

NOTICE OF MEETING
COMMISSIONERS COURT OF UPSHUR COUNTY, TEXAS
MONDAY, SEPTEMBER 14, 1998, 9:00 AM, REGULAR SESSION
UPSHUR COUNTY COURTHOUSE, THIRD FLOOR

AGENDA

1. Approve the minutes of previous meetings.
2. Consider approval of any budget amendments and take action.
3. Consider approval of accounts payable and take action.
4. Consider approval of any payroll changes and take action.
5. Consider approval of any change orders, contracts or agreements on jail expansion.
6. Consider accepting Treasurers report.
7. Consider accepting financial statement.
8. Consider any bids on property struck off for taxes.
9. Consider request by the Chamber of Commerce for \$1,096.00 to pay 1/2 of cost of advertisement in East Texas Vacation Guide.
10. Consider accepting a plat for Pilots Point Subdivision in Pct. 4.
11. Consider approving a County cash match for a block grant for Juvenile Probation.
12. Consider request by J. P., W. V. Ray, to hire a clerk for his office.
13. Discuss and adopt the rate for County retirement match.
14. Consider advertising to sell used trucks and equipment for Pct. 2.
15. Consider request by the County and District Clerks offices for 2 deputies from each office to attend a meeting in Lufkin.
16. Accept for recording and reference a memo from DA Tim Cone concerning sale of ground up tires, stumps and pulpwood.
17. Consider acceptance of lease/purchase agreement for a pug mill plant.
18. Accept for recording the Oath of Office for Nadra Murphy and Gabriel Downs.

FILED
CLERK
98 SEP 10 PM 2:31
UPSHUR COUNTY, TX
BY CHM
FFP/ITY

VOL. 51 PG 950

19. Accept for recording the agreement for disposition of the tobacco settlement funds.
20. Accept for recording an order on unclaimed cash bonds to be remitted to the State.
21. Consider adopting a resolution supporting the Storm Water Phase II Coalition.
22. Accept for recording the 1998-99 salaries for elected and appointed officials.
23. Consider having a representative from the County attend a meeting in Marshall concerning airports.
24. Hear Darrell Ray concerning the Adult Probation Department budget for 1998-99.
25. Approve applications for use of Upshur County roads and right of way.

Charles L. Still

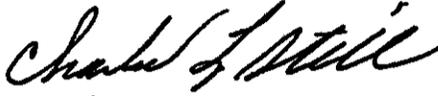
Charles L. Still
County Judge

**NOTICE OF MEETING
COMMISSIONERS COURT OF UPSHUR COUNTY, TEXAS
MONDAY, SEPTEMBER 14, 1998, 9:00 AM, REGULAR SESSION
UPSHUR COUNTY COURTHOUSE, THIRD FLOOR**

AGENDA

ADDENDUM

- 1. Following recommendation of the Texas Forest Service, consider lifting the fire ban in Upshur County on a temporary basis.**


**Charles L. Still
County Judge**


98 SEP 14 AM 8:22
REC'D
SEP 14 1998

UPSHUR COUNTY COMMISSIONERS COURT

9-14-1998

COMMISSIONERS COURT MET IN REGULAR SESSION. ALL MEMBERS PRESENT.

1. MOTION BY TOMMY STANLEY SECONDED BY RICK JACKSON TO APPROVE MINUTES OF PREVIOUS MEETINGS DATED 8-31-1998 AND 9-11-1998. (THERE WERE FOUR SETS.) MOTION CARRIED.

2. MOTION BY KENNEY THOMPSON SECONDED BY RICK JACKSON TO APPROVE BUDGET AMENDMENTS AS PRESENTED BY ASSISTANT COUNTY AUDITOR. MOTION CARRIED. COPY ATTACHED.

4. MOTION BY GADDIS LINDSEY SECONDED BY TOMMY STANLEY TO APPROVE THE FOLLOWING PAYROLL CHANGES:

MIRANDA ALBRIGHT-NEW HIRE
BARBARA ANNETTE ADCOCK-NEW HIRE

MOTION CARRIED. PAYROLL CHANGE REPORTS ATTACHED.

5. NO ACTION TAKEN ON AGENDA ITEM CONCERNING CHANGE ORDERS, CONTRACTS OR AGREEMENTS ON JAIL EXPANSION.

6. MOTION BY TOMMY STANLEY SECONDED BY RICK JACKSON TO APPROVE TREASURER'S MONTHLY REPORT. MOTION CARRIED. TREASURER'S MONTHLY REPORT ATTACHED.

7. MOTION BY TOMMY STANLEY SECONDED BY RICK JACKSON TO APPROVE TABLING ANY ACTION ON ACCEPTING FINANCIAL STATEMENTS UNTIL NEXT MEETING. MOTION CARRIED.

8. MOTION BY TOMMY STANLEY SECONDED BY GADDIS LINDSEY TO APPROVE ACCEPTING BIDS SUBMITTED FOR TWO PIECES OF PROPERTY STRUCK OFF FOR TAXES. ONE IS A \$1,200.00 FOR THE TATUM ROAD PROPERTY. THE OTHER IS \$250.00 BID FOR PROPERTY ONCE OWNED BY FREDDIE WEBB. MOTION CARRIED ON BOTH. NO COPIES ATTACHED.

MOTION BY GADDIS LINDSEY SECONDED BY TOMMY STANLEY TO ACCEPT BID SUBMITTED FOR LOT #79 IN THE SILKTREE ADDITION. AMOUNT OF BID IS \$650.00. MOTION CARRIED. NO COPY ATTACHED.

MOTION BY GADDIS LINDSEY SECONDED BY TOMMY STANLEY TO APPROVE ACCEPTING BID IN AMOUNT OF \$400.00 FOR LOT #741 IN GLENWOOD ACRLS MOTION CARRIED. NO COPY ATTACHED.

THE FOLLOWING BIDS WERE SUBMITTED FOR THE FOLLOWING LOTS,
ALL BY INDIVIDUAL PERSONS:
LOTS 738 AND 739---\$400.00 FOR BOTH

LOTS 736 AND 737---\$300.00 FOR BOTH

LOTS 653 AND 654---\$520.00 FOR BOTH

LOTS 663 AND 664---\$550.00 FOR BOTH

LOTS 440 AND 441---\$600.00 FOR BOTH

ONE INDIVIDUAL SUBMITTED A BID IN THE AMOUNT OF \$8,360.00 FOR 44 LOTS LOCATED IN GLENWOOD ACRES. LOTS NUMBERED 440 AND 441, 653 AND 654, 663 AND 664, LOTS 736 THRU LOTS 739, PLUS 34 OTHER LOTS NOT LISTED.

MOTION BY GADDIS LINDSEY SECONDED BY RICK JACKSON TO TABLE ANY ACTION UNTIL THE NEXT MEETING ON ACCEPTING EITHER OF THE ABOVE DESCRIBED BIDS UNTIL DISTRICT ATTORNEY TIM CONE LOOKS AT THE LEGAL ASPECTS. MOTION CARRIED. NO COPY ATTACHED.

9. MOTION BY TOMMY STANLEY SECONDED BY RICK JACKSON TO APPROVE REQUEST OF UPSHUR COUNTY CHAMBER OF COMMERCE FOR \$1,096.00 TO PAY 1/2 OF COST OF ADVERTISEMENT. MOTION CARRIED. REQUEST FROM CHAMBER ATTACHED.

10. MOTION BY GADDIS LINDSEY SECONDED BY KENNEY THOMPSON TO APPROVE ACCEPTING A PLAT FOR PILOTS POINT SUBDIVISION IN PRECINCT #4. MOTION CARRIED. NO PLAT SUBMITTED.

11. MOTION BY GADDIS LINDSEY SECONDED BY RICK JACKSON TO APPROVE A COUNTY CASH MATCH FOR A BLOCK GRANT FOR JUVENILE PROTECTION. AMOUNT OF CASH MATCH IS \$718.00. MOTION CARRIED. LETTER FROM STATE OF TEXAS ATTACHED.

12. MOTION BY RICK JACKSON SECONDED BY KENNEY THOMPSON TO GRANT REQUEST OF W.V. RAY, JUSTICE OF PEACE OF PRECINCT 4, TO HIRE A PERSON TO WORK IN HIS OFFICE FROM 8.00 A.M. UNTIL 1:00 P.M. MOTION CARRIED WITH COMMISSIONER STANLEY AND COMMISSIONER LINDSEY VOTING NO. JUDGE STILL VOTING YES TO BREAK THE TIE.

13. MOTION BY TOMMY STANLEY SECONDED BY RICK JACKSON TO ADOPT THE RATE FOR COUNTY RETIREMENT MATCH. MOTION CARRIED. RATE SHEET ATTACHED.

14. MOTION BY TOMMY STANLEY SECONDED BY RICK JACKSON TO ADVERTISE TO SELL USED TRUCKS AND EQUIPMENT FOR PCT. 2. MOTION CARRIED.

15. MOTION BY KENNEY THOMPSON SECONDED BY GADDIS LINDSEY TO APPROVE 2 DEPUTIES FROM DISTRICT CLERKS OFFICE AND 2 DEPUTIES FROM COUNTY CLERKS OFFICE ATTENDING AN AREA MEETING IN LUFKIN ON 9-18, 1998. MOTION CARRIED. REQUEST ATTACHED.

16. MOTION BY RICK JACKSON SECONDED BY KENNEY THOMPSON TO ACCEPT FOR RECORDING, MEMO FROM DISTRICT ATTORNEY, TIM CONE CONCERNING SALE OF GROUND UP TIRES, STUMPS AND PULPWOOD. MOTION CARRIED. MEMO ATTACHED.

17. MOTION BY RICK JACKSON SECONDED BY KENNEY THOMPSON TO TABLE ANY ACTION ON AGENDA ITEM CONCERNING LEASE/PURCHASE AGREEMENT FOR A PUG MILL PLANT. MOTION CARRIED.

18. MOTION BY KENNEY THOMPSON SECONDED BY RICK JACKSON TO APPROVE ACCEPTING FOR RECORDING PURPOSES, OATH OF OFFICE FOR NADRA MURPHY AND GABRIEL DOWNS. MOTION CARRIED. OATHS ATTACHED.

19. MOTION BY KENNEY THOMPSON SECONDED BY RICK JACKSON TO RECORD THE AGREEMENT FOR DISPOSITION OF THE TOBACCO SETTLEMENT FUNDS. MOTION CARRIED. COPY OF AGREEMENT ATTACHED.

20. MOTION BY TOMMY STANLEY SECONDED BY RICK JACKSON TO ACCEPT FOR RECORDING, THE ORDER FOR UNCLAIMED CASH BONDS TO BE REMITTED TO THE STATE. MOTION CARRIED. ORDER ATTACHED AND REPORT MAILING FORM ATTACHED.

21. MOTION BY TOMMY STANLEY SECONDED BY GADDIS LINDSEY TO ADOPT RESOLUTION SUPPORTING THE STORM WATER PHASE II COALITION. MOTION CARRIED. COPY OF RESOLUTION ATTACHED.

22. MOTION BY KENNEY THOMPSON SECONDED BY RICK JACKSON TO ACCEPT FOR RECORDING THE 1998-99 LIST OF SALARIES FOR ELECTED AND APPOINTED OFFICIALS. MOTION CARRIED. LIST ATTACHED.

23. MOTION BY GADDIS LINDSEY SECONDED BY KENNEY THOMPSON TO APPOINT COMMISSIONER RICK JACKSON TO ATTEND A MEETING IN MARSHALL CONCERNING AIRPORTS. MOTION CARRIED. LETTER FROM TEXAS TRANSPORTATION ATTACHED.

24. MOTION BY TOMMY STANLEY SECONDED BY GADDIS LINDSEY TO ACCEPT FOR RECORDING THE ADULT PROBATION DEPARTMENT BUDGET FOR 1998-99. MOTION CARRIED. REPORT ATTACHED.

25. MOTION BY GADDIS LINDSEY SECONDED BY TOMMY STANLEY TO APPROVE THE FOLLOWING SPECIAL ROAD USE AGREEMENT CONTRACTS, PERMIT APPLICATIONS AND/OR APPLICATIONS FOR FILLING ABANDONED WELLS

SPECIAL ROAD USE AGREEMENT SUBMITTED BY ROBERTSON LOGGING TO HAUL LOGS ON OWL ROAD.

SPECIAL ROAD USE AGREEMENT SUBMITTED BY SAM LINDSEY TO HAUL LOGS ON MARTIN ROAD.

SPECIAL ROAD USE AGREEMENT SUBMITTED BY PANOLA TIMBER RESOURCES TO HAUL LOGS ON ROSE TRAIL ROAD.

PERMIT APPLICATION SUBMITTED BY KIM SMITH TO INSTALL A
CULVERT IN ROW OF BOB WHITE ROAD.

PERMIT APPLICATION SUBMITTED BY CHARLES WILLINGHAM TO INSTALL
A CULVERT IN ROW OF ASPEN TRAIL.

PERMIT APPLICATION SUBMITTED BY DAVID L. LOFTIS TO INSTALL A
CULVERT IN ROW OF SOUTH LIVE OAK ROAD.

MOTION CARRIED ON ALL THE ABOVE. SPECIAL ROAD USE AGREEMENTS
AND PERMIT APPLICATIONS ATTACHED.

ADDENDUM: MOTION BY GADDIS LINDSEY SECONDED BY TOMMY STANLEY
TO LIFT THE FIRE BAN IN UPSHUR COUNTY ON A TEMPORARY BASIS.
MOTION CARRIED.

MOTION BY KENNEY THOMPSON TO ADJOURN. MOTION CARRIED.

ATTENDANCE SHEET PLACED INTO MINUTES FOR RECORDING PURPOSES
ONLY.

PRINT OUT OF BILLS PREVIOUSLY APPROVED ON 8-31-1998 PLACED
INTO MINUTES FOR RECORDING PURPOSES ONLY.



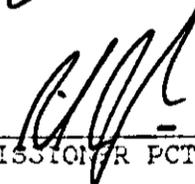
JUDGE CHARLES STILL



COMMISSIONER PCT. #1 GADDIS LINDSEY



COMMISSIONER PCT. #2 TOMMY STANLEY



COMMISSIONER PCT. #3 RICK JACKSON



COMMISSIONER PCT. #4 CHARLES K. THOMPSON

Vol. 51 PG 95

UPSHUR COUNTY
BUDGET AMENDMENTS

The following budget amendments were approved on this the 14TH
day of SEPTEMBER, 1998.

Charles Still
Charles Still, County Judge

Gaddis Lindsey
Gaddis Lindsey, Comm. Pct. 1

Tommy Stanley
Tommy Stanley, Comm. Pct. 2

Rick Jackson
Rick Jackson, Comm. Pct. 3

Charles K. Thompson, Comm. Pct. 4

FILED
CLERK OF SUPERIOR COURT
99 SEP 14 PM 12:15
W. VA. JUD. BLDG.
BY _____
TERRY

BUDGET AMENDMENT

LINE ITEM TRANSFER

Date 9-09-98

TO: Honorable Commissioners Court of Upshur County

Submitted for your consideration are the following line-item transfers:

FROM	FUND	DEPT	ACCOUNT	AMOUNT
	<u>10</u>	<u>411</u>	<u>4410</u>	<u>2910.00</u>
	<u>10</u>	<u>411</u>	<u>4450</u>	<u>10,420.00</u>
	<u>10</u>	<u>411</u>	<u>4495</u>	<u>6,470.00</u>
	<u>10</u>	<u>411</u>	<u>5250</u>	<u>9,825.00</u>
TO:	<u>10</u>	<u>411</u>	<u>5200</u>	<u>29,625.00</u>
	_____	_____	_____	_____
	_____	_____	_____	_____

REASON: Pay Balance on IBM RS 6000
Model F30e w/extra equipment &
IBM Extended Maintenance Agreement.
Myra Harris purchased on inv. 17527
Dept. Head

Attest: _____
County Clerk

VOL 51 PG 958

BUDGET AMENDMENT

LINE ITEM TRANSFER:

Date: 9-14-98

Honorable Commissioners Court of Upshur County:

Submitted for your consideration are the following line-item transfers:

From:	<u>FUND</u>	<u>DEPT.</u>	<u>ACCOUNT</u>	<u>AMOUNT</u>
	10	435	4015	2000
			4185	1000
To:	10	435	4110	3000

Reason: *Court-appointed atty-criminal*

Lauren Parish
Department Head *Dist Ct.*

Attest - County Clerk

BUDGET AMENDMENT
LINE ITEM TRANSFER

Date: 9-14-98

TO Honorable Commissioners Court of Upshur County

Submitted for your consideration are the following line-item transfers:

FROM:	FUND	DEPT	ACCOUNT	AMOUNT
	<u>10</u>	<u>510</u>	<u>3380</u>	<u>250</u>
	---	---	<u>3400</u>	<u>700</u>
	---	---	<u>3460</u>	<u>25</u>
	---	---	4320	1300
	---	---	<u>4480</u>	<u>600</u>
	---	---	<u>4502</u>	<u>500</u>
	---	---	<u>5350</u>	<u>250</u>
TO:	<u>10</u>	<u>510</u>	<u>4300</u>	<u>1193</u>
	---	---	<u>4495</u>	<u>2432</u>
	---	---	---	---

REASON

Ray Koeder
Dept. Head Co. Bldg

Attest: County Clerk

BUDGET AMENDMENT
LINE ITEM TRANSFER

Date. 9-14-98

TO Honorable Commissioners Court of Upshur County

Submitted for your consideration are the following line-item transfers:

FROM.	FUND	DEPT.	ACCOUNT	AMOUNT
	<u>10</u>	<u>514</u>	<u>4495</u>	<u>250</u>
	_____	_____	_____	_____
	_____	_____	_____	_____
	_____	_____	_____	_____
TO	<u>10</u>	<u>514</u>	<u>4480</u>	<u>250</u>
	_____	_____	_____	_____
	_____	_____	_____	_____

REASON: labor

Ray Roeder
Dept. Head C.T. Dunex

Attest. County Clerk

BUDGET AMENDMENT

LINE ITEM TRANSFER

Date. 9-14-98

TO: Honorable Commissioners Court of Upshur County

Submitted for your consideration are the following line-item transfers

FROM:	FUND	DEPT.	ACCOUNT	AMOUNT
	<u>10</u>	<u>552</u>	<u>4470</u>	<u>22.84</u>
	_____	_____	_____	_____
	_____	_____	_____	_____
	_____	_____	_____	_____
TO.	<u>10</u>	<u>552</u>	<u>3010</u>	<u>22.84</u>
	_____	_____	_____	_____
	_____	_____	_____	_____

REASON.

Billy Rogers
Dept. Head Const. Pet 2

Attest: County Clerk

BUDGET AMENDMENT

LINE ITEM TRANSFER

Date: 9-14-98

TO: Honorable Commissioners Court of Upshur County

Submitted for your consideration are the following line-item transfers:

FROM:	FUND	DEPT	ACCOUNT	AMOUNT
	<u>10</u>	<u>560</u>	<u>4480</u>	<u>1000</u>
	<u> </u>	<u> </u>	<u>5350</u>	<u>200</u>
	<u> </u>	<u> </u>	<u> </u>	<u> </u>
	<u> </u>	<u> </u>	<u> </u>	<u> </u>
TO:	<u>10</u>	<u>560</u>	<u>3380</u>	<u>1000</u>
	<u> </u>	<u> </u>	<u>5400</u>	<u>200</u>
	<u> </u>	<u> </u>	<u> </u>	<u> </u>

REASON.

R. D. Crow
Dept. Head S.O.

Attest: County Clerk

BUDGET AMENDMENT

LINE ITEM TRANSFER

Date: 9-14-98

TO: Honorable Commissioners Court of Upshur County

Submitted for your consideration are the following line-item transfers:

FROM:	FUND	DEPT	ACCOUNT	AMOUNT
	<u>10</u>	<u>565</u>	<u>4860</u>	<u>8400</u>
	_____	_____	_____	_____
	_____	_____	_____	_____
	_____	_____	_____	_____
TO	<u>10</u>	<u>565</u>	<u>3125</u>	<u>1000</u>
	_____	_____	<u>3135</u>	<u>5000</u>
	_____	_____	<u>3480</u>	<u>2000</u>
			<u>4185</u>	<u>400</u>

REASON.

R. D. Crane
Dept. Head Co Jail

Attest: County Clerk

BUDGET AMENDMENT

LINE ITEM TRANSFER

Date. 9-14-98

TO Honorable Commissioners Court of Upshur County

Submitted for your consideration are the following line-item transfers.

FROM.	FUND	DEPT.	ACCOUNT	AMOUNT
	<u>10</u>	<u>650</u>	<u>3380</u>	<u>100</u>
	_____	_____	_____	_____
	_____	_____	_____	_____
	_____	_____	_____	_____
TO	<u>10</u>	<u>650</u>	<u>4495</u>	<u>100</u>
	_____	_____	_____	_____
	_____	_____	_____	_____

REASON

Joyce Morrison
Dept. Head Library

Attest: _____
County Clerk

BUDGET AMENDMENT

LINE ITEM TRANSFER

Date: 9-14-98

TO. Honorable Commissioners Court of Upshur County

Submitted for your consideration are the following line-item transfers:

FROM.	FUND	DEPT.	ACCOUNT	AMOUNT
	<u>10</u>	<u>665</u>	<u>3010</u>	<u>100</u>
	_____	_____	_____	_____
	_____	_____	_____	_____
	_____	_____	_____	_____
TO	<u>10</u>	<u>665</u>	<u>4502</u>	<u>100</u>
	_____	_____	_____	_____
	_____	_____	_____	_____

REASON:

Bennie Carter
Dept. Head Co. Ext.

Attest: County Clerk

BUDGET AMENDMENT
LINE ITEM TRANSFER

Date: 9-14-98

TO: Honorable Commissioners Court of Upshur County

Submitted for your consideration are the following line-item transfers:

FROM	FUND	DEPT	ACCOUNT	AMOUNT
	<u>15</u>	<u>611</u>	<u>4520</u>	<u>625</u>
	_____	_____	_____	_____
	_____	_____	_____	_____
	_____	_____	_____	_____
TO	<u>15</u>	<u>611</u>	<u>3390</u>	<u>500</u>
	_____	_____	<u>4330</u>	<u>75</u>
	_____	_____	<u>4335</u>	<u>50</u>

REASON.

Gaddis Lindsey
Dept Head R & B #10

Attest: _____
County Clerk

BUDGET AMENDMENT

LINE ITEM TRANSFER

Date: 9-14-98

TO Honorable Commissioners Court of Upshur County

Submitted for your consideration are the following line-item transfers.

FROM:	FUND	DEPT	ACCOUNT	AMOUNT
	<u>16</u>	<u>612</u>	<u>3380</u>	<u>2100</u>
	_____	_____	_____	_____
	_____	_____	_____	_____
	_____	_____	_____	_____
TO	<u>16</u>	<u>612</u>	<u>4700</u>	<u>2100</u>
	_____	_____	_____	_____
	_____	_____	_____	_____

REASON.

Tommy Standley
Dept. Head RVB Pet 2

Attest: _____
County Clerk

BUDGET AMENDMENT

LINE ITEM TRANSFER

Date: 9-14-98

TO: Honorable Commissioners Court of Upshur County

Submitted for your consideration are the following line-item transfers:

FROM:	FUND	DEPT.	ACCOUNT	AMOUNT
	<u>17</u>	<u>613</u>	<u>3330</u>	<u>101</u>
	<u> </u>	<u> </u>	<u>3420</u>	<u>1300</u>
	<u> </u>	<u> </u>	<u> </u>	<u> </u>
	<u> </u>	<u> </u>	<u> </u>	<u> </u>
TO:	<u>17</u>	<u>613</u>	<u>5100</u>	<u>100</u>
	<u> </u>	<u> </u>	<u>6500</u>	<u>1</u>
	<u> </u>	<u> </u>	<u>4480</u>	<u>1300</u>

REASON



Dept. Head R+B Pct 3

Attest: County Clerk

BUDGET AMENDMENT

LINE ITEM TRANSFER

Date: 9-14-98

TO: Honorable Commissioners Court of Upshur County

Submitted for your consideration are the following line-item transfers:

FROM.	FUND	DEPT.	ACCOUNT	AMOUNT
	<u>18</u>	<u>614</u>	<u>3430</u>	<u>1000</u>
	_____	_____	_____	_____
	_____	_____	_____	_____
	_____	_____	_____	_____
TO:	<u>18</u>	<u>614</u>	<u>3300</u>	<u>1000</u>
	_____	_____	_____	_____
	_____	_____	_____	_____

REASON

[Signature]
Dept. Head R+B #4

Attest: County Clerk

VOL 51 PG 970

BUDGET AMENDMENT

Date: 9-8-98

Honorable Commissioners Court of Upshur County:

Submitted for your consideration are the following requests for additional funding:

	<u>FUND</u>	<u>DEPT.</u>	<u>ACCOUNT</u>	<u>AMOUNT</u>
From:		RESERVES		
To:	70	625	5050	14000

Reason: *R.O.W. acquisition - U.S. 259*

Charles Pitt
Department Head *R.O.W.*

Attest - County Clerk

BUDGET AMENDMENT

VOL 51 PG 971

Date: 9-14-98

Honorable Commissioners Court of Upshur County:

Submitted for your consideration are the following requests for additional funding:

	<u>FUND</u>	<u>DEPT.</u>	<u>ACCOUNT</u>	<u>AMOUNT</u>
From:		RESERVES		
To:	10	495	4110	8000

Reason: *Court-appointed attys - criminal*

Laura Parish
Department Head *Dist Ct.*

Attest - County Clerk

VOL 51 PG 972

BUDGET AMENDMENT

Date: 9-14-98

Honorable Commissioners Court of Upshur County:

Submitted for your consideration are the following requests for additional funding:

	<u>FUND</u>	<u>DEPT.</u>	<u>ACCOUNT</u>	<u>AMOUNT</u>
From:			<u>RESERVES</u>	
To:	<u>10</u>	<u>552</u>	<u>3420</u>	<u>1500</u>

Reason: Repairs on old car

Billy Rivers
Department Head Pct 2 Constable

Attest - County Clerk

BY _____
98 SEP 14 PM 12:08
COUNTY CLERK
UPSHUR COUNTY

UPSHUR COUNTY STATUS/PAYROLL CHANGE REPORT

PLEASE NOTE THE FOLLOWING CHANGE(S):

Effective Date 9-3-98 Dept. 650/Co Library
 Employee Miranda Albright
 Social Security No. _____ Emp ID# 899

X	CHANGES(S)	FROM	TO
	Grade Step	<u>7</u>	
	Rate	<u>\$5.15/HR</u>	
	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"/>	Ment 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 type="checkbox"/>	Discharged
<input type="checkbox"/>	Leave-of-Absence	<input type="checkbox"/>	Other

Comments: Part-time, 17 hours per week
Misty Care Position

Authorized by: Jayce Morrison Date: 9-3-98
 Approved by: _____

UPSHUR COUNTY STATUS/PAYROLL CHANGE REPORT

PLEASE NOTE THE FOLLOWING CHANGE(S):

Effective Date 8-15-98 Dept 911

Employee Barbara Annette Adcock

Social Security No. 432-33-2835 Emp ID# _____

VOL 51 PG 97A

X	CHANGES(S)	FROM	TO
	Grade Step	1-7	
	Rate	\$515 hr	
	Department		
	Position		

REASON(S) FOR THE CHANGE(S)

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

Comments

911 driver - part-time

Authorized by Donna Stapp

Approved by DS

Date 8-15-98

VOL 51 PG 975

TREASURER'S MONTHLY REPORT

BY MYRA HARRIS, COUNTY TREASURER

AUGUST 1 THROUGH AUGUST 31, 1998

	BEGINNING BALANCE	REVENUES	DISBURSEMENTS	ENDING BALANCE	INVESTMENTS REDEEMED	INVESTMENTS PURCHASED	DEMAND BALANCE	INVESTMENTS	TOTAL DEPOSITS
OPERATING ACCOUNT	6,772,576.42	316,456.41	1,205,367.31	5,883,665.52	3,009,350.73	2,119,471.66	38,533.10	5,845,132.42	5,883,665.52
INSURANCE ACCOUNT	198,818.14	14,870.27	90,080.77	123,607.64	298,000.00	185,000.00	48,607.64	75,000.00	123,607.64
IRC/125 ACCOUNT	3,293.08	11,967.27	10,320.94	4,939.41	0.00	0.00	4,939.41	0.00	4,939.41
INSURANCE CLEARING	0.00	66,174.42	66,174.42	0.00	0.00	0.00	0.00	0.00	0.00
TOTALS	6,974,687.64	409,468.37	1,371,943.44	6,012,212.57	3,307,350.73	2,304,471.66	92,080.15	5,920,132.42	6,012,212.57

INDEBTEDNESS

1997 CERTIFICATES OF OBLIGATION	3,340,000.00
REFUNDING BONDS SERIES 1997	1,045,000.00
ROAD & BRIDGE #2/TRACTOR BACKHOE	6,663.62
ROAD & BRIDGE #2/MOTOR GRADER	68,075.62
ROAD & BRIDGE #1/WHEEL LOADER & BACKHOE	26,068.52
ROAD & BRIDGE #1/MOTOR GRADER	69,009.129
BANK PROPERTY	187,965.74
ROAD & BRIDGE #3/1994 PUG MILL	77,143.71
ROAD & BRIDGE #3/ROAD RECLAIMER TO PCT#4	48,643.76
ROAD & BRIDGE #1/1998 MOTOR GRADER	79,796.49
TOTAL INDEBTEDNESS	4,868,570.10

(INVESTMENT REGISTER ON BACK)

The above information is found to be true and correct

Charles L. Still
County Judge, Charles L. Still

Gaddis Lindsey
Commissioner, Pct. 1. Gaddis Lindsey

Tommy Stanley
Commissioner, Pct. 2. Tommy Stanley

RTCK Jackson
Commissioner, Pct. 3. RTCK Jackson

Charles K. Thompson
Commissioner, Pct. 4. Charles K. Thompson

Submitted under the provision of the Local Government Code Section 114.026

Myra Harris
Myra Harris, County Treasurer

UPSHUR COUNTY INVESTMENT ACTIVITY FOR AUGUST 1998

ACCOUNT	CD#	AMOUNT	PURCHASED	% RATE	DAYS INVESTED	MATURITY	AUGUST INTEREST	TOTAL INTEREST	
'97 JAIL EXPANSION	29310	437,944 99	08/10/98	5 66	14	08/24/98	950 76	950 76	
	29334	193 581 68	08/31/98	5 57	14	09/14/98		0 00	
	29436	458 460 75	07/27/98	5 67	14	08/10/98	997 06	997 06	
	29463	437 944 99	08/24/98	5 57	7	08/31/98	467 82	467 82	
	28307	156 318 55	01/27/98	5 65	259	10/13/98	750 11	5,153 99	
AVAILABLE SCHOOL	28481	93 043 96	05/29/98	5 79	137	10/13/98	457 72	1 373 15	
	29268	130 000 00	07/08/98	5 64	30	08/07/98	602 63	602 63	
INSURANCE	29298	58,000 00	07/31/98	5 64	21	08/21/98	188 21	188 21	
	29304	110 000 00	08/07/98	5 66	21	08/28/98	358 21	358 21	
	29335	75 000 00	08/31/98	5 57	11	09/11/98		0 00	
OPERATING	28253	500 000 00	12/23/97	6 81	12 Mo	12/23/98		19,776 99	
	28330	450 000 00	02/06/98	5 72	206	08/31/98	3 878 63	14,527 25	
	28337	600 000 00	02/09/98	5 72	233	09/30/98	2,914 85	20,027 84	
	28343	350,000 00	02/17/98	5 70	174	08/10/98	1,257 12	9,510 40	
	28367	350,000 00	03/07/98	6 62	366	03/07/99	1,967 86	11,743 68	
	28387	300 000 00	03/23/98	5 65	154	08/24/98	1 439 59	7 151 51	
	28441	250 000 00	04/30/98	5 85	131	09/08/98		3 931 51	
	28459	150 000 00	05/11/98	5 74	158	10/16/98	731 26	2,193 77	
	28469	120,000 00	05/18/98	5 80	148	10/13/98	591 12	1,754 29	
	28482	250 000 00	05/29/98	5 79	154	10/30/98	1 229 38	3,688 15	
	29109	150,000 00	04/07/98	5 63	128	08/13/98	832 93	2 961 53	
	29169	250,000 00	05/08/98	5 74	137	09/22/98	1,218 77	4,875 07	
	29221	500 000 00	06/08/98	5 74	154	11/09/98	2 437 53	7,233 96	
	29267	275 000 00	07/08/98	5 64	114	10/30/98	1 317 29	2 634 58	
	29311	350,000 00	08/10/98	5 66	29	09/08/98		1,573 95	
	29312	300 000 00	08/10/98	5 66	39	09/18/98		0 00	
	29435	425 000 00	07/27/98	5 67	14	08/10/98	924 29	924 29	
	29472	400,000 00	08/31/98	5 57	8	09/08/98		488 33	
	PERMANENT SCHOOL	28481	6 291 90	05/29/98	5 79	137	10/13/98	30 77	92 32
		29001	1,100 896 33	10/21/97	7 15	18 mo	04/21/99	6 685 31	65,559 15
		Total					32 229 22	190,740 40	

FILED
 REX A. SMITH
 COUNTY CLERK
 98 SEP 14 PM 12:04
 WACO, TEXAS

Vol. 51 Pg 976



September 2, 1998

OK

Judge Charles Still
P. O. Box 790
Gilmer, Texas 75644

Dear Judge Still:

Please place me on the agenda for your next commissioners court on Monday, September 14th. I will be requesting \$1096.00 from the county as half of the cost for an ad in the East Texas Vacation Guide for 1999. This is an ad that we have had from year to year, and the city and county have split the cost.

Thank you for your help in this matter.

Sincerely,

Joan Small, Executive Director

JS/cd

REX
COPIES
93 SEP 14 PM 12:04
GILMER, TX
BY _____

VOL 51 PG 978



STATE OF TEXAS
OFFICE OF THE GOVERNOR
CRIMINAL JUSTICE DIVISION

GEORGE W. BUSH
GOVERNOR

August 18, 1998

1-1-11
TEXAS
COUNTY CLERK
98 SEP 11 11:12:04
REC. 10-11-11
CLERK

The Honorable Charles Still
Upshur County
P.O. Box 790
Gilmer, Texas 75644-0790

Dear County Judge Still:

Public law 105-119, of the federal appropriations act for 1998, appropriated \$250,000,000 for Juvenile Accountability Incentive Block grants to the states. Texas' share of these funds is \$14,302,200. Your jurisdiction qualifies to receive \$6,458 automatically under this initiative. An overall cash match of 10% or \$718 is required making your total project budget \$7,176.

Governor Bush has designated his Criminal Justice Division (CJD) as the agency to administer block grant funds. CJD will use a brief grant application by which units of local government will certify compliance with federal requirements. Funds may be used as needed for federal purposes listed in the attached summary. Federal management circulars will apply; including cost principles, provisions for audit, and rules for grants, contracts, and cooperative agreements.

Enclosed is a summary description of block grant requirements and application forms. Before completing the application forms, review the "Local Eligibility" section in the attached summary. Please note that in lieu of applying for a separate grant, you may opt to combine funds with one or more other eligible applicants.

So that funds may be allocated to your community as quickly as possible, we request your application by September 30, 1998 so that we can award your grant by November 1, 1998. Applications received prior to September 30, 1998 may be awarded sooner. If your community chooses not to apply, please sign the enclosed Waiver of Application and return it to CJD.

We are looking forward to working with you to reduce juvenile crime. If you have any questions or need further information, please call Aimee Snoddy at 512/475-2252 or Jim Kester at 512/463-1916.

Sincerely,

Glenn Brooks

Glenn E. Brooks
Interim Executive Director

enclosure (4) Waiver of Application
Summary of Federal P...

EXHIBIT A
Texas County and District Retirement System
Upshur County — 329
 Annually Determined Contribution Rate (ADCR) Plan Study
 for a Subdivision Previously Adopting the ADCR Plan
 Effective Date — January 1, 1999

FILED
 FEB 11 1999
 CIVIL

Basic Retirement Plans			Present Plan	ADCR Plan 1 ⁽²⁾	ADCR Plan 2	ADCR Plan 3	ADCR Plan 4
Plan Provisions	Employee Deposit Rate	1	7%	7%	7%		
	Current Service Credit Percentage (Ratio)	2	200% (2 00/1)	200% (2 00/1)	175% (1 75/1)		
	Prior Service Credit Percentage	3	100%	100%	100%		
	Vesting Provision / Rule of Provision	4	8 Yrs/Rule of 75	8 Yrs/Rule of 75	8 Yrs/Rule of 75		
1999 Calculated Employer Contribution Rate	Vested Survivor Death Benefit	5	Yes	Yes	Yes		
	Normal Cost Contribution Rate	6	7 10 % ⁽¹⁾	7 10 %	6 28 %		
	Unfunded Actuarial Liability Rate	7	3 03 ⁽¹⁾	3 03	2 65		
Benefit Credits as a Percent of Pay (Increase)	Employer Contribution Rate for 1999 ⁽³⁾	8	10 13 % ⁽¹⁾	10 13 %	9 13 %		
	Current Service through 1998	9	21 00 % ⁽⁴⁾	21 00% (0%)	21 00% (0%)		
Funding Position	Current Service after 1998	10	21 00 %	21 00% (0%)	19 25% (-8%)		
	Prior Service	11	N/A	N/A	N/A		
	Actuarial Liability	12	\$ 7,933,530	\$ 7,933,530	\$ 7,853,345		
Additions ⁽⁴⁾ to the Total Rate for:	Less Actuarial Value of Assets	13	6,518,753	6,518,753	6,518,753		
	Unfunded Amount (to be amortized)	14	\$ 1,414,777	\$ 1,414,777	\$ 1,334,592		
	Amortization Period in Years	15	20 Years	20 Years	20 Years		
Additions ⁽⁴⁾ to the Total Rate for:	8-yr Vesting & Retirement/8-yr at age 60 ⁽⁵⁾	16	N/A	N/A	N/A		
	Rule of 75 ⁽⁵⁾	17	N/A	N/A	N/A		

Ad Hoc Cost-of-Living (COLA) Annuity Increases ⁽⁵⁾			Option A	Option B	Option C	Option D	Option E	Option F	
Increases as a Percentage of the Consumer Price Index			18	30%	40%	50%	60%	70%	80%
Additions ⁽⁴⁾ to the:	Calculated Employer Contribution Rate ⁽²⁾	19	10%	13%	20%	29%	39%	48%	
	Actuarial Liability (and Unfunded Amount)	20	\$42,863	\$60,001	\$90,976	\$130,439	\$173,435	\$218,956	

⁽¹⁾ For comparison, the total employer contribution rate for 1998 under the Present Plan is 8 65% which is the sum of the Normal Cost Contribution Rate of 6 37% and the Unfunded Actuarial Liability Contribution Rate of 2 28%
⁽²⁾ ADCR Plan 1, which continues existing benefit levels, can only be adopted in conjunction with one of the options shown (e.g. 8-year vesting, rule of 75, annuity increases)
⁽³⁾ Employer contribution rates for proposed plans 1 through 4 must be increased by the additional contribution rate applicable to any of the optional benefits (8-year vesting, rule of 75, annuity increases) being adopted for 1999
⁽⁴⁾ Optional benefits that produce a total employer contribution rate greater than 10 30% cannot be adopted (e.g. 8-year vesting, rule of 75, and/or cost-of-living annuity increases cannot be adopted if the total required employer contribution rate exceeds 10 30%)
⁽⁵⁾ The most recent adoption of the cost-of-living annuity increases was 60% effective January 1, 1994
⁽⁶⁾ For current service after 1995 only Benefit credits before 1995 were 22 75% of pay

VOL. 51 PG 979

UPSHUR COUNTY



REX A. SHAW/COUNTY CLERK
P. O. BOX 730
GILMER, TEXAS 75644

September 2, 1998

To: Commissioners' Court
From: Rex Shaw
Frankie Montgomery

We are asking your approval for two (2) Deputies from the County Clerks' office and two (2) from the District Clerks' to attend the Area VI meeting in Lufkin, Texas.

This meeting will be held at the Days Inn on September 18, 1998 from 8:00am - 3:00pm.

Area Directors: Jo Ann Chastain, County Clerk, Angelina Co.
Sherry Griffis, District Clerk, Harrison Co.

Thanks,

Rex Shaw
Rex Shaw/County Clerk

Frankie Hamberlin
Frankie Hamberlin/D.C.

REX FILED
COUNTY CLERK
98 SEP 14 PM 12:04
BY _____
FRANKIE

MEMO

VOL. 51 PG. 981

DATE: AUGUST 28, 1998

TO: RICK JACKSON
Upshur County Commissioner

FROM: TIM CONE
Criminal District Attorney

SUBJECT: SALE OF GROUND-UP TIRES, STUMPS & PULPWOOD

Let me apologize for the delay in answering your question regarding the above referenced matter, but the requirement that we prioritize all criminal matters often delay our taking care of "county" business. However, I have determined that the provision of the Local Government Code attached hereto does regulate the disposition of the selling of ground-up tires, stumps and the sale or disposition of pulpwood from the side of the roads. These matters are covered by Subchapter D and Chapter 263 of the Local Government Code. I have attached a copy of the law as it relates to these matters and those tires, stumps and pulpwood may be disposed of as if they are indeed salvaged or surplus property and I think that the disposition of those must be as in the manner prescribed by law in that Subchapter. After reviewing these provisions, if you have any questions about them, please let me know. Otherwise, those items may be disposed of in any form or fashion as set out for salvage or surplus property.

Thank you for your cooperation and attention.

Sincerely,

2
TIM CONE

TO/mb
attachments

98 SEP 14 PM 12:04
L. ... 14, TX.
FILED
CLERK
11:00 AM

Prior Law:
Acts 1979, 66th Leg., p. 2007, ch. 786.
Vernon's Ann.Civ.St. art. 2372d-6, § 10.

Historical Note

[Sections 263.108 to 263.150 reserved for expansion]

SUBCHAPTER D. DISPOSITION OF SALVAGE OR SURPLUS PROPERTY

Counties 110.
C.J.S. Counties § 172.

Library References

§ 263.151. Definitions

See new on back.

See, also, italicized material following text of this section

In this subchapter:

(1) "Salvage property" means personal property, other than wastepaper, that because of use, time, or accident is so worn, damaged, or consumed that it has no value for the purpose for which it was originally intended.

(2) "Surplus property" means personal property that:

(A) is not currently needed by its owner;

(B) is not required for the owner's foreseeable needs; and

(C) possesses some usefulness for the purpose for which it was intended or for some other purpose.

Acts 1987, 70th Leg., ch. 149, § 1, eff. Sept. 1, 1987.

Amendment by Acts 1987, 70th Leg., ch. 942, § 1

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 1 of Acts 1987, 70th Leg., ch. 942, amends § 1 of Vernon's Ann.Civ.St. art. 2372z [now, this section] without reference to the repeal of said article by Acts 1987, 70th Leg., ch. 149, § 49(1). As so amended, § 1 of art. 2372z reads:

"In this Act:

"(1) 'Surplus property' means personal property that is not salvage property or items routinely discarded as waste, that is in excess of the needs of its owner, that is not required for the owner's foreseeable needs, and that possesses some usefulness for the purpose for which it was intended.

"(2) 'Salvage property' means personal property, other than items routinely discarded as waste, that because of use, time, accident, or

SALE OR LEASE
Ch. 263

*any other cause
for the purpose*

Prior Law:
Acts 1981, 67th Leg., p.
Vernon's Ann.Civ.St. ar

§ 263.152. Dispo
See, also,

The commissioner

(1) periodically
tive bid or auction

(2) offer the pro
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interests of the co

(3) order the pr
property.

Acts 1987, 70th Leg., c

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Section 1 of Ac
Ann.Civ.St. art.
the repeal of saic
so amended, § 3

"If the commu
property or salv
Section 2 of this
made, the comm
or disposed of as

Prior Law:
Acts 1981, 67th Leg., p

§ 263.153. Notice

(a) The commissic
salvage property in
county.

(b) The notice mu
10th day before the c

Acts 1987, 70th Leg., c

SALE OR LEASE
Ch. 263

§ 263.153

any other cause is so damaged, used, or obsolete that it has no value for the purpose for which it was originally intended."

Historical Note

Prior Law:
Acts 1981, 67th Leg., p 2484, ch. 647.
Vernon's Ann Civ.St. art. 2372z, § 1.

See new

§ 263.152. Disposition

See, also, italicized material following text of this section

The commissioners court of a county may:

- (1) periodically sell the county's surplus or salvage property by competitive bid or auction;
- (2) offer the property as a trade-in for new property of the same general type if the commissioners court considers that action to be in the best interests of the county; or
- (3) order the property to be destroyed as worthless if it cannot sell the property.

Acts 1987, 70th Leg., ch. 149, § 1, eff. Sept. 1, 1987.

Amendment by Acts 1987, 70th Leg., ch. 942, § 1

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 1 of Acts 1987, 70th Leg., ch. 942, amends § 3(a) of Vernon's Ann.Civ.St. art. 2372z [now, this section in part] without reference to the repeal of said article by Acts 1987, 70th Leg., ch. 149, § 49(1). As so amended, § 3(a) of art. 2372z reads:

"If the commissioners court undertakes to sell any item as surplus property or salvage property by competitive bid or auction under Section 2 of this Act and is unable to sell the item because no bids are made, the commissioners court may order the property to be destroyed or disposed of as worthless salvage."

Historical Note

Prior Law:
Acts 1981, 67th Leg., p. 2484, ch. 647. Vernon's Ann.Civ.St. art. 2372z, §§ 2(a), 3(a), 6.

§ 263.153. Notice

- (a) The commissioners court shall publish notice of a sale of surplus or salvage property in at least one newspaper of general circulation in the county.
- (b) The notice must be published on or after the 30th day but before the 10th day before the date of the sale.

Acts 1987, 70th Leg., ch. 149, § 1, eff. Sept. 1, 1987.

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Historical Note

Prior Law:

Acts 1981, 67th Leg., p. 2484, ch. 647.
Vernon's Ann.Civ.St. art. 2372z, § 2(b).

§ 263.154. Rejection of Offer

The commissioners court or its designated representative conducting the sale may reject any offer to purchase surplus or salvage property if the court or representative finds the rejection to be in the best interests of the county.

Acts 1987, 70th Leg., ch. 149, § 1, eff. Sept. 1, 1987.

Historical Note

Prior Law:

Acts 1981, 67th Leg., p. 2484, ch. 647.
Vernon's Ann.Civ.St. art. 2372z, § 2(e).

§ 263.155. Record

See also, italicized material following text of this section

(a) The commissioners court shall keep a record of each item of surplus or salvage property sold and the sale price of each item.

(b) The commissioners court shall keep a record of each item of surplus or salvage property destroyed.

Acts 1987, 70th Leg., ch. 149, § 1, eff. Sept. 1, 1987.

Amendment by Acts 1987, 70th Leg., ch. 942, § 1

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 1 of Acts 1987, 70th Leg., ch. 942, amends § 3(b) of Vernon's Ann.Civ.St. art. 2372z [now, subsec. (b) of this section] without reference to the repeal of said article by Acts 1987, 70th Leg., ch. 149, § 49(1). As so amended, § 3(b) of art. 2372z reads:

"The commissioners court shall keep a record for a period of one year of each item of surplus or salvage property destroyed or otherwise disposed of."

Historical Note

Prior Law:

Acts 1981, 67th Leg., p. 2484, ch. 647.
Vernon's Ann.Civ.St. art. 2372z, §§ 2(c), 3(b).

§ 263.156. Proceeds

Unless otherwise provided by law, the commissioners court shall deposit the proceeds from the sale of surplus or salvage property:

682

SALE OR LE.
Ch. 263

- (1) in the from which
- (2) if the roads and bridges and bridge f

Acts 1987, 70th

Prior Law:

Acts 1981, 67th
Vernon's Ann C

§ 263.157.

If a purchase with this subchapter and the applicable good title to t

Acts 1987, 70th

Prior Law:

Acts 1981, 67th
Vernon's Ann

§ 263.158.

The commissioner subchapter.

Acts 1987, 70th

Prior Law:

Acts 1981, 67
Vernon's Ann

SUBC

County acquisition
State land, sale

SALE OR LEASE
Ch. 263

(1) in the county treasury to the credit of the general fund or the fund from which the property was purchased; or

(2) if the property was used for maintenance or construction of county roads and bridges, in the county treasury to the credit of the county road and bridge fund.

Acts 1987, 70th Leg., ch. 149, § 1, eff. Sept. 1, 1987.

Historical Note

Prior Law:

Acts 1981, 67th Leg., p. 2484, ch. 647.
Vernon's Ann.Civ.St. art. 2372z, § 2(d).

§ 263.157. Title

If a purchaser of surplus or salvage property at a sale held in accordance with this subchapter complies in good faith with the conditions of the sale and the applicable rules of the commissioners court, the purchaser obtains good title to the property.

Acts 1987, 70th Leg., ch. 149, § 1, eff. Sept. 1, 1987.

Historical Note

Prior Law:

Acts 1981, 67th Leg., p. 2484, ch. 647.
Vernon's Ann.Civ.St. art. 2372z, § 4.

§ 263.158. Rules

The commissioners court may adopt rules necessary to administer this subchapter.

Acts 1987, 70th Leg., ch. 149, § 1, eff. Sept. 1, 1987.

Historical Note

Prior Law:

Acts 1981, 67th Leg., p. 2484, ch. 647.
Vernon's Ann.Civ.St. art. 2372z, § 5.

[Sections 263.159 to 263.200 reserved for expansion]

**SUBCHAPTER E. CONVEYANCE OF REAL PROPERTY FROM
COUNTY TO UNITED STATES**

Cross References

County acquisition of land for use of United States, see § 280.001.
State land, sale to United States, see Vernon's Ann.Civ.St. art. 5245.

PROPERTY ACQUISITION, SALE OR LEASE

§ 263.152

(Sections 263.056 to 263.100 reserved for expansion)

SUBCHAPTER D. DISPOSITION OF SALVAGE OR SURPLUS PROPERTY

263.151. Definitions

In this subchapter:

- (1) "Salvage property" means personal property, other than items routinely discarded as waste, that because of use, time, accident, or any other cause is so worn, damaged, or obsolete that it has no value for the purpose for which it was originally intended.
- (2) "Surplus property" means personal property that
 - (A) is not salvage property or items routinely discarded as waste;
 - (B) is not currently needed by its owner;
 - (C) is not required for the owner's foreseeable needs, and
 - (D) possesses some usefulness for the purpose for which it was intended.

Amended by Acts 1989, 71st Leg., ch. 1, § 61(b), eff. Aug 28, 1989

Historical and Statutory Notes

1989 Legislation - The 1989 amendment to conform to Acts 1987, 70th Leg., ch. 942, § 1 [see italicized note in main volume] in subd. (1) substituted "items routinely discarded as waste" for "wastepaper", deleted "or" preceding "accident", inserted "or any other

cause" following "accident"; substituted "obsolete" for "consumed"; in subd. (2) redesignated para. (A), (B), and (C) as (B), (C), and (D) respectively; inserted par. (A); and deleted "or for some other purpose" in par. (D). Acts 1987, 70th Leg., ch. 942, § 1 was repealed by Acts 1989, 71st Leg., ch. 1, § 61(d), eff. Aug 28, 1989.

Notes of Decisions

Right of way vegetation - Cut trees, or trees "constructively severed" by having been sold in anticipation that they will be

L. Right of way vegetation

Cut trees, or trees "constructively severed" by having been sold in anticipation that they will be

§ 263.152. Disposition

(a) The commissioners court of a county may:

- (1) periodically sell the county's surplus or salvage property by competitive bid or auction, except that competitive bidding or an auction is not necessary if the purchaser is another county;
- (2) offer the property as a trade-in for new property of the same general type if the commissioners court considers that action to be in the best interests of the county;
- (3) order any of the property to be destroyed or otherwise disposed of as worthless if the commissioners court undertakes to sell that property under Subdivision (1) and is unable to do so because no bids are made.

(b) If the property is earth-moving, material-handling, road maintenance, or construction equipment, the commissioners court may exercise a repurchase option in a contract in disposing of property under Subsection (a)(1) or (a)(2). The repurchase price of equipment contained in a previously accepted purchase contract is considered a bid under Subsection (a)(1) or (a)(2).

(c) The commissioners court may dispose of property under Subsection (a)(3) by donating the property to a civic or charitable organization located in the county.

Amended by Acts 1989, 71st Leg., ch. 1, § 61(b), eff. Aug 28, 1989; Acts 1991, 72nd Leg., ch. 416, § 3, eff. Sept. 1, 1991; Acts 1993, 73rd Leg., ch. 237, § 1, eff. Aug 30, 1993; Acts 1995, 74th Leg., ch. 746, § 51, eff. Aug. 28, 1995.

§ 263.152

PROPERTY ACQUISITION, SALE, OR LEASE
Title 8

Historical and Statutory Notes

1989 Legislation
The 1989 amendment to conform to Acts 1987, 70th Leg., ch. 942, § 1 [see italicized note in main volume] in subd. (3) inserted "any of" preceding "the property", inserted "or otherwise disposed of" following "destroyed"; and substituted "the commissioners court undertakes to sell that property under Subdivision (1) and is unable to do so because no bids are made" for "it cannot sell the property". Acts 1987, 70th Leg., ch. 942, § 1 was repealed by Acts 1989, 71st Leg., ch. 1, § 61(d), eff. Aug 28, 1989.

1991 Legislation
The 1991 amendment designated subsec. (a) as such, and added subsec. (b).
1993 Legislation
The 1993 amendment added subsec. (c).
1995 Legislation
The 1995 amendment, in subsec. (a)(1), added "except that competitive bidding or an auction is not necessary if the purchaser is another county".

Notes of Decisions

- Bids 3
- Donations 2
- Forfeited property 1

- 1. Forfeited property
Vehicles forfeited for use by a department or agency of a political subdivision are to be disposed of in accordance with Loc. Gov Code § 263.152 provisions governing the disposition of surplus public property; furthermore, the proceeds from the sale of property forfeited for official use by a department or agency of a political subdivision are to be placed in the special fund described in section 5.08(f) of Civ.St. art. 4476-15. Op. Atty Gen. 1988, No. JM-899
- 2. Donations
Amendment of Local Government Code section 263.152 by Acts 1993, 73d Leg., ch. 237, to author-

ize a county commissioners court to donate to civic or charitable organizations salvage and surplus property that it has been unable to sell by competitive bid or auction, does not on its face violate article III, section 52 of the Texas Constitution, but donation of a particular item will run afoul of this constitutional prohibition if the property is of value to the county and it is not donated for a public purpose for adequate consideration. Op. Atty Gen. 1993, No. DM-268.

- 3. Bids
While a commissioners court has the authority to determine specifications for items to be purchased or sold by the county under competitive bids, they may not combine the purchase and sale in a single bid. Op. Atty Gen. 1990, No. JM-1248.

§ 263.155. Record

[See main volume for (a)]

(b) The commissioners court shall keep, for one year, a record of each item of surplus or salvage property destroyed or otherwise disposed of. Amended by Acts 1989, 71st Leg., ch. 1, § 61(c), eff. Aug. 28, 1989.

Historical and Statutory Notes

1989 Legislation
The 1989 amendment to conform to Acts 1987, 70th Leg., ch. 942, § 1 [see italicized note in main volume] in subsec. (b) inserted "for one year," following "shall keep"; and inserted "or otherwise disposed of" following "destroyed". Acts 1987, 70th Leg., ch. 942, § 1 was repealed by Acts 1989, 71st Leg., ch. 1, § 61(d), eff. Aug 28, 1989.

SUBCHAPTER E-1 CONVEYANCE OF REAL PROPERTY FROM COUNTY TO UNITED STATES

§ 263.20L Acquisition and Conveyance of Land for Water Projects

(a) If a county that has a part of its boundary coincident with a part of the international boundary between the United States and Mexico, or that is contiguous to such a county, has made an agreement with the United States to acquire and, on request, convey to the United States; with or without monetary consideration, land or an interest in land desired by the United States to enable the United States or an establishment of the United States to carry out an act of the United States Congress in aid of navigation, irrigation, flood control, or

PROPERTY ACQUISITION, SALE (Title 8)

Improvement of water courses and to Government Code, the commissioners court to undertake bidding. [See main volume] Amended by Acts 1995, 74th Leg., ch. 76, § 5.

Historical and Statutory Notes
1995 Legislation
The 1995 amendment, in subsec. (a), substituted "Section 2204.101, Government Code" for "A. 5242, Revised Statutes".
CHAPTER 270. MUNICIPALITIES AFFECTING THE LEASE OF PUBLIC PROPERTY

Section 270.005. Contracts With Federal Government Construction in County With Population of 230,000 to 250,000

§ 270.005. Contracts With Federal Government With Population of 230,000 to 250,000

- (a) The commissioners court of a county may enter into a contract with the United States government for:
 - (1) the joint construction or improvement of a project;
 - (2) the maintenance of a project consisting of...

Amended by Acts 1991, 72nd Leg., ch. 597, § 95

Historical and Statutory Notes
1991 Legislation
The 1991 amendment, in the section heading, substituted "230,000 to 250,000" for "240,001 to 259,999".

§ 270.007. Sale of Computer Software

- (a) A county may sell or license a computer software application or software system developed by the county for use by the county, unless the contract specifically prohibits the sale of the software application or software system.
- (b) Notwithstanding the provisions of a contract with a person to market the application or software system, the application or software system shall be awarded only in compliance with the alternative competitive procedure for the sale of computer software.
- (c) The provisions of the open records law apply to the cost of making copies of public records of a computer software application or software system subject to this section.
- (d) In this section, "computer software application" means the application or system, and associated with the application or system.

In the name and by the authority of

The State of Texas

OATH OF OFFICE

BY _____
IDENTITY

98 SEP 14 PM 12:04
REX
COUNTY CLERK
COMMISSIONER
UPSHUR COUNTY, TX.

I, Nadra Murphy, do solemnly swear (or affirm), that I will faithfully execute the duties of the office of Upshur County Sheriff's Dept. of the State of Texas, and will to the best of my ability preserve, protect, and defend the Constitution and laws of the United States and of this State, so help me God.

Nadra Murphy
Affiant

SWORN TO and subscribed before me by affiant on this 2nd day of Sept., 19 98.



Wanda Coston, J.P.
Signature of Person Administering Oath
WANDA COSTON
Printed Name Justice of Peace
Dec 31, 1998
Title

In the name and by the authority of

The State of Texas

BY
OFFICE
98 SEP 14 P:12:04
Upshur County, TX
REC'D FILED

OATH OF OFFICE

I, Gabriel Downs, do solemnly swear (or affirm), that I will faithfully execute the duties of the office of Upshur County Sheriff's Dept. of the State of Texas, and will to the best of my ability preserve, protect, and defend the Constitution and laws of the United States and of this State, so help me God.

Gabriel Downs
Affiant

SWORN TO and subscribed before me by affiant on this 3 day of September, 19 98.



Lyle Potter Jr
Signature of Person Administering Oath
Lyle Potter Jr
Printed Name
Justice of the Peace Pet 2
Title



VOL 51 PG 990

Office of the Attorney General
State of Texas

FILED
TEXAS
COUNTY CLERK

98 SEP 14 PM 12:05

U.S. DEPT. OF JUSTICE

BY _____

DAN MORALES
ATTORNEY GENERAL

September 1, 1998

The Honorable Charles Still
County Judge
Upshur County
PO Box 790
Gilmer, TX 75644-0790

Dear Judge Still

As you are aware, the State of Texas has prevailed in its litigation against the tobacco industry. We have secured a record \$17.3 billion settlement for our state. We have also obtained major concessions from the industry in an effort to protect the health of our citizens, especially our children.

I am pleased to have been able to negotiate an additional \$2.275 billion which will be used to offset indigent health care costs of our local governments. All counties and hospital districts with indigent health care expenses will receive these funds. It is not necessary to seek party status or intervene in the lawsuit to be eligible for payment.

Approximately \$450 million will be paid directly to political subdivisions that provide indigent health care. The balance of \$1.8 billion will be used to create a permanent health care trust. Earnings generated from the trust will be used to reimburse local governments for unreimbursed indigent health care costs incurred in the future.

In January 1999, the first payments totaling \$300 million will be made to counties and hospital districts based on population. In January 2000, another distribution will be made totaling \$100 million. And in January 2001, final lump sum payments will be made totaling \$50 million. After the initial payments in 1999, all future payments will be based on each governmental entity's pro rata share of total unreimbursed indigent health care within the state for the previous year.

I have enclosed for your review a copy of the Agreement Regarding the Disposition of Settlement Proceeds entered into by the State and representatives of local political subdivisions, which addresses the distribution of tobacco funds to local governments for indigent health care. I hope that you find this information useful. If you need information, or have any questions about the settlement, please feel free to contact Assistant Attorney General John Fuller at (512) 463-2060.

I am especially grateful to the county officials and their representatives for the support they provided my office throughout this lawsuit. I am especially appreciative for their assistance with our efforts to negotiate the much deserved relief this settlement brings to our local governments.

As a result of this historic victory, our state leaders have an unprecedented opportunity to improve the health of all Texans. I encourage you to support our legislative leaders as they work to ensure that the tobacco settlement permanently alters public health opportunities within our state.

Sincerely,

Dan Morales
Attorney General

512/463-2100
PRINTED ON RECYCLED PAPER

P.O. BOX 12548

AUSTIN, TEXAS 78711-2548
AN EQUAL EMPLOYMENT OPPORTUNITY EMPLOYER

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS.
TEXARKANA DIVISION

VOL 51 PG 991

THE STATE OF TEXAS,
Plaintiff.

vs.

No. 5-96CV-91

THE AMERICAN TOBACCO
COMPANY, et. al.
Defendants

AGREEMENT REGARDING DISPOSITION OF SETTLEMENT PROCEEDS

THIS AGREEMENT ("Agreement") is made as of the date hereof, by and among the parties hereto, as indicated by their signatures below, to settle and resolve certain outstanding issues and controversies relating to the settlement of the above-entitled and numbered cause of action and the distribution of the settlement proceeds among the various parties entitled thereto, including the State of Texas and certain political subdivisions of the State of Texas

WHEREAS, the State of Texas, through its Attorney General, Dan Morales, commenced this action on March 28, 1996 asserting various claims for monetary and injunctive relief on behalf of the State of Texas against certain tobacco manufacturers and others as Defendants; and

WHEREAS, certain Texas Counties and Hospital Districts ("Intervenor Applicants") have previously sought to intervene in the litigation, or have appeared before the Court in an amicus capacity, so as to preserve their claims, or alternatively, their rights to a fair and reasonable allocation of the settlement proceeds in recognition of their claims against the Settling Defendants for their unreimbursed expenditures incurred as a result of their treatment of persons with tobacco related illness, and

WHEREAS, through the efforts of the State of Texas, Attorney General, Private Counsel and others, an agreement in principle has been reached to settle all claims and causes of action by and between the State of Texas and the Tobacco Defendants (the "Settling Defendants") pursuant to financial terms which will achieve for Texas and its political subdivisions significant financial benefits; and

WHEREAS, the State of Texas, acting by and through its Attorney General with the approval of the State Legislative Leadership has agreed to a direct allocation of a portion of the settlement proceeds to Intervenor Applicants and other political subdivisions of the State which provide health care services to the general public, subject to the terms and conditions set forth in this Agreement; and

July 18, 1998 (6:27PM)

WHEREAS, it is intended by the parties to this Agreement that the terms and conditions set forth herein shall be presented to the Court for consideration as a proposed Judgment .

NOW, THEREFORE, BE IT KNOWN THAT, in consideration of the payments to be allocated to Intervenor Applicants from the Tobacco Settlement, the withdrawal of Intervenor Applicants' objections, and such other consideration described herein, the sufficiency of which is hereby acknowledged, the parties hereto, acting by and through their authorized agents, memorialize and agree as follows:

1. Jurisdiction. The State of Texas and Intervenor Applicants acknowledge that this Court has jurisdiction over the subject matter of the claims giving rise to this Agreement, and over each of the parties hereto, and that this Court shall retain jurisdiction for the purposes of implementing and enforcing this Agreement. The parties hereto agree to present any disputes under this Agreement, including without limitation any claims for breach or enforcement of this Agreement, exclusively to this Court.

2. Intended Beneficiaries. The intended beneficiaries of this Agreement shall be Political Subdivisions as defined herein.

3 Definitions

- a. "CSA" means the January 16, 1998, Comprehensive Settlement Agreement and Release, together with all exhibits thereto, filed in the Tobacco Litigation.
- b. "Court" means the United States District Court for the Eastern District of Texas, Texarkana Division.
- c. "Final Approval" means Final Approval as defined in paragraph 4(h) of the CSA.
- d. "Parties" means the signatories to this Agreement.
- e. "Political Subdivisions" means all hospital districts, other local political subdivisions owning and maintaining public hospitals, and counties of the State of Texas responsible for providing indigent health care to the general public.
- f. "Prospective Intervenor" means certain counties and hospital districts that have previously sought to intervene in the Tobacco Litigation, or have appeared before the Court in an amicus capacity.
- g. "Settling Defendants" means the Settling Defendants as defined in paragraph 4(b) of the CSA
- h. "State" means the State of Texas.
- i. "State Legislative Leadership" means the Chairman of the Senate Finance Committee and the Chairman of the House Committee on Appropriations.

j. "Tobacco Litigation" means the suit styled *The State of Texas v. American Tobacco Co., et al.*, No. 5-96CV-91, in the United States District Court, Eastern District of Texas, filed by the State against the Tobacco Companies on March 28, 1996

k. "Tobacco Settlement" means the the January 16, 1998, Comprehensive Settlement Agreement and Release, together with all exhibits thereto, and any and all subsequent amendments thereto, including the February 3, 1998 Memorandum of Understanding filed in the Tobacco Litigation.

4 Payments. The parties agree to distribute from the Tobacco Settlement for the exclusive benefit of Political Subdivisions a sum of money equal to One Hundred Percent (100%) of the increased payments made to the State of Texas by the Settling Defendants as a result of the State of Minnesota Settlement and the Most Favored Nation clause contained in paragraph 16 of the January 16, 1998 settlement agreement between the State of Texas and the Settling Defendants.

The payments shall be allocated to two fund pools. One fund shall be subject to distribution from the Court's registry to a Lump Sum Trust Account from which payments shall be made directly to the Political Subdivisions. The Lump Sum Trust Account shall be composed of the following payments made on the dates and in the amounts set forth below:

LUMP SUM TRUST ACCOUNT PAYMENT SCHEDULE

DATE:	AMOUNT:
January 4, 1999	\$300 million
January 3, 2000	\$100 million
January 2, 2001	\$ 50 million
Total	\$ 450 million

The Lump Sum Trust Account shall be placed in a trust account with the Comptroller of Public Accounts to be distributed in accordance with the Court Order.

The second fund pool ("Permanent Trust Account") shall fund the Permanent Trust Account for the exclusive and long term benefit of the Political Subdivisions. The Permanent Trust Account shall be composed of the following payments (as defined in "Payments" in Paragraph 4) made on the dates and in the estimated amounts set forth below, which may be adjusted by inflation or volume adjustments as set forth in the Tobacco Settlement:

PERMANENT TRUST ACCOUNT PAYMENT SCHEDULE

July 18, 1998 (6:27PM) 3

DATE:	AMOUNT:
January 3, 2000	\$501.5 million
January 2, 2001	\$551.5 million
January 2, 2002	\$ 551.5 million
January 2, 2003	\$ <u>201.4</u> million
Total	\$1,805.9 million

All funds comprising the Permanent Trust Account shall initially be paid into the Court's registry and promptly be paid thereafter from the Court's registry into a permanent trust account placed with and under the management of the Comptroller of Public Accounts for the exclusive benefit of the Political Subdivisions. In no event shall the Permanent Trust Account be placed into the State Treasury, nor shall such Permanent Trust Account funds or any earnings generated therefrom be subject to legislative appropriation.

All payments contemplated in this Section 4 (Lump Sum Trust Account and Permanent Trust Account) shall be made to the Political Subdivisions in recognition of their unreimbursed health care expenses for providing health care services to the general public.

5 Distributions.

A. Initial lump sum distribution. The lump sum payment made on January 4, 1999, in the amount of Three Hundred Million Dollars (\$300,000,000) shall be distributed as soon as practical from the Lump Sum Trust Account to the Political Subdivisions on a per capita basis based upon the 1990 federal census. Adjustments to such distributions shall be made in counties where two or more Political Subdivisions are separately obligated by law to provide indigent health care services to apportion each Political Subdivision's share of the lump sum payment in a manner based upon the number of persons within its territorial boundaries for which it is statutorily obligated to provide indigent health care services. In no instance shall any Political Subdivision be entitled to a lump sum payment based upon any person(s) for which another Political Subdivision is statutorily responsible for the provision of indigent health care services. The January 4, 1999, lump sum payment shall be the only payment distributed on a per capita basis

B. Pro rata lump sum distributions. The lump sum payments for the year 2000 and year 2001 shall be distributed from the Lump Sum Trust Account to the Political Subdivisions on a pro rata basis based upon each Political Subdivision's total unreimbursed health care expenditures for providing health care services to the general public for the calendar year immediately preceding the year of such lump sum distribution (referred to hereafter as "Unreimbursed Expenditures"). Unreimbursed Expenditures shall be defined as those actual expenditures made by a Political Subdivision which are directly attributable to the provision of health care services to the general public, either directly or by

contract or agreement with a third party provider, and for which no reimbursement is made by or expected from any third party source or fund. (Lump Sum Trust Account or Permanent Trust Account payments shall not constitute reimbursement.). Unreimbursed Expenditures shall be calculated as follows:

(1) The total annual unreimbursed health care expenditures for a hospital district are defined as the total amount of taxes collected by the hospital district, together with the unreimbursed amounts expended by a county coterminous with such hospital district for jail health care: or

(2) The total annual unreimbursed health care expenditures for a county not wholly located within a hospital district are defined as all unreimbursed amounts, including unreimbursed jail health care, expended by such county for health care services to the general public during that year plus 15% of that total: or

(3) The total annual unreimbursed health care expenditures for a non-hospital district public hospital owned by a political subdivision are defined as the total unreimbursed amount of political subdivision funds paid to such public hospital by any political subdivision during that year.

(4) To the extent not already included, a political subdivision shall be eligible to include expenditures from the political subdivision reserve funds and other expenditures, to the extent they are verifiable, which are attributable to proceeds from the sale or lease of public health care facilities. To the extent that proceeds from the sale or lease of public health care facilities are represented by contractually obligated health care services for indigent residents of the political subdivision performed by the purchaser or lessee, such services shall be valued as if they had been reimbursed at Medicaid rates.

C. Permanent Trust Account Distributions. The Comptroller of the State of Texas shall make annual distributions of the earnings from the Permanent Trust Account to each Political Subdivision on a pro rata basis based upon each Political Subdivision's Unreimbursed Expenditures for the immediately preceding calendar year. The Department of Health shall certify to the Comptroller the percentage of each annual distribution to be paid to each Political Subdivision based on the formula in paragraph 5.B. above.

6. Management of Permanent Trust Account. The Comptroller shall manage and invest the funds comprising the Permanent Trust Account for the exclusive benefit of the Political Subdivisions. In addition, the Comptroller shall act as paying agent for purposes of making distributions of the earnings from the Permanent Trust Account. No Political Subdivision shall be entitled to receive any portion, distribution or specific allocation of the funds comprising the corpus of the Permanent Trust Account; rather, such funds shall be invested exclusively for the benefit of the Political Subdivisions. The rights of each Political Subdivision with respect to the Permanent Trust Account shall be limited to its respective entitlement to an allocation of the earnings from the Permanent Trust Account in the amounts described in section 5.C. herein.

An Advisory Board consisting of representatives of the Political Subdivisions shall be created pursuant to the enabling legislation referred to herein for the express purpose of providing advice and consultation to the Comptroller of Public Accounts regarding investments of the Permanent Trust Account.

7. Potential Reduction of Payments. The parties agree that to the extent federal legislation or other similar federal action effective on or before January 1, 2003, lowers the aggregate amounts paid under the Tobacco Settlement, the amounts payable to the Political Subdivisions pursuant to this Agreement shall be reduced in an amount proportionate to the overall reduction of such payments for the time period extending through January 1, 2003.

The parties agree that the Health Care Finance Administration ("HCFA") is not entitled to any of the settlement proceeds received by the State and, pursuant to this Agreement, by the Political Subdivisions paid by the Settling Defendants in the settlement of the Tobacco Litigation. Nevertheless, in the event that any of the settlement funds involved in the Tobacco Settlement are determined to be subject to such reduction, whether by legislation, court order, or other federal action, such reduction shall be proportionate, on a present value basis, at the time of any such reduction, with the State and the Political Subdivisions bearing the reduction in their respective proportionate percentages, which are presently estimated at 86.7% for the State and 13.3% for the Political Subdivisions. In the event that, in any given year, the Political Subdivisions' share of any such reduction exceeds the amount of money to be disbursed to the Political Subdivisions pursuant to this Agreement, money deposited to the credit of the Permanent Trust Account shall be withdrawn from that account in an amount sufficient to cover the shortfall. The State hereby agrees that it will reach no settlement or agreement with HCFA without prior consultation with counsel for the Political Subdivisions.

8. Withdrawal of Objections to Settlement/Sanctions Motions. On or before the effective date of this Agreement, the Intervenor Applicants agree to file appropriate motions with the Court withdrawing their intervention requests, objections and claims previously filed with the Court in this action. In addition, on or before the effective date of this Agreement, the Attorney General shall withdraw the State's motion for sanctions against the Governor and State Legislators. It is agreed by the parties that this Agreement shall become effective at such time as the Intervenor Applicants' intervention requests, objections and claims, and the State's motion for sanctions are withdrawn and/or dismissed by the Court.

9. Prohibition of Contingent Fee Payments. The Political Subdivisions warrant and agree that none of the funds distributed to the Political Subdivisions pursuant to this Agreement shall be expended to satisfy contingent fee contracts with attorneys retained in connection with the Tobacco Settlement.

10. Court Approval. If the Court refuses to approve this Agreement or any material provision hereof and to incorporate its terms in a judgment, or if such approval is modified in any material respect or set aside on appeal, then this Agreement shall be canceled and terminated and it and all orders issued pursuant hereto shall become null and void and of no effect.

11. Implementing Legislation. The parties to this Agreement agree to utilize good faith efforts to seek to secure the passage of all legislation necessary to implement the terms and conditions

of this Agreement.

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12. Cooperation. The parties hereto agree to use their best efforts and to cooperate with each other to cause this Agreement to become effective, to obtain all necessary approvals, consents and authorizations, if any and to execute all documents and to take such other action as may be appropriate in connection therewith. All parties hereto agree to support the integrity and enforcement of the terms of this Agreement. Further, all parties hereto agree to use their best efforts to obtain Final Approval of the Tobacco Settlement.

13. Counterparts. This Agreement may be executed in counterparts. Facsimile or photocopied signatures shall be considered as valid signatures as of the date hereof, although the original signature pages shall thereafter be appended to this Agreement.

IN WITNESS WHEREOF, the parties hereto, through their fully authorized representatives, have agreed to this Agreement on the 18th day of July, 1998.

STATE OF TEXAS

By: Dan Morales
Dan Morales, Attorney General

July 18, 1998 (6:27PM)

7

By [Signature]
Rob Junell, Chairman
House Appropriations Committee

By: [Signature]
Bill Ratliff, Chairman
Senate Finance Committee

NUECES COUNTY and NUECES
COUNTY HOSPITAL DISTRICT

By: [Signature]
Carl Lewis

DALLAS COUNTY and DALLAS COUNTY
HOSPITAL DISTRICT

By: _____
Robert Ries

TARRANT COUNTY
HOSPITAL DISTRICT

By _____
J Greg Hudson

EL PASO and EL PASO COUNTY
HOSPITAL DISTRICT

By _____
Robert Ries

MONTGOMERY COUNTY
HOSPITAL DISTRICT

By: [Signature]
J Greg Hudson

AMICUS COUNTIES

By: [Signature]
James Allison

HARRIS COUNTY AND HARRIS
COUNTY HOSPITAL DISTRICT

By _____
Richard Mithoff

By *Rob Junell*
Rob Junell, Chairman
House Appropriations Committee

By *Bill Ratliff*
Bill Ratliff, Chairman
Senate Finance Committee

NUECES COUNTY and NUECES
COUNTY HOSPITAL DISTRICT

By *Carl Lewis*
Carl Lewis

DALLAS COUNTY and DALLAS COUNTY
HOSPITAL DISTRICT

By _____
Robert Rues

TARRANT COUNTY
HOSPITAL DISTRICT

By *Greg Hudson by C. Hudson*
Greg Hudson

EL PASO and EL PASO COUNTY
HOSPITAL DISTRICT

By _____
Robert Rues

By: *Steve Bickerstaff by C. Hudson*
Steve Bickerstaff

MONTGOMERY COUNTY
HOSPITAL DISTRICT

AMICUS COUNTIES

By *J. Greg Hudson*
J. Greg Hudson

By: *James Allison*
James Allison

HARRIS COUNTY AND HARRIS
COUNTY HOSPITAL DISTRICT

By _____
Richard Mithoff

By: [Signature]
Rob Junch, Chairman
House Appropriations Committee

By: [Signature]
Bill Ratliff, Chairman
Senate Finance Committee

**NUECES COUNTY and NUECES
COUNTY HOSPITAL DISTRICT**

By: [Signature]
Carl Lewis

**DALLAS COUNTY and DALLAS COUNTY
HOSPITAL DISTRICT**

By: _____
Robert Ries

**TARRANT COUNTY
HOSPITAL DISTRICT**

By: _____
J. Greg Hudson

**EL PASO and EL PASO COUNTY
HOSPITAL DISTRICT**

By: _____
Robert Ries

**MONTGOMERY COUNTY
HOSPITAL DISTRICT**

By: [Signature]
J. Greg Hudson

AMICUS COUNTIES

By: [Signature]
James Allison

**HARRIS COUNTY AND HARRIS
COUNTY HOSPITAL DISTRICT**

By: [Signature]
Richard Mithoff

SUBJECT TO FINAL
ACTION ON JULY 28, 1998

[Handwritten initials]

By: [Signature]
Rob Junell, Chairman
House Appropriations Committee

By: [Signature]
Bill Ratliff, Chairman
Senate Finance Committee

**NUECES COUNTY and NUECES
COUNTY HOSPITAL DISTRICT**

By: [Signature]
Carl Lewis

**DALLAS COUNTY and DALLAS COUNTY
HOSPITAL DISTRICT**

By: [Signature]
Robert Ries

**TARRANT COUNTY
HOSPITAL DISTRICT**

By: _____
J. Greg Hudson

**EL PASO and EL PASO COUNTY
HOSPITAL DISTRICT**

By: [Signature]
Robert Ries

**MONTGOMERY COUNTY
HOSPITAL DISTRICT**

By: [Signature]
J. Greg Hudson

AMICUS COUNTIES

By: [Signature]
James Allison

**HARRIS COUNTY AND HARRIS
COUNTY HOSPITAL DISTRICT**

By: _____
Richard Mithoff

PRELIMINARY ESTIMATE

Pool = \$300 Million--Allocated per Capita

County	1990 Census Population	County Share
Anderson	48,024	\$848,155
Andrews	14,338	\$253,224
Angelina	69,884	\$1,234,226
Aransas	17,892	\$315,992
Archer	7,973	\$140,812
Armstrong	2,021	\$35,693
Atascosa	30,533	\$539,246
Austin	19,832	\$350,254
Bailey	7,064	\$124,758
Bandera	10,562	\$186,536
Bastrop	38,263	\$675,766
Baylor	4,385	\$77,444
Bee	25,135	\$443,911
Bell	191,088	\$3,374,819
Bexar	1,185,394	\$20,935,330
Blanco	5,972	\$105,472
Borden	799	\$14,111
Bosque	15,125	\$267,124
Bowie	81,665	\$1,442,292
Brazoria	191,707	\$3,385,751
Brazos	121,862	\$2,152,214
Brewster	8,681	\$153,316
Briscoe	1,971	\$34,810
Brooks	8,204	\$144,891
Brown	34,371	\$607,029
Burleson	13,625	\$240,632
Burnet	22,677	\$400,500
Caldwell	26,392	\$466,111
Calhoun	19,053	\$336,496
Callahan	11,859	\$209,443
Cameron	260,120	\$4,593,998
Camp	9,904	\$174,915
Carson	6,576	\$116,139
Cass	29,982	\$529,514
Castro	9,070	\$160,186
Chambers	20,088	\$354,776
Cherokee	41,049	\$724,969

Childress	5,953	\$105,136
Clay	10,024	\$177,035
Cochran	4,377	\$77,303
Coke	3,424	\$60,472
Coleman	9,710	\$171,489
Collin	264,036	\$4,663,159
Collingsworth	3,573	\$63,103
Colorado	18,383	\$324,664
Comal	51,832	\$915,409
Comanche	13,381	\$236,323
Concho	3,044	\$53,760
Cooke	30,777	\$543,555
Coryell	64,213	\$1,134,071
Cottle	2,247	\$39,684
Crane	4,652	\$82,159
Crockett	4,078	\$72,022
Crosby	7,304	\$128,996
Culberson	3,407	\$60,171
Dallam	5,461	\$96,447
Dallas	1,852,810	\$32,722,613
Dawson	14,349	\$253,419
Deaf Smith	19,153	\$338,263
Delta	4,857	\$85,780
Denton	273,525	\$4,830,745
DeWitt	18,840	\$332,735
Dickens	2,571	\$45,407
Dimmitt	10,433	\$184,258
Donley	3,696	\$65,275
Duval	12,918	\$228,146
Eastland	18,488	\$326,518
Ector	118,934	\$2,100,502
Edwards	2,266	\$40,020
Ellis	85,167	\$1,504,141
El Paso	591,610	\$10,448,468
Erath	27,991	\$494,351
Falls	17,712	\$312,813
Fannin	24,804	\$438,065
Fayette	20,095	\$354,899
Fisher	4,842	\$85,515

July 17, 1998 (10:01AM)

PRELIMINARY ESTIMATE

Pool = \$300 Million--Allocated per Capita

Floyd	8,497	\$150,066
Foard	1,794	\$31,684
Fort Bend	225,421	\$3,981,177
Franklin	7,802	\$137,792
Freestone	15,818	\$279,363
Frio	13,472	\$237,930
Gaines	14,123	\$249,427
Galveston	217,399	\$3,839,500
Garza	5,143	\$90,831
Gillespie	17,204	\$303,841
Glasscock	1,447	\$25,556
Goliad	5,980	\$105,613
Gonzales	17,205	\$303,859
Gray	23,967	\$423,283
Grayson	95,021	\$1,678,173
Gregg	104,948	\$1,853,494
Grimes	18,828	\$332,523
Guadalupe	64,873	\$1,145,727
Hale	34,671	\$612,327
Hall	3,905	\$68,966
Hamilton	7,733	\$136,573
Hansford	5,848	\$103,282
Hardeman	5,283	\$93,303
Hardin	41,320	\$729,756
Harris	2,818,199	\$49,772,419
Harrison	57,483	\$1,015,211
Hartley	3,634	\$64,180
Haskell	6,820	\$120,449
Hays	65,614	\$1,158,814
Hemphill	3,720	\$65,699
Henderson	58,543	\$1,033,932
Hidalgo	383,545	\$6,773,816
Hill	27,146	\$479,427
Hockley	24,199	\$427,380
Hood	28,981	\$511,836
Hopkins	28,833	\$509,222
Houston	21,375	\$377,505
Howard	32,343	\$571,212
Hudspeth	2,915	\$51,482

Hunt	64,343	\$1,136,366
Hutchinson	25,689	\$453,695
Irion	1,629	\$28,770
Jack	6,981	\$123,292
Jackson	13,039	\$230,283
Jasper	31,102	\$549,295
Jeff Davis	1,946	\$34,368
Jefferson	239,397	\$4,228,008
Jim Hogg	5,109	\$90,230
Jim Wells	37,679	\$665,452
Johnson	97,165	\$1,716,038
Jones	16,490	\$291,231
Karnes	12,455	\$219,969
Kaufman	52,220	\$922,261
Kendall	14,589	\$257,657
Kenedy	460	\$8,124
Kent	1,010	\$17,838
Kerr	36,304	\$641,168
Kimble	4,122	\$72,799
King	354	\$6,252
Kinney	3,119	\$55,085
Kleberg	30,274	\$534,671
Knox	4,837	\$85,427
Lamar	43,949	\$776,187
Lamb	15,072	\$266,188
Lampasas	13,521	\$238,795
La Salle	5,254	\$92,791
Lavaca	18,690	\$330,085
Lee	12,854	\$227,015
Leon	12,665	\$223,677
Liberty	52,726	\$931,198
Limestone	20,946	\$369,929
Lipscomb	3,143	\$55,509
Live Oak	9,556	\$168,769
Llano	11,631	\$205,416
Loving	107	\$1,890
Lubbock	222,636	\$3,931,991
Lynn	6,758	\$119,354
McCulloch	8,778	\$155,029

July 17, 1998 (10:01AM)

PRELIMINARY ESTIMATE

Pool = \$300 Million--Allocated per Capita

McLennan	189,123	\$3,340,115
McMullen	817	\$14,429
Madison	10,931	\$193,053
Marion	9,984	\$176,328
Martin	4,956	\$87,528
Mason	3,423	\$60,454
Matagorda	36,928	\$652,188
Mayerick	36,378	\$642,475
Medina	27,312	\$482,359
Menard	2,252	\$39,773
Midland	106,611	\$1,882,865
Milam	22,946	\$405,251
Mills	4,531	\$80,022
Mitchell	8,016	\$141,571
Montague	17,274	\$305,077
Montgomery	182,201	\$3,217,865
Moore	17,865	\$315,515
Morris	13,200	\$233,126
Motley	1,532	\$27,057
Nacogoches	54,753	\$966,997
Navarro	39,926	\$705,136
Newton	13,569	\$239,643
Nolan	16,594	\$293,068
Nueces	291,145	\$5,141,933
Ochiltree	9,128	\$161,210
Oldham	2,278	\$40,232
Orange	80,509	\$1,421,875
Palo Pinto	25,055	\$442,498
Panola	22,035	\$389,162
Parker	64,785	\$1,144,173
Parmer	9,863	\$174,191
Pecos	14,675	\$259,176
Polk	30,687	\$541,965
Potter	97,874	\$1,728,560
Presidio	6,637	\$117,217
Rains	6,715	\$118,594
Randall	89,673	\$1,583,721
Reagan	4,514	\$79,722
Real	2,412	\$42,599

Red River	14,317	\$252,854
Reeves	15,852	\$279,963
Refugio	7,976	\$140,865
Roberts	1,025	\$18,103
Robertson	15,511	\$273,941
Rockwall	25,604	\$452,194
Runnels	17,294	\$199,464
Rusk	43,735	\$772,407
Sabine	9,586	\$169,299
San Augustine	7,999	\$141,271
San Jacinto	16,372	\$289,147
San Patricio	58,749	\$1,037,570
San Saba	5,401	\$95,387
Schleicher	2,990	\$52,807
Scurry	18,634	\$329,096
Shackelford	3,316	\$58,564
Shelby	22,034	\$389,144
Sherman	2,858	\$50,475
Smith	151,309	\$2,672,279
Somervell	5,360	\$94,663
Starr	40,518	\$715,591
Stephens	9,010	\$159,126
Sterling	1,438	\$25,397
Stonewall	2,013	\$35,552
Sutton	4,135	\$73,029
Swisher	8,133	\$143,638
Tarrant	1,170,103	\$20,665,275
Taylor	119,655	\$2,113,236
Terrell	1,410	\$24,902
Terry	13,218	\$233,444
Throckmorton	1,880	\$33,203
Titus	24,009	\$424,025
Tom Green	98,458	\$1,738,874
Travis	576,407	\$10,179,966
Trinity	11,445	\$202,131
Tyler	16,646	\$293,986
Upshur	31,370	\$554,028
Upton	4,447	\$78,539
Uvalde	23,340	\$412,209

July 17, 1998 (10:01AM)

PRELIMINARY ESTIMATE

Pool = \$300 Million--Allocated per Capita

Val Verde	38,721	\$683,854
Van Zandt	37,944	\$670,132
Victoria	74,361	\$1,313,295
Walker	50,917	\$899,249
Waller	23,390	\$413,093
Ward	13,115	\$231,625
Washington	26,154	\$461,908
Webb	133,239	\$2,353,144
Wharton	39,955	\$705,648
Wheeler	5,879	\$103,829
Wichita	122,378	\$2,161,327
Wilbarger	15,121	\$267,053
Willacy	17,705	\$312,689
Williamson	139,551	\$2,464,620
Wilson	22,650	\$400,023
Winkler	8,626	\$152,344
Wise	34,679	\$612,468
Wood	29,380	\$518,882
Yoakum	8,786	\$155,170
Young	18,126	\$320,125
Zapata	9,279	\$163,877
Zavala	12,162	\$214,794
Total	16,986,510	\$300,000,000

NOTE: These are preliminary estimates that show the amount of money that would be distributed within each county in 1999 from the \$300 million lump sum payment. Depending on the legal responsibility for indigent health care, the payment may be made to the county, hospital district, and/or other political subdivision.

July 17, 1998 (10:01AM)

Payment Schedule for Tobacco Settlement for General Revenue Funds

Payment Date	Amount	Year
2/1/98	\$ 278 million (received)	1998
7/1/98	\$ 100 million (received)	1998
10/1/98	\$ 200 million	1999
11/1/98	\$ 391 million	1999
11/30/98	\$ 109 million	1999
12/31/98	\$ 201 million	1999
12/31/99	\$ 326.25 million	2000
12/31/00	\$ 362.5 million	2001
12/31/01	\$ 471.25 million	2002
12/31/02	\$ 471.25 million	2003
12/31/03	\$ 580 million	2004
12/31	\$ 580 million	thereafter

Payment Schedule for Tobacco Settlement for County Indigent Health Care Costs

Payment Date	Amount	Amount	Amount
1/4/99	\$ 156.53 million	\$ 300 million *	
1/3/00	\$ 605.09 million	\$ 100 million	\$ 505.09 million
1/2/01	\$ 605.09 million	\$ 50 million	\$ 555.09 million
1/2/02	\$ 605.09 million		\$ 555.09 million
1/2/03	\$ 303.2 million		\$ 209.73 million
Total	\$ 2.275 billion	\$ 450 million	\$1.825 billion

* \$143.47 million to be advanced from tobacco settlement funds and repaid in 2002 and 2003.

NOTE: Payment schedule does not reflect inflation and volume adjustments provided for in the Settlement Agreement.

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 \$3 SEP 14 PM 12:05
 COUNTY CLERK

July 22, 1998

VOL 51 PG 1007

IN RE: Senate Bill 1304

The last Legislature enacted Senate Bill 1304 which was an amendment to Section 117.002, Local Government Code, regarding cash bail bonds. The clarifying language of this amendment recognizes that cash bail bonds are subject to Article 17.02, Code of Criminal Procedure. It does not exempt cash bail bonds from the unclaimed property law, Chapters 72-75, Property Code.

Counties are required by law to report and remit all unclaimed property greater than \$100.00 to the State and may do so without prior approval or court action, except for unclaimed cash bail bonds, which still require an order of the court before being remitted to the state.

THEREFORE, the Upshur County Clerk is hereby ORDERED to remit any unclaimed cash bail bonds to the State of Texas.



Charles L. Still

Upshur County Judge

FILE
REX/3/2005
93 SEP 14 PM 12:05
U.S. J. H. LK
BY _____
FF/PTV



TEXAS STATE TREASURY • UNCLAIMED PROPERTY DIVISION
REPORT MAILING FORM

Holder's Federal Employer Tax ID No <u>75-6001187</u>	Property Abandoned as of: June 30, 19 <u> </u>
Holder Name <u>Rex A. Shaw, Upshur Co. Clerk</u>	State of Inc or Charter <u> </u>
Holder Address <u>P. O. Box 730</u>	Date of Inc or Charter <u> </u>
City, State, Zip <u>Glimer, Texas 75644</u>	<u> </u> Year <u> </u> Seq. No <u> </u>

Report Contact Addie Rene Morris Claims Contact
 Phone Number 903-843-4014 Phone Number
 Mailing Address (if different from above) Mailing Address (if different from above)

Holder's Primary Business Activity County Clerk SIC Code
 If this report includes property held by subsidiary companies, list the names and Federal Tax ID numbers of those companies.

List the name(s) and Federal Tax ID number(s) of all previous holders of the property if you are a successor. If you have changed your name during the time in which you held the property list the prior name(s) and Federal Tax ID number(s)

Check here if Negative Report and complete the affidavit below

REPORTING MEDIUM

Circle all media used and provide report totals.

	Cash	Shares	Number of Items
*Diskette	\$ <u> </u>	<u> </u>	<u> </u>
Magnetic Tape/Cartridge	\$ <u> </u>	<u> </u>	<u> </u>
Form UP0003/UP0032	\$ <u> </u>	<u> </u>	<u> </u>

*Indicate total number of diskettes submitted if reporting by diskette

THIS FORM MUST BE SIGNED AND NOTARIZED

STATE OF Texas :
 COUNTY OF Upshur .

I, Rex A. Shaw being first duly sworn, on oath depose and state that I have caused to be prepared and have examined this report including the property detail consisting of 10 items totaling \$ 4365.00 and/or shares. The foregoing report contains a full and complete list of all property held by the undersigned that, from the knowledge and records of the undersigned, is abandoned under the laws of the State of Texas. The property delivered is a complete and correct remittance of all accounts; the existence and location of the listed owners are unknown, and the listed owners have not asserted a claim or exercised an act of ownership with respect to the reported property



Signature Rex A. Shaw
 Title County Clerk
 Subscribed and sworn to before me this 20th day of Sept., 19 98
 Notary Public Jo Ann Loftis
 Commission Expires 6-11-2001

MAIL THIS FORM WITH YOUR REPORT (PAPER, TAPE, OR DISKETTE) TO:
 Texas State Treasury, Unclaimed Property Division, P O. Box 12019, Austin, Texas 78711-2019

REPORT OF UNCLAIMED PROPERTY

HOLDER NAME Rex A. Shaw, Upshur County Clerk	FED. EMP. IDENT. NO. 75-6001187
--	---

ITEM NO. 1	PROPERTY TYPE Cash	PROPERTY DESCRIPTION Cash Bond
OWNER LAST NAME Alford		FIRST NAME/MIDDLE INITIAL Douglas T.
MAILING ADDRESS Route 2, Box 177 402 Glover Drive		CITY, STATE, ZIP Big Sandy, Tx. 75755 Longview, Tx. 75601
DATE OF LAST CONTACT Attempted 8-14-1997^{OR}		PERIODIC PAYMENTS FROM TO
		OWNER SOCIAL SECURITY NUMBER unknown
		AMOUNT REMITTED TO TREASURY \$ 500.00
COMPLETE ADDITIONAL OWNER BOXES (BELOW) IF THERE IS MORE THAN ONE OWNER FOR THIS PROPERTY		
ADDITIONAL OWNER LAST NAME	FIRST NAME/MIDDLE INITIAL	ADDITIONAL OWNER TITLE
ADDITIONAL OWNER LAST NAME	FIRST NAME/MIDDLE INITIAL	ADDITIONAL OWNER SOCIAL SECURITY NUMBER

ITEM NO. 2	PROPERTY TYPE Cash	PROPERTY DESCRIPTION Cash Bond
OWNER LAST NAME Beeson		FIRST NAME/MIDDLE INITIAL Kenneth R.
MAILING ADDRESS Route 3, Box 497		CITY, STATE, ZIP Gilmer, Texas 75644
DATE OF LAST CONTACT Attempted 9-25-1996^{OR}		PERIODIC PAYMENTS FROM TO
		OWNER SOCIAL SECURITY NUMBER unknown
		AMOUNT REMITTED TO TREASURY \$ 500.00
COMPLETE ADDITIONAL OWNER BOXES (BELOW) IF THERE IS MORE THAN ONE OWNER FOR THIS PROPERTY		
ADDITIONAL OWNER LAST NAME	FIRST NAME/MIDDLE INITIAL	ADDITIONAL OWNER TITLE
ADDITIONAL OWNER LAST NAME	FIRST NAME/MIDDLE INITIAL	ADDITIONAL OWNER SOCIAL SECURITY NUMBER

ITEM NO. 3	PROPERTY TYPE Cash	PROPERTY DESCRIPTION Cash Bond
OWNER LAST NAME Caldwell		FIRST NAME/MIDDLE INITIAL Jerry
MAILING ADDRESS Route 3, Box 42 P. O. Box 324		CITY, STATE, ZIP Waldo, Ark. 71770 Waldo, Ark. 71770
DATE OF LAST CONTACT Attempted 9-25-1996^{OR}		PERIODIC PAYMENTS FROM TO
		OWNER SOCIAL SECURITY NUMBER Unknown
		AMOUNT REMITTED TO TREASURY \$ 200.00
COMPLETE ADDITIONAL OWNER BOXES (BELOW) IF THERE IS MORE THAN ONE OWNER FOR THIS PROPERTY		
ADDITIONAL OWNER LAST NAME	FIRST NAME/MIDDLE INITIAL	ADDITIONAL OWNER TITLE
ADDITIONAL OWNER LAST NAME	FIRST NAME/MIDDLE INITIAL	ADDITIONAL OWNER SOCIAL SECURITY NUMBER

PAGE TOTAL \$ 1200.00

IF LAST PAGE, ENTER GRAND TOTAL REMITTED \$



REPORT OF UNCLAIMED PROPERTY

REPORTER NAME Rex A. Shaw, Upshur County Clerk	FED. EMP. SAIL NO. 75-6001187
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ITEM NO 4	PROPERTY TYPE Cash	PROPERTY DESCRIPTION Cash Bond
OWNER LAST NAME Cano		FIRST NAME/MIDDLE INITIAL Javier
MAILING ADDRESS General Delivery		CITY, STATE, ZIP Mt. Pleasant, Texas 75455
DATE OF LAST CONTACT Attempted 9-25-1996		PERIODIC PAYMENTS OR FROM TO
OWNER SOCIAL SECURITY NUMBER Unknown		AMOUNT REMITTED TO TREASURY \$ 500.00
COMPLETE ADDITIONAL OWNER BOXES (BELOW) IF THERE IS MORE THAN ONE OWNER FOR THIS PROPERTY.		
ADDITIONAL OWNER LAST NAME	FIRST NAME/MIDDLE INITIAL	ADDITIONAL OWNER TITLE
ADDITIONAL OWNER LAST NAME	FIRST NAME/MIDDLE INITIAL	ADDITIONAL OWNER SOCIAL SECURITY NUMBER

ITEM NO 5	PROPERTY TYPE Cash	PROPERTY DESCRIPTION Cash Bond
OWNER LAST NAME Dowell		FIRST NAME/MIDDLE INITIAL Elmer Carlton aka John
MAILING ADDRESS Unknown		CITY, STATE, ZIP Unknown
DATE OF LAST CONTACT No Address Could not contact		PERIODIC PAYMENTS OR FROM TO
OWNER SOCIAL SECURITY NUMBER Unknown		AMOUNT REMITTED TO TREASURY \$500.00
COMPLETE ADDITIONAL OWNER BOXES (BELOW) IF THERE IS MORE THAN ONE OWNER FOR THIS PROPERTY.		
ADDITIONAL OWNER LAST NAME	FIRST NAME/MIDDLE INITIAL	ADDITIONAL OWNER TITLE
ADDITIONAL OWNER LAST NAME	FIRST NAME/MIDDLE INITIAL	ADDITIONAL OWNER SOCIAL SECURITY NUMBER

ITEM NO 6	PROPERTY TYPE Cash	PROPERTY DESCRIPTION Cash Bond
OWNER LAST NAME Mitchell		FIRST NAME/MIDDLE INITIAL Larry Glenn
MAILING ADDRESS Unknown		CITY, STATE, ZIP Unknown
DATE OF LAST CONTACT No Address Could not contact		PERIODIC PAYMENTS OR FROM TO
OWNER SOCIAL SECURITY NUMBER Unknown		AMOUNT REMITTED TO TREASURY \$ 500.00
COMPLETE ADDITIONAL OWNER BOXES (BELOW) IF THERE IS MORE THAN ONE OWNER FOR THIS PROPERTY.		
ADDITIONAL OWNER LAST NAME	FIRST NAME/MIDDLE INITIAL	ADDITIONAL OWNER TITLE
ADDITIONAL OWNER LAST NAME	FIRST NAME/MIDDLE INITIAL	ADDITIONAL OWNER SOCIAL SECURITY NUMBER

PAGE TOTAL \$ 1500.00

IF LAST PAGE, ENTER GRAND TOTAL REMITTED \$

REPORT OF UNCLAIMED PROPERTY

VOL 51 PG 1011

OFFICER NAME Rex A. Shaw, Upshur County Clerk	FID EMP. STATE NO 75-6001187
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ITEM NO 7	PROPERTY TYPE Cash	PROPERTY DESCRIPTION Cash Bond
OWNER LAST NAME May		FIRST NAME/MIDDLE INITIAL James Edward
MAILING ADDRESS Route 1, Box 172		CITY, STATE, ZIP Scroggins, Texas 75480
DATE OF LAST CONTACT 9-25-1996		PERIODIC PAYMENTS NO
OR FROM		OWNER SOCIAL SECURITY NUMBER Unknown
		AMOUNT REMITTED TO TREASURY \$ 250.00
COMPLETE ADDITIONAL OWNER BOXES (BELOW) IF THERE IS MORE THAN ONE OWNER FOR THIS PROPERTY.		
ADDITIONAL OWNER LAST NAME		FIRST NAME/MIDDLE INITIAL
ADDITIONAL OWNER LAST NAME		FIRST NAME/MIDDLE INITIAL

ITEM NO 8.	PROPERTY TYPE	PROPERTY DESCRIPTION
OWNER LAST NAME Shirley		FIRST NAME/MIDDLE INITIAL James T.
MAILING ADDRESS Unknown		CITY, STATE, ZIP Unknown
DATE OF LAST CONTACT No Contact No information		PERIODIC PAYMENTS NO
OR FROM		OWNER SOCIAL SECURITY NUMBER Unknown
		AMOUNT REMITTED TO TREASURY \$ 500.00
COMPLETE ADDITIONAL OWNER BOXES (BELOW) IF THERE IS MORE THAN ONE OWNER FOR THIS PROPERTY.		
ADDITIONAL OWNER LAST NAME		FIRST NAME/MIDDLE INITIAL
ADDITIONAL OWNER LAST NAME		FIRST NAME/MIDDLE INITIAL

ITEM NO 9	PROPERTY TYPE Cash	PROPERTY DESCRIPTION Cash Bond
OWNER LAST NAME Turner		FIRST NAME/MIDDLE INITIAL Steve
MAILING ADDRESS Unknown		CITY, STATE, ZIP Unknown
DATE OF LAST CONTACT No Contact		PERIODIC PAYMENTS NO
OR FROM		OWNER SOCIAL SECURITY NUMBER Unknown
		AMOUNT REMITTED TO TREASURY \$ 500.00
COMPLETE ADDITIONAL OWNER BOXES (BELOW) IF THERE IS MORE THAN ONE OWNER FOR THIS PROPERTY.		
ADDITIONAL OWNER LAST NAME		FIRST NAME/MIDDLE INITIAL
ADDITIONAL OWNER LAST NAME		FIRST NAME/MIDDLE INITIAL

PAGE TOTAL \$ 1250.00

IF LAST PAGE, ENTER GRAND TOTAL REMITTED \$



REPORT OF UNCLAIMED PROPERTY

HOLDER NAME Rex A. Shaw, Upshur County Clerk	FD-507 ID NO. 75-6001187
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ITEM ID 10	PROPERTY TYPE Cash	PROPERTY DESCRIPTION Cash Bond
OWNER LAST NAME Tutor		FIRST NAME/MIDDLE INITIAL Alfred Earl
MAILING ADDRESS Route 2, Box 128		CITY, STATE, ZIP Gladewater, Texas 75647
DATE OF LAST CONTACT 9-25-1996	OR FROM	PERIODIC PAYMENTS TO
OWNER SOCIAL SECURITY NUMBER Unknown		AMOUNT REMITTED TO TREASURY \$ 415.00

COMPLETE ADDITIONAL OWNER BOXES (BELOW) IF THERE IS MORE THAN ONE OWNER FOR THIS PROPERTY.

ADDITIONAL OWNER LAST NAME	FIRST NAME/MIDDLE INITIAL	ADDITIONAL OWNER TITLE	ADDITIONAL OWNER SOCIAL SECURITY NUMBER
ADDITIONAL OWNER LAST NAME	FIRST NAME/MIDDLE INITIAL	ADDITIONAL OWNER TITLE	ADDITIONAL OWNER SOCIAL SECURITY NUMBER

ITEM ID	PROPERTY TYPE	PROPERTY DESCRIPTION
OWNER LAST NAME		FIRST NAME/MIDDLE INITIAL
MAILING ADDRESS		CITY, STATE, ZIP
DATE OF LAST CONTACT	OR	PERIODIC PAYMENTS
OWNER SOCIAL SECURITY NUMBER		AMOUNT REMITTED TO TREASURY

COMPLETE ADDITIONAL OWNER BOXES (BELOW) IF THERE IS MORE THAN ONE OWNER FOR THIS PROPERTY.

ADDITIONAL OWNER LAST NAME	FIRST NAME/MIDDLE INITIAL	ADDITIONAL OWNER TITLE	ADDITIONAL OWNER SOCIAL SECURITY NUMBER
ADDITIONAL OWNER LAST NAME	FIRST NAME/MIDDLE INITIAL	ADDITIONAL OWNER TITLE	ADDITIONAL OWNER SOCIAL SECURITY NUMBER

ITEM ID	PROPERTY TYPE	PROPERTY DESCRIPTION
OWNER LAST NAME		FIRST NAME/MIDDLE INITIAL
MAILING ADDRESS		CITY, STATE, ZIP
DATE OF LAST CONTACT	OR	PERIODIC PAYMENTS
OWNER SOCIAL SECURITY NUMBER		AMOUNT REMITTED TO TREASURY

COMPLETE ADDITIONAL OWNER BOXES (BELOW) IF THERE IS MORE THAN ONE OWNER FOR THIS PROPERTY.

ADDITIONAL OWNER LAST NAME	FIRST NAME/MIDDLE INITIAL	ADDITIONAL OWNER TITLE	ADDITIONAL OWNER SOCIAL SECURITY NUMBER
ADDITIONAL OWNER LAST NAME	FIRST NAME/MIDDLE INITIAL	ADDITIONAL OWNER TITLE	ADDITIONAL OWNER SOCIAL SECURITY NUMBER

PAGE TOTAL \$ 415.00

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Section
152.002. Salary Donation to County.
[Sections 152.003 to 152.010 reserved for expansion]

**SUBCHAPTER B. AMOUNT OF COMPENSATION,
EXPENSES, AND ALLOWANCES
GENERALLY APPLICABLE**

- 152.011. Amount Set by Commissioners Court.
- 152.012. Minimum Amount of Salary
- 152.013. Procedure for Setting Amounts for Elected Off-
cers.
- 152.014. Salary Grievance Committee.
- 152.015. Selection and Term of Public Members on Griev-
ance Committee.
- 152.016. Functions of Grievance Committee in Relation to
Elected Officers.
- 152.017. Exceptions.
- 152.018. Former Procedures Not Affected.
[Sections 152.019 to 152.030 reserved for expansion]

**SUBCHAPTER C. AMOUNT OF COMPENSATION
AND EXPENSES OF COUNTY AUDITOR
AND ASSISTANTS**

- 152.031. County Auditor's Salary
- 152.032. Limitations on County Auditor's Compensation
and Allowances
- 152.033. Repealed
- 152.034. Salaries of Assistants to County Auditor
- 152.035. Reimbursement for Mileage Expenses
[Sections 152.036 to 152.050 reserved for expansion]

**SUBCHAPTER D. WITHHOLDING COMPENSATION
OF OFFICER WHO ELECTS NOT TO BE PAID**

- 152.051. Definition.
- 152.052. Decision to Reduce Compensation or Not to be
Paid
- 152.053. Record of Nonpayment
- 152.054. Recovery of Payroll Taxes
[Sections 152.055 to 152.070 reserved for expansion]

**SUBCHAPTER E. SPECIAL PROVISIONS APPLYING
TO SHERIFF'S DEPARTMENT**

- 152.071. Classification of Positions, Salary Schedule
- 152.072. Petition to Increase Salaries
- 152.073. Penalty
- 152.074. Longevity Pay for Commissioned Deputies
- 152.075. Compensation for Reserve Deputy Sheriffs
[Sections 152.076 to 152.900 reserved for expansion]

SUBCHAPTER Z. MISCELLANEOUS PROVISIONS

- 152.901. Travel Expenses for Certain County Agents and
Board Members.
- 152.902. Compensation for Reserve Deputy Constables.
- 152.903. Compensation for Interpreters Employed by Dis-
trict Courts.
- 152.904. Compensation of County Judge in Certain Coun-
ties.
- 152.905. Procedures for Setting Compensation by District
Judges.
- 152.906. Longevity Pay for Deputy Constables.

SUBCHAPTER A. GENERAL PROVISIONS

§ 152.001. Funds From Which Amounts are Paid
Unless otherwise provided by law, the compensa-
tion, expenses, and allowances set under this code for
a district, county, or precinct officer or employee may
be paid from the general fund of the county in which
the officer or employee serves or from any other
funds that are available for that purpose
Acts 1987, 70th Leg. ch. 149, § 1, eff. Sept. 1, 1987

§ 152.002. Salary Donation to County
The county may accept from an elected county or
precinct officer a gift or donation of all or part of the
salary paid by the county to the officer. The county
treasurer shall deposit a gift or donation accepted
under this section in the general fund of the county
Added by Acts 1989, 71st Leg. ch. 1259 § 1, eff. June 18,
1989

[Sections 152.003 to 152.010 reserved for expansion]

**SUBCHAPTER B. AMOUNT OF COMPENSA-
TION, EXPENSES, AND ALLOWANCES
GENERALLY APPLICABLE**

§ 152.011. Amount Set by Commissioners Court
The commissioners court of a county shall set the
amount of the compensation, office and travel expen-
ses, and all other allowances for county and pre-
cinct officers and employees who are paid wholly from
county funds
Acts 1987, 70th Leg., ch. 149, § 1, eff. Sept. 1, 1987

§ 152.012. Minimum Amount of Salary
The commissioners court may not set the salary of
an officer or employee at an amount less than the
amount of the salary in effect on January 1, 1972.
The court may not set the salary of a justice of the
peace at an amount less than the amount of the salary
in effect on May 25, 1973
Acts 1987, 70th Leg., ch. 149, § 1, eff. Sept. 1, 1987

§ 152.013. Procedure for Setting Amounts for
Elected Officers
(a) Each year the commissioners court shall set the
salary, expenses, and other allowances of elected county
or precinct officers. The commissioners court shall
set the items at a regular meeting of the court during
the regular budget hearing and adoption proceedings.
(b) Before the 10th day before the date of the
meeting, the commissioners court must publish in a

PUBLIC NOTICE

FILED
 REX A. SHAW
 COUNTY CLERK
 98 SEP 14 AM 10:51

In accordance with Texas Local Government Code, Section 152.013(b), the Upshur County Commissioners Court hereby gives notice that it will consider an increase in salaries for the following elected officials at its meeting on September 14, 1998, at 9:00 A.M., in the Upshur County Commissioners Courtroom.

<u>Elected Official</u>	<u>Current Annual Salary</u>	<u>Proposed Increase</u>	<u>Proposed Annual Salary</u>
County Clerk	\$ 31212	\$ 1200	\$ 32412
District Clerk	31212	1200	32412
Treasurer	31212	1200	32412
Tax Assessor-Collector salary supplement	31212 -0-	1200 4800	32412 4800
Sheriff	31212	6000	37212
Justices of the Peace:			
Precinct #1	21600	1200	22800
Precinct #2	23400	1200	24600
Precinct #3	21600	1200	22800
Precinct #4	21600	1200	22800
County Judge	33540	1200	34740
County Commissioners:			
Precinct #1	33540	1200	34740
Precinct #2	33540	1200	34740
Precinct #3	33540	1200	34740
Precinct #4	33540	1200	34740
Constables:			
Precinct #1	17623	1200	18823
Precinct #2	17623	1200	18823
Precinct #3	17623	1200	18823
Precinct #4	17623	1200	18823

TEXAS ASSOCIATION OF COUNTIES

1204 San Antonio • Austin, TX 78701

PO Box 2131 • Austin, TX 78768-2131

Sam D. Seale • Executive Director



August 27, 1998

Dear Judge,

The Texas Association of Counties, Executive Committee has agreed to serve as an umbrella organization for the Texas Counties Storm Water Coalition. The Coalition was formed after several county officials expressed concerns over the Environmental Protection Agency's Storm Water Phase II proposed rules and the impact those rules will have on every Texas county.

In July of this year an Interim Steering Committee was formed to begin the process of organizing the coalition. At that time I was selected interim chairman of the coalition and I currently serve with Judge Jim Sagebiel, Guadalupe County, Judge Horace Groff, Grayson County, Commissioner Richard Cortese, Bell County, Commissioner Danny Scheel, Comal County, Commissioner Mike Heiligenstein, Williamson County, and Commissioner Mack Dobbs, Parker County. The goal of the Coalition is to provide an organized county initiative in opposition to the proposed rules. This goal will only be accomplished if county officials voice their concerns to state and federal elected officials, as well as the regulatory agencies involved with this program.

Approximately 80 Texas cities have formed a similar coalition in opposition to the proposed rules. We are hopeful that the combined efforts of the two Texas coalitions will provide initiatives for a more workable solution other than the rules as currently proposed. We see this as a pro-active approach instead of a wait and see approach.

Should the rules be adopted as currently proposed, the economic impact on counties could be enormous. The Texas Association of Counties has incurred all the expenses in opposing the rules, to this point. The temporary steering committee feels that due to the possible enormous monetary impact on counties, the coalition needs to be funded solely by the counties who wish to participate in this undertaking. These funds will be used to support the efforts of the coalition. The Texas Association of Counties will continue to provide staff and resources to support the coalition.

Counties who wish to join the coalition are encouraged to adopt the enclosed resolution and remit a check payable to the Texas Association of Counties Storm Water Coalition Fund, based on the following rate structure. The check and resolution should be returned to the Texas Association of Counties, 1204 San Antonio, Austin, Texas 78701, Attn: Sue Glover.

AMOUNT	\$15,000	\$12,000	\$5,000	\$2,000	\$750	\$500	\$250
1990 County Population	Over 500,000 (excluding Harris County)	200,000 - 500,000	100,000 - 200,000	50,000 - 100,000	25,000 - 50,000	10,000 - 25,000	Below 10,000

(512)-478-8753 • 1-(800)-456-5974 • FAX (512)-478-0519

VOL 51 Pg 10/15

53 SEP 1998 TEX FILED

VOL 51 PG 10/16

A meeting of the coalition will be held during the County Judges and Commissioner's Conference in Fort Worth, at the end of September. The meeting will be an organizational meeting to set strategies, adopt a budget and select permanent steering committee members.

This issue needs your immediate attention. Please feel free to call me if you have any questions. My number in Victoria is 512-575-4558.

Sincerely,



Helen R. Walker
Victoria County Judge
Interim Chairman

CC: County Commissioners

TEXAS ASSOCIATION OF COUNTIES

1204 San Antonio • Austin TX 78701

PO Box 2131 • Austin TX 78768-2131

Sam D. Seale • Executive Director



August 27, 1998

Dear Judge and Commissioners:

Congress has recessed for the month of August and members will be back home during the upcoming holiday. Many of the members will be visiting with their local county officials during the recess. We would kindly request that you pass on the following concerns regarding the Storm Water Phase II proposed rules.

As you are aware in January the Environmental Protection Agency (EPA) issued Storm Water Phase II proposed rules. The rules as proposed will impact every county in Texas. The Texas Association of Counties legislative staff, with the assistance of the Bickerstaff, Heath, Smiley, Pollan, Kever & McDaniel law firm, submitted comments on behalf of Texas counties.

Phase II seeks to expand on the existing storm water program, Phase I, which was implemented to reduce polluted runoff from major industrial facilities, large and medium city storm sewers, and construction sites that disturb five or more acres of land. Phase II picks up where Phase I left off, broadening the scope of EPA regulation of storm water discharges to include smaller municipalities and counties, as well as construction sites that disturb at least one acre of land.

Thirty-eight counties have been specifically identified in the proposed regulations as owners of small municipal separate storm sewer systems (MS4s). We anticipate that several additional counties will fall within the scope of EPA's automatic designation as "urbanized areas" following the census in 2000. Under the proposed rule, all regulated small municipal separate sewer systems must develop, implement, and enforce a storm water management program designed to reduce the discharge of pollutants to the "maximum extent practicable." As we understand the proposed rules a drainage ditch in the county could be considered a small municipal separate storm sewer system.

Another provision which will effect every Texas county is the proposal to regulate construction sites of greater than one acre. Accordingly, counties which engage in construction activities (such as clearing, grading, and excavating) could be required to obtain permits for discharges from such sites.

The proposed rules are an example of another federal unfunded mandate on Texas counties. The economic impact on county budgets could be enormous. The EPA has projected "per capita" costs, for implementation of the six minimum control measures associated with the regulation of small municipal separate storm sewer systems, is \$2.67. EPA does acknowledge that per capita costs would be higher for Phase II municipalities. At this point we believe an estimate of \$5.00 per capita for Texas counties is a very conservative number.

(512)-478-8753 • 1-(800)-456-5974 • FAX (512)-478-0519

VOL 51 PG 1017

VOL 51 PG 1018

The EPA published no Phase II construction compliance cost estimates comparable to the estimates it provided with respect to the six minimum control measures required of small municipal storm sewer systems.

Another big concern included in the proposed rules is EPA's assumption that Texas counties have regulatory enforcement authority. Texas counties lack the authority to enact the ordinances and implement all of the regulatory requirements that Phase II requires.

The economic burden will be felt by the tax payers in their home counties. Therefore, these concerns need to be echoed to our congressional delegation while visiting in their home counties. Please pass along the enclosed information sheet to your congressional member. Your support for this effort is greatly appreciated.

Sincerely,


Sam D. Seale
Executive Director

PLEASE SHARE WITH YOUR CONGRESSIONAL MEMEBERS

38 Counties Automatic Designation as Small Municipal Separate Storm Sewer Systems (MS4's)
(Bell, Bexar, Bowie, Brazoria, Brazos, Cameron, Collin, Coryell, Dallas, Denton, Ector, El Paso, Fort Bend, Galveston, Grayson, Gregg, Guadalupe, Hardin, Hidalgo, Jefferson, Lubbock, McLennan, Midland, Montgomery, Nueces, Potter, Randall, Rockwall, San Patricio, Smith, Tarrant, Taylor, Tom Green, Travis, Victoria, Webb, Wichita, Williamson)

- Requires counties to obtain permits for storm water discharges from "small municipal storm sewer systems", also known as MS4's
- Owners and Operators of MS4's must develop, implement, and enforce a storm water management program, with six minimum control measures, designed to reduce the discharge of pollutants to the "maximum extent practicable". Those six minimum control measures are as follows:
 - Public education and outreach on storm water impacts,
 - Public involvement/participation,
 - Illicit discharge detection and elimination,
 - Construction site storm water runoff control,
 - Post-construction storm water management in new development and redevelopment; and
 - Pollution prevention/good housekeeping for municipal operations.
- Drainage ditch in the county right-of-way will be considered an MS4 and therefore the county will need to develop and enforce the storm water management program.
- The EPA has projected "per capita" costs, for implementation of the six minimum control measures associated with the regulation of small municipal separate storm sewer systems, by taking a sample of 21 permit applications from Phase I municipalities and extrapolating from that program's data. EPA estimates that the mean annual per capita cost is \$2.67. EPA does acknowledge that per capita costs would be higher for Phase II municipalities. At this point we believe an estimate of \$5.00 per capita for these Texas counties is a very conservative number.

Construction Sites that Disturb 1 to 5 Acres (Impacts all Texas Counties)

- Counties which engage in construction activities (such as clearing, grading, and excavating) will be required to obtain permits for discharges from such sites
- Counties will be required to develop, implement, and enforce programs to control runoff from others (and their own) construction sites as one of the minimum control measures.
 - Counties in Texas lack this type of regulatory authority to enforce programs and control runoff from others.
- ~~This provision would include routine road maintenance.~~
- The EPA published no Phase II construction compliance cost estimates comparable to the estimates it provided with respect to the six minimum control measures required of small municipal storm sewer systems.
 - Program requirements would consist of such things as temporary and permanent seeding; silt fences; vegetative buffer strips, and sediment traps

VOL. 51 PG 1020

Texas Counties Lack of Regulatory Authority

- Texas counties possess only such powers as are conferred by the state constitution or state statutes.
- Texas counties lack the authority to enact the ordinances and implement all of the regulatory requirements that Phase II requires.

Phase II Violates the Tenth Amendment

- Phase II requires county owners/operators of small municipal separate storm sewer systems to enact ordinances, and to develop and implement programs to effectuate the EPA's storm water scheme.
- Phase II restricts the legislative processes of the States and local governments, treating them as "regional offices" or "administrative agencies" of the EPA.

General Concerns

- Designation of MS4 counties is arbitrarily based on population size not on water quality issues.
- The One-Acre threshold to trigger automatic permitting of Construction Activities is capricious and not based on adverse water quality impacts.
- The proposed rules are vague and appear to "paint a broad brush" over the issue of water quality.
- EPA's assumption that Texas counties have regulatory authority to carry out the requirements of Phase II.
- Texas counties were not covered under Phase I and the cost of implementing Phase II could be enormous to the local tax payer.

RESOLUTION

VOL 51 PG 1021

Resolution regarding the County's Participation in the Storm Water Phase II Coalition

WHEREAS, the United States Environmental Protection Agency has proposed Phase II Storm Water Discharge Regulations and the proposed regulations have been published in the Federal Register; and

WHEREAS, during the public comment period which ended April 9, 1998, the Texas Association of Counties submitted comments to the EPA opposing the adoption of the proposed regulations; and

WHEREAS, the proposed regulations, if adopted in current form, will have enormous economic consequences for many counties and require local governments to conduct the proposed federal regulatory program; and

WHEREAS, the 38 counties automatically designated in the proposed rules will be required to obtain permits for storm water discharges from "small municipal storm sewer systems", also known as MS4's; and

WHEREAS, in these 38 counties a drainage ditch in the county right-of-way will be considered an MS4 and therefore the county will be required to develop and enforce the storm water management program; and

WHEREAS, every county in the State of Texas which engages in construction activities of at least one acre (such as clearing, grading, and excavating) will be required to obtain permits for discharges from such sites; and

WHEREAS, Texas counties lack the authority to enact ordinances and implement all of the regulatory requirements that Phase II requires; and

WHEREAS, a Texas County Storm Water Phase II Coalition has been formed to provide an organized county initiative in opposition to the proposed rules; and

WHEREAS, the Coalition will work with State and Federal leaders to make Phase II a more workable and affordable program for counties to implement, and

WHEREAS, the Coalition will be solely funded by counties who which to participate in the efforts of this Coalition; and

WHEREAS, the Texas Association of Counties will serve as the facilitator in this project and will collect and deposit all county contributions into the Coalition fund; and

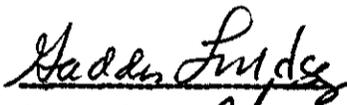
WHEREAS, all expenditures from this fund will be authorized and approved by the Coalition Public Official's Steering Committee, which will be comprised of county officials.

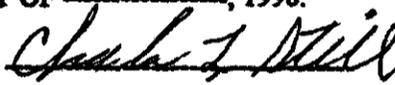
NOW, THEREFORE, BE IT RESOLVED, that Upshur County opposes the adoption and implementation of the EPA's Phase II Storm Water Discharge Regulations as proposed; and

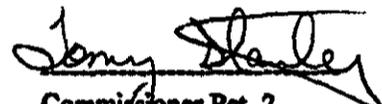
BE IT FURTHER RESOLVED, that Upshur County supports the efforts of the Texas County Storm Water Phase II Coalition; and

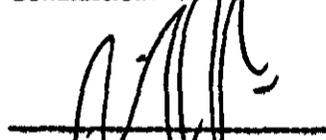
BE IT FINALLY RESOLVED, that Upshur County agrees to a financial contribution to the Texas Association of Counties in the amount of \$ NA to support the efforts of the Coalition

APPROVED THIS THE 14th DAY OF September, 1998.


Commissioner Pct. 1


County Judge


Commissioner Pct. 2


Commissioner Pct. 3


Commissioner Pct. 4



Texas Department of Transportation

AVIATION DIVISION

125 E. 11TH STREET • AUSTIN, TEXAS 78701-2483 • 512/416-4500 • FAX 512/416-4510

VOL 51 PG 1022

*Appoint Capt
Dutch Ragland*

August 26, 1998

The Honorable Charles L. Still
County Judge
P.O. Box 885
Big Sandy, TX 75755

Dear Judge Still:

As part of the continuous airport system planning process, the Texas Department of Transportation, Aviation Division is conducting a series of regional planning meetings throughout the state to review and update information for each airport in the Texas airport system. We are extending an invitation for you to attend the meeting scheduled for your area during which we will discuss the Gilmer-Upshur County Airport along with other area airports. The meeting will be held in:

Marshall
Thursday, September 17, 1998, 9 A.M. - 11 A.M.
Harrison County Airport
2110 Warren Drive
Marshall, Texas

During this approximately two-hour public meeting, you will have an opportunity to discuss airport needs. We will discuss economic activity in general, and then focus specifically on the need for airport improvements as they relate to safety, access, local economic enhancement, and community development. Specific airport development plans and timing of projects will be reviewed to determine if the Aviation Division information is correct and current. In addition, funding procedures for state and federal financial programs for general aviation airports will be addressed.

This meeting provides a unique opportunity to provide essential input into the planning process, in addition to promoting an exchange of ideas and information with neighboring airport sponsors, TxDOT representatives, elected officials, and other interested citizens.

We encourage you to attend the meeting, and we look forward to seeing you. Please contact Linda Howard at 1-800-68-PILOT, if you have any questions regarding this meeting.

Respectfully,

David S. Fulton
Director

enclosures

FILED
SEP 14 1998
FBI - AUSTIN

Texas Airport System Plan
 Airport Development Worksheet
AIRPORT DESCRIPTION

VOL 51 PG 1023

Printed 08/17/98

Revised 08/17/98

Airport: Gilmer-Upshur County
 Associated City: Gilmer

County: Upshur
 Airport ID: 4F4

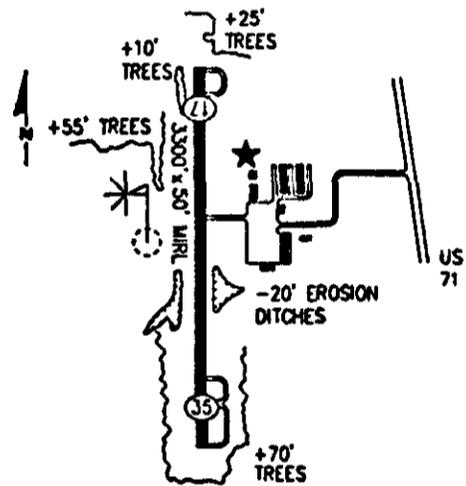
	Current	0-5	06-10	11-20
Design Standards	BUII	GUI	GUI	GUI
Airport Reference Code:		B-II		
Runway Type:		NP		
Aircraft Size:	S			
State Role:	GU			
Service Level:	GA			

Annual Activity	
Year	98
Operations:	7200
Year	0
Enplanements:	0
Based Aircraft	
Total	24
Multi-Engine	2
Jet	0
Helicopter	0
Date Reported	07/06/98

— Airport Data —

Sponsor: City
 NPIAS No.: 48-0094
 Site No. 23939.11A
 Approach: VOR/DME-A
 Approach Mins.: 765-1
 Approach Rwy: CIR
 Altimeter: N
 Temperature: 94
 Elevation: 415
 Public: Y
 PRI RW Wind Coverage: 98.

Airport Sketch



Note:

Plans Completion Date

ALP 07/31/70

AMP / /

Regional 09/30/93

VOL 51 PG 1024

Texas Airport System Plan
Airport Development Worksheet

DEVELOPMENT BY TIME PERIOD

Printed 08/17/98

Page 1

Airport: Gilmer-Upshur County
Associated City: GilmerRevision Date
08/17/98

Project Description	Time Period: 0-5	Project Cost (\$000)	Const Type	Object Code	Airport Comp	Prior	Active* Proj
Acq land for RW 17-35 extension (7 ac)		12.0	LAND	UPGR	PRWY	31	Y
Drainage improvements for TW		10.0	LAND	STDS	PTXY	31	Y
Acquire land for RPZ RW 35 (8 ac)		16.0	LAND	STDS	PRWY	32	Y
Acquire land for RPZ RW 17 (7 ac)		14.0	LAND	STDS	PRWY	32	Y
Acquire land for OFA RW 17 (1.2 ac)		2.4	LAND	STDS	PRWY	32	Y
Extend and mark RW 17-35 (700 x 60) (35 end)		132.0	PAVE	UPGR	PRWY	33	Y
Site preparation for RW 17-35 extension		200.0	PAVE	UPGR	PRWY	33	Y
Construct RW turnaround for RW 35 extension		19.0	PAVE	STDS	PRWY	34	Y
Construct part parallel TW to RW 17 (1500 x 35)		133.0	PAVE	STDS	PTXY	33	Y
Rehabilitate & mark RW 17-35 (3300 x 50)		55.2	PAVE	PRSV	PRWY	35	Y
Expand apron (4450 sy)		117.5	PAVE	CAPT	APRN	30	Y
Widen & mark RW 17-35 (3300 x 10)		105.0	PAVE	STDS	PRWY	34	Y
Reconstruct apron (3335 sy)		62.0	PAVE	RECN	APRN	33	Y
Rehabilitate and mark TWs (250 x 30)		1.5	PAVE	PRSV	PTXY	34	Y
Extend MIRL (600 lf)		9.0	LITE	UPGR	PRWY	32	Y
Install TW CL reflectors (1750 lf)		.7	LITE	STDS	PTXY	32	Y
Relocate MIRL for RW widening (3300lf)		22.0	LITE	STDS	PRWY	33	Y
Relocate windcone/ segmented circle		4.0	LITE	STDS	PRWY	33	Y
Install RW exit signs (4 ea.)		4.0	LITE	STDS	PRWY	33	Y
Install REILs for RW 17-35		47.0	LITE	STDS	PRWY	33	N
Install PAPI-2 RW 17-35		71.8	AAID	STDS	PRWY	30	N
Construct embankment for RW 17 safety area		25.0	OTHR	SAFE	PRWY	30	Y

Texas Airport System Plan
 Airport Development Worksheet
DEVELOPMENT BY TIME PERIOD

Printed 08/17/98

Page 2

Airport: Gilmer-Upshur County
 Associated City: Gilmer

Revision Date
 08/17/98

Install perimeter fencing (2200 lf)	8.3	OTHR	UPGR	PRWY	26	Y
Build Terminal building Level 2 (1000 sf)	98.6	BLDG	STDS	TERM	24	N

Time Period: 0-5	Total Cost	\$217.4
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Project Description	Time Period: 06-10	Project Cost(\$000)	Const Type	Object Code	Airport Comp	Prior	Active* Proj
Rehabilitate RW 17-35 (4000 x 60)		96.5	PAVE	PRSV	PRWY	35	N
Rehabilitate and mark TWs & apron (10,000 sy)		36.2	PAVE	PRSV	PTXY	34	N
Stripe & mark RW 17-35 (11,700 sf)		13.6	PAVE	PRSV	PRWY	35	N

Time Period: 06-10	Total Cost	\$146.3
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Project Description	Time Period: 11-20	Project Cost(\$000)	Const Type	Object Code	Airport Comp	Prior	Active* Proj
Rehabilitate RW 17-35 (4000 x 60)		98.6	PAVE	PRSV	PRWY	35	N
Rehabilitate and mark TWs & apron (10,000 sy)		36.2	PAVE	PRSV	PTXY	34	N
Stripe & mark RW 17-35 (11,700 sf)		13.6	PAVE	PRSV	PRWY	35	N

Time Period: 11-20	Total Cost	\$148.4
--------------------	------------	---------

Time Period 0-20	Total Cost	\$512.1
------------------	------------	---------

* Active projects are omitted from totals. All costs are computed by a 3 year inflation factor for planning purposes, however, 0-5 time frame could report higher costs due to actual engineering estimates.



DEPARTMENT OF COMMUNITY SUPERVISION AND CORRECTIONS

SERVING THE COURTS OF MARION AND UPSHUR COUNTIES

Marion County Office
P.O. Box 628
Jefferson, Texas 75657
903-665-3909

Upshur County Office
405 North Titus
Gilmer, Texas 75644
903-843-3006

Satellite Office
Courthouse
Gilmer, Texas 75644
903-843-2583

Darrell Ray
Director

September 11, 1998

To Whom It May Concern:

Please be advised of an open meeting on Friday, September 25, 1998, at 8:30 a.m. in the 115th District Courtroom located in the Justice Center at 405 N. Titus, Gilmer, Texas. This meeting will address the FY'99 budget for Upshur-Marion County Community Supervision and Corrections Department.

Sincerely,

Darrell Ray
Director

DR:kh

FILED
CLX
CO
98 SEP 14 PM 12:05
BY _____
COUNTY

RECEIVED
BY T. HENSEN
SEP 11 11:33 AM '98

**TEXAS DEPARTMENT OF CRIMINAL JUSTICE,
COMMUNITY JUSTICE ASSISTANCE DIVISION
BUDGET ADJUSTMENT REQUEST FOR FY 1999 FUNDING**

1. Provide summary budget figures below and attach supporting schedules. Use whole dollars.
2. Provide on the following page additional explanations, as needed, for adjustments.

ADJUSTED PROGRAM SPREADSHEET

CHIEF COUNTY:	PROGRAM/SERVICE TITLE			
Upshur	Basic Supervision			
TDCJ-CJAD Funding:	Supervision	(B. Supervision, CCP, DTP, TAIP)		
DTP/TAIP Grant #:		(If applicable)	Adjustment #:	1st
	CURRENT APPROVED BUDGET	REQUESTED ADJUSTMENTS (+/-)	REQUESTED ADJUSTED BUDGET	CJAD USE ONLY
REVENUE:				
TDCJ-CJAD Funding (State Aid)	263,489	+13,235	276,724	
PSI Payments	7,000		7,000	
Community Supervision Fees Col	280,000		280,000	
Payments by Program Participants	5,000		5,000	
Interest Income	5,500		5,500	
Carry Over from Previous FY	29,164	+ 1,645	30,809	
Other Revenue	300		300	
Interfund Transfer [+ or -]				
TOTAL REVENUE	590,453	+14,880	605,333	
TYPE OF EXPENDITURE.				
Salaries/Fringe Benefits	488,020	+39,680	527,700	
Travel/Furnished Transportation	15,500	+ 200	15,700	
Contract Services for Offenders	10,300		10,300	
Professional Fees	12,070		12,070	
Supplies & Operating Expenditures	40,763	-25,000	15,763	
Facilities, Utilities & Equipment	23,800		23,800	
TOTAL EXPENDITURES	590,453	+14,880	605,333	

Budget Adjustment Requested By:	
CSCD Director/Grant Recipient (original signature required)	Date

SWOSPD5H.WQ1

SUPPORTING SCHEDULES FOR FY 1999 BUDGET ADJUSTMENTS

Date Submitted: 09-11-98

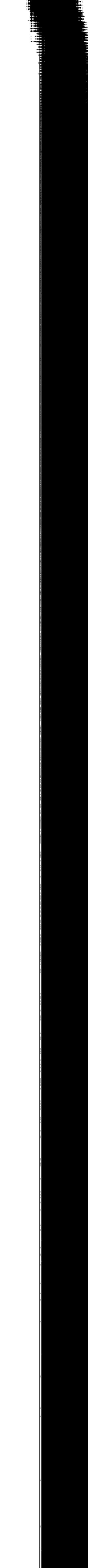
Please provide complete explanations below as needed. If necessary, attach additional sheets.

CHIEF COUNTY:	PROGRAM/SERVICE TITLE.
Upshur	Basic Supervision
<p>Salaries/Fringe Benefits - Increased salaries and fringe benefits to coincide with County raises. Eliminated Supervision Officer position which at this time will not be filled.</p> <p>Part-time Salaries - Increased receptionist salary to reflect a full year employment.</p> <p>Overtime - To pay full time employees for conduction classes after regular office hours. These classes are part of the Upshur-Marion County Continuum of Care and specific to rehabilitation and state mandate.</p> <p>Furnished Transportation - Increased insurance amount to reflect actual cost of current insurance.</p> <p>Supplies & Operating Expenses - Removed unbudgeted expenditure amount to go into expenditures.</p> <p>Utilities - Increased cellular phone service and decreased long distance phone calls by the same amount.</p>	

9WOSPDSH WQ1

CHIEF COUNTY	PROGRAM/SERVICE TITLE:
Upshur	Basic Supervision

Date Submitted:



SUPPORTING SCHEDULES FOR FY 1999 BUDGET ADJUSTMENTS

Date Submitted: _____

CHIEF COUNTY:	PROGRAM/SERVICE TITLE:		
Upshur	Basic Supervision		
TYPE OF EXPENDITURE	CURRENT APPROVED BUDGET	REQUESTED ADJUSTMENT (+/-)	REQUESTED ADJUSTED BUDGET
TRAVEL/FURNISHED TRANSPORTATION			
1. Travel:			
a. Mileage	7,500		
b. Per Diem	6,000		
Total Travel	13,500	0	13,500
2. Furnished Transportation:			
a. Vehicle Purchase/Lease (Include separate justification for any new or replacement vehicles)			
b. Vehicle Operating Expenses:			
I Maintenance	300	0	300
II Fuel	900	0	900
III Insurance	800	+ 200	1,000
IV Other (specify)			
Vehicle Accessories			
Mobile Radio			
Total Furnished Transportation	2,000	+ 200	2,200
TOTAL TRAVEL/FURNISHED TRANSPORTATION	15,500	+ 200	15,700
INVENTORY OF VEHICLES (make / model / serial number / current mileage):			
1996 Ford Crown Victoria	2FALP72W1TX210234	28,683	

SUPPORTING SCHEDULES FOR FY 1999 BUDGET ADJUSTMENTS

Date Submitted: _____

CHIEF COUNTY:	PROGRAM/SERVICE TITLE:		
Upshur	Basic Supervision		
TYPE OF EXPENDITURE	CURRENT APPROVED BUDGET	REQUESTED ADJUSTMENT (+/-)	REQUESTED ADJUSTED BUDGET
CONTRACT SERVICES FOR OFFENDERS			
Provider/Service (Include vendor name, number of beds/EM units, number of days, cost/day, unit rates)			
Upshur County Literacy \$10/ea (Educational Assessment)	1,800	0	1,800
Financial Management	3,600	0	3,600
Anger Management Class	3,600	0	3,600
Physicals	800	0	800
Bus Tickets	200	0	200
Victim Impact Panel	300	0	300
TOTAL CONTRACT SERVICES FOR OFFENDERS	10,300	0	10,300

SUPPORTING SCHEDULES FOR FY 1999 BUDGET ADJUSTMENTS

Date Submitted: _____

CHIEF COUNTY:	PROGRAM/SERVICE TITLE:		
Upshur	Basic Supervision		
TYPE OF EXPENDITURE	CURRENT APPROVED BUDGET	REQUESTED ADJUSTMENT (+/-)	REQUESTED ADJUSTED BUDGET
PROFESSIONAL FEES			
1. Fiscal Service Fee	1,970	0	1,970
2. Other Professional Fees: (specify)			
Staff Training	1,500	0	1,500
Licenses/Memberships	0	0	0
Registration Fees	4,500	0	4,500
Bonds & Insurance	100	0	100
Audit	2,000	0	2,000
Computer Programming \$65/hr	2,000	0	2,000
TOTAL PROFESSIONAL FEES	12,070	0	12,070

SUPPLIES & OPERATING EXPENDITURES			
1 Office Supplies	6,500	0	6,500
2. Unanalysis Supplies Cost/test if change:			
3. Computer Supplies	2,000	0	2,000
4. Other Operating Expenditures:(specify)			
Wholesale Club Membership	400	0	400
Postage	2,700	0	2,700
Printing	3,313	0	3,313
API	850	0	850
Unbudgeted Expenditure Amount	25,000	-25,000	0
TOTAL SUPPLIES & OPERATING EXPENDITURES	40,763	-25,000	15,763

SUPPORTING SCHEDULES FOR FY 1999 BUDGET ADJUSTMENTS

Date Submitted: _____

CHIEF COUNTY:	PROGRAM/SERVICE TITLE:		
Upshur	Basic Supervision		
TYPE OF EXPENDITURE	CURRENT APPROVED BUDGET	REQUESTED ADJUSTMENT (+/-)	REQUESTED ADJUSTED BUDGET
FACILITIES, UTILITIES, & EQUIPMENT			
1. Facilities			
a. Renovation/Construction (Explain)			
b. Facility Maintenance			
c. Rent / Payment			
d. Other Facility Expenditures (specify)			
Total Facilities			
2. Utilities (specify)			
Cable			
Cellular Phone Services	820	+140	960
Dedicated Line for FAX/EM/Computers	6,100	0	6,100
Electricity			
Garbage			
Gas			
Internet Access			
Long Distance Phone Calls	6,000	-140	5,860
Telephone Installation/Services			
Water/Sewer			
Pager Service	400	0	400
Total Utilities	13,320	0	13,320

SUPPORTING SCHEDULES FOR FY 1999 BUDGET ADJUSTMENTS

Date Submitted: _____

CHIEF COUNTY:	PROGRAM/SERVICE TITLE:		
Upshur	Basic Supervision		
TYPE OF EXPENDITURE	CURRENT APPROVED BUDGET	REQUESTED ADJUSTMENT (+/-)	REQUESTED ADJUSTED BUDGET
3. Equipment: (Specify each item requested)			
Equipment Maintenance	2,500	0	2,500
Equipment Repair	500	0	500
Calculators	180	0	180
Personal Computers	5,700	0	5,700
Printers	1,500	0	1,500
Pagers	100	0	100
Total Equipment	10,480	0	10,480
TOTAL FACILITIES, UTILITIES & EQUIPMENT	23,800	0	23,800

99W0ADJ.WQ1

**TEXAS DEPARTMENT OF CRIMINAL JUSTICE
COMMUNITY JUSTICE ASSISTANCE DIVISION
BUDGET ADJUSTMENT REQUEST FOR FY 1999 FUNDING**

1. Provide summary budget figures below and attach supporting schedules. Use whole dollars.
2. Provide on the following page additional explanations, as needed, for adjustments.

ADJUSTED PROGRAM SPREADSHEET

CHIEF COUNTY:	PROGRAM/SERVICE TITLE:			
Upshur	Substance Abuse Services			
TDCJ-CJAD Funding:	CCP	(B. Supervision, CCP, DTP, TAIP)		
DTP/TAIP Grant #:		(If applicable)	Adjustment #: 1st	
	CURRENT APPROVED BUDGET	REQUESTED ADJUSTMENTS (+/-)	REQUESTED ADJUSTED BUDGET	CJAD USE ONLY
REVENUE				
TDCJ-CJAD Funding (State Aid)	56,810		56,810	
PSI Payments	0		0	
Community Supervision Fees Col	0		0	
Payments by Program Participants	600		600	
Interest Income	0		0	
Carry Over from Previous FY	0		0	
Other Revenue	0		0	
Interfund Transfer [+ or -]	0		0	
TOTAL REVENUE	57,410		57,410	
TYPE OF EXPENDITURE				
Salaries/Fringe Benefits	0		0	
Travel/Furnished Transportation	6,300		6,300	
Contract Services for Offenders	37,510		37,510	
Professional Fees	920		920	
Supplies & Operating Expenditures	12,680		12,680	
Facilities, Utilities & Equipment	0		0	
TOTAL EXPENDITURES	57,410		57,410	

Budget Adjustment Requested By:	
CSCD Director/Grant Recipient (original signature required)	Date

9WOSPOSH WQ1

SUPPORTING SCHEDULES FOR FY 1999 BUDGET ADJUSTMENTS

Date Submitted: 09-11-98

Please provide complete explanations below as needed. If necessary, attach additional sheets.

CHIEF COUNTY.	PROGRAM/SERVICE TITLE:
Upshur	Substance Abuse Services
<p>Contract Services: Eliminated funding for Sherry Hartsell, AODC, and placed that amount in Gilmer Counseling Service.</p>	

9WOSPOSH.WQ1

SUPPORTING SCHEDULES FOR FY 1999 BUDGET ADJUSTMENTS

Date Submitted: _____

CHIEF COUNTY:	PROGRAM/SERVICE TITLE:		
Upshur	Substance Abuse Services		
TYPE OF EXPENDITURE	CURRENT APPROVED BUDGET	REQUESTED ADJUSTMENT (+/-)	REQUESTED ADJUSTED BUDGET
SALARIES/FRINGE BENEFITS			
1 Full-time Salaries--Position Title:			
(Attach additional pages if necessary.)			
Total Full-time Salaries	0	0	0

99WOADJ WQ1

SUPPORTING SCHEDULES FOR FY 1999 BUDGET ADJUSTMENTS

Date Submitted: _____

CHIEF COUNTY.	PROGRAM/SERVICE TITLE.		
Upshur	Substance Abuse Services		
TYPE OF EXPENDITURE	CURRENT APPROVED BUDGET	REQUESTED ADJUSTMENT (+/-)	REQUESTED ADJUSTED BUDGET
SALARIES/FRINGE BENEFITS (Continued) 2. Part-time Salaries--Position Title:			
Total Part-time Salaries			
Total Salaries (Part-time + full-time.)	0	0	0
3 Fringe Benefits:			
a Retirement Matching			
b. FICA Matching			
c. Insurance			
d. Unemployment Benefits			
e. Other (specify)			
Total Fringe Benefits			
TOTAL SALARIES/ FRINGE BENEFITS	0	0	0

SUPPORTING SCHEDULES FOR FY 1999 BUDGET ADJUSTMENTS

Date Submitted: _____

CHIEF COUNTY:	PROGRAM/SERVICE TITLE:		
Upshur	Substance Abuse Services		
TYPE OF EXPENDITURE	CURRENT APPROVED BUDGET	REQUESTED ADJUSTMENT (+/-)	REQUESTED ADJUSTED BUDGET
TRAVEL/FURNISHED TRANSPORTATION			
1. Travel:			
a Mileage	3,800	0	3,800
b Per Diem	2,500	0	2,500
Total Travel	6,400	0	6,300
2. Furnished Transportation			
a Vehicle Purchase/Lease (Include separate justification for any new or replacement vehicles)			
b Vehicle Operating Expenses:			
I Maintenance			
II. Fuel			
III, Insurance			
IV Other (specify)			
Vehicle Accessories			
Mobile Radio			
Total Furnished Transportation	0	0	0
TOTAL TRAVEL/FURNISHED TRANSPORTATION	6,300	0	6,300
INVENTORY OF VEHICLES (make / model / serial number / current mileage).			

SUPPORTING SCHEDULES FOR FY 1999 BUDGET ADJUSTMENTS

Date Submitted: _____

CHIEF COUNTY:	PROGRAM/SERVICE TITLE:		
Upshur	Substance Abuse Services		
TYPE OF EXPENDITURE	CURRENT APPROVED BUDGET	REQUESTED ADJUSTMENT (+/-)	REQUESTED ADJUSTED BUDGET
CONTRACT SERVICES FOR OFFENDERS			
Provider/Service: (Include vendor name, number of beds/EM units, number of days, cost/day, unit rates)			
Accu Chem Laboratory	14,700	0	14,700
Sherry Hartsell, AODC	4,800	-4,800	0
Sabine Valley MHMR	2,000	0	2,000
Personal Development Seminars (Lifeskills)	3,110	0	3,110
County Rehabilitation Center	10,000	0	10,000
Correctional Security	900	0	900
Bus Tickets/Physicals	1,000	0	1,000
Crystal Johnson, MS (Psychologicals)	1,000	0	1,000
Gilmer Counseling Service	0	+4,800	4,800
TOTAL CONTRACT SERVICES FOR OFFENDERS	37,510	0	37,510

SUPPORTING SCHEDULES FOR FY 1999 BUDGET ADJUSTMENTS

Date Submitted: _____

CHIEF COUNTY:	PROGRAM/SERVICE TITLE:		
Upshur	Substance Abuse Services		
TYPE OF EXPENDITURE	CURRENT APPROVED BUDGET	REQUESTED ADJUSTMENT (+/-)	REQUESTED ADJUSTED BUDGET
PROFESSIONAL FEES			
1. Fiscal Service Fee	420	0	420
2. Other Professional Fees: (specify) Staff Training Licenses/Memberships Registration Fees Bonds & Insurance	500	0	500
TOTAL PROFESSIONAL FEES	920	0	920

SUPPLIES & OPERATING EXPENDITURES			
1 Office Supplies	300	0	300
2. Urinalysis Supplies Cost/test if change			
3. Computer Supplies	350	0	350
4 Other Operating Expenditures (specify) Software Maintenance Screening Instruments Participant Workbooks Educational Materials	9,000 200 900 200	0 0 0 0	9,000 200 900 200
Unbudgeted Expenditure Amount	1,730	0	1,730
TOTAL SUPPLIES & OPERATING EXPENDITURES	12,680	0	12,680

SUPPORTING SCHEDULES FOR FY 1999 BUDGET ADJUSTMENTS

Date Submitted: _____

CHIEF COUNTY:	PROGRAM/SERVICE TITLE:		
Upsbur	Substance Abuse Services		
TYPE OF EXPENDITURE	CURRENT APPROVED BUDGET	REQUESTED ADJUSTMENT (+/-)	REQUESTED ADJUSTED BUDGET
FACILITIES, UTILITIES, & EQUIPMENT			
1. Facilities:			
a. Renovation/Construction (Explain)			
b. Facility Maintenance			
c. Rent / Payment			
d. Other Facility Expenditures:(specify)			
Total Facilities	0	0	0
2. Utilities: (specify)			
Cable			
Cellular Phone Services			
Dedicated Line for FAX/EM/Computers			
Electricity			
Garbage			
Gas			
Internet Access			
Long Distance Phone Calls			
Telephone Installation/Services			
Water/Sewer			
Total Utilities	0	0	0

SUPPORTING SCHEDULES FOR FY 1999 BUDGET ADJUSTMENTS

Date Submitted: _____

CHIEF COUNTY:	PROGRAM/SERVICE TITLE:		
Upshur	Substance Abuse Services		
TYPE OF EXPENDITURE	CURRENT APPROVED BUDGET	REQUESTED ADJUSTMENT (+/-)	REQUESTED ADJUSTED BUDGET
3. Equipment: (Specify each item requested)			
Total Equipment	0	0	0
TOTAL FACILITIES, UTILITIES & EQUIPMENT	0	0	0

99WOADJ WQ1

**TEXAS DEPARTMENT OF CRIMINAL JUSTICE
COMMUNITY JUSTICE ASSISTANCE DIVISION
BUDGET ADJUSTMENT REQUEST FOR FY 1999 FUNDING**

- 1 Provide summary budget figures below and attach supporting schedules. Use whole dollars
2. Provide on the following page additional explanations, as needed, for adjustments.

ADJUSTED PROGRAM SPREADSHEET

CHIEF COUNTY:	PROGRAM/SERVICE TITLE.			
Upshur	Community Service Restitution			
TDCJ-CJAD Funding: CCP		(B. Supervision, CCP, DTP, TAIP)		
OTF/TAIP Grant #:		(if applicable)	Adjustment #: 1st	
	CURRENT APPROVED BUDGET	REQUESTED ADJUSTMENTS (+/-)	REQUESTED ADJUSTED BUDGET	CJAD USE ONLY
REVENUE				
TDCJ-CJAD Funding (State Aid)	56,097	+3,577	59,674	
PSI Payments				
Community Supervision Fees Col				
Payments by Program Participants				
Interest Income				
Carry Over from Previous FY				
Other Revenue				
Interfund Transfer [+ or -]				
TOTAL REVENUE				
TYPE OF EXPENDITURE:				
Salaries/Fringe Benefits	45,300	+2,605	47,905	
Travel/Furnished Transportation	4,300	+ 160	4,460	
Contract Services for Offenders	0	0	0	
Professional Fees	1,825	0	1,825	
Supplies & Operating Expenditures	1,980	+ 512	2,492	
Facilities, Utilities & Equipment	2,692	+ 300	2,992	
TOTAL EXPENDITURES	56,097	+3,577	59,674	

Budget Adjustment Requested By:	
CSCD Director/Grant Recipient (original signature required)	Date

9WQSPD5H.WQ1

SUPPORTING SCHEDULES FOR FY 1999 BUDGET ADJUSTMENTS

Date Submitted: 09-11-98

Please provide complete explanations below as needed. If necessary, attach additional sheets.

CHIEF COUNTY.	PROGRAM/SERVICE TITLE.
Upshur	Community Service Restitution
<p>Salaries & Part Time & Fringe benefits: Increased part time salary of community service coordinator along with fringe benefits.</p> <p>Furnished Transportation: Increased insurance amount to reflect actual costs.</p> <p>Facilities, Utilities & Equipment: Increased equipment to purchase weed eaters.</p>	

9WOSPOSH.WQ1

SUPPORTING SCHEDULES FOR FY 1999 BUDGET ADJUSTMENTS
Date Submitted: _____

CHIEF COUNTY:	PROGRAM/SERVICE TITLE:		
Upshur	Community Service Restitution		
TYPE OF EXPENDITURE	CURRENT APPROVED BUDGET	REQUESTED ADJUSTMENT (+/-)	REQUESTED ADJUSTED BUDGET
SALARIES/FRINGE BENEFITS			
1. Full-time Salaries--Position Title:			
CSR Coordinator	25,020	0	25,020
(Attach additional pages if necessary.)			
Total Full-time Salaries	25,020	0	25,020

89W0ADJ.WQ1

SUPPORTING SCHEDULES FOR FY 1999 BUDGET ADJUSTMENTS

Date Submitted: _____

CHIEF COUNTY.	PROGRAM/SERVICE TITLE:		
Upshur	Community Service Restitution		
TYPE OF EXPENDITURE	CURRENT APPROVED BUDGET	REQUESTED ADJUSTMENT (+/-)	REQUESTED ADJUSTED BUDGET
SALARIES/FRINGE BENEFITS (Continued)			
2. Part-time Salaries--Position Title:			
CSR Coordinator/Marion County (FICA only) \$11.50/hr	10,690	+2,420	13,110
Total Part-time Salaries	10,690	+2,420	13,110
Total Salaries (Part-time + full-time.)	35,710	+2,420	38,130
3 Fringe Benefits			
a. Retirement Matching	2,260	0	2,260
b. FICA Matching	2,735	+ 185	2,920
c. Insurance	4,345	0	4,345
d. Unemployment Benefits	250	0	250
e. Other (specify)			
Total Fringe Benefits	9,590	+ 185	9,775
TOTAL SALARIES/ FRINGE BENEFITS	45,300	+2,605	47,905

SUPPORTING SCHEDULES FOR FY 1999 BUDGET ADJUSTMENTS

Date Submitted: _____

CHIEF COUNTY.	PROGRAM/SERVICE TITLE:		
Upshur	Community Service Restitution		
TYPE OF EXPENDITURE	CURRENT APPROVED BUDGET	REQUESTED ADJUSTMENT (+/-)	REQUESTED ADJUSTED BUDGET
TRAVEL/FURNISHED TRANSPORTATION			
1. Travel.			
a. Mileage	300	0	300
b. Per Diem	0	0	0
Total Travel	300	0	300
2. Furnished Transportation.			
a. Vehicle Purchase/Lease (Include separate justification for any new or replacement vehicles)			
b. Vehicle Operating Expenses:			
I Maintenance	500	0	500
II Fuel	1,800	0	1,800
III Insurance	1,500	+ 160	1,660
IV Other (specify)			
Vehicle Accessories	200	0	200
Mobile Radio			
Total Furnished Transportation	4,000	+ 160	4,160
TOTAL TRAVEL/FURNISHED TRANSPORTATION	4,300	+ 160	4,460
INVENTORY OF VEHICLES (make / model / serial number / current mileage)			
1996 Ford Ranger Pickup	1FTCR14U4TPA15649	21,898	
1997 Ford F150 XL	1FTZX1766WNA19585	7,142	

SUPPORTING SCHEDULES FOR FY 1999 BUDGET ADJUSTMENTS

Date Submitted: _____

CHIEF COUNTY.	PROGRAM/SERVICE TITLE:		
Upshur	Community Service Restitution		
TYPE OF EXPENDITURE	CURRENT APPROVED BUDGET	REQUESTED ADJUSTMENT (+/-)	REQUESTED ADJUSTED BUDGET
CONTRACT SERVICES FOR OFFENDERS Provider/Service. (Include vendor name, number of beds/EM units, number of days, cost/day, unit rates)			
TOTAL CONTRACT SERVICES FOR OFFENDERS	0	0	0

SUPPORTING SCHEDULES FOR FY 1999 BUDGET ADJUSTMENTS

Date Submitted: _____

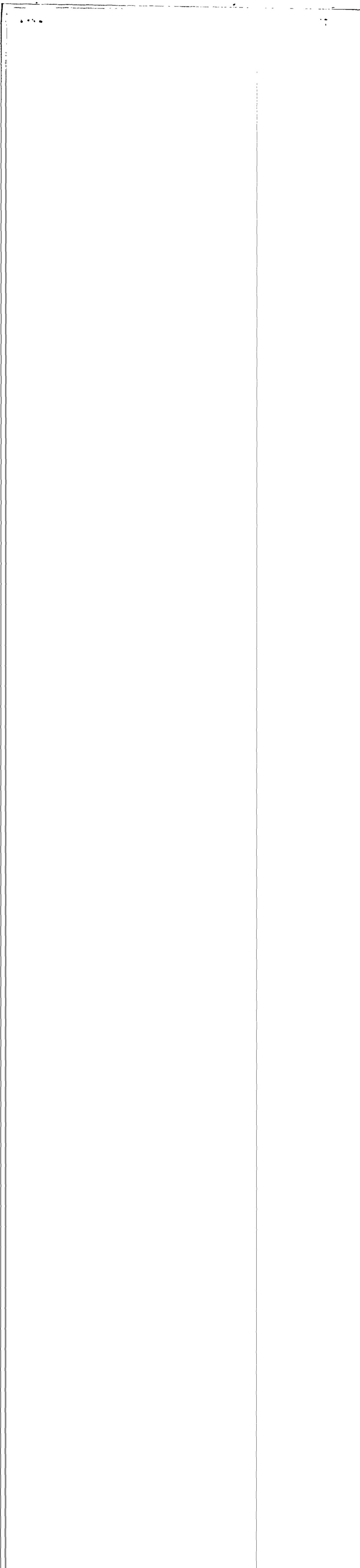
CHIEF COUNTY:	PROGRAM/SERVICE TITLE:		
Upshur	Community Service Restitution		
TYPE OF EXPENDITURE	CURRENT APPROVED BUDGET	REQUESTED ADJUSTMENT (+/-)	REQUESTED ADJUSTED BUDGET
PROFESSIONAL FEES			
1. Fiscal Service Fee	425	0	425
2. Other Professional Fees: (specify)			
Staff Training			
Licenses/Memberships			
Registration Fees	200	0	200
Bonds & Insurance	1,200	0	1,200
TOTAL PROFESSIONAL FEES	1,825	0	1,825

SUPPLIES & OPERATING EXPENDITURES			
1 Office Supplies	200	0	200
2. Urinalysis Supplies Cost/test if change:			
3. Computer Supplies	200	0	200
4. Other Operating Expenditures:(specify)			
Safety Goggles	100	0	100
Weedeater line	300	0	300
Paper cups/Ice	100	0	100
Oil & Gas	200	0	200
Postage	480	0	480
Safety Equipment	400	0	400
Unbudgeted Expenditure Amount	0	+ 512	512
TOTAL SUPPLIES & OPERATING EXPENDITURES	1,980	+ 512	2,492

VOL 51 PG 1052

SUPPORTING SCHEDULES FOR FY 1999 BUDGET ADJUSTMENTS
 Date Submitted: _____

CHIEF COUNTY:	PROGRAM/SERVICE TITLE:		
Upshur	Community Service Restitution		
TYPE OF EXPENDITURE	CURRENT APPROVED BUDGET	REQUESTED ADJUSTMENT (+/-)	REQUESTED ADJUSTED BUDGET
FACILITIES, UTILITIES, & EQUIPMENT			
1. Facilities:			
a. Renovation/Construction (Explain)			
b. Facility Maintenance			
c. Rent / Payment			
d. Other Facility Expenditures (specify)			
Total Facilities	0	0	0
2. Utilities. (specify)			
Cable			
Cellular Phone Services	720	0	720
Dedicated Line for FAX/EM/Computers			
Electricity			
Garbage			
Gas			
Internet Access			
Long Distance Phone Calls			
Telephone Installation/Services			
Water/Sewer			
Total Utilities	720	0	720



SPECIAL ROAD USE AGREEMENT CONTRACT

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

The undersigned PANOLA TIMBER RESOURCES, hereinafter referred to as First Party, enters into and makes an agreement with Upshur County Commissioner of precinct No. 2, Upshur County, and in order to get material to market it is necessary to use a portion of Upshur County roads located in Precinct No. 2, over which Commissioner has jurisdiction and obligation to maintain in good repair, and both parties being aware of possible damage to said roads as a result of hauling on and over same, enter into the following agreement:

1.
First Party agrees to use only that section of (describe exact route, direction and miles in tenths) _____

ROSE TRAIL RD.

2.
First Party agrees to use its vehicles in such a manner as not to block or interfere with other traffic on said road, so that said road will be open to travel by the public at all times.

3.
First party agrees to grade, maintain and otherwise repair said road, using its own equipment, labor and materials, if any needed, during the duration of time that First Party is removing LOGS from its lands located in Precinct No. 2, Upshur County.

4.
First Party agrees to put said road back into the same condition as it was prior to the commencement of hauling operations on the part of First Party.

5.
First Party agrees to POST SURETY BOND in the amount of \$ _____ to Upshur County 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.

Herb Stegman
First Party Signature

P.O. BOX 641
Street or Box

CARTHAGE, TX. 75633
City, State and Zip Code

903-693-3442
Telephone

GILBERT
Timber Tract

9-8-98
Date Signed

Ch
County Judge

Commissioner 1

[Signature]
Commissioner 2

Commissioner 3

[Signature]
Commissioner 4

Date Signed

98 SEP 14 PM 12:09
FILED
TEXAS
COUNTY CLERK

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 #1

DATE 9-3-98

Formal notice is hereby given that KIM SMITH whose principal address is RT. 9 BOX 894, GILMER, TX. 75644 does hereby propose to place a CULVERT within the ROW of County Road BOB WHITE 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, _____, hereby attest that I have read the conditions set forth in this application and understand it's contents. NAME Kim Smith TITLE _____

843-5676

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:

98 SEP 14 PM 12:08
RECEIVED
COUNTY CLERK

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.

PERMIT APPLICATION FOR USE OF UPSHUR COUNTY RIGHT OF WAY

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

PRECINCT 3

DATE 9-8-98

Formal notice is hereby given that CHARLES WILLINGHAM whose principal address is RT. 3. BOX 183 E, GILMER, TX. 75606 hereby propose to place a CULVERT within the ROW of County Road ASPEN 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, _____, hereby attest that I have read the conditions set forth in this application and understand it's contents. NAME [Signature] TITLE _____

734-6389

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.

RECEIVED
SEP 10 1998
COUNTY CLERK
GILMER, TEXAS

PERMIT APPLICATION FOR USE OF UPSHUR COUNTY RIGHT OF WAY

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

PRECINCT 4

DATE 9-10-98

Formal notice is hereby given that David L. Loftis whose principal address is P. O. Box 642, Gilmer, Tx. does hereby propose to place a culvert within the ROW of County Road South Live Oak. 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, David L. Loftis, hereby attest that I have read the conditions set forth in this application and understand its contents. NAME David L. Loftis TITLE _____

APPROVAL OF PERMIT APPLICATION

The Upshur County Commissioners Court offers no objections the location on the right of way of your proposed culvert 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 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.

RECEIVED
SEP 14 1998
COUNTY CLERK
GILMER, TEXAS

Date: 9-14-98

COMMISSIONER COURT
ATTENDANCE SHEET

Name	City of Residence
W. V. Soy	Gilmer
Nancy Brown	Gilmer
Danell Ray	Gilmer
Karen East	Gilmer
Kenneth Jones	Gilmer
Myra Harris	Gilmer
Ann Small	e a e
Philby Williams	Tyler Morning Telegraph
M. M. [unclear]	Waynes N-J
Mac Overton	Mirror
Buck Lane	Gilmer
Mike Smith	County
David Lloyd	Gladesville
Franc Breazale	Gilmer
Hona Hogg	Salma
[unclear]	Gilmer
Frankie Hamberlin	1

98 SEP 14 11:12:08
EX
ENTRY

1
A. J. [unclear]

UPSHUR COUNTY

A C C O U N T S P A Y A B L E S Y S T E M

11 Sep 1998

THE SOFTWARE GROUP, INC

Approved Disbursements
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Check #	HC Date	Vendor	Check Amount	Invoice Amt	Invoice Descriptions
80255-APCA	08/31/98	UPSHUR COUNTY INCURANCE ACCO	\$3,198.95	\$3,198.95	ADP/CLAIMS;EMP INS COSTS
80256-APCA	08/31/98	DIVERSIFIED COLLECTION SERVI	\$102.00	\$102.00	ALICE MATHIS HOPKINS/SS#454-06-0192
80257-APCA	08/31/98	PEBSCO PAYROLL PROCESSING	\$3,445.74	\$3,445.74	ENTITY#52039 PAYROLL DEDUCTIONS
80260-APCA	08/31/98	UPSHUR COUNTY IRC/125	\$1,646.33	\$1,646.33	UNREIMBURSED MEDICAL PAYROLL DEDUCTION
80261-APCA	08/31/98	UPSHUR COUNTY IRC/125	\$500.10	\$500.10	125/NATIONAL FAMILY CARE PAYROLL DEDUCTION
80262-APCA	08/31/98	UPSHUR COUNTY IRC/125	\$398.58	\$398.58	125/AMERICAN HERITAGE PAYROLL DEDUCTION
80263-APCA	08/31/98	UPSHUR COUNTY IRC/125	\$173.10	\$173.10	125/TRANSPORT LIFE PAYROLL DEDUCTION
80264-APCA	08/31/98	UPSHUR COUNTY IRC/125	\$1,152.64	\$1,152.64	125/CENTRAL UNITED PAYROLL DEDUCTION
80265-APCA	08/31/98	UPSHUR COUNTY IRC/125	\$8,096.52	\$8,096.52	125 DEPENDENT INS PREMIUMS/PAYROLL
80266-APCA	08/31/98	INTERNAL REVENUE SERVICE	\$1.93	\$1.93	LAGR C 03/295620572(1040A)8/31/98(LEVY)
80267-APCA	08/31/98	ATTORNEY GENERAL OF TEXAS	\$620.00	\$620.00	MULTIPLE PAYORS 08/31/98
80268-APCA	08/31/98	AUSTIN BANK-GILMER	\$100.00	\$100.00	ABG/PAYROLL SAVINGS PLAN
80269-APCA	08/31/98	EAST TEXAS PROFESSIONAL	\$2,970.00	\$2,970.00	ETPCU/PAYROLL SAVINGS PLAN
80270-APCA	08/31/98	FIRST NATIONAL BANK	\$890.00	\$890.00	FNB/PAYROLL SAVINGS PLAN
80271-APCA	08/31/98	GILMER NATIONAL BANK	\$255.00	\$255.00	GNB/PAYROLL SAVINGS PLAN
80272-APCA	08/31/98	GILMER SAVINGS BANK	\$50.00	\$50.00	GSB/PAYROLL SAVINGS PLAN
80273-APCA	08/31/98	UPSHUR COUNTY INCURANCE ACCO	\$301.21	\$301.21	DEPENDENT INS PREMIUMS/PAYROLL
80274-APCA	08/31/98	RHONDA GAIL YOUNG	\$250.00	\$250.00	#281-93/JOEY YOUNG #460253977 8/31/98
80275-APCA	08/31/98	RUBY COOPER, DISTRICT CLERK	\$235.00	\$235.00	#0008922658/CAUSE #98-302DR
80276-APCA	08/31/98	RUBY COOPER, DISTRICT CLERK	\$215.00	\$215.00	EARNEST BECK; CAUSE#97-2125-R 8/31/98
80277-APCA	08/31/98	TEXAS COUNTY & DISTRICT RETI	\$50,784.26	\$50,784.26	UNIT#329 MONTHLY REPORT
80279-APCA	HC 08/31/98	FIRST NATIONAL BANK GILMER	\$48,665.16	\$48,665.16	FICA; MEDICARE-PAYROLL DEDUCTIONS
80280-APCA	HC 08/31/98	FIRST NATIONAL BANK GILMER	\$29,949.91	\$29,949.91	WITHHOLDING PAYROLL DEDUCTIONS
80283-APCA	08/31/98	360 COMMUNICATIONS	\$223.35	\$290.81 \$132.54	PCT#2-ACCT#GMO4012/AUG 10'98 BILLING SUP&CCP-ACCT#GMO0318/AUG 10'98 BILLING
80284-APCA	08/31/98	A & C FIRE PROTECTION, INC.	\$18,920.74	\$13,291.50 \$5,629.24	JAIL CONST-DET CEILING RETAINAGE JAIL CONST-FIRE STANDPIPE RETAINAGE

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THE SOFTWARE GROUP, INC

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80285-APCA	08/31/98	AT & T INFORMATION SYSTEMS	\$52.38	\$52.38	SUP-ACCT#0142860638001/AUG-15'98-BILLING
80286-APCA	08/31/98	BAXTER & SONS	\$798.00	\$798.00	JAIL CONST-WHEELCHAIR LIFT RETAINAGE
80287-APCA	08/31/98	BAXTER SALES CO., INC.	\$1,000.00	\$1,000.00	CO JAIL-CUST#100950/BALANCE DUE(INV#022904)
80288-APCA	08/31/98	BEN SHEPPERD	\$1,970.00	\$1,970.00	SUP-FISCAL-SERVICE-FEE-'97-98
80289-APCA	08/31/98	BLAZER RESOURCES, INC	\$26,000.00	\$2,925.00	PCT#3-(180)bb1s ROAD OIL@ \$16.25ea
				\$6,500.00	PCT#2-CUST#2611/400-BBLS-ROAD OIL @ \$16.25
				\$3,250.00	PCT#1-CUST#2611/200 BBLS ROAD OIL @ \$16.25
				\$6,825.00	PCT#3=CUST#2611/420 BBLS ROAD OIL @ \$16.25
				\$6,500.00	PCT#2-CUST#2611/400-BBLS-ROAD OIL @ \$16.25
80290-APCA	08/31/98	BRANDY MONTS	\$14.00	\$14.00	CO. JAIL-GAS/PICK UP BENCH WARRANT
80291-APCA	08/31/98	BROOKSHIRES	\$83.53	\$83.53	D A-BRENDA OGLESBY/HOT CK.RESTITUTION
80292-APCA	08/31/98	CITY OF GILMER	\$2,802.92	\$1,208.55	J CTR-ACCT#01-0067500/AUG-19/98-BILLING
				\$15.00	CO. BLDGS-ACCT#01 0076050/WATER; SEWER
				\$15.00	AUG 19/98 BILLING
				\$116.83	CO. BLDGS-ACCT#13
				\$15.00	0345000/WATER; SEWER-AUG. 19/98 BILLING
				\$15.00	CO BLDGS-ACCT#12
				\$1,432.54	0151000/WATER; SEWER-AUG-19/98-BILLING
					J CTR-ACCT#12 0171000/WATER; SEWER-AUG 19/98
					BILLING
					CO. BLDGS-ACCT#13
					0274000/WATER; SEWER; GARBAGE-08/19/98 BILLING
80293-APCA	08/31/98	CLAYTON VENN	\$15.51	\$15.51	CO. S-REIMBURSE/GAS
80294-APCA	08/31/98	CONTECH CONTRACTORS, INC	\$4,620.00	\$4,620.00	JAIL CONST-DRYWALL RETAINAGE
80295-APCA	08/31/98	DALE TILLERY	\$10.00	\$10.00	CO. S-REIMBURSE/GAS
80296-APCA	08/31/98	DAVID JOHNSON	\$2,430.00	\$2,430.00	PCT#4-75x40-CONCRETE
					FOUNDATION/LABOR&FORMS(NEW BARN)
80297-APCA	08/31/98	DELL MARKETING L.P.	\$2,255.00	\$2,255.00	CO. TAX-VOTER-REG/CUST#5439424-DELL-DIMENSION
					XPS 333MH; PENTIUM MINI TOWER COMPUTER
80298-APCA	08/31/98	DEVCO INDUSTRIES, INC	\$2,360.00	\$2,360.00	JAIL CONST-CLASS RETAINAGE
80299-APCA	08/31/98	FREEMAN ELECTRIC CO, INC	\$37,027.00	\$37,027.00	JAIL CONST-ELECTRICAL RETAINAGE ON PROJECT
80300-APCA	08/31/98	GAY & SON MASONRY, INC	\$39,292.82	\$39,292.82	JAIL CONST-MASONARY RETAINAGE
80301-APCA	08/31/98	GENERAL TELEPHONE COMPANY	\$4,325.51	\$740.00	JAIL CONST-ACCT#30008432541/HOOK NEW PHONES
				\$312.86	UP IN JAIL
					SUP-#L00-5457/AUG 7'98 BILLING

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Check #	HC Date	Vendor	Check Amount	Invoice Amt	Invoice Descriptions
				\$35.22	TELE COMM-#636-9970/AUG 13'98 BILLING
				\$3,237.43	TELE COMM-#843-3083/AUG 13'98 BILLING
80302-APCA	08/31/98	GILMER CABLE TV CO., INC.	\$432.80	\$11.80	COMPUTER-ACCT#19305/SEPT'98 COMPUTER DATA LINK
				\$421.00	NON DEPT-ACCT#15446/SEPT'98 RADIO REPEATER
80303-APCA	08/31/98	GILMER OFFICE CENTER	\$11.65	\$11.65	SUP-SUPPLIES
80304-APCA	08/31/98	GINA DEFIELD	\$18.90	\$18.90	911-REIMBURSE/60mi@ 315ea(D C&DIANA POST OFFICE)
80305-APCA	08/31/98	I DEAL COMPUTERS, INC.	\$5,498.13	\$45.00	LIGHTENING/LABOR ON PRINTER(D CLERK)
				\$632.18	911-READ TO WRITE CD ROM
				\$1,432.00	LIGHTENING/3 OKIDATA PRINTERS
				\$607.00	LIGHTENING/ML320 TURBO DOT MATRIX PRINTER
				\$142.95	LIGHTENING/IDC 71002 PARTS&LABOR
				\$135.00	LIGHTENING/IDC 6J072 PARTS&LABOR
				\$68.00	LIGHTENING/ID 7HO7A PARTS&LABOR
				\$26.00	LIGHTENING/KEYTRONICS
				\$1,205.00	LIGHTENING/PENTIUM II 266 SYSTEM S#1754
				\$1,205.00	LIGHTENING/PENTIUM II 266 SYSTEM S#3012
80306-APCA	08/31/98	ISI DETENTION CONTRACTING CR	\$20,700.00	\$20,700.00	JAIL CONST-DETENTION EQUIPMENT RETAINAGE
80307-APCA	08/31/98	JOHN DEERE CREDIT	\$853.40	\$853.40	PCT#2-INV#182172/ACCT#999994161/TRACTOR BACKHOE(9'98)
80308-APCA	08/31/98	JOHN SPIVEY	\$135.45	\$135.45	SUP-REIMBURSE/430mi@ 315ea8/98
80309-APCA	08/31/98	KIRBY RESTAURANT SUPPLY	\$1,187.00	\$1,187.00	JAIL CONST-ACCT#7009/STAINLESS-STEEL SHELIVING(\$345.00 CREDIT)
80310-APCA	08/31/98	LDI METALWORKS, INC.	\$24,579.10	\$24,579.10	CO JAIL-HVAC RETAINAGE OF CONTRACT
80311-APCA	08/31/98	LOWE'S OF LONGVIEW	\$3,177.38	\$3,177.38	JAIL CONST-ACCT#00480090519/INVS 6/23-7/12/98
80312-APCA	08/31/98	MICRO WAREHOUSE	\$137.09	\$137.09	LIGHTENING/BULK CABLE CAT 5PVC 4PR SOLID 1000'
80313-APCA	08/31/98	MCDONALD ARCHITECTS	\$12,756.17	\$12,756.17	JAIL CONST-PROFESSIONAL FEES&REIMBURSEABLE EXPENSES
80314-APCA	08/31/98	PIERCE PLUMBING CO., INC.	\$25,235.63	\$3,204.00	JAIL CONST-PLUMBING CONTRACTOR
				\$22,031.63	JAIL CONST-PLUMBING RETAINAGE
80315-APCA	08/31/98	POSTMASTER	\$32.00	\$32.00	911-(1)ROLL STAMPS
80316-APCA	08/31/98	POSTMASTER	\$192.00	\$192.00	SUP-(6)ROLLS OF STAMPS
80317-APCA	08/31/98	PRO-MED SYSTEMS	\$10,861.09	\$10,861.09	JAIL CONST-(1)MOBILE FILING SYSTEM

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Check #	HC Date	Vendor	Check Amount	Invoice Amt	Invoice Description
80318-APCA	08/31/98	PROGRESSIVE MASONRY	\$42,576.20	\$99.00	JAIL CONST-MASONRY CONTRACTOR
				\$42,477.20	JAIL CONST-MASONRY RETAINAGE
80319-APCA	08/31/98	PURCHASE POWER	\$1,035.00	\$1,035.00	NON-DEPT-ACCT#00958232001/METER#20475091/POST-AGE
80320-APCA	08/31/98	GUILM CORPORATION	\$100.11	\$100.11	SUP-ACCT#49034/SUPPLIES
80321-APCA	08/31/98	ROADWAY OIL CO, INC	\$5,812.10	\$5,812.10	PCT#4-ROAD OIL (3 LOADS)
80322-APCA	08/31/98	SHANE JACKSON	\$100.00	\$100.00	CCP-REIMBURSE/TCADA RENEWAL FEE
80323-APCA	08/31/98	SHARON WATER SUPPLY CORP.	\$16.33	\$16.33	PCT#4-ACCT#1133/AUGUST 25 '98 BILLING
80324-APCA	08/31/98	SOUTHWEST GRAPHIC SYSTEMS	\$1,082.85	\$1,082.85	CD S-(11)ROLLS REFLECTIVE TAPE
80325-APCA	08/31/98	SOUTHWESTERN ELECTRIC POWER	\$1,357.70	\$347.96	CD LIB-ACCT#403669 5/ELECT. SERV -07/16/98-8/14/98
				\$824.31	CD LIB-ACCT#66685/ELECT. SERV 7/16/98-/08/14/98
				\$82.07	ROCK BLDG-ACCT#40681 9/ELECT. SERV-07/16/98-08/14/98
				\$103.36	ROCK. BLDG-ACCT#359669 9/ELECT SERV 08/17/98
80326-APCA	08/31/98	SPRINT	\$10.70	\$10.70	TELE-COMM-ACCT#131782320/AUG-18 '98-BILLING
80327-APCA	08/31/98	STATE COMPTROLLER	\$605.73	\$605.73	TP-TIME PAYMENT FEE 7/31/98 MONTH ENDING
80328-APCA	08/31/98	STATE CRCO OFFICE	\$150.00	\$150.00	JUV. PROB-REGISTRATION/M SMITH
80330-APCA	08/31/98	THE GILMER MIRROR	\$240.00	\$240.00	CD JAIL-(2M)GRIEVANCE REQUEST FORMS
80331-APCA	08/31/98	UPSHUR-RURAL ELECTRIC COOP	\$95.42	\$95.42	PCT#2-ACCT#41186523&91396012/AUG 21 '98 BILLING
80332-APCA	08/31/98	VISUAL TECHNIQUES, INC.	\$150.00	\$150.00	LIGHTENING/JUV. PROB; ISA COAX NETWORK CARD(COMPUTER REPAIR)
80333-APCA	08/31/98	WEST SIDE FURNITURE	\$609.90	\$609.90	JUV PROB-WASHER & DRYER
80334-APCA	08/31/98	WILSON ORWOSKY FUNERAL HOME	\$350.00	\$350.00	NON DEPT-SHARON JEAN BURDETTE/CREMATION
80335-APCA	08/31/98	WOODIE MORRISON	\$69.00	\$69.00	CCP-REGISTRATION/JAMES GEE
80336-APCA	HC 08/31/98	FIRST NATIONAL BANK OF GILME	\$193,581.68	\$193,581.68	CD#29334 PURCHASED@5 57%(14days)TO MATURE 9/14/98
80337-APCA	HC 08/31/98	FIRST NATIONAL BANK GILMER	\$400,000.00	\$400,000.00	CD#29472 PURCHASED@5 57%(8days)TO MATURE 9/8/98
80475-APCA	HC 09/08/98	FIRST NATIONAL BANK GILMER	\$800,000.00	\$300,000.00	CD#29480 PURCHASED@5 57%(76days)TO MATURE

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Check #	HC Date	Vendor	Check Amount	Invoice Amt	Invoice Description
					11/23/98
				\$500,000 00	CD#29481 PURCHASED 5.57% (83 days) TO MATURE 11/30/98
80476-APCA	HC 09/11/98	CONTINUING EDUCATION DIVISIO	\$45 00	\$45 00	JUV PROB-REGISTRATION/MELINDA SMITH
80477-APCA	HC 09/11/98	1998 CTAT CONFERENCE	\$75.00	\$75.00	CO. TREAS-REG/MYRA HARRIS 1998 CTAT CONF/W FALLS
Total For APCA - Accounts Payable Clearing Account			\$1,852,072.70		

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1158-FNB 125 HC	08/31/98	UPSHUR CO. OPERATING ACCOUNT	\$2,224.42	\$2,224.42	AUG '98 125/CANCER/HEART/STROKE-PREMIUMS
1159-FNB 125 HC	08/31/98	UPSHUR COUNTY INSURANCE ACCO	\$8,096.52	\$8,096.52	AUG '98 DEP. INS. PREMIUMS FROM IRC/125
Total for FNB 125 - IRC/125 PLAN			\$10,320.94		

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Check #	HC Date	Vendor	Check Amount	Invoice Amt	Invoice Description
904-FNB INS	HC 08/31/98	FIRST NATIONAL BANK	\$75,000.00	\$75,000.00	CD#29335 PURCHASED @ 5.37% 111 days LTD MATURE 9/11/98
905-FNB INS	HC 08/31/98	UPSHUR COUNTY INSURANCE CLEA	\$48,543.80	\$48,578.80	08/27/98-UP PAYMENT REGISTER \$35.00cr VOIDED CHECK #2780
906-FNB INS	HC 09/04/98	MANAGED PHARMACY BENEFITS, I	\$3,188.53	\$3,188.53	GROUP B0096, 8/20/98 PAYMENT REGISTER
907-FNB INS	HC 09/08/98	HEALTHCARE PARTNERS	\$16,654.32	\$16,654.32	GROUP UP501 MONTHLY COSTS 9/98
908-FNB INS	HC 09/11/98	FIRST NATIONAL BANK	\$75,000.00	\$75,000.00	CD#29344 PURCHASED @ 5.42% TO MATURE 09/11/98
Total for FNB INS - INSURANCE			\$218,386.65		
Grand Total			\$2,080,780.29		

87 records listed.

Charles L. Still
COUNTY JUDGE, CHARLES L. STILL

Gadis Lindsey
COMMISSIONER PCT.#1, GADIS LINDSEY

Rick Jackson
COMMISSIONER PCT#3, RICK JACKSON

Tommy Stanley
COMMISSIONER PCT#2, TOMMY STANLEY

Kenny Thompson
COMMISSIONER PCT#4, KENNY THOMPSON

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