from the right of way and the excavation finished flush with surrounding natural ground.

8. All ground lines are to be installed a minimum of 36 inches below the flow line of the adjacent drainage or borrow ditch. (Any material placed in county right of way by permit will be of a nature or composition that said line can be located with the use of a standard locator device used in locating buried cables and pipe.)

9. Lines crossing under roads and under cross roads within the right of way will be placed by boring. Boring shall extend from crown line to crown line. Gravity flow sewer lines under roadway will be cast iron or equivalent pipe.

10. Where evidence is presented indicating the impracticability of boring or tunnelling, the Commissioners Court may grant permission to cut the surface no wider than 4 inches. In the event a cut is permitted the following conditions will govern: (a) Excavation areas are to be filled and packed with compatible material. (b) The surfacing will be replaced with equivalent quality surfacing.

11. Notice will be given to the precinct Commissioner 48 hours prior to starting construction of the line in his precinct.

12. Where in the opinion of the Commissioners Court it may be necessary to protect losses incurred by damage to the roads, bridges or right of way structures, they may by action of the Court require a surety bond in an amount sufficient to cover any damages.

13. Where, in the opinion of the Commissioners Court, an inspector is necessary, the party receiving permit will bear the cost of the inspection.

APPROVED ON THIS _____ DAY OF _____, 19____

Chas. H. Hill
COUNTY JUDGE

David Reed
COMMISSIONER PCT. 3

Gaddis Lindsey
COMMISSIONER PCT. 1

Charles [unclear]
COMMISSIONER PCT. 4

Tommy Stanley
COMMISSIONER PCT. 2

PERMIT APPLICATION FOR USE OF UPSHUR COUNTY RIGHT OF WAY

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

PRECINCT #1 _____

DATE 3-21-96

Formal notice is hereby given that C.W. RESOURCES whose
P.O. BOX 1004
principal address is WHITE OAK, TEX. 75693 does hereby propose
to place a GAS LINE (Base) within the ROW of County Road
MEDLIN RD. *approved by Mayor* The location and description of
of et mt
the proposed lines or appurtenances is more fully shown by three
(3) copies of drawings attached to the application. Proposed
construction will begin, if approved, on or after the _____
day of _____, 19____.

I, ROB THOMPSON, hereby attest that I have read the
conditions set forth in this application and understand it's
contents. NAME ROB THOMPSON TITLE LAND MAN

759-8019 APPROVAL OF PERMIT APPLICATION

The Upshur County Commissioners Court offers no objections to
the location on the right of way of your proposed _____
as shown by accompanying drawings and notice dated _____
except as noted below:

It is expressly understood that the Upshur County Commissioners
Court does not purport, hereby, to grant any right claim, title,
or easement in or upon this county road; it is further understood
that in the future should for any reason Upshur County need to
work, improve, relocate, widen, increase, add to or in any manner
change the structure of this right of way, this appurtenance, if
affected, will be moved under the direction of the Upshur County
Commissioners Court representative and shall be relocated at the
complete expense of the owner within thirty (30) days upon receipt
of notice from the Commissioners Court.

All work on the County right of way shall be performed in
accordance with the Commissioners Court intructions. The
installation shall not damage any part of the roadway and adequate
provisions must be made to cause minimum inconvenience to traffic
and adjacent owners. Specifications for placing this line are as
follows:

1. Barricades, warning signs, lights and flagmen when necessary shall be provided by the contractor or owner. One half of the traveled portion of the road must be open at all times.
2. All lines, where practicable, shall be located to cross roadbed at approximately right angles. No lines are to be installed under or within 50 feet of either end of any bridge. No lines shall be placed in any culvert or within 10 feet of the closest point of same.

FILED
TEXAS
96 APR 29 AM 11:55
UPSHUR COUNTY
BY _____

- VOL 15 PG 748
3. Parallel lines will be installed as near the right of way lines as possible and no parallel line will be installed in the roadbed or between the drainage ditch and the roadbed without special permission of the County Commissioners Court.
 4. Overhead lines will have minimum clearance of 18 feet above the road surface at the point of crossing.
 5. Operations along roadways shall be performed in such a manner that all excavated material be kept off the surface at all times, as well as all operating equipment and materials. No equipment or installation procedures will be used which will damage any road surface, roadbed, structures or other right of way feature. Any expenditure that is a direct result of this installation will be borne by owner of this line.
 6. All lines under roads carrying pressure in excess of 50 psi shall be enclosed in satisfactory casing extending from the right of way line to right of way line. Pipe used for casing may be of any type approved by the County Engineer or Commissioners Court and shall be capable of supporting load of roadbed and traffic and shall be so constructed that there will be no leakage of any matter through casing for its entire length; Inside diameter of casing shall be at least 2 inches greater than the largest diameter of carrier pipe, joints or couplings.
 7. All excavations within the right of way and not under surfacing shall be backfilled by tamping in 6 inch horizontal layers. All surplus material will be removed from the right of way and the excavation finished flush with surrounding natural ground.
 8. All ground lines are to be installed a minimum of 36 inches below the flow line of the adjacent drainage or borrow ditch. (Any material placed in county right of way by permit will be of a nature or composition that said line can be located with the use of a standard locator device used in locating buried cables and pipe.)
 9. Lines crossing under roads and under cross roads within the right of way will be placed by boring. Boring shall extend from crown line to crown line. Gravity flow sewer lines under roadway will be cast iron or equivalent pipe.
 10. Where evidence is presented indicating the impracticability of boring or tunnelling, the Commissioners Court may grant permission to cut the surface no wider than 4 inches. In the event a cut is permitted the following conditions will govern: (a) Excavation areas are to be filled and packed with compatible material. (b) The surfacing will be replaced with equivalent quality surfacing.
 11. Notice will be given to the precinct Commissioner 48 hours prior to starting construction of the line in his precinct.
 12. Where in the opinion of the Commissioners Court it may be necessary to protect losses incurred by damage to the roads, bridges or right of way structures, they may by action of the Court require a surety bond in an amount sufficient to cover any damages.
 13. Where, in the opinion of the Commissioners Court, an inspector is necessary, the party receiving permit will bear the cost of the inspection.

APPROVED ON THIS _____ DAY OF _____, 19____

Chas. E. Hill
COUNTY JUDGE

David Loyd
COMMISSIONER PCT. 3

Gadsden Lindsey
COMMISSIONER PCT. 1

Chas. E. Hill
COMMISSIONER PCT. 4

Tommy Stanley
COMMISSIONER PCT. 2

SPECIAL ROAD USE AGREEMENT CONTRACT

VOL 45 PG 749

THE STATE OF TEXAS §
COUNTY OF UPSHUR §

KNOW ALL MEN BY THESE PRESENTS

The undersigned TUCKER TRUCKING COMPANY, 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)

ELDERBERRY AND RED OAK

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.

[Signature]
First Party Signature

P.O. BOX 520
Street or Box

NAPLES, TEXAS 75568
City, State and Zip Code

903-897-5095
Telephone

SEAHORN
Timber Tract

3-25-96
Date Signed

Permit issued for a period not to exceed 90 days.

[Signature]
County Judge

[Signature]
Commissioner 1

[Signature]
Commissioner 2

[Signature]
Commissioner 3

[Signature]
Commissioner 4

Date Signed

FILED
REX A. SHAW
COUNTY CLERK
96 MAR 29 AM 11:55
UPSHER COUNTY, TX.
DEPUTY

SPECIAL ROAD USE AGREEMENT CONTRACT

THE STATE OF TEXAS §
COUNTY OF UPSHUR §

KNOW ALL MEN BY THESE PRESENTS

The undersigned TOMMY TUCKER TRUCKING, hereinafter referred to as First Party, enters into and makes an agreement with Upshur County Commissioner of Precinct No. 4, 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. 4, 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) _____
NUTMEG AND ARROW WOOD

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. 4, 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.

Robert Helm
First Party Signature

115 MAIN P.O. BOX 520
Street or Box

NAPLES, TEXAS 75568
City, State and Zip Code

903-897-5095
Telephone

ROBIN SEAHORN
Timber Tract

3-28-96
Date Signed

Chas. F. Hill
County Judge

Gaddis Lindsey
Commissioner 1

Tommy Stanley
Commissioner 2

David Perez
Commissioner 3

Chas. F. Hill
Commissioner 4

Date Signed

Permit issued for a period not to exceed 90 days.

FILED
REX A. SHAW
COUNTY CLERK
96 APR 29 AM 11:55
UPSHUR COUNTY, TX.
DEPUTY

VOL 45 PG 750

SPECIAL ROAD USE AGREEMENT CONTRACT

VOL 45 PG 751

THE STATE OF TEXAS §
COUNTY OF UPSHUR §

KNOW ALL MEN BY THESE PRESENTS

The undersigned hasea, 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) _____

Coconut to Locust to 2685

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.

[Signature]
First Party Signature

R.O. Box 1122
Street or Box

Widener TX 75644
City, State and Zip Code

843-2457
Telephone

Woodlin
Timber Tract

3-26-96
Date Signed

Chak L. Hill
County Judge

[Signature]
Commissioner 1

Jerry Stanley
Commissioner 2

[Signature]
Commissioner 3

[Signature]
Commissioner 4

Date Signed

Permit issued for a period not to exceed 90 days.

FILED
REX A. SHAW
COUNTY CLERK
96 MAR 29 AM 11:55
UPSHUR COUNTY, TX.
BY _____
DEPUTY

PERMIT APPLICATION FOR USE OF UPSHUR COUNTY RIGHT OF WAY

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

PRECINCT # 2

DATE 3-25-96

Formal notice is hereby given that HUBERT MERCER whose principal address is RT. 6 BOX 726, GILMER, TX 75644 does hereby propose to place a CULVERT within the ROW of County Road DEAD END RD. OFF ASTER RD.. The location and description of the proposed lines or appurtenances is more fully shown by three (3) copies of drawings attached to the application. Proposed construction will begin, if approved, on or after the _____ day of _____, 19____.

I, 762-6783, hereby attest that I have read the conditions set forth in this application and understand it's contents. NAME Hubert Mercer TITLE _____

APPROVAL OF PERMIT APPLICATION

The Upshur County Commissioners Court offers no objections the location on the right of way of your proposed as shown by accompanying drawings and notice dated _____ except as noted below:

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COUNTY CLERK
96 MAR 28 AM 11:55
UPSHER COUNTY TX.
DEPUTY

It is expressly understood that the Upshur County Commissioners Court does not purport, hereby, to grant any right, claim, title, or easement in or upon this county road; it is further understood that in the future should for any reason Upshur County need to work, improve, relocate, widen, increase, add to or in any manner change the structure of this right of way, this appurtenance, if affected, will be moved under the direction of the Upshur County Commissioners Court representative and shall be relocated at the complete expense of the owner within thirty (30) days upon receipt of notice from the Commissioners Court.

All work on the County right of way shall be performed in accordance with the Commissioners Court intructions. The installation shall not damage any part of the roadway and adequate provisions must be made to cause minimum inconvenience to traffic and adjacent owners. Specifications for placing this line are as follows:

1. Barricades, warning signs, lights and flagmen when necessary shall be provided by the contractor or owner. One half of the traveled portion of the road must be open at all times.
2. All lines, where practicable, shall be located to cross roadbed at approximately right angles. No lines are to be installed under or within 50 feet of either end of any bridge. No lines shall be placed in any culvert or within 10 feet of the closest point of same.

3. Parallel lines will be installed as near the right of way lines as possible and no parallel line will be installed in the roadbed or between the drainage ditch and the roadbed without special permission of the County Commissioners Court.
4. Overhead lines will have minimum clearance of 18 feet above the road surface at the point of crossing.
5. Operations along roadways shall be performed in such a manner that all excavated material be kept off the surface at all times, as well as all operating equipment and materials. No equipment or installation procedures will be used which will damage any road surface, roadbed, structures or other right of way feature. Any expenditure that is a direct result of this installation will be borne by owner of this line.
6. All lines under roads carrying pressure in excess of 50 psi shall be enclosed in satisfactory casing extending from the right of way line to right of way line. Pipe used for casing may be of any type approved by the County Engineer or Commissioners Court and shall be capable of supporting load of roadbed and traffic and shall be so constructed that there will be no leakage of any matter through casing for its entire length; Inside diameter of casing shall be at least 2 inches greater than the largest diameter of carrier pipe, joints or couplings.
7. All excavations within the right of way and not under surfacing shall be backfilled by tamping in 6 inch horizontal layers. All surplus material will be removed from the right of way and the excavation finished flush with surrounding natural ground.
8. All ground lines are to be installed a minimum of 36 inches below the flow line of the adjacent drainage or borrow ditch. (Any material placed in county right of way by permit will be of a nature or composition that said line can be located with the use of a standard locator device used in locating buried cables and pipe.)
9. Lines crossing under roads and under cross roads within the right of way will be placed by boring. Boring shall extend from crown line to crown line. Gravity flow sewer lines under roadway will be cast iron or equivalent pipe.
10. Where evidence is presented indicating the impracticability of boring or tunnelling, the Commissioners Court may grant permission to cut the surface no wider than 4 inches. In the event a cut is permitted the following conditions will govern: (a) Excavation areas are to be filled and packed with compatible material. (b) The surfacing will be replaced with equivalent quality surfacing.
11. Notice will be given to the precinct Commissioner 48 hours prior to starting construction of the line in his precinct.
12. Where in the opinion of the Commissioners Court it may be necessary to protect losses incurred by damage to the roads, bridges or right of way structures, they may by action of the Court require a surety bond in an amount sufficient to cover any damages.
13. Where, in the opinion of the Commissioners Court, an inspector is necessary, the party receiving permit will bear the cost of the inspection.

APPROVED ON THIS _____ DAY OF _____, 19____

Charles F. Miller
COUNTY JUDGE

David D. Boyd
COMMISSIONER PCT. 3

James L. Lindsey
COMMISSIONER PCT. 1

Charles L. Brown
COMMISSIONER PCT. 4

Tommy Stanley
COMMISSIONER PCT. 2

Date: 3-29-96

COMMISSIONER COURT
ATTENDANCE SHEET

Name	City of Residence
Jayne Morrison	Gilmer
Roy Roeder	Ore City
Mary Harris	Gilmer
R. C. Potts Jr	Ore City
Dona Huggo	Gilmer
J. L. ...	M. ...
Robert Crowley	Cadman
Buck Cron	GILMER
Grace Hutchins	Gilmer
Tom ...	Gilmer
Bobby ...	Gilmer
Sara ...	Gilmer
Jo Ann ...	Gilmer

FILED
REX A. SHAW
COUNTY CLERK

96 MAR 29 AM 11:55
DEPT. OF COUNTY CLERK

§ 141.042

JUVENILE BOARDS & PROBATION
Title 10

(4) minimum standards for juvenile detention facilities.
(b) In adopting the rules, the commission shall consider local information and evidence gathered through public review and comment.
Added by Acts 1989, 71st Leg., ch. 352, § 1, eff. Sept. 1, 1989.

Historical and Statutory Notes

Prior Law: Acts 1987, 70th Leg., ch. 1040, § 9
Acts 1981, 67th Leg., p. 2419, ch. 617, § 1 V.T.C.A. Human Resources Code, § 75.041.
Acts 1985, 69th Leg., ch. 293, § 2.

Administrative Code References

Texas Juvenile Probation Commission, standards for juvenile detention facilities, see 37 TAC § 343.1 et seq

WESTLAW Electronic Research

See WESTLAW Electronic Research Guide following the Preface.

Notes of Decisions

Probation officers 1
§ 141.065), the juvenile probation officers employed by Deaf Smith County have the power and authority of police officers and sheriffs except that they may not carry guns, and since former § 75.042(f) (see, now, § 141.065) prohibits a peace officer from serving as a juvenile probation officer, a deputy sheriff may not serve in that capacity. Op.Atty Gen. 1982, No. MW-491.

§ 141.043. Training and Assistance to Local Authorities

The commission shall provide educational training and technical assistance to counties, juvenile boards, and probation offices to:
(1) promote compliance with the standards required under this chapter; and
(2) assist the local authorities in improving the operation of probation, parole, and detention services.

Added by Acts 1989, 71st Leg., ch. 352, § 1, eff. Sept. 1, 1989.

Historical and Statutory Notes

JUVENILE PROBATION
Ch. 141

(2) submit plan required by the commission.
Added by Acts 1989, 71st Leg., ch. 352, § 1, eff. Sept. 1, 1989.

Prior Law:
Acts 1981, 67th Leg., ch. 617, § 1
V.T.C.A. Human Resources Code, § 75.041.

§ 141.045. General Provisions

(a) The commission shall provide public or private services in the state.
(b) The commission shall not expend state aid under this chapter.
Added by Acts 1989, 71st Leg., ch. 352, § 1, eff. Sept. 1, 1989.

Prior Law:
Acts 1981, 67th Leg., ch. 617, § 1

§ 141.046. Information

The commission shall maintain financial records of the commission's revenue.
Added by Acts 1989, 71st Leg., ch. 352, § 1, eff. Sept. 1, 1989.

Prior Law:
Acts 1981, 67th Leg., ch. 617, § 1

§ 141.047. Improvements

(a) To improve the operation of the commission, the commission shall:

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45 PG 756

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JUVENILE PROBATION COMMISSION
Ch. 141

§ 141.061

SUBCHAPTER D. PROVISIONS RELATING TO JUVENILE
PROBATION OFFICERS

Library References

Courts 55.
Infants 17, 225.
WESTLAW Topic Nos. 106, 211.

C.J.S. Courts §§ 140, 143.
C.J.S. Infants §§ 8, 9, 57, 69 to 85.

§ 141.061. Minimum Standards for Probation Officers

(a) To be eligible for appointment as a probation officer, a person who has not been employed as a probation officer since September 1, 1981, must:

- (1) be of good moral character;
- (2) have acquired a bachelor's degree conferred by a college or university accredited by an accrediting organization recognized by the Texas Higher Education Coordinating Board;
- (3) have either:
 - (A) one year of graduate study in criminology, corrections, counseling, law, social work, psychology, sociology, or other field of instruction approved by the commission; or
 - (B) one year of experience in full-time case work, counseling, or community or group work:

- (i) in a social service, community, corrections, or juvenile agency that deals with offenders or disadvantaged persons; and
- (ii) that the commission determines provides the kind of experience necessary to meet this requirement;

(4) have satisfactorily completed the course of preservice training or instruction required by the commission;

(5) have passed the tests or examinations required by the commission; and

(6) possess the level of certification required by the commission.

(b) The commission by rule may authorize the waiver of the requirement of a year of graduate study or full-time employment experience if the authority responsible for employing the officer establishes to the satisfaction of the commission that after a diligent search the authority cannot locate a person meeting that requirement to fill a job opening.

(c) The commission by rule may authorize the temporary employment of a person who has not completed a course of preservice training, passed the examination, or attained the required level of certification, contingent on the person meeting those requirements within the time specified by the commission.

(d) A person must possess the level of training, experience, and certification required by the commission to be eligible for employment in a probation office in a position supervising other probation officers. The commission may require several levels of certification to reflect increasing levels of

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§ 141.066 **JUVENILE BOARDS & PROBATION**
Title 10

§ 141.066. Prohibition on Carrying Firearm

A probation officer may not carry a firearm in the course of the person's official duties.

Added by Acts 1989, 71st Leg., ch. 352, § 1, eff. Sept. 1, 1989.

Historical and Statutory Notes

Prior Law: V.T.C.A. Human Resources Code,
Acts 1981, 67th Leg., p. 2419, ch. 617, § 1. § 75.042(e).
Acts 1987, 70th Leg., ch. 1040, § 10.

§ 141.067. Probation Officer: County Employee

A juvenile probation officer whose jurisdiction covers only one county is considered to be an employee of that county.

Added by Acts 1989, 71st Leg., ch. 352, § 1, eff. Sept. 1, 1989.

Historical and Statutory Notes

Prior Law:
Acts 1981, 67th Leg., p. 2419, ch. 617, § 1.
V.T.C.A. Human Resources Code, § 75.065.

[Sections 141.068 to 141.080 reserved for expansion]

SUBCHAPTER E. STATE AID

§ 141.081. Determination of Amount of State Aid

(a) The commission shall annually allocate funds for financial assistance to juvenile boards to provide juvenile services according to current estimates of the number of juveniles in each county and other factors the commission determines are appropriate.

(b) The legislature may appropriate the amount of state aid necessary to supplement local funds to maintain and improve statewide juvenile services that comply with commission standards.

(c) The commission may set aside a portion of the funds appropriated to the commission for state aid to fund programs designed to address special needs or projects of local juvenile boards.

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§ 142.003. Authority to Contract for Juvenile Probation Services

(a) In a county that does not have a sufficient number of juvenile probation cases to justify a juvenile probation department, the juvenile board or juvenile judge may contract with:

- (1) the county adult probation department¹ to provide juvenile probation services; or
- (2) surrounding counties to form a multicounty juvenile probation department.

(b) A juvenile board may contract with the Texas Youth Commission for juvenile probation services.

Added by Acts 1989, 71st Leg., ch. 352, § 1, eff. Sept. 1, 1989.

¹References to "probation department" or "adult probation department" shall mean a community supervision and corrections department by Acts 1989, 71st Leg., ch. 785, § 1.20(h).

Historical and Statutory Notes

Prior Law:	Acts 1987, 70th Leg., ch. 1040, § 28.
Acts 1981, 67th Leg., p. 2425, ch. 617, § 3.	Vernon's Ann.Civ.St. arts. 5138d(c), 5139.4.

§ 142.004. Juvenile Probation Personnel

Juvenile probation personnel employed by a political subdivision of the state are state employees for the purposes of Chapter 104, Civil Practice and Remedies Code.

Added by Acts 1989, 71st Leg., ch. 1100, § 6.02(a), eff. Sept. 1, 1989.

Historical and Statutory Notes

The 1989 Act added this section to conform to Acts 1989, 71st Leg., ch. 1184, § 1.	Section 6 02(b) of the 1989 Act provides:
Section 6 01(b) of the 1989 Act provides	"(b) This section applies only to a cause of action that accrues on or after the effective date of Senate Bill 438, Acts of the 71st Legislature, Regular Session, 1989, or a prosecution in a criminal case for which the information or indictment is filed on or after that date. An action that accrues before the effective date of Senate Bill 438, Acts of the 71st Legislature,
"If Senate Bill 1104, Acts of the 71st Legislature, Regular Session, 1989, does not become law, this article has no effect."	
Senate Bill 1104 was enacted as Acts 1989, 71st Leg., ch. 352.	

that accrues on or after the effective date of Senate Bill 438 [Acts 1989, 71st Leg., ch. 1184, effective June 16, 1989], but before the effective date of this section, or affect a prosecution in a criminal case for which the information or indictment is filed during that period."

Section 6 02(d) of the 1989 Act provides:
"(d) If Senate Bill 438, Acts of the 71st Legislature, Regular Session, 1989, does not become law, this section has no effect."

Prior Law:
Acts 1989, 71st V.T.C.A. Huma

[Chapters 143 to 149 reserved for exp

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BY
SHERIFF
UPSHUR COUNTY, TX
96 MAR 29 AM 11:58

FILED
REX A. SHAW
COUNTY CLERK

96 MAR 29 1995

JUVENILE BOARDS & PROBATION
Title 10

UPSHUR COUNTY, VT.

1.
§ 141.002

- (2) "Director" means the executive director of the commission.
- (3) "Employee in the criminal or juvenile justice system" means:
- (A) a person employed as a peace officer, county or district attorney, probation officer, parole officer, or corrections officer;
 - (B) a person employed by a court; or
 - (C) a person employed by a public or private agency or institution to which children may be committed under the Family Code.
- (4) "Juvenile board" means a body established by law to provide juvenile probation services to a county.
- (5) "State aid" means funds allocated by the commission to a juvenile board to financially assist the board in achieving the purposes of this chapter and in conforming to the commission's standards and policies.

Added by Acts 1989, 71st Leg., ch. 352, § 1, eff. Sept. 1, 1989.

Historical and Statutory Notes

Prior Law: V.T.C.A. Human Resources Code, §§ 75.002, 75.061.
Acts 1981, 67th Leg., p 2419, ch 617, § 1.
Acts 1987, 70th Leg., ch. 1040, § 1.

[Sections 141.003 to 141.010 reserved for expansion]

SUBCHAPTER B. ADMINISTRATIVE PROVISIONS

Amendment by Acts 1989, 71st Leg., ch. 584, § 78

V.T.C.A. Government Code, § 311.031(c) provides, in part, that the repeal of a statute by a code does not affect an amendment of the statute by the same legislature which enacted the code and that the amendment is preserved and given effect as part of the code provision.

Section 78 of Acts 1989, 71st Leg., ch. 584 amends § 75.0484 without reference to the repeal of said section by Acts 1989, 71st Leg., ch. 352, § 5(1). As so amended, § 75.0484 reads:

"The financial transactions of the commission are subject to audit in accordance with Chapter 321, Government Code.

§ 141.011. Composition of Commission

(a) The commission consists of:

(1) two district court judges;

45 PG 159

§ 141.061

JUVENILE BOARDS & PROBATION
Title 10

responsibility. A commission rule relating to levels of certification does not affect the continued employment of a probation officer in a supervisory position if the person holds that position on the date on which the rule takes effect.

(e) The commission may waive any certification requirement, except a fee requirement, for an applicant who has a valid certification from another state that has certification requirements that are substantially equivalent to the requirements in this state.

Added by Acts 1989, 71st Leg., ch. 352, § 1, eff. Sept. 1, 1989.

Historical and Statutory Notes

Prior Law: Acts 1981, 67th Leg., p. 2419, ch. 617, § 1. V.T.C.A. Human Resources Code, § 75.042(a) to (d).
Acts 1987, 70th Leg., ch. 1040, § 10.

Administrative Code References

Texas Juvenile Probation Commission, juvenile probation personnel, see 37 TAC § 341.4.

§ 141.062. Notice of Certification Examination Results

(a) Except as provided by Subsection (b) of this section, the commission shall notify each person taking a certification examination of the results of the examination not later than the 30th day after the date on which the examination is administered.

(b) The commission shall notify a person taking an examination graded or reviewed by a national testing service of the results not later than the 14th day after the date on which the commission receives the results from the testing service.

(c) If the notice of the examination results graded or reviewed by a national testing service will be delayed for longer than 90 days after the examination date, the commission shall notify the person of the reason for the delay before that 90th day.

Added by Acts 1989, 71st Leg., ch. 352, § 1, eff. Sept. 1, 1989.

Historical and Statutory Notes

Prior Law: Acts 1987, 70th Leg., ch. 1040, § 11. VTCA Human Resources Code, § 75.042.

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[Sections 141.026 to 141.040 reserved for expansion]

SUBCHAPTER C. POWERS AND DUTIES OF COMMISSION

§ 141.041. Provision of Probation and Detention Services

- (a) The commission shall assist counties in providing probation and juvenile detention services by encouraging the continued operation of county and multi-county juvenile boards or probation offices.
- (b) If a county discontinues the provision of juvenile probation services, the commission may directly provide probation or detention services in the county.

Added by Acts 1989, 71st Leg., ch. 352, § 1, eff. Sept. 1, 1989.

Historical and Statutory Notes

Prior Law: Acts 1981, 67th Leg., p. 2419, ch. 617, § 1. Acts 1987, 70th Leg., ch. 1040, § 16.
V.T.C.A. Human Resources Code, § 75.062.

Library References

Courts ⇐ 55. C.J.S. Courts §§ 140, 143.
Infants ⇐ 17, 225. C.J.S. Infants §§ 8, 9, 57, 69 to 85.
WESTLAW Topic Nos. 106, 211.

§ 141.042. Rules Governing Juvenile Boards, Probation Officers, Programs, and Facilities

- (a) The commission shall adopt reasonable rules that provide:
 - (1) minimum standards for personnel, staffing, case loads, programs, facilities, record keeping, equipment, and other aspects of the operation of a juvenile board that are necessary to provide adequate and effective probation services;
 - (2) a code of ethics for probation officers and for the enforcement of that code;
 - (3) appropriate educational, preservice and in-service training, and certification standards for probation officers or court-supervised community-based program personnel, and

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WESTLAW Electronic Research

See WESTLAW Electronic Research Guide following the Preface.

§ 104.001. State Liability; Persons Covered

In a cause of action based on conduct described in Section 104.002, the state shall indemnify the following persons for actual damages, court costs, and attorney's fees adjudged against them:

- (1) an employee, a member of the governing board, or any other officer of a state agency, institution, or department;
- (2) a former employee, former member of the governing board, or any other former officer of a state agency, institution, or department who was an employee or officer when the act or omission on which the damages are based occurred;
- (3) a physician or psychiatrist licensed in this state who was performing services under contract with any state agency, institution, or department or a racing official performing services under a contract with the Texas Racing Commission when the act or omission on which the damages are based occurred;
- (4) a person serving on the governing board of a foundation, corporation, or association at the request and on behalf of an institution of higher education, as that term is defined in Section 61.003(3), Education Code, not including a public junior college; or
- (5) the estate of a person listed in this section.

Amended by Acts 1987, 70th Leg., ch. 1099, § 47, eff. Sept. 1, 1987; Acts 1987, 70th Leg., 1st C.S., ch. 2, § 3.08, eff. Sept. 2, 1987; Acts 1987, 70th Leg., 2nd C.S., ch. 29, § 1, eff. Oct. 20, 1987; Acts 1991, 72nd Leg., ch. 386, § 72, eff. Aug. 26, 1991.

Historical and Statutory Notes

1987 Legislation

Acts 1987, 70th Leg., ch. 1099, § 47, in subd. (3), inserted reference to the Texas Youth Commission.

Acts 1987, 70th Leg., 1st C.S., ch. 2, § 3.08, provided that the state, instead of being liable for certain amounts, would indemnify the listed persons for them, inserted reference to a psychiatrist and to the Texas Youth Commission, Texas Department of Corrections and Texas Department of Health, and substituted reference to an institution of higher education, as defined in the Education Code, for reference to the University of Texas System.

For provisions of the Acts 1987, 70th Leg., 1st C.S., ch. 2, relating to the effective date, findings and purpose, severability, declaratory judgment and accelerated appeals, see notes under § 9.001.

Acts 1987, 70th Leg., 2nd C.S., ch. 29, § 1, in subd. (3), substituted "any state agency, institution, or department" for a list of specified agencies; and at the end of subd. (4) added "not including a public junior college".

Section 4 of Acts 1987, 70th Leg., 2nd C.S., ch. 29, provides:

"This Act applies only to a cause of action that accrues on or after the effective date of this Act in a prosecution in a criminal case if the information or indictment on which the prosecution is based is filed on or after the effective date of the Act. A cause of action that accrues before the effective date of this Act or a prosecution in a criminal case in which the information or indictment on which the prosecution is based is filed before the effective date of this Act is governed by the law in effect at the time the cause of action accrued or at the time the information or indictment on which the prosecution is based was filed, and that law is continued in effect for this purpose."

1991 Legislation

The 1991 amendment, in subd. (3), inserted "or racing official performing services under a contract with the Texas Racing Commission".

Cross References

Texas Academy of Mathematics and Science, application of this chapter in suits against employees assigned to the academy, see V.T.C.A. Education Code, § 105.102.

Texas Academy of Mathematics and Science, liability of state under this chapter, see V.T.C.A. Education Code, § 105.102.

Notes of Decisions

Agricultural finance authority 6
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Savings and loan commission appointments, supervisors, and those appointed under chapter 8 of () are employees of the state for purposes 104.001 and 104.008 of the Civil Remedies Code. Op. Atty Gen. 1986
State universities
Branches of the University of Texas State universities are agencies of state entitled to same governmental immunity or liability as state. Perry v. Texas University (App. 13 Dist. 1987) 737 S.W.2d 613.

Governmental Immunity

This section did not waive state's immunity for attorney fees in cases filed by or its employees in their official capacity. Dept. of Human Services v. Metropolitan Services, Inc. (App. 3 Dist. 1987) 722 S.W.2d 613.

Where Comptroller of Public Accounts waived sovereign immunity from attorney fees for first time in his motion, he waived his right to assert immunity. Bullock v. Regular Veterans Ass'n (App. 76 (App. 3 Dist. 1991) 806 S.W.2d 613.

Angelina-Neches River Authority is not "agency, institution, or department" within meaning of this section. Op. Atty Gen. 1-1005.

104.002. State Liability; Conduct

(a) Except as provided by Subsection (b), the state is liable for damages caused by an employee, member of the governing board, or any other officer of the agency, institution, or department:

- (1) the damages arise out of a contract or an act of gross negligence;
- (2) the damages arise out of a contract or an act of gross negligence, and the immunity secured by the constitution is waived when the court in its judgment or faith, with conscious indifference to the rights of the party, awards damages;
- (3) indemnification is in the interest of the state or his designee.

(b) The state is liable for indemnification for:

- (1) the person is liable for the cleanup of solid waste or hazardous waste under the Health and Safety Code;