

UPSHUR COUNTY COMMISSIONER COURT

3-1-1999

COMMISSIONERS COURT MET IN EMERGENCY SESSION. ALL MEMBERS PRESENT.

1. MOTION BY RICK JACKSON SECONDED BY TOMMY STANLEY TO APPROVE RESOLUTION URGING THE TEXAS LEGISLATURE TO INCREASE APPROPRIATIONS FOR ROAD AND BRIDGE MAINTENANCE AND EXPANSION. MOTION CARRIED. RESOLUTION ATTACHED.

2. MOTION BY GADDIS LINDSEY SECONDED BY RUSSELL GREEN TO APPROVE RESOLUTION STATING UPSHUR COUNTY'S STRONG OPPOSITION TO HB 1398 (RELATING TO INDIGENT HEALTH CARE.) MOTION CARRIED. RESOLUTION ATTACHED.

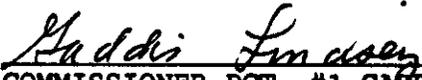
3. MOTION BY RUSSELL GREEN SECONDED BY RICK JACKSON TO ADOPT RESOLUTION ENCOURAGING THE LEGISLATURE TO PASS LEGISLATION SUPPORTING FARMING, RANCHING AND AGRICULTURE. MOTION CARRIED. RESOLUTION ATTACHED.

MOTION BY RUSSELL GREEN SECONDED BY GADDIS LINDSEY TO ADJOURN. MOTION CARRIED.

ATTENDANCE SHEET PLACED INTO MINUTES.



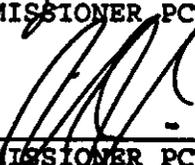
JUDGE CHARLES STILL



COMMISSIONER PCT. #1 GADDIS LINDSEY



COMMISSIONER PCT. #2 TOMMY STANLEY



COMMISSIONER PCT. #3 RICK JACKSON



COMMISSIONER PCT. # RUSSEL GREEN JR.



CITY OF PITTSBURG

February 1, 1999

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

Dear Mayor:

Enclosed is a resolution that I need your Commissioner's Court to approve and mail an executed copy to me as soon as possible.

Also enclosed is information supporting the resolution and list of 19 states that have approved moving the point of collecting fuel tax to the terminal.

It is necessary to get the legislature to approve moving of fuel tax collection to the terminal.

You will note that TxDOT is not collecting \$127 million per year under the present system. One fourth of tax on fuels goes to the school fund. It will get about \$32 million of the \$127 million.

If you have any questions please call me at 903/856-3621.

Thanks,

D. H. Abernathy
D. H. Abernathy,
Mayor

FILED
REX A. SHAW
COUNTY CLERK
99 MAR -2 AM 8:47
UPSHUR COUNTY, TX.
BY _____
DEPUTY

RESOLUTION URGING THE TEXAS
LEGISLATURE TO INCREASE APPROPRIATIONS
FOR ROAD AND BRIDGE MAINTENANCE AND EXPANSION

WHEREAS, road and bridge maintenance and expansion is a core function of government; and

WHEREAS, mobility is fundamental to Texas economic vitality and quality of life; and

WHEREAS, maintaining mobility requires a continuing investment of state resources to maintain and expand the surface transportation infrastructure to meet identified needs; and

WHEREAS, current level appropriations to the Texas Department of Transportation (TxDOT) are adequate to address only one-third of the identified Texas transportation needs; and

WHEREAS, Texas should increase its annual investment in surface transportation infrastructure to a level that will enable TxDOT to address at least one-half of the state's identified transportation needs; and

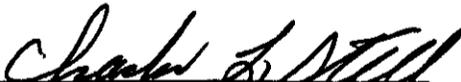
WHEREAS, increased appropriations to TxDOT are necessary to continue state-funded road and bridge maintenance and construction programs and simultaneously leverage the maximum amount of federal funding for which Texas is eligible from the Transportation Equity Act for the 21st Century.

NOW, THEREFORE BE IT RESOLVED by Upshur County Commissioners Court

Section 1: That the 76th Texas Legislature be and hereby is urged to increase annual appropriations to TxDOT by (a) funding the Department of Public Safety from a source other than State Highway Fund 006 so that Fund 006 resources will be available to maintain and expand road and bridge infrastructure and (b) moving the point of accountability for state motor fuel taxes from the distributor to the terminal rack.

Section 2: That a copy of this resolution be transmitted to the offices of the Governor, Lieutenant Governor, Speaker of the House of Representatives, the Chairman of the Texas Transportation Commission, and the chairs of the following legislative committees: Senate Committee on Finance, Senate Committee on State Affairs, House Committee on Appropriations, House Committee on Transportation, House Committee on Ways and Means, and House Select Committee on Revenue and Public Education Funding.

Passed this 1 day of March, 1999.


Signature Upshur County Judge

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Gaddis Lindsey
Commissioner Pct. 1

Tommy Stanley
Commissioner Pct. 2

[Signature]
Commissioner Pct. 3

Russell A. Shaw Jr
Commissioner Pct. 4



Attest: Rex A. Shaw
Rex A. Shaw, County Clerk



UPSHUR COUNTY COMMISSIONERS COURT
GILMER, TEXAS

March 1, 1999

GOVERNOR GEORGE W. BUSH
Governor, State of Texas
State Capitol, Room 200
Austin, Texas 78711

FILED
REX A. SHAW
COUNTY CLERK
99 MAR -2 AM 8:47
UPSHUR COUNTY, TX.
DEPUTY

RE: HB 1398, RELATING TO
INDIGENT HEALTH CARE

Dear Governor Bush,

Please find enclosed an Upshur County Commissioners Court Resolution, passed unanimously by the Court, stating Upshur County's strong opposition to HB 1398 (RE:above, sponsored by Rep. Garnet Coleman, D-Houston).

As the local governing body of Upshur County, we feel the main objection (among others) this Court has against Legislative passage of HB 1398 stems from a firm belief that this particular House Bill infringes on the legal autonomy specified to the Commissioners Court of Upshur County by the Texas Constitution (Sec. 4, Art. 2351, CERTAIN POWERS SPECIFIED TO EACH COMMISSIONERS COURT, see enclosed copy); and therefore, by charging the Texas Department of Health (TDH), a state agency, with the administration and enforcement powers necessary to manage and oversee the Upshur County Indigent Health Care (CIHC) program; usurps the Upshur County Commissioners Court's constitutional authority to manage its own CIHC program -- including its administration and enforcement under current statutory rules and regulations (TIHCT Act, 1985).

We would also point-out the original Texas Indigent Health Care and Treatment Act assigned the TDH an "advisory" role in its dealings with counties' CIHC programs, which we believe is the correct role based on the State Constitution. HB 1398 portends to change the TDH role to a "supervisory" role over counties' CIHC programs.

Thank you for your consideration of this very important issue.

Respectfully yours,

Charles Still
Charles Still, County Judge

Waldo Finley
Commissioner, Precinct #1

Tommy Stanley
Commissioner, Precinct #2

Bill [unclear]
Commissioner, Precinct #3

Lawrence [unclear]
Commissioner, Precinct #4



UPSHUR COUNTY COMMISSIONERS COURT

GILMER, TEXAS

§ RESOLUTION §

WHEREAS, the Commissioners Court of Upshur County, Texas strongly opposes passage of HB 1398, RELATING TO INDIGENT HEALTH CARE (sponsored by Rep. Garnet Coleman [D-Houston]) as currently written; and

WHEREAS, specifically Sec. 61.0055, ADMINISTRATION AND ENFORCEMENT RULES, charging the Texas Department of Health (TDH) with the primary responsibility for the administration and enforcement of the County of Upshur's County Indigent Health Care (CIHC) program; usurping both the State Constitution (Section 4, Article 2351, CERTAIN POWERS SPECIFIED TO EACH COMMISSIONERS COURT) and current statutory (TIHCT Act, 1985) requirements for the administration and enforcement of Upshur County's CIHC program to be the responsibility of the Commissioners Court of Upshur County; and

WHEREAS, specifically Sec. 61.006, Sub-item (f), STANDARDS AND PROCEDURES, requiring the County of Upshur to provide medical coverage for a "new" population of federal disability recipients without Medicare, exempting such population from the County's CIHC minimum income guidelines; and

WHEREAS, specifically Sec. 61.028, MANDATORY HEALTH CARE SERVICES, requiring the County of Upshur to expand its covered services to include immunizations, annual physicals, dental care, and other medical screening services not previously covered under the TIHCT Act of 1985; and

WHEREAS, specifically Sec. 61.0415, PERFORMANCE STANDARDS FOR PRIMARY AND PREVENTATIVE CARE, charging the TDH with establishing performance standards for the the TDH to measure the level of health care services provided by the County of Upshur; usurping the responsibility of the Commissioners Court of Upshur County to be in charge of its own CIHC program under statutory and constitutional authority.

NOW, THEREFORE, BE IT RESOLVED, that the Commissioners Court of Upshur County, in a regular meeting duly convened and acting in its official capacity as the governing body of the County of Upshur, Texas, does hereby adopt this RESOLUTION.

PASSED AND ADOPTED ON FIRST READING, this the 1st day of March, 1999.

Charles P. [Signature]
County Judge, Upshur County

Gaddis Lindsey
Commissioner, Precinct #1

Tommy Stanley
Commissioner, Precinct #2

ATTEST:

Ray [Signature]
County Clerk

[Signature]
Commissioner, Precinct #3

[Signature]
Commissioner, Precinct #4



VOL. 53 PG. 104

RESOLUTION

The farming, ranching and agriculture we have today in Texas and the United States is unique. No nation has ever had so few people actively engaged in farming and ranching. This is a profound social change that has isolated most people from rural life and from an appreciation of the complexities and uncertainties of food production. For the most part people take agricultural production for granted. Our society has had no experience with true food scarcity. Our supermarkets always have full shelves and food is cheap. Today we spend only 10 percent of our income on food. In 1950 we spent 22 percent of our income on food and in 1935 a moderate family in Texas spent 47 percent of their total living on food. In the past it took much more.

What do the various players- banking, government and agriculture-need to do to succeed in a rapidly changing environment? Agriculture is a 45 billion dollar industry in Texas. Agriculture is important not only to our state's food supply, but also to our economic well being.

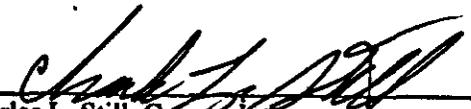
WHEREAS, the past three years of unprecedented weather disasters coupled with very low commodity prices have placed our farmers and ranchers in a situation wherein they have been unable to sustain production, supply, financing or profit; and
WHEREAS, as price volatility, environmental and food safety regulation, production variability, insects, diseases, water availability (cost and quality), inability to match "price supported" foreign competition, lack of lender commitment to agriculture, weakening collateral values, cost of credit, property rights, spiraling cost of boll weevil programs, increased machinery costs have blended together to create a situation wherein Texas farmers and ranchers are unable to sustain production, supply, financing or profit;
Now,

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THEREFORE, BE IT RESOLVED that the Upshur County Commissioners Court supports and urges the state of Texas to adopt laws and/or policies that would accomplish the following;

1. The state of Texas will create a program that would pay all (or a significant part) of the cost of crop insurance for a three year period, commencing in the year 2000
2. The state of Texas should take immediate action to insulate local producers from the unfairness of competing with foreign producers which greatly benefit from no regulation and an absence of labor costs.
3. The state of Texas should lead the way in forming a working partnership with banks (and other lending institutions), farmers/ranchers and state government that would guarantee a certain percentage of farm/ranch loans to those who can qualify.

RESOLVED THIS 1st day of March, 1999.


Charles L. Still, County Judge

Gaddis Lindsey
Commissioner, Pct. 1

Tommy Stanley
Commissioner, Pct. 2

[Signature]
Commissioner, Pct. 3

[Signature]
Commissioner, Pct. 4

Attest: Rex A. Shaw
Rex A. Shaw, County Clerk



FILED
REX A. SHAW
COUNTY CLERK
99 MAR -2 AM 8:47
UPSHUR COUNTY, TX
BY _____ DEPUTY

