

FILED
ROBIN RODENBERG
COUNTY CLERK

NOTICE OF MEETING
COMMISSIONERS COURT OF UPSHUR COUNTY, TEXAS
FRIDAY, FEBRUARY 27, 2004, 9:00 AM, REGULAR SESSION
3RD FLOOR, UPSHUR COUNTY COURTHOUSE, COURTHOUSE SQUARE, GUNTER, TEXAS
04 FEB 23 PM 4:52
UPSHUR COUNTY, TX.

BY _____
DEPUTY

AGENDA

1. Consider and take action on approval of:
 - A. Accept for recording all payroll changes;
 - B. Payroll;
 - C. Accounts payable;
 - D. Budget amendments;
 - E. Applications for use of Upshur County roads and rights-of-way;
 - F. Accept for recording the Upshur County Sheriff's Racial Profile Report for 2003;
 - G. Accept for recording a contract between the Upshur County Groundwater District and Upshur County;
 - H. Accept for recording any and all Bonds, Oaths, Deputations and Certificates; and
 - I. Accept for recording the monthly report of State and County taxes summary.
2. Consider bids on property foreclosed for delinquent taxes and take action.
3. Discuss and take necessary action on advertising for bids for road and bridge materials:
 - A. Oil and grease supply. RB 01-04
 - B. Plant mixed asphalt, oil dirt, hot mix asphalt, and hot oil sand. RB 02-04
 - C. Rental of various types of equipment. RB 03-04
 - D. Emulsified asphalt and refined road oil. RB 04-04
 - E. Reinforced concrete, corrugated polyethylene and steel pipe culverts. RB 05-04
 - F. Gasoline and diesel fuel. RB 06-04
4. Discuss and take action to rescind Commissioner Court Resolution concerning age of precinct election Judges.
5. Open bids for lease of Glenwood School land. Discuss and take necessary action on bids.


 Dean Fowler,
 Upshur County Judge

COPY

UPSHUR COUNTY COMMISSIONER'S COURT

FEBRUARY 27, 2004

COMMISSIONER'S COURT MET IN REGULAR SESSION. ALL MEMBERS PRESENT.

1. A. MOTION BY JOEY ORMS SECONDED BY GARY DRENNAN TO ACCEPT FOR RECORDING PURPOSES ONLY THE FOLLOWING PAYROLL CHANGES:

**STEPHEN TRENT RICHARDSON-HIRED
MICHELLE COUTURE-HIRED
CALEB STRACENER-RE-HIRED
GARY DAVIS-LONGEVITY INCREASE**

MOTION CARRIED. COPIES OF PAYROLL CHANGES ATTACHED.

B. MOTION BY JOEY ORMS SECONDED BY RICK JACKSON TO APPROVE PAYROLL REGISTER. MOTION CARRIED. COPY OF PAYROLL REGISTER ATTACHED.

C. MOTION BY JOEY ORMS SECONDED BY RICK JACKSON TO APPROVE ACCOUNTS PAYABLE. MOTION CARRIED.

D. MOTION BY JOEY ORMS SECONDED BY RICK JACKSON TO APPROVE BUDGET AMENDMENTS. MOTION CARRIED. COPY OF BUDGET AMENDMENTS ATTACHED.

E. MOTION BY RICK JACKSON SECONDED BY GARY DRENNAN TO APPROVE THE FOLLOWING APPLICATIONS FOR USE OF COUNTY ROADS AND RIGHT OF WAY:

LETTER OF AGREEMENT BETWEEN UPSHUR COUNTY AND ED HELPENSTILL TO ENTER PROPERTY OWNER'S PROPERTY, AUTHORIZING NECESSARY RIGHTS OF INGRESS, EGRESS AND REGRESS THERE FROM FOR THE PURPOSE OF DISPOSING OF CERTAIN DIRT, SILT OR OTHER BY-PRODUCTS OF RIGHT-OF-WAY DREDGING.

LETTER OF AGREEMENT BETWEEN UPSHUR COUNTY AND JACK TAYLOR TO ENTER PROPERTY OWNER'S PROPERTY, AUTHORIZING NECESSARY RIGHTS OF INGRESS, EGRESS AND REGRESS THERE FROM FOR THE PURPOSE OF DISPOSING OF CERTAIN DIRT, SILT OR OTHER BY-PRODUCTS OF RIGHT-OF-WAY DREDGING.

LETTER OF AGREEMENT BETWEEN UPSHUR COUNTY AND L. E. RINEHART TO ENTER PROPERTY OWNER'S PROPERTY, AUTHORIZING NECESSARY

RIGHTS OF INGRESS, EGRESS AND REGRESS THERE FROM FOR THE PURPOSE OF DISPOSING OF CERTAIN DIRT, SILT OR OTHER BY-PRODUCTS OF RIGHT-OF-WAY DREDGING.

LETTER OF AGREEMENT BETWEEN UPSHUR COUNTY AND GEORGE RALPH TO ENTER PROPERTY OWNER'S PROPERTY, AUTHORIZING NECESSARY RIGHTS OF INGRESS, EGRESS AND REGRESS THERE FROM FOR THE PURPOSE OF DISPOSING OF CERTAIN DIRT, SILT OR OTHER BY-PRODUCTS OF RIGHT-OF-WAY DREDGING.

LETTER OF AGREEMENT BETWEEN UPSHUR COUNTY AND TOMMY L. GOODWIN TO ENTER PROPERTY OWNER'S PROPERTY, AUTHORIZING NECESSARY RIGHTS OF INGRESS, EGRESS AND REGRESS THERE FROM FOR THE PURPOSE OF DISPOSING OF CERTAIN DIRT, SILT OR OTHER BY-PRODUCTS OF RIGHT-OF-WAY DREDGING.

SPECIAL ROAD USE AGREEMENT SUBMITTED BY STEITLER LAND AND TIMBER CO. TO HAUL ON BAMBOO ROAD AND BIRCH ROAD.

SPECIAL ROAD USE AGREEMENT SUBMITTED BY TRINITY SERVICES TO HAUL ON POMEGRANATE ROAD.

SPECIAL ROAD USE AGREEMENT SUBMITTED BY WOODLANDS FOREST SERVICE TO HAUL ON FLYING SQUIRREL ROAD.

SPECIAL ROAD USE AGREEMENT SUBMITTED BY VANDUSEN TIMBER TO HAUL ON HUMMINGBIRD ROAD AND GOLDFINCH ROAD.

SPECIAL ROAD USE AGREEMENT SUBMITTED BY PXP GULF COAST INC. TO HAUL ON CAMEL ROAD, DEER ROAD AND BISON ROAD.

PERMIT APPLICATION SUBMITTED BY ROBERT JACKSON TO PLACE A CULVERT WITHIN THE ROW OF CARDINAL ROAD.

PERMIT APPLICATION SUBMITTED BY SCOTT WOODALL TO PLACE A CULVERT WITHIN THE ROW OF ZINNIA ROAD.

PERMIT APPLICATION SUBMITTED BY ERIC CAMPBELL TO PLACE A CULVERT WITHIN THE ROW OF WOODCHUCK ROAD.

PERMIT APPLICATION SUBMITTED BY DEWAYNE SPELL TO PLACE A CULVERT WITHIN THE ROW OF LILAC ROAD.

PERMIT APPLICATION SUBMITTED BY NORTHEAST TEXAS MUNICIPAL WATER DISTRICT TO PLACE A WATER LINE WITHIN THE ROW OF KILDEE ROAD.

PERMIT APPLICATION SUBMITTED BY NORTHEAST TEXAS MUNICIPAL WATER DISTRICT TO PLACE A WATER LINE WITHIN THE ROW OF SPIDER LILLY ROAD.

PERMIT APPLICATION SUBMITTED BY NORTHEAST TEXAS MUNICIPAL WATER DISTRICT TO PLACE A WATER LINE WITHIN THE ROW OF SEGO LILLY ROAD.

PERMIT APPLICATION SUBMITTED BY NORTHEAST TEXAS MUNICIPAL WATER DISTRICT TO PLACE A WATER LINE WITHIN THE ROW OF SEGO LILLY ROAD.

PERMIT APPLICATION SUBMITTED BY NORTHEAST TEXAS MUNICIPAL WATER DISTRICT TO PLACE A WATER LINE WITHIN THE ROW OF SHAMROCK ROAD.

PERMIT APPLICATION SUBMITTED BY NORTHEAST TEXAS MUNICIPAL WATER DISTRICT TO PLACE A WATER LINE WITHIN THE ROW OF SMILAX ROAD.

PERMIT APPLICATION SUBMITTED BY NORTHEAST TEXAS MUNICIPAL WATER DISTRICT TO PLACE A WATER LINE WITHIN THE ROW OF ZINNIA ROAD.

MOTION CARRIED. COPIES OF ALL APPLICATIONS FOR USE OF COUNTY ROADS AND RIGHT OF WAY ATTACHED.

F. MOTION BY RICK JACKSON SECONDED BY GARY DRENNAN TO ACCEPT FOR RECORDING UPSHUR COUNTY SHERIFF'S RACIAL PROFILE REPORT FOR 2003. MOTION CARRIED. COPY OF SHERIFF'S RACIAL PROFILE REPORT ATTACHED.

G. MOTION BY RICK JACKSON SECONDED BY GARY DRENNAN TO ACCEPT FOR RECORDING PURPOSES ONLY THE CONTRACT BETWEEN UPSHUR COUNTY GROUNDWATER DISTRICT AND UPSHUR COUNTY. MOTION CARRIED. COPY OF CONTRACT ATTACHED.

H. BONDS AND OATHS FOR THE UPSHUR COUNTY GROUNDWATER CONSERVATION DISTRICT PLACED INTO MINUTES FOR RECORDING PURPOSES ONLY. BONDS AND OATHS LOCATED IN THE OFFICIAL BOND BOOK VOLUME 7 PAGES 879-914 IN THE COUNTY CLERK'S OFFICE.

I. MOTION BY JOEY ORMS SECONDED BY RICK JACKSON TO ACCEPT FOR RECORDING THE MONTHLY REPORT OF STATE AND COUNTY TAXES SUMMARY. MOTION CARRIED. COPY OF REPORT ATTACHED.

2. MOTION BY RICK JACKSON SECONDED BY GARY DRENNAN TO ACCEPT BID, PREVIOUSLY TABLED, SUBMITTED FOR PROPERTY STRUCK OFF FOR TAXES. AMOUNT OF BID IS \$8,500.00 FOR 25 ACRES IN BIG SANDY. MOTION CARRIED.

MOTION BY BUDDY FERGUSON SECONDED BY RICK JACKSON TO ACCEPT BID, PREVIOUSLY TABLED, SUBMITTED FOR PROPERTY STRUCK OFF FOR TAXES. AMOUNT OF BID IS \$6,700.00 FOR 10.37 ACRES IN THE JOHN T. COLLIER SURVEY. MOTION CARRIED.

3. MOTION BY JOEY ORMS SECONDED BY GARY DRENNAN TO APPROVE ADVERTISING FOR BIDS FOR THE FOLLOWING ROAD AND BRIDGE MATERIALS:

- A. OIL AND GREASE SUPPLY. RB 01-04
- B. PLANT MIXED ASPHALT, OIL DIRT, HOT MIX ASPHALT AND HOT OIL SAND. RB 02-04
- C. RENTAL OF VARIOUS TYPES OF EQUIPMENT. RB 03-04
- D. EMULSIFIED ASPHALT AND REFINED ROAD OIL. RB 04-04
- E. REINFORCED CONCRETE, CORRUGATED POLYETHYLENE AND STEEL PIPE CULVERTS. RB 05-04
- F. GASOLINE AND DIESEL FUEL. RB 06-04

MOTION CARRIED.

4. MOTION BY BUDDY FERGUSON SECONDED BY JOEY ORMS TO RESCIND COMMISSIONER'S COURT RESOLUTION CONCERNING ADDITIONAL REQUIREMENTS FOR ELECTION JUDGE PASSED ON FEBRUARY 13, 2004. MOTION CARRIED.

5. MOTION BY JOEY ORMS SECONDED BY BUDDY FERGUSON TO ACCEPT THE BID SUBMITTED BY GLENWOOD WATER SUPPLY TO LEASE 1/2 OF THE OLD GLENWOOD SCHOOL LAND FOR \$1.00 A YEAR FOR 99 YEARS WITH THE EXCEPTION OF 700 SQ. FT. OFFICE SPACE FOR J P 1. MOTION CARRIED. COPY OF SEALED BID ATTACHED.

MOTION BY BUDDY FERGUSON SECONDED BY JOEY ORMS TO ADJOURN. MOTION CARRIED.

BILLS PREVIOUSLY APPROVED PLACED INTO MINUTES FOR RECORDING PURPOSES ONLY.

ATTENDANCE SHEET PLACED INTO MINUTES FOR RECORDING PURPOSES ONLY.

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Robert Roderberg
ATTESTED BY COUNTY CLERK

UPSHUR COUNTY STATUS/PAYROLL CHANGE REPORT

PLEASE NOTE THE FOLLOWING CHANGE(S):

Effective Date 2/24/04 Dept. 565/C. Jail
 Employee Stephen Trent Richardson
 Social Security No _____ Emp. ID# _____

X	CHANGES(S)	FROM	TO
	Grade Step	13, 5	
	Rate	\$1017.13 S/M	
	Department		
	Position		

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

Comments: 3 month introductory period
Openly Available position

Authorized by: [Signature] Date: 2-26-04
 Approved by: _____ Date: _____

UPSHUR COUNTY STATUS/PAYROLL CHANGE REPORT

PLEASE NOTE THE FOLLOWING CHANGE(S):

Effective Date 2-23-04 Dept. 403 /Co. Clerk

Employee Michelle Couture

Social Security No. _____ Emp. ID# _____

X	CHANGES(S)	FROM	TO
	Grade Step	12,8	
	Rate	\$8.10/hr	
	Department		
	Position		

FILED
 ROBIN RODENBERG
 CLERK
 FEB 27 PM 11:45
 UPSHUR COUNTY, TX
 DEPT 403

REASON(S) FOR THE CHANGE(S)

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

Comments: part-time
Records Managment

Authorized by: [Signature]
Approved by: [Signature] Date: 2-23-04

UPSHUR COUNTY STATUS/PAYROLL CHANGE REPORT

PLEASE NOTE THE FOLLOWING CHANGE(S):

Effective Date 3-1-04 Dept. 565-C. Jail
 Employee Caleb Stracener
 Social Security No _____ Emp ID# 1227

X	CHANGES(S)	FROM	TO
	Grade Step		
	Rate		<u>11.74/HR</u>
	Department		
	Position		

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

Comments: Part-time

Authorized by: [Signature] Date: 2-23-04
 Approved by: _____

FILED
 ROBIN RODENBERG
 CLERK
 04 FEB 27 PM 11:45
 UPSHUR COUNTY

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UPSHUR COUNTY STATUS/PAYROLL CHANGE REPORT

PLEASE NOTE THE FOLLOWING CHANGE(S):

Effective Date 3/1/2004 Dept. 611
 Employee Gary Davis
 Social Security No. _____ Emp. ID# 770

X	CHANGES(S)	FROM	TO
	Grade Step	BY	FILED
	Rate	UPSHUR COUNTY, TX	ROBIN RODEMBERG
	Department	DEPUTY	CLERK
	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"/>	Mert Increase
<input type="checkbox"/>	Promotion	<input type="checkbox"/>	Transfer
<input checked="" 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: 8 years Longevity, \$16 s/m

3/1/04 anniversary date

Authorized by: _____
 Approved by: [Signature] Date: 2-24-04

VOL. PG

DEP	Check Number	GROSS PAY	GROSS PAY	Issued to
401	15227-PCA	1,597 50	1,597 50	ORMS, JOE W.
401	15224-PCA	1,597 50	1,597 50	DRENNAN, GARY J.
401	15225-PCA	1,597 50	1,597 50	FERGUSON, JOE E.
401	132041000-PC	2,005 84	2,005 84	FOWLER, JERALD DEAN
	A			
401	15228-PCA	916 13	916 13	WHITESIDE, RUTH TYSON
401	15226-PCA	1,597 50	1,597 50	JACKSON, RICK D.
***			9,311 97	
403	132041001-PC	1,047 13	1,047 13	CAIN, DERONDA KAYE
	A			
403	132041002-PC	813 13	813 13	COX, GLENDA M.
	A			
403	132041004-PC	811 13	811 13	SEAHORN, LORY D.
	A			
403	15234-PCA	230 85	230 85	SMITH, COURTNEY R.
403	15231-PCA	326 03	326 03	GARRETT, PATRICIA M.
403	15233-PCA	353 50	353 50	MORRIS, ADDIE RENE.
403	132041003-PC	1,500 50	1,500 50	RODENBERG, ROBIN D.
	A			
403	15229-PCA	852 88	852 88	CHILDRESS, JANIS L.
403	15232-PCA	850 88	850 88	MCBRIDE, JUDITH A.
403	15230-PCA	832 00	832 00	ESCANLAR, DORISIE L.
***			7,618 03	
405	15235-PCA	1,210 25	1,210 25	LOYD, DANNY MICHAEL
***			1,210 25	
411	132041005-PC	1,118 38	1,118 38	KELLEY, KARMEN CITA
	A			
***			1,118 38	
426	132041006-PC	1,282 00	1,282 00	CULBERSON, KRISTIN E.
	A			
***			1,282 00	
435	15236-PCA	418 50	418 50	BLASINGAME, ALICE P.
435	132041008-PC	1,328 13	1,328 13	HENRY, KRISTI L.
	A			
435	15237-PCA	1,943 37	1,943 37	DRENNAN, DEANNA R.
435	132041007-PC	1,136 13	1,136 13	ENGLISH, LOUIE M.
	A			
***			4,826 13	
450	132041011-PC	817 13	817 13	MARSHALL, LORING F.
	A			
450	132041013-PC	804 25	804 25	SMITH, SUSAN K.
	A			
450	132041009-PC	1,500 50	1,500 50	BULLOCK, CAROLYN SUE
	A			

DEP	Check Number	GROSS PAY	GROSS PAY	Issued to
450	132041012-PC A	487 98	487 98	PATE, CASEY N.
450	15239-PCA	782 50	782 50	RICHARDSON, MARGARET A.
450	132041010-PC A	904 38	904 38	CHEVALIER, MELISSA K
450	15238-PCA	1,031 13	1,031 13	HENSON, TEENA
***			6,327 87	
451	15240-PCA	828 00	828 00	MONEY, LISA R.
451	132041015-PC A	857 75	857 75	MANES, AMNA WYONE
451	132041014-PC A	1,100 00	1,100 00	BRINES, ARNOLD
***			2,785 75	
452	132041016-PC A	851 75	851 75	GRIFFITH, MICHELE D
452	132041017-PC A	800 25	800 25	PEEL, KIMBERLY A
452	132041018-PC A	1,100 00	1,100 00	POTTER, LYLE M. JR.
***			2,752 00	
453	132041019-PC A	855 75	855 75	HAMMOND, LORA L
453	132041020-PC A	1,100 00	1,100 00	PERRY, CAROLYN JD
***			1,955 75	
454	15241-PCA	923 95	923 95	JEWKES, SHERYL L.
454	15243-PCA	114 62	114 62	RUSSELL, JAMES D
454	15242-PCA	1,100 00	1,100 00	RAY, WILLIAM VALTON
***			2,138 57	
476	15245-PCA	1,354 03	1,354 03	McCRAVEN, TRACI LYN
476	132041024-PC A	1,497 57	1,497 57	JETER, DONALD R
476	132041021-PC A	1,894 82	1,894 82	CARIKER, TIMOTHY J
476	132041023-PC A	972 88	972 88	HARRIS, NANCY J
476	132041022-PC A	1,666 50	1,666 50	COLGUITT, FELICIA M
476	15244-PCA	600 00	600 00	CHILDRESS, KELLY A
476	132041026-PC A	1,140 04	1,140 04	WINCHESTER, BARBARA L.
476	132041025-PC A	1,214 57	1,214 57	JONES, EVELYN D.
***			10,340 41	
495	132041027-PC	1,072 13	1,072 13	HUTCHINS, WANDA L.

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DEP.	Check Number	GROSS PAY	GROSS PAY	Issued to
	A			
495	15246-PCA	1,670.42	1,670.42	LONG, PAMELA GAY
***			2,742.55	
497	132041030-PC	774.50	774.50	RICHARDSON, LINDA L
	A			
497	132041029-PC	1,500.50	1,500.50	HARRIS, MYRA N
	A			
497	132041031-PC	1,097.13	1,097.13	TUEL, LINDA LOUISE
	A			
497	132041028-PC	817.13	817.13	EAST, KAREN A
	A			
497	15247-PCA	190.40	190.40	EVANS, MINA LEE
***			4,379.66	
499	15253-PCA	909.25	909.25	LEONARD, FONDA K.
499	132041033-PC	868.63	868.63	GIBSON, CARLA R
	A			
499	15256-PCA	484.13	484.13	SUSTAIRE, AMY W
499	15248-PCA	879.13	879.13	CURTIS, BRIDGETT L
499	15255-PCA	866.63	866.63	NEELEY, LISA D
499	15251-PCA	872.63	872.63	JENKINS, LATICIA ANN
499	132041035-PC	1,500.50	1,500.50	SMITH, MICHAEL LOYD
	A			
499	132041032-PC	983.63	983.63	GENTRY, PAULA A
	A			
499	15250-PCA	977.63	977.63	HOWELL, LUANA GAIL
499	132041034-PC	137.82	137.82	HILL, BARBARA A
	A			
499	15254-PCA	872.63	872.63	MCKINLEY, CHARLOTTE ELAINE
499	15249-PCA	870.63	870.63	HARRIS, JOANNA S
499	15252-PCA	1,075.13	1,075.13	LAMINACK, SHERRON H
***			11,298.37	
509	132041036-PC	600.00	600.00	STILL, DORIS E
	A			
509	15257-PCA	1,014.25	1,014.25	RHODEN, STELLA GINA
***			1,614.25	
510	15260-PCA	350.80	350.80	HUDGINS, ROYCE L II
510	15258-PCA	1,021.38	1,021.38	COOK, JOHN RUBIN
510	15259-PCA	1,281.75	1,281.75	DANIELS, CHARLES D
510	15261-PCA	898.38	898.38	NEARS, CHARLES R
***			3,552.31	
551	132041037-PC	859.29	859.29	BULLOCK, JOEL K.
	A			
***			859.29	

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DEP	Check Number	GROSS PAY	GROSS PAY	Issued to
	552	132041036-PC	859 29	859 29 ROGERS, WILLIAM A
	***		859 29	
	553	132041039-PC	859 29	859 29 CORLEY, ROLAN D
	***		859 29	
	554	132041040-PC	859 29	859 29 KUZA, HENRY MICHAEL II
	***		859 29	
	560	132041050-PC	1,164 75	1,164 75 STANLEY, TIMOTHY S
	560	132041043-PC	1,160 75	1,160 75 DANIELS, BRIAN M.
	560	132041052-PC	1,085 50	1,085 50 WILLEFORD, DONALD I
	560	15266-PCA	1,188 50	1,188 50 HILL, PHILLIP M
	560	15262-PCA	1,597 50	1,597 50 BETTERTON, ANTHONY S.
	560	132041047-PC	1,162 75	1,162 75 CROSS, DON LARRY
	560	15263-PCA	1,162 75	1,162 75 DAUSTER, PHILLIP MARK
	560	152-9-PCA	1,278 63	1,278 63 MOORE, JEFFERY SCOTT
	560	132041045-PC	1,326 13	1,326 13 DICKERSON, DAVID LEE
	560	15273-PCA	1,381 63	1,381 63 SANDERS, BOBBY NEAL
	560	15267-PCA	1,276 63	1,276 63 KUHN, JERRY LYNN
	560	15272-PCA	1,266 00	1,266 00 SALDIS, GEORGE CARL
	560	132041042-PC	1,356 13	1,356 13 CROMLEY, ROBERT ALLEN
	560	132041053-PC	1,407 63	1,407 63 YOUNG, LELAND WAYNE
	560	15265-PCA	1,266 00	1,266 00 FORTSON, LARRY WAYNE
	560	15270-PCA	1,214 50	1,214 50 MURPHY, NADRA H.
	560	132041041-PC	1,278 63	1,278 63 ALFORD, JOHN MATTHEW
	560	132041049-PC	1,208 50	1,208 50 MOORE, JERRY A
	560	15244-PCA	1,258 00	1,258 00 DECUIR, JAMES A.
	560	15275-PCA	923 25	923 25 THOMPSON, NANCY K
	560	15268-PCA	1,136 13	1,136 13 MATTHEWS, GENEVA NELL
	560	15271-PCA	1,288 63	1,288 63 ROBERTS, GARY DALE
	560	132041048-PC	1,196 50	1,196 50 MASSOLETTI, MARTY
	560	15274-PCA	2,890 43	2,890 43 STEELMAN, PAUL A
	560	132041044-PC	1,194 50	1,194 50 DAVIS, SCOTT WAYDE
	560	132041046-PC	1,190 50	1,190 50 DOWNS, GABRIEL R.

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DEP	Check Number	GROSS PAY	GROSS PAY	Issued to
560	132041051-PC	1,334.13	1,334.13	WARREN, ROXANNE
***		35,194.98		
565	15285-PCA	907.25	907.25	HUGHES, KAREN S.
565	15257-PCA	1,087.50	1,087.50	MCCAULEY, JILL A.
565	132041067-PC	1,036.00	1,036.00	PYLE, RUTHIE I.
565	132041072-PC	1,034.00	1,034.00	YOUNGBLOOD, JOHN MICHAEL
565	15280-PCA	1,085.50	1,085.50	DAVIDSON, JUSTIN SCOTT
565	132041064-PC	1,034.00	1,034.00	MONTIS, DEBRA J.
565	132041057-PC	1,034.00	1,034.00	BLEDSE, TRACI K
565	15283-PCA	1,085.50	1,085.50	TAYLOR, ANTHONY M
565	132041069-PC	1,034.00	1,034.00	SHANNON, STEPHANIE
565	15286-PCA	1,034.00	1,034.00	JOHNSON, JOHNNY J
565	15297-PCA	1,034.00	1,034.00	WARREN, DENNIS C
565	15278-PCA	1,034.00	1,034.00	CHOYCE, LANANA J
565	132041058-PC	1,032.00	1,032.00	BRASHER, WILLIAM A
565	132041063-PC	1,083.50	1,083.50	MONTGOMERY, HERMAN C. JR
565	132041059-PC	1,085.50	1,085.50	CABRERA, ALBERTO
565	132041065-PC	1,032.00	1,032.00	OLLER, TRACY E
565	15277-PCA	2,189.28	2,189.28	CASEY, DENNIS W
565	15282-PCA	1,032.00	1,032.00	HARDY, MONICA
565	132041056-PC	1,030.00	1,030.00	BASKERVILLE, MELANIE
565	15290-PCA	1,017.13	1,017.13	MILLER, DELLA L
565	132041062-PC	849.75	849.75	LAKE, LORA ANN
565	15292-PCA	1,017.13	1,017.13	SUTTON, CHAD D
565	15284-PCA	1,017.13	1,017.13	HUDSPETH, RONALD T
565	132041066-PC	1,017.13	1,017.13	PAGE, JAMES E
565	15281-PCA	1,017.13	1,017.13	GRISWOLD, JAMES B
565	132041054-PC	1,197.38	1,197.38	ANDREWS, TERESA I
565	15279-PCA	1,127.04	1,127.04	CLIFT, KEVIN R
565	132041071-PC	845.28	845.28	WOLOSZYN, RICHARD JOHN
565	132041061-PC	1,201.63	1,201.63	GRISWOLD, JAMES E
565	132041055-PC	1,036.00	1,036.00	BARBER, BILLIE DARLENE
565	15276-PCA	1,060.00	1,060.00	BEAN, ELIZABETH M
565	15296-PCA	854.00	854.00	WALKER, DIANE
565	132041068-PC	1,030.00	1,030.00	SEWELL, LARRY W.
565	15283-PCA	1,054.00	1,054.00	HELLENSTILL, RAY B
565	15291-PCA	1,105.50	1,105.50	NIELL, SHERRY L.

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DEP	Check Number	GROSS PAY	GROSS PAY	Issued to
565	15287-PCA	1,050 00	1,050 00	JDNES, PENNY L.
565	132041060-PC	1,044 00	1,044 00	DANIELS, JOE NATHAN
	A			
565	15289-PCA	1,042 00	1,042 00	MARTIN, JOSHUA P
565	15293-PCA	1,093 50	1,093 50	WADE, ALAN M.
565	15294-PCA	1,090 00	1,090 00	TEFFTeller, ALLEN K.
565	132041070-PC	1,030 00	1,030 00	WILBURN, BRAD E.
	A			
***			43,719 76	
570	15301-PCA	1,450 00	1,450 00	MCJIMSEY, BRUCE F
570	132041076-PC	1,247 50	1,247 50	HODGES, RANDAL R.
	A			
570	15300-PCA	576 00	576 00	MANNING, JAMES ROGER
570	132041078-PC	1,360 00	1,360 00	LOFTICE, MIKKI
	A			MICHELLE
570	132041079-PC	480 00	480 00	SMITH, RONNIE
	A			LORRAINE
570	132041077-PC	2,420 00	2,420 00	HUDGINS, ROYCE L
	A			III
570	15298-PCA	932 50	932 50	BERRY, DEBORAH DENISE
570	15302-PCA	2,677 50	2,677 50	RAY, JIMMY DARRELL
570	132041074-PC	1,076 50	1,076 50	GRANT, GLENDA ANN
	A			
570	132041075-PC	1,250 00	1,250 00	HANCOCK, KATHRYN B.
	A			
570	132041073-PC	2,517 50	2,517 50	BROWN, CHRISTOPHER E
	A			
570	132041081-PC	1,705 00	1,705 00	SPIVEY, JOHN K
	A			
570	15303-PCA	907 50	907 50	WARREN, SHERRY L.
570	15299-PCA	1,485 00	1,485 00	KELLER, LINDA H
570	132041080-PC	1,217 50	1,217 50	SMITH, TRACY B
	A			
***			21,302 50	
575	15304-PCA	1,160 00	1,160 00	HERNDON, LORIE A
575	132041052-PC	1,210 00	1,210 00	ALLEN, RALPH WAYNE
	A			
575	15305-PCA	332 00	332 00	HILL, JESSICA L
575	132041085-PC	1,943 00	1,943 00	WYLIE, MILTON J
	A			
575	132041083-PC	1,341 00	1,341 00	EDWARDS, SANDRA D
	A			
575	132041084-PC	1,482 00	1,482 00	SMITH, MELINDA L.
	A			
***			7,448 00	
580	132041086-PC	1,031 13	1,031 13	EDGE, PAMELA S.
	A			
***			1,031 13	

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DEP	Check Number	GROSS PAY	GROSS PAY	Issued to
611	15314-PCA	916 13	916 13	MARTIN, LISA A.
611	15302-PCA	762 50	762 50	BECK, EARNEST EARL
611	15321-PCA	879 50	879 50	VALENTINE, MERLE WAYNE
611	15317-PCA	982 50	982 50	PIERCE, JAMES W
611	132041088-PC A	967 65	967 65	BREWSTER, MICKEY C
611	15323-PCA	903 25	903 25	WRIGHT, JERRY D
611	132041089-PC A	826 00	826 00	HOYE, EARNEST T
611	15313-PCA	1,666 67	1,666 67	LYONS, DENNIS
611	15318-PCA	1,008 50	1,008 50	SMITH, EDDIE J.
611	15314-PCA	1,291 75	1,291 75	PENDARVIS, ABBOTT LYNN
611	15319-PCA	1,291 75	1,291 75	STOKER, JAMES LOUIS
611	15312-PCA	944 13	944 13	JEFFERY, DONALD RAY
611	15309-PCA	942 13	942 13	CROCKETT, HARRY JAMES
611	15311-PCA	879 50	879 50	GLENN, BILLY E.
611	15324-PCA	840 88	840 88	YOUNG, JOEY A.
611	15322-PCA	933 00	933 00	WALTON, LLOYD H.
611	15315-PCA	932 13	932 13	NELSON, WILLIAM B.
611	132041090-PC A	996 50	996 50	RITTER, DON L
611	132041087-PC A	1,022 25	1,022 25	BLACKSTONE, WILLY PAT
611	15310-PCA	992 50	992 50	DAVIS, GARY W
611	15320-PCA	992 50	992 50	THOMPSON, DANNY R.
611	15307-PCA	922 13	922 13	BARNES, MICHAEL H.
611	15306-PCA	909 25	909 25	ALBRIGHT, GAYLE DAVID
***			22,823 10	
642	132041091-PC A	1,420 50	1,420 50	JOHNSON, GERALD DON
***			1,420 50	
650	132041092-PC A	673 50	673 50	DAVIDSON, TINA J.
650	132041094-PC A	1,341 58	1,341 58	SEMRAU, RUTH E
650	15327-PCA	164 80	164 80	WEATHERY, STEVEN A.
650	15326-PCA	931 25	931 25	SMITH, EMMA JEAN
650	15323-PCA	918 38	918 38	WILLIAMS, JANET C
650	132041093-PC A	825 13	825 13	GILES, PEGGY J.
650	15325-PCA	154 50	154 50	GLDSUP, DONA I
***			5,009 14	
665	132041095-PC A	343 34	343 34	HILL, BRIAN K
665	15330-PCA	343 34	343 34	HIGGINS, PAMELA ROCHELLE
665	15329-PCA	1,047 13	1,047 13	CAMPBELL, MARY ROSE

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DEP. Check Number GROSS PAY GROSS PAY Issued to

*** 1,733.81

218,394.33

203 records listed

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EMPLOYEE ID & NAME	TYPE	PAY COMPONENTS		EMPLOYER - PAID CONTRIBUTIONS			CURR	QTD	YTD
		CURR	YTD	TYPE	TXBL	AMOUNT			
TOTALS -- ALL DEPARTMENTS	411	50 00	200 00	FICA	13083 65	GROSS	218,394 33	862,977.16	862,977.16
BAIL/H		0 00	0 00	INCC	3871 40	125AH	152 29	609.16	609.16
Total # of Employees: 203	BALIFF	495 69	1,982.76	INLCO	66 00	125CL	267 23	1,068.92	1,068.92
Total # of Checks: 107	CCP/DT	0 00	1,365 00	MDCR	3059 86	125CD	5,109 57	20,386.49	20,386.49
Total # of DD Stubs: 96	CTFEES	0 00	1,045.32	RET	20715 65	125FC	135 95	543.80	543.80
	CTSECU	50 00	200 00			125NF	488 51	1,954.04	1,954.04
	DA/32	0 00	0 00			125TL	94 48	377.92	377.92
	H	5,792.90	21,872.92			125W	1,120 35	4,481.40	4,481.40
	J-IVE	1,363 25	5,453 00			DEFCD	262 21	1,048.84	1,048.84
	J-PSO	2,996.74	11,986.96			INSPF	191 94	767.76	767.76
	J-PSP	811.26	3,245.04			RET	15,059 52	59,527.90	59,527.90
	J-SA	593.75	2,375 00			VALIC	220 00	880.00	880.00
	J-SAID	1,371.00	5,484.00			NET TXBL	195,484 22	772,098.69	772,098.69
	JPJUV	184.82	739.28			FED W/H	16,579 97	64,704.27	64,704.27
	JUV	200.00	800.00			FICA TXBL	211,025.95	833,555.43	833,555.43
	LAWLIB	64.38	257.52			FICA	13,083 65	51,680.66	51,680.66
	LDNG	1,576.00	6,248.00			MEDICARE	3,059 86	12,086.50	12,086.50
	PROB	18,444.00	73,776.00			EIC	0 00	0 00	0 00
	PROB/H	1,056.00	4,472.00			1012	88 00	352.00	352.00
	PROB/D	1,802.50	5,250.00			1096	181.13	724.52	724.52
	SAL	179,602.71	708,466.84			1112	159 94	639.76	639.76
	SAL-H	469.14	1,876.56			1231	300 00	1,200.00	1,200.00
	SAL/91	0 00	0 00			441	85 50	342.00	342.00
	SIAI	62.50	250.00			791	162 50	650.00	650.00
	STATE	1,199.35	4,797.40			878	243 57	974.28	974.28
	SUPP	208.34	833.36			ALLTEL/PCA	0 00	0 00	0 00
						INSAH	9 85	39.40	39.40
						INCL	18 20	72.80	72.80
	COMP	0 00	0 00			INSCD	830 25	3,498.17	3,498.17
	HOLIDA	0 00	0 00			INSFC	13 20	52.80	52.80
	SICK	0 00	0 00			INSNF	26 50	106.00	106.00
	SICK/H	0 00	0 00			INSTL	99 58	398.32	398.32
	VAC	0 00	0 00			IRS	0 00	0 00	0 00
	VAC/H	0 00	0 00			OTH	424 00	1,696.00	1,696.00
						PETP	1,772 50	7,090.00	7,090.00
						PFNB	2,035 00	8,140.00	8,140.00
						PGNB	720 00	2,880.00	2,880.00
						SUP10	125 00	500.00	500.00
						SUPP9	130 00	470.00	470.00
						TRUSTEE/2	100 00	400.00	400.00
						NET PAY	155,044 08	612,633.45	612,633.45

CHECK #	CHECK DATE	VENDOR NAME.....	AMOUNT.....
126374-APC	02/27/04	UPSHUR COUNTY INSURANCE ACCOUNT	3,937.40
126375-APC	02/27/04	NATIONWIDE RETIREMENT	262.21
126376-APC	02/27/04	FIRST NATIONAL BANK GILMER	32,287.02
126377-APC	02/27/04	FIRST NATIONAL BANK GILMER	16,579.97
126378-APC	02/27/04	HEALTHFIRST TPA	1,120.35
126379-APC	02/27/04	UPSHUR COUNTY IRC/125	488.51
126380-APC	02/27/04	UPSHUR COUNTY IRC/125	135.95
126381-APC	02/27/04	UPSHUR COUNTY IRC/125	152.29
126382-APC	02/27/04	UPSHUR COUNTY IRC/125	94.48
126383-APC	02/27/04	UPSHUR COUNTY IRC/125	267.23
126384-APC	02/27/04	UPSHUR COUNTY IRC/125	5,109.57
126385-APC	02/27/04	ATTORNEY GENERAL OF TEXAS	424.00
126386-APC	02/27/04	EAST TEXAS PROFESSIONAL	1,772.50
126387-APC	02/27/04	FIRST NATIONAL BANK	2,035.00
126388-APC	02/27/04	GILMER NATIONAL BANK	720.00
126389-APC	02/27/04	POLICE AND FIREMEN'S INS ASSOC	383.75
126390-APC	02/27/04	UPSHUR COUNTY INSURANCE ACCOUNT	830.25
126391-APC	02/27/04	OFFICE OF THE ATTORNEY GENERAL	125.00
126392-APC	02/27/04	TXCSDU	243.57
126393-APC	02/27/04	TXCSDU	162.50
126394-APC	02/27/04	OFFICE OF THE ATTORNEY GENERAL	159.94
126395-APC	02/27/04	TXCSDU	88.00
126396-APC	02/27/04	GREGG COUNTY DISTRICT CLERK	300.00
126397-APC	02/27/04	TXCSDU	181.13
126398-APC	02/27/04	TXCSDU	85.50
126399-APC	02/27/04	SHARON KEMP #0539655371	130.00
126400-APC	02/27/04	TEXAS COUNTY & DISTRICT RETIREMENT SYSTE	72,024.01
126401-APC	02/27/04	MICHAEL GROSS	100.00
126402-APC	02/27/04	VALIC	220.00
Total for All Payments -			140,420.13

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Dean Fowler
COUNTY JUDGE, DEAN FOWLER

Joe Orms
COMMISSIONER PCT#1, JOE ORMS

Joe E. Ferguson
COMMISSIONER PCT#2, JOE E. FERGUSON

Rick Jackson
COMMISSIONER PCT#3, RICK JACKSON

Gary Drennan
COMMISSIONER PCT#4, GARY DRENNAN

FILED
ROBIN RODENBERG
COUNTY CLERK
04 FEB 27 PM 11:45
UPSHUR COUNTY, TX.
BY _____
DEPUTY

UPSHUR COUNTY

ACCOUNTS PAYABLE SYSTEM

26 Feb 2004

Approved Disbursements

Checking Account(s) APCA FNB INS ENB 125

THE SOFTWARE GROUP, INC

Disbursements Made from 02/13/04 thru 02/26/04

PAGE 1

Check #	PC Date	Vendor	Check Amount	Invoice Amt	Invoice Descriptions
126201-APCA	02/13/04	UPSHUR COUNTY INSURANCE ACCO	\$3,937.40	\$3,937.40	CSCD-INS CLAIMS, EMP INS COSTS
126202-APCA	02/13/04	NATIONWIDE RETIREMENT	\$262.21	\$262.21	ENTITY#52039 PAYROLL DEDUCTIONS
126203-APCA	02/13/04	FIRST NATIONAL BANK GILMER	\$32,774.64	\$32,774.64	FICA, MEDICARE PAYROLL DEDUCTIONS
126204-APCA	02/13/04	FIRST NATIONAL BANK GILMER	\$16,879.32	\$16,879.32	WITHHOLDING PAYROLL DEDUCTIONS
126205-APCA	02/13/04	HEALTHFIRST TPA	\$1,120.35	\$1,120.35	125/HEALTHCARE REIMBURSEMENT
126206-APCA	02/13/04	UPSHUR COUNTY IRC/125	\$488.51	\$488.51	125/NATIONAL FAMILY CARE PAYROLL DEDUCTION
126207-APCA	02/13/04	UPSHUR COUNTY IRC/125	\$135.95	\$135.95	125/AFLAC PAYROLL DEDUCTION
126208-APCA	02/13/04	UPSHUR COUNTY IRC/125	\$152.29	\$152.29	125/AMERICAN HERITAGE PAYROLL DEDUCTION
126209-APCA	02/13/04	UPSHUR COUNTY IRC/125	\$94.48	\$94.48	125/TRANSPORT LIFE PAYROLL DEDUCTION
126210-APCA	02/13/04	UPSHUR COUNTY IRC/125	\$267.23	\$267.23	125/CENTRAL UNITED PAYROLL DEDUCTION
126211-APCA	02/13/04	UPSHUR COUNTY IRC/125	\$5,109.57	\$5,109.57	125 DEPENDENT INS PREMIUMS/PAYROLL
126212-APCA	02/13/04	ATTORNEY GENERAL OF TEXAS	\$424.00	\$424.00	MULTIPLE PAYORS
126213-APCA	02/13/04	EAST TEXAS PROFESSIONAL	\$1,772.50	\$1,772.50	ETPCU/PAYROLL SAVINGS PLAN
126214-APCA	02/13/04	FIRST NATIONAL BANK	\$2,035.00	\$2,035.00	FNB/PAYROLL SAVINGS PLAN
126215-APCA	02/13/04	GILMER NATIONAL BANK	\$720.00	\$720.00	GNB/PAYROLL SAVINGS PLAN
126216-APCA	02/13/04	UPSHUR COUNTY INSURANCE ACCO	\$830.25	\$830.25	DEPENDENT INS PREMIUMS/PAYROLL
126217-APCA	02/13/04	OFFICE OF THE ATTORNEY GENER	\$125.00	\$125.00	JOEY YOUNG
126218-APCA	02/13/04	TXCSDU	\$243.57	\$243.57	N005932975
126219-APCA	02/13/04	TXCSDU	\$162.50	\$162.50	N005932884
126220-APCA	02/13/04	OFFICE OF THE ATTORNEY GENER	\$159.94	\$159.94	N005932936
126221-APCA	02/13/04	TXCSDU	\$88.00	\$88.00	N005932949
126222-APCA	02/13/04	OREGG COUNTY DISTRICT CLERK	\$300.00	\$300.00	\$96-291-DR: 451-96-7891
126223-APCA	02/13/04	TXCSDU	\$181.13	\$181.13	JUSTIN DAVIDSON #510-03
126224-APCA	02/13/04	TXCSDU	\$85.50	\$85.50	LARRY SEWELL
126225-APCA	02/13/04	SHARON KEMP #0539655371	\$130.00	\$130.00	EARL BECK
126226-APCA	02/13/04	MICHAEL GROSS	\$100.00	\$100.00	CASE#01-62328 KAREN HUGHES

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UPSHUR COUNTY

ACCOUNTS PAYABLE SYSTEM

26 Feb 2004

Approved Disbursements

THE SOFTWARE GROUP, INC.

Checking Account(s) APCA FNB, INS, FNB, 125
Disbursements Made from 02/13/04 thru 02/26/04

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Check #	HC Date	Vendor	Check Amount	Invoice Amt	Invoice Descriptions
126227-APCA	02/13/04	VALIC	\$220.00	\$220.00	PAYROLL DEDUCTIONS
126229-APCA	02/13/04	A & E MILL AND WELDING SUPPL	\$54.00	\$24.00 \$30.00	R&B-#173125/2 ACEM; DX150; DX275 (CYL RENT) R&B-#173000/ACEL; ACEM, 3, DX275 (CYL RENT)
126230-APCA	02/13/04	ABC AUTO PARTS	\$193.28	\$109.42 \$83.86	DA-JOHN WADE/HOT CK. RESTITUTION DA-JANE WADE/HOT CK. RESTITUTION
126231-APCA	02/13/04	ABLES-LAND, INC	\$29.49	\$29.49	CONST#4-BINDER
126232-APCA	02/13/04	ACCU CHEM LABORATORIES	\$366.00	\$289.00 \$77.00	CCP-#U985/INV#524736&7&851&852&749 CCP-#U985/INV#524950/JAN. 31 '04 BILLING
126233-APCA	02/13/04	ACS	\$8,983.39	\$1,694.00 \$7,289.39	CO. CLK-#171816/IMAGING; SCANNER CO. CLK-#171816/PRINTS; INDEXING; IMAGING; FREIGH
126234-APCA	02/13/04	ALBRIGHTS GARAGE	\$85.00	\$85.00	CO BLDG-EXHAUST WORK
126235-APCA	02/13/04	ALLTEL	\$413.61	\$413.61	TELE. COM-790-1971/02-03-04, CM269D4
126236-APCA	02/13/04	AM PUBLICATIONS	\$31.00	\$31.00	SUP-CITY/COUNTY DIRECTORY
126237-APCA	02/13/04	AMERICAN ELECTRIC POWER	\$1,375.67	\$105.16 \$87.92 \$1,182.59	CD ST. LIGHTS-#96858000001/01-30-04 BILLING CD BLDG-#96369100001, 12/31/03-02/03/04 CD BLDG-#96989100001, 12/31/03-02/03/04
126238-APCA	02/13/04	AMERICAN LIBRARY ASSOCIATION	\$785.37	\$785.37	CO. LIB-#04046134/BOOKS(23)
126239-APCA	02/13/04	ANEST CONSULTANTS OF LONGVIE	\$93.30	\$93.30	CD IND-MICHKA S. BROOKS/11/11/03 ANESTHESIA
126240-APCA	02/13/04	ADS LASER SERVICE	\$317.00	\$317.00	COMPUTER-PRINTER REPAIR(3)
126241-APCA	02/13/04	ARAMARK UNIFORM SERVICES INC	\$325.25	\$43.00 \$43.00 \$43.00 \$25.44 \$60.03 \$5.85 \$104.93	CO. BLDG-#12829001/UNIFORM SERVICE CO. BLDG-#12829001/UNIFORM SERVICE CO. BLDG-#12829001/UNIFORM SERVICE R&B-#18713001/UNIFORM SERVICE CO. BLDG-#12829001/UNIFORM SERVICE CO. BLDG-#12829001/LATE SERVICE CHG R&B-#18717001/UNIFORM SERVICE
126242-APCA	02/13/04	ARNOLD GRIMES	\$290.19	\$290.19	JP#1-REIMB 826ml, 11/02/03-01/21/04; SCHOOL
126243-APCA	02/13/04	AT&T CORP	\$150.00	\$150.00	CO. S-AUTOMATIC MESSAGE ACCOUNTING
126244-APCA	02/13/04	ATCO INTERNATIONAL	\$137.00	\$137.00	CO. BLDG-#039241/DRAIN CLEANER
126245-APCA	02/13/04	BARRY CLARK WALLACE P C.	\$1,000.00	\$250.00 \$250.00 \$250.00 \$250.00	D. CT-#504-01/I-I-O-ARNOLD CHILDREN D. CT-#854-03/I-I-O-E. H. D. CT-#284-03/I-I-O-JACKSON CHILDREN D. CT-#417-03/I-I-O-JORDAN CHILDREN

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Approved Disbursements

Checking Account(s) APCA FNB INS FNB 125

THE SOFTWARE GROUP, INC

Disbursements Made from 02/13/04 thru 02/26/04

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Check #	HC Date	Vendor	Check Amount	Invoice Amt	Invoice Description
126246-APCA	02/13/04	BEN E KEITH FOODS	\$13,891.21	\$3,482.11	CO JAIL-#352156/ASSORTED FOODS
				\$3,804.60	CO JAIL-#352156/ASSORTED FOODS
				\$2,744.04	CO JAIL-#352156/ASSORTED FOODS
				\$3,860.46	CO JAIL-#352156/ASSORTED FOODS
126247-APCA	02/13/04	BI-COUNTY WATER SUPPLY CORP.	\$33.61	\$33.61	R&B-#3668; 12/31/03-01/06/04
126248-APCA	02/13/04	BODACIOUS BAR BG	\$45.31	\$45.31	DA-RICHARD FINCH/HOT CK RESTITUTION
126249-APCA	02/13/04	BRIAN HILL	\$399.51	\$154.08	EXT-REIMBURSE-1/23-1/29/04 EXPENSES
				\$245.43	EXT-REIMB 449mi@31 5, meals/03-11-03-14-04
126250-APCA	02/13/04	BUCK HEAD CHEMICAL CO	\$155.34	\$155.34	CO BLDG-DAPPLE AIR FRESHENERS(6)
126251-APCA	02/13/04	C & C TRUCK PARTS	\$150.00	\$150.00	R&B-TRANSMISSION HOUSING; DRIVE LINE
126252-APCA	02/13/04	CARD SERVICE CENTER	\$1,043.66	\$1,043.66	CD S-#4229743460002787/12-02-03 BILLING
126254-APCA	02/13/04	CHANE YOUNG	\$341.92	\$241.09	CO MAINT-181gals UNLEADED GAS
				\$100.83	DA-#DISTATT1/FUEL(76GAL)
126255-APCA	02/13/04	CHEROKEE COUNTY	\$1,400.00	\$325.00	CO CT-MI#30, 202/COMMIT TO RUSK
				\$375.00	CO CT-MI#30, 265/02-04-04, JAMES WELLS
				\$325.00	CO CT-MI#30, 225/02-04-04, WILLIAM P. BLACK
				\$375.00	CO CT-MI#30, 256/02-02-04, LESLIE CRONE
126256-APCA	02/13/04	CHEVRON U S A. INC	\$333.83	\$93.29	SUP&CCP-#7898789839/JAN 30'04 BILLING
				\$240.54	CD S-#7898789842/02-30-04
126257-APCA	02/13/04	CITY OF GLADEWATER	\$30.43	\$30.43	JP#3-#110115000/-12/08/03-1/15/04 BILLING
126258-APCA	02/13/04	CMRS-FP	\$5,000.00	\$5,000.00	NON DEPT-POSTAGE FOR METERS
126259-APCA	02/13/04	CORRECTION SOFTWARE CORP	\$1,488.00	\$1,488.00	SUP-SERV FEES FOR MARCH 2004
126260-APCA	02/13/04	D & W PRINTING COMPANY	\$194.00	\$194.00	SUP-DEPOSIT VOUCHERS/FEB. 02'04 BILLING
126261-APCA	02/13/04	DALLAS COUNTY TREASURER	\$3,000.00	\$3,000.00	NON DEPT-#1564/MURLACH; THOMPSON AUTOPSIES
126262-APCA	02/13/04	DAVIS ELECTRIC COMPANY	\$85.06	\$85.06	CO BLDGL-PLUGS
126263-APCA	02/13/04	DEALERS TRUCK	\$53.66	\$53.66	R&B-PTD CLUTCH
126264-APCA	02/13/04	DEANNA DRENNAN	\$1,505.00	\$1,505.00	D. CT-#13, 284/PREPARATION COST
126265-APCA	02/13/04	DIAMOND D LUBE +	\$12.50	\$12.50	R&B-STATE INSPECTION
126266-APCA	02/13/04	DWIGHT A BRANNON	\$3,550.38	\$350.00	CO CT-#28, 406/CHARLES TRAVIS KENNINGTON
				\$350.00	CO CT-#28, 405/CHARLES TRAVIS KENNINGTON
				\$1,750.38	D CT-#12, 308/DANIEL SHAWN JACKSON
				\$600.00	CO CT-#28, 165/RAMON AARON LOPEZ

UPSHUR COUNTY

ACCOUNTS PAYABLE SYSTEM

26 Feb 2004

Approved Disbursements

Checking Account(s): APCA ENB INS ENB 125

THE SOFTWARE GROUP, INC

Disbursements Made from 02/13/04 thru 02/26/04

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Check #	HC Date	Vendor	Check Amount	Invoice Amt	Invoice Descriptions
				\$250.00	D CT-#417-03/I-I-D-JORDAN CHILDREN
				\$250.00	D CT-#284-03/I-I-D-JACKSON CHILDREN
126267-APCA	02/13/04	EAST TEXAS COUNCIL OF GOVERN	\$2,118.00	\$2,118.00	NON DEPT-2004 ANNUAL MEMBERSHIP DUES
126268-APCA	02/13/04	EAST TEXAS JUSTICE OF THE PE	\$50.00	\$50.00	JP#3-REGIST/CAROLYN PERRY, JP#3 3/25&26/04
126269-APCA	02/13/04	EAST TEXAS RADIOLOGY CONSULT	\$174.20	\$22.75 \$151.45	CD JAIL-#183605/REBEKAH GASTON CD. JAIL-#291291/JAMES P RUSSELL
126270-APCA	02/13/04	EAST TX MEDICAL CENTER	\$133.88	\$133.88	IND-MICHIKA BROOKS/01-19-04 SERV.
126271-APCA	02/13/04	ECONOMY AUTO SUPPLY INC	\$533.73	\$130.82 \$12.46 \$71.44 \$5.64 \$52.14 \$114.14	R&B-STARTER; SOCKET R&B-BULBS & BLADES R&B-BRAKE FLUID, PARTS R&B-6 HOSE CLAMPS R&B-SCRUB BRUSH; U-JOINT; ORANGE TAPE R&B-FUNNEL(2); LOCK NUT(2); INPUT, R=CSKT(4); PARTS FOR SHOP(2)
				\$137.13 \$9.96	R&B-AIR FILTER(3); AIR FILTER(4); BLOWER WHEEL R&B-FUEL FILTERS(2)
126272-APCA	02/13/04	ELECTIONS SYSTEMS & SOFTWARE	\$570.11	\$570.11	ELECTIONS-#U67387/CODING SERVICES/SHIPPING
126273-APCA	02/13/04	ETEX TELEPHONE COOP INC	\$4,954.00	\$32.31 \$209.24 \$19.24 \$4,390.29 \$36.88 \$38.62 \$42.63 \$33.09 \$132.46 \$19.24	TELE COMM-#9682941/02/01/04 BILLING CD LIB-#8380557/02/01/04 BILLING CD. CLK-838-0226, 02/01-02/29/04 TELE COM-#903-843-4000/FEB 1'04 R&B-762-6266; 2/1-2/29/04 R&B-734-5822, 02/01-02/29/04; PCT#3 WAREHOUSE PA-762-6731, 02/01-02/29/04 JP#1-734-3786; 02/01-02/29/04 JP#1-734-6269, 02/01-02/29/04 911-838-0809, 02/01-02/29/04
126274-APCA	02/13/04	EXXONMOBIL FLEET/GECC	\$171.57	\$171.57	CG. S-#3699357285/01-16-04 BILLING
126275-APCA	02/13/04	FANNIN FARM EQUIPMENT	\$182.55	\$35.00 \$66.70 \$80.85	PCT#1&3-FEB'04 CYL RENT R&B-OXYGEN(2); GLOVES(2); PINS(30) LINK PIN(4) R&B-WELDING RODS (5LB BAG), CUTTING TORCH TIPS; CONNECT SET; TORCH TIP
126276-APCA	02/13/04	FR MAILING SOLUTIONS	\$156.00	\$123.00 \$33.00	NON DEPT-#500026454; 01/02-04/01/04 METER RENTAL CD CLK-#500026453/-1/03-2/02/04 CONTRACT
126277-APCA	02/13/04	GILMER COMPUTER TECH	\$90.00	\$90.00	JUV. PROB-LABOR 01/21/03
126278-APCA	02/13/04	GILMER DISCOUNT TIRE	\$321.58	\$179.85 \$141.73	R&B-TIRES(2); ALIGNMENT R&B-TRAILER TIRE

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Approved Disbursements

Checking Account(s): APCA FNB INS FNB 125

Disbursements Made from 02/13/04 thru 02/26/04

THE SOFTWARE GROUP, INC

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Check #	HC Date	Vendor	Check Amount	Invoice Amt	Invoice Descriptions
126279-APCA	02/13/04	GILMER OFFICE CENTER	\$39.95	\$39.95	R&B-500 BUSINESS CARDS
126280-APCA	02/13/04	GLENWOOD WATER COOP	\$18.99	\$18.99	JP#1-#149/12/27/03-1/29/04 BILLING
126281-APCA	02/13/04	GOOD SHEPHERD MED CTR ACU	\$1,145.33	\$223.39 \$921.94	IND-MICHIKA BROOKS/11-11-03/#BAI004206264 IND-MICHIKA BROOKS/11-11-03/#092621
126282-APCA	02/13/04	GOODE BROS A/C & HEATING	\$140.00	\$140.00	CO. BLDG-AIR/HEATING REPAIR
126283-APCA	02/13/04	GREEN OIL CO. INC.	\$79.92	\$79.92	R&B-55 GAL KEROSENE
126284-APCA	02/13/04	GRIFFITH LAW FIRM, PC	\$350.00	\$350.00	CO. CT-#2B, 084/MICAH LEE RUTLEDGE
126285-APCA	02/13/04	H&D HARDWARE & AUTOMOTIVE IN	\$736.50	\$26.65 \$44.99 \$26.65 16.95 \$6.60 \$37.56 \$13.42 \$25.00 \$414.00 \$30.98 \$58.48 \$24.08 \$45.53 \$2.66 \$26.65cr	R&B-GLOVES(17) R&B-TARP/PCT#4 BARN R&B-GLOVES(17) R&B-O-RING/LOADER 303 ACO BLDG-13 FUSES R&B-HYD HOSE(7); 920 CAT LOADER R&B-BATTERY CABLE & ADAPTERS R&B-TUBE R&B-TRAC TIRE; TUBE R&B-TAPE MEASURES(2) R&B-WATER HOSE, TARP R&B-COMPRESSION UNION, 20' CABLE; 1/8" CABLE CLAMPS, BRAKE HONE; STONE SET R&B-ALTHREAD, FOAM TAPE; THRESHOLD; MOUSE TRAPS R&B-BIT; ANCHORS(4) R&B-RETURNED GLOVES(17)
126286-APCA	02/13/04	HANDY MART DIANA	\$195.98	\$195.98	DA-ALISA CORNELISON/HOT CK RESTITUTION
126287-APCA	02/13/04	HART INTERCIVIC, INC	\$725.56	\$725.56	CO. CLK-#14769/EARLY VOTING KIT(750); SET MILITARY(25)
126288-APCA	02/13/04	HERMAN MONTGOMERY	\$24.05	\$7.01 \$4.17 \$8.24 \$4.63	CO. JAIL-REIMB MEAL/TRANSPORT CO. JAIL-REIMB MEAL/TRANSPORT CO. JAIL-REIMB MEAL/FED. TRANSPORT CO. JAIL-REIMB MEAL/TRANSPORT
126289-APCA	02/13/04	HEWITTS	\$116.00	\$116.00	R&B-GATES
126290-APCA	02/13/04	HOLMES CONCRETE PIPE	\$542.70	\$440.70 \$102.00	R&B-36"X30' CULVERT DOE TRAIL R&B-15X3 CONCRETE CULVERTS(4)
126291-APCA	02/13/04	HOLT CAT	\$645.41	\$187.90 \$442.17 \$15.34	R&B-VEHICLE PARTS R&B-#1228190/PARTS R&B-#1228190/OIL CAP
126292-APCA	02/13/04	INGRAM BOOK CO	\$429.51	\$429.51	CO. LIB-BOOKS

Approved Disbursements

Checking Account(s): APCA FNB INS FNB 125

THE SOFTWARE GROUP, INC.

Disbursements Made from 02/13/04 thru 02/26/04

Check #	HC Date	Vendor	Check Amount	Invoice Amt	Invoice Descriptions
126293-APCA	02/13/04	INTEGRATED BUSINESS SYSTEMS	\$516.60	\$5.23	CO JAIL-#AL0020/-1/01-2/01/04 SERVICE
				\$85.71	C CLK-#AL0020/-1/01-2/01/04 SERVICE
				\$3.30	CO JUDGE#AL0020/-1/01-2/01/04 SERVICE
				\$13.29	D JUDGE-#AL0020/-1/01-2/01/04 SERVICE
				\$35.18	D A.-#AL0020/-1/01-2/01/04 SERVICE
				\$373.89	NON DEPT-#AL0020/-1/01-2/01/04 SERVICE
126294-APCA	02/13/04	J A SEXAUER	\$377.37	\$377.37	CO BLDG-#340701/PLUMBING PARTS
126295-APCA	02/13/04	JOHN W. MOORE	\$2,050.00	\$150.00	CO CT-BRUCE EARL GODLOCK
				\$150.00	CO CT-BRUCE EARL GODLOCK
				\$350.00	D CT-#13,021/BENNY ELLIFF
				\$350.00	D CT-#13,369/MARK SWANSON
				\$350.00	CO CT-#28,519/DALTON ROGERS
				\$350.00	D CT-#13,246/CINDY BOWMAN
				\$350.00	D CT-#13,443/JASON HIXON
126296-APCA	02/13/04	JR'S OF DIANA	\$49.51	\$49.51	DA-ALISA CORNELISON/HOT CK RESTITUTION
126297-APCA	02/13/04	KLEAN KO	\$775.00	\$775.00	DA-SABRA CURRY/HOT CK RESTITUTION
126298-APCA	02/13/04	LANE WILLIAMS AUTO CENTER	\$374.50	\$274.50	CO BLDG-REPAIR BRAKES, DOOR LOCK, PINS, BUSHINGS
126299-APCA	02/13/04	LINEBARGER HEARD GOGGAN BLAI	\$9,002.62	\$9,002.62	CO TAX-DEC '03 DELINQUENT TAX ATTY. FEES
126300-APCA	02/13/04	LISA TEFTLER	\$80.00	\$80.00	CO AUD-CONTRACT LABOR/01-30-04
126301-APCA	02/13/04	LONGVIEW ALTERNATOR	\$299.80	\$299.80	R&B-#410B1/ALTERNATORS(2)
126302-APCA	02/13/04	MATTHEW BENDER & CO. INC.	\$377.45	\$285.65	LAW LIB-#1894311001/11-21-03 BILLING, US SUP
				\$91.80	LAW LIB-#1894311001/12-09-03 BILLING, US SUP
					CT
126303-APCA	02/13/04	MICHAEL MARTIN ATTY	\$750.00	\$250.00	D CT-#854-03/I-I-D-E. H.
				\$250.00	D CT-#584-01/I-I-D-B A. J. S. A. J. A. A. J. Z. A.
				\$250.00	D CT-#417-03/I-I-D-R J. H. J. J. K. J.
126304-APCA	02/13/04	MIKE CRAIG FORD MERCURY	\$183.13	\$183.13	SUP-#433008/FILTER, OIL, BLADE, SENSOR, SHOP SUPPLIES
126305-APCA	02/13/04	MILTON WYLIE	\$354.00	\$354.00	JUV. PROB-REIMB 640mi @ .35. meals
126306-APCA	02/13/04	NEWSOM'S GROCERY	\$145.00	\$145.00	DA-LORETTA JOHNSON/HOT CK RESTITUTION
126307-APCA	02/13/04	NICHOLS MACHINERY COMPANY	\$140.22	\$140.22	R&B-#10420/SHEAVE(2); FRT/PUGMILL
126308-APCA	02/13/04	D W LOYD II	\$350.00	\$350.00	D. CT-#11,765/MICHAEL ODY WALLER
126309-APCA	02/13/04	OAK FOREST PSYCHOLOGICAL	\$200.00	\$200.00	JUV. PROB-1/28/04 TESTING/BW

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Approved Disbursements

Checking Account(s): APCA FNB INS FNB 125

THE SOFTWARE GRDUP, INC.

Disbursements Made from 02/13/04 thru 02/26/04

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Check #.	HC Date	Vendor	Check Amount	Invoice Amts	Invoice Descriptions
126310-APCA	02/13/04	OLYMPIC WASTE - KILGORE	\$1,193.21	\$1,193.21	WASTE-#300700020542/-1/01-1/31/04(RENT; BASIC SERV.)
126311-APCA	02/13/04	DRE CITY MEDICAL	\$194.00	\$194.00	DA-LATONJA HERRERA/HOT CK RESTITUTION
126312-APCA	02/13/04	PATRICIA HARRISON	\$705.00	\$235.00	CD CT-COURT REPORTING 1/22/04
				\$235.00	CD CT-COURT REPORTING 1/26/04
				\$235.00	CD CT-COURT REPORTING 2/02/04
126313-APCA	02/13/04	PETERS AUTOPLEX	\$131.89	\$131.89	R&B-#7235/VALVE,ERT
126314-APCA	02/13/04	PETROLEUM TRADERS CORP.	\$10,981.30	\$4,871.40	R&B-#210052001/DIESEL(2989 GAL); GAS(999 GAL)
				\$6,109.90	R&B-DIESEL(2988 GAL); GAS(1999 GAL)
126315-APCA	02/13/04	PITNEY BONES INC	\$26.79	\$26.79	SUP-#19547281865/JAN. 4-FEB 3'04 POST METER
126316-APCA	02/13/04	POWERPLAN OIB	\$750.03	\$750.03	R&B-#8850434604/CUTTING EDGES; BOLTS
126317-APCA	02/13/04	PRITCHETT WATER SUPPLY CORP.	\$60.30	\$22.95	R&B-#100412/12/17/03-1/19/04 BILLING
				\$37.35	R&B#101437/12/23/03-1/09/04 BILLING
126318-APCA	02/13/04	PRO-MED SYSTEMS	\$77.38	\$77.38	D. CLK-#UPSCDC/NUM LABELS(4); ALP LABELS(2),ERT
126319-APCA	02/13/04	PROFESSIONAL TECHNICAL ASSIS	\$65.00	\$65.00	CD S-RADIO BATTERY
126320-APCA	02/13/04	PROTELL SYSTEMS INT INC	\$155.00	\$155.00	JUV PROB-J J 12/29/03
126321-APCA	02/13/04	PUBLICDATA COM AI	\$9.95	\$9.95	SUP-#014415556/JAN. 11-FEB 10'04 INTERNET SERVICE
126322-APCA	02/13/04	QUILL CORPORATION	\$12.78	\$12.78	CO TREAS-#00857133/ALPHA TABS
126323-APCA	02/13/04	RAY'S PLACE	\$51.91	\$51.91	JUV PROB-WINDSHIELD WASHER SQUIRTER; WIPER BLADES/95 CHEVY VAN
126324-APCA	02/13/04	REECE SUPPLY CO OF DALLAS TX	\$3.69	\$3.69	911-#103997/SHIPPING
126325-APCA	02/13/04	RICK'S TIRE SERVICE	\$250.00	\$35.00	R&B-FLAT REPAIR/TRACTOR #306
				\$40.00	R&B-FLAT REPAIR FOR TRAILER
				\$50.00	R&B-SERV CALL; TIRE MOUNT
				\$40.00	R&B-TIRE MOUNT ON HAUL TRAILER
				\$85.00	R&B-FLAT REPAIR ON GRADALL
126326-APCA	02/13/04	ROBERT BENNETT & ASSOC.	\$850.00	\$350.00	CO CT-#28,164/GREGORY JERNIGAN
				\$350.00	CO CT-#28,494/ROBERT JACKSON
				\$150.00	CO CT-#27,432/BAIN WALKER
126327-APCA	02/13/04	SAV-ON OFFICE SUPPLY INC	\$682.59	\$40.90	SUP-#117775/INKJET CART; TAPE
				\$17.82	ELECTIONS-INVISIBLE TAPE
				\$105.98	ELECTIONS-COMP PPR 9X11

Approved Disbursements

Checking Account(s): APCA, FNB, INS, ENR, 125

THE SOFTWARE GROUP, INC.

Disbursements Made from 02/13/04 thru 02/26/04

Check #	HC Date	Vendor	Check Amount	Invoice Amt	Invoice Descriptions
				\$9.98	CO. S-SHEET PROTECTORS
				\$33.82	R&B-OFFICE SUPPLIES
				\$8.58	CO. S-RECEIPT BOOK
				\$49.98	CO. S-COPY PAPER
				\$11.57	R&B-#118917/LEGAL PAD; SHEET PROT; NOTES
				\$66.48	CO. JUDGE-INK CARTRIDGE, CARTRIDGE/COLOR
				\$83.35	DA-#118917/STENO PAD(4); STAPLER, LABELS(2)
				\$19.56	D. CT-ENV, TAPE, SCISSORS; LTR OPENER
				\$49.98	CO. LIB-COPY PAPER
				\$43.49	R7B-#118917/CAL(2), MAT; LABEL BNDR.
				\$4.97	R&B-BUSINESS CARD HOLDER(3)
				\$40.03	JP#1-OFFICE SUPPLIES
				\$94.10	SUP-#117775/INV#S 2864314, 2874806, 2874838
126328-APCA	02/13/04	SBC	\$358.07	\$358.07	SUP&ADULT-#90366539091520/JAN 15'04 BILLING
126329-APCA	02/13/04	SBC LONG DISTANCE	\$3.30	\$3.30	D. CT-#21410622362183; 02/01-02/29/04
126330-APCA	02/13/04	SCHNAAB, INC.	\$40.05	\$36.00	DA-STAMPS(3)
				\$24.05	CO AUD-SIGNATURE STAMP; INK PAD; INK
126331-APCA	02/13/04	SCOTT-MERRIMAN, INC.	\$473.82	\$393.77	D. CLK-#UP01/FORMS, SHIPPING
				\$280.05	D. CLK-#UP01/FORMS, SHIPPING
126332-APCA	02/13/04	SHARON WATER SUPPLY CORP.	\$21.34	\$21.34	R&B-#101133/12/16/03-1/22/04 BILLING
126333-APCA	02/13/04	SOLUTIONS 2000, INC.	\$190.00	\$190.00	SUP-CHRISTOPHER E BROWN/JAN 27&28'04 TRAINING WORKSHOPS
126334-APCA	02/13/04	STAR BOOK SALES	\$257.21	\$257.21	CO. LIB-BOOKS
126335-APCA	02/13/04	TEFTELLER & PELAIJA	\$250.00	\$250.00	D. CT-#584-01/I-I-O-ARNOLD CHILDREN
126336-APCA	02/13/04	TELETOUCH CORPORATION	\$302.31	\$302.31	CO. S-#3062303/02-04-04 PAGER SERVICE
126337-APCA	02/13/04	TEXAS DAILY NEWSPAPER ASSN.	\$14.00	\$14.00	CO. LIB-2004 DIRECTORY TX NEWSPAPERS; SHIPPING
126339-APCA	02/13/04	TEXAS TRAUMA & EMERGENCY CA	\$118.92	\$70.64	IND-MICHIKA BROOKS/01-19-04/#G16701040107WX
				\$48.28	CO. IND-MICHIKA BROOKS; 01/24/04, G16701040200VP
126340-APCA	02/13/04	THE EARTHGRAINS COMPANY	\$2,105.25	\$142.50	CO JAIL-#09008071/BREAD
				\$142.50	CO JAIL-#09008071/BREAD
				\$270.00	CO JAIL-#09008071/BREAD
				\$120.00	CO JAIL-#09008071/BREAD
				\$140.25	CO JAIL-#09008071/BREAD
				\$180.00	CO JAIL-#09008071/BREAD
				\$90.00	CO JAIL-#09008071/BREAD
				\$90.00	CO JAIL-#09008071/BREAD
				\$150.00	CO JAIL-#09008071/BREAD
				\$157.50	CO JAIL-#09008071/BREAD
				\$120.00	CO JAIL-#09008071/BREAD

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Approved Disbursements
 - Checking Account(s): APCA.FNB.INS.FNB.125
 Disbursements Made from 02/13/04 thru 02/26/04

THE SOFTWARE GROUP, INC

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Check #.	HC Date	Vendor	Check Amount	Invoice Amt	Invoice Descriptions
				\$127.50	CO JAIL-#09008071/BREAD
				\$142.50	CO JAIL-#09008071/BREAD
				\$90.00	CO JAIL-#09008071/BREAD
				\$142.50	CO JAIL-#09008071/BREAD
126341-APCA	02/13/04	THE FOUNDATION CENTER	\$358.45	\$358.45	CO. LIB-BOOKS(3)
126342-APCA	02/13/04	THE GILMER MIRROR	\$141.50	\$141.50	CO CLK-#246050/01-31-04 BILLING, PUBLIC NOTICES
126343-APCA	02/13/04	THE LOGO	\$421.00	\$394.00	CO JAIL-UNIFORMS(14)
				\$27.00	DA-GOLF SHIRT, EMBROIDERY(2)
126344-APCA	02/13/04	THE MCKENZIE CLINIC, P A	\$210.00	\$210.00	SUP-#UPS00000/WEATHERBY, SMITH, NARRAMORE/P, HY&T B
126345-APCA	02/13/04	THE SOFTWARE GROUP INC.	\$7,107.50	\$7,107.50	D CLK-#67/DEPOSIT BILLIED/PROF. SERVICE
126346-APCA	02/13/04	THE WILLIAMS COMPANY AIA	\$1,500.00	\$1,500.00	NON DEPT-DEC '03 PROPOSAL/AGREEMENT SERVICES
126347-APCA	02/13/04	TIM CONE	\$3,480.00	\$350.00	CO CT-#27,377/JASON GEERS
				\$1,380.00	CO CT-#28,145/ANTHONY BURDYNSHI
				\$350.00	D CT-#13,452/ESTEBAN LIRA
				\$350.00	D CT-#13,312/AMBER ROXANNE JOHNSON
				\$350.00	D CT-#13,287/LDY EDWIN MILLER
				\$350.00	D CT-#13,277/BEVERLY ANN BONNETTE
				\$350.00	D CT-#12,283/BENJAMIN FRED CLARK
126348-APCA	02/13/04	TJPC #2004-03	\$150.00	\$150.00	JUV PROB-MELINDA SMITH/TRAINING, #2004-03
126349-APCA	02/13/04	TRI-CITIES SUPPLY CO	\$90.00	\$90.00	R&B-ICE MACHINE RENTAL/02-01-04 BILLING
126350-APCA	02/13/04	TWIN STATE TRUCKS INC	\$292.47	\$238.34	R&B-GEAR SET; KIT; SEAL
				\$54.13	R&B-#17127/BEARINGS; SEAL
126352-APCA	02/13/04	TYLER ASPHALT	\$636.27	\$636.27	R&B-24 01 TON. OIL DIRT
126353-APCA	02/13/04	U S FOOD SERVICE	\$6,764.67	\$953.10	CO JAIL-#93586865/ASSORTED FOODS
				\$2,102.07	CO JAIL-#93586865/ASSORTED FOODS
				\$25.00	CO JAIL-#93586865/ASSORTED FOODS
				\$1,103.46	CO JAIL-#93586865/ASSORTED FOODS
				\$1,318.66	CO JAIL-#93586865/ASSORTED FOODS
				\$1,262.38	CO JAIL-#93586865/ASSORTED FOODS
126354-APCA	02/13/04	UNIFRIST CORP	\$127.68	\$42.10	R&B-#174823/UNIFORM SERVICE
				\$42.10	R&B-#174823/UNIFORM SERVICE
				\$43.48	R&B-#174823/UNIFORM SERVICE
126355-APCA	02/13/04	UNIVERSAL TIME EQUIPMENT COM	\$306.45	\$306.45	CO CLK-#UCCCK0001/TIME CLOCK REPAIR
126356-APCA	02/13/04	UPSHUR COUNTY ADULT PROBATID	\$121.00	\$121.00	JUV PROB-URINALYSIS REPORTS/ACCU CHEM LAB.

UPSHUR COUNTY

ACCOUNTS PAYABLE SYSTEM

26 Feb 2004

Approved Disbursements

Checking Account(s) APCA FNB INS FNB 125

THE SOFTWARE GROUP, INC

Disbursements Made from 02/13/04 thru 02/26/04

PAGE 10

Check #...	HC Date...	Vendor.....	Check Amount.	Invoice Amt	Invoice Descriptions
126357-APCA	02/13/04	UPSHUR COUNTY JUVENILE PROBA	\$154.00	\$124.64	JUV. PROB-VISA#4707123168100566/02-02-04 BILLING
				\$29.36	JUV. PROB-VISA#4707123168100566/02-02-04 BILLING
126358-APCA	02/13/04	UPSHUR COUNTY LIBRARY LITERA	\$1,875.00	\$1,875.00	LITERACY-BUDET ALLOCATION
126359-APCA	02/13/04	UPSHUR TAX ASSESSOR&COLLECTO	\$662.32	\$249.78	DA-MIKE TEAFF/HOT CK RESTITUTION
				\$290.24	DA-AMBER TAYLOR/HOT CK RESTITUTION
				\$122.30	DA-TRACEY CASDN/HOT CK RESTITUTION
126360-APCA	02/13/04	UPSHUR-RURAL ELECTRIC COOP	\$186.16	\$46.20	R&B/#13625-002/PCT#1/02-03-04 BILLING
				\$139.96	COMP&P#1-#94812-001&002/02-04-04 BILLING
126361-APCA	02/13/04	VERIZON SOUTHWEST	\$173.16	\$91.58	CO TAX-844-0658/01-22-04 BILLING
				\$81.58	CO. BLDG-843-0630.01/28-02/28/04
126362-APCA	02/13/04	WAL-MART #146	\$1,754.13	\$341.09	DA-BRAD WILBURN/HOT CK RESTITUTION
				\$397.57	DA-CODY DAVIS/HOT CK RESTITUTION
				\$660.66	DA-MARY CAMPBELL/HOT CK RESTITUTION
				\$55.00	DA-JONIE PALMERTREE/HOT CK RESTITUTION
				\$48.32	DA-TRACY CHAMPION/HOT CK RESTITUTION
				\$63.74	DA-ANITA PATE/HOT CK RESTITUTION
				\$187.75	DA-ROYAL MCCOWN/HOT CK RESTITUTION
126363-APCA	02/13/04	WALMART COMMUNITY	\$75.67	\$75.67	CO S-#6032202010092659/01-22-04 BILLING
126364-APCA	02/13/04	WALMART COMMUNITY BRC	\$20.81	\$20.81	SUP-#6032202000871575/JAN.16'04 BILLING: INV#005311
126365-APCA	02/13/04	WASHCO INC	\$147.05	\$147.05	CO BLDG-SPEED QUEEN REPAIR; SPIN RELAY
126366-APCA	02/13/04	WELLS FARGO FINANCIAL LEASIN	\$141.00	\$141.00	JUV PROB-#0019003061001/SAVIN COPIER/01-22-04 BILLING
126367-APCA	02/13/04	WESLEY BISHOP	\$272.00	\$272.00	DA-CAROLYN DODSON/HOT CK RESTITUTION
126368-APCA	02/13/04	WEST SIDE FURNITURE	\$409.95	\$409.95	R&B-REFRIGERATOR, CHAIN
126369-APCA	02/13/04	WILLIAM PATE	\$575.00	\$325.00	D CT-#854-03/I-I-D-E.H.
				\$250.00	D CT-#821-02/I-I-D-B.H.
126370-APCA	02/13/04	FIRST NATIONAL BANK GILMER	\$260,000.00	\$260,000.00	CD#35876 PURCHASED@1.54%(14days)TO MATURE 02/27/04
126371-APCA	02/18/04	FIRST NATIONAL BANK GILMER	\$200,000.00	\$200,000.00	CD#35878 PURCHASED@1.89%(210days)TO MATURE 07/15/04
126372-APCA	02/24/04	FIRST NATIONAL BANK	\$30,909.25	\$30,909.25	CD#35809(AVAT)PURCHASED@1.47%(92days)TO MATURE 05/26/04

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UPSHUR COUNTY

ACCOUNTS PAYABLE SYSTEM

26 Feb 2004

Approved Disbursements

Checking Account(s): APCA FNB, INS FNB 125

THE SOFTWARE GROUP, INC

Disbursements Made from 02/13/04 thru 02/26/04

PAGE 11

Check #.	HC Date	Vendor	Check Amount	Invoice Amt	Invoice Descriptions
126373-APCA	02/24/04	FIRST NATIONAL BANK	\$1,134,499.36	\$1,134,499.36	CD#35B08(PERM)PURCHASED@1.62X(30days)TD MATURE 03/25/04
126543-APCA	02/26/04	LORA HAMMOND	\$24.07	\$24.07	JP#3-REIMBURSE/76.4mi@.315ea 01/01-31/04
Total for APCA - Accounts Payable Clearing Account			\$1,820,954.04		

UPSHUR COUNTY

ACCOUNTS PAYABLE SYSTEM

26 Feb 2004

Approved Disbursements

THE SOFTWARE GROUP, INC

Checking Account(s): APCA FNB INS FNB 125
Disbursements Made from 02/13/04 thru 02/26/04

PAGE 12

Check #	HC Date	Vendor	Check Amount	Invoice Amt	Invoice Descriptions
1802-FNB 125	02/13/04	UPSHUR CO OPERATING ACCOUNT	\$1,138.46	\$1,138.46	02/13/04 125 PLAN CANCER HEART/STROKE PREMIUMS
1803-FNB 125	02/13/04	UPSHUR COUNTY INSURANCE ACCO	\$5,109.57	\$5,109.57	02/13/04 125 PLAN DEPENDENT INS. PREMIUMS
Total for FNB 125 - IRC/125 PLAN			\$6,248.03		

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Approved Disbursements

Checking Account(s): APCA FNB INS FNB 125

THE SOFTWARE GROUP, INC

Disbursements Made from 02/13/04 thru 02/26/04

vol. 166 pg 33

Check #	HC Date	Vendor	Check Amount	Invoice Amt	Invoice Descriptions
1358-FNB INS	02/13/04	EXPRESS SCRIPTS INC	\$8,066.26	\$8,066.26	PCY 01/31/04 REGISTER
1359-FNB INS	02/13/04	HEALTHCARE PARTNERS HEALTH P	\$57.00	\$57.00	02/13/04 125 PLAN ADMIN FEES
1360-FNB INS	02/13/04	UPSHUR COUNTY INSURANCE CLEA	\$108,145.65	\$108,145.65	01/22/04 UP & UPOS REGISTER
1361-FNB INS	02/13/04	FIRST NATIONAL BANK	\$40,000.00	\$40,000.00	CD#35877(INS)PURCHASED@1.39%(144ays)TO MATURE 02/27/04
Total for FNB INS - INSURANCE			\$156,268.91		
Grand Total			\$1,983,470.98		

176 records listed.

Dean Fowler
COUNTY JUDGE, DEAN FOWLER

Joe Orms
COMMISSIONER PCT#1, JOE ORMS

Joe E. Ferguson
COMMISSIONER PCT#2, JOE E. FERGUSON

Rick Jackson
COMMISSIONER PCT#3, RICK JACKSON

Gary Drennan
COMMISSIONER PCT#4, GARY DRENNAN

FILED
ROBIN RODENBERG
COUNTY CLERK
04 FEB 27 PM 11:46
UPSHUR COUNTY, TX.
BY _____
DEPUTY

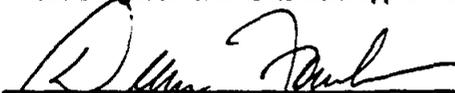
FY 2004
FROM

February 27, 2004

LINE ITEM TRANSFER BUDGET AMENDMENTS
TO

10-403-3030	County Clerk Stationery	\$ 510.50	County Clerk 10-403-3095 Books, publications	\$ 510.50
10-435-4125	115th District Ct Capital Murder Trial	\$ 2,000.00	115th District Court 10-435-4495 Contracted Services	\$ 2,000.00
10-451-4520	JP #1 Travel/mileage	\$ 35.00	JP #1 10-451-4600 Dues	\$ 35.00
10-476-4600	DA Dues	\$ 234.80	DA 10-476-4502 Educational Exp	\$ 234.80
10-409-4955	Non-Departmental Contingency	\$ 3,573.78	Indigent Health 10-642-4802 Prescriptions	\$ 1,364.33
			10-642-4803 Hospital Charges	\$ 2,209.45
JP Technology Fund Reserves	JP Court Technology	\$ 20,650.00	JP Court Technology 48-409-5400 Office Equipment	\$ 20,650.00

These budget amendments were approved on this the 27th day of February, 2004.



Dean Fowler, County Judge



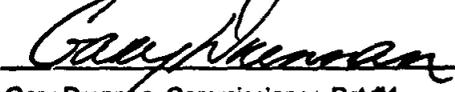
Joe Orms, Commissioner, Pct. #1



Joe Ferguson, Commissioner, Pct #2



Rick Jackson, Commissioner, Pct #3



Gary Drenpan, Commissioner, Pct #4

FILED
ROBIN RODENBERG
County Clerk
04 FEB 27 PM 11:46
UPSHUR COUNTY, TX.
BY _____
DEPUTY

Property off of: Bison Road
Mailing Address: 3729 Bison
Gilmer, Texas 75644
Telephone No.: 903-725-5401

VOL 166 PG 35
FILED
ROBIN RODENBERG
COUNTY CLERK

04 FEB 27 PM 11:47

UPSHUR COUNTY, TX.

LETTER AGREEMENT

Date: February 17, 2004 /

This Letter Agreement is made and entered into by and between Upshur County, Texas ("County") and Ed Helpenstill, the owner or person legally entitled to possession of the above described property ("Property Owner").

BY _____
DEPUTY

RECITALS

WHEREAS, County is the possessor of certain dirt, silt, or other products of right-of-way dredging which County is desirous of disposing without unjustifiable transportation or stockpiling expenses; and

WHEREAS, Property Owner represents that he is the owner or legal possessor of the referenced property and is desirous of County disposing of said dirt, silt, or other dredging by-products upon Property Owner's property for Property Owner's utilization of the same; and

NOW, THEREFORE, in consideration of the mutual benefits to the parties hereto, the parties agree as follows:

1. Property Owner hereby expressly gives permission for County, through its Road Department, to enter on Property Owner's property, hereby authorizing necessary rights of ingress, egress and regress there from for the purpose of disposing of certain dirt, silt or other by-products of right-of-way dredging.
2. County agrees that it will use due care to avoid damage to Property Owner's land in the disposal of said materials upon Property Owner's property, nevertheless, Property Owner agrees that Upshur County and its agents disposing of these materials onto Property Owner's property will not be held responsible for any related damage in connection with said disposal of these materials onto Property Owner's land, and Property Owner hereby agree to indemnify and hold County harmless from contents of the dredged material and from any and all other damages to persons or property associated with County's placing said material on Property Owner's property.
3. Both parties agree that this letter agreement contains the parties' entire agreement.

PROPERTY OWNER/
LEGAL POSSESSOR

Ed Helpenstill
Ed Helpenstill

UPSHUR COUNTY

By [Signature]
Its County Judge

VOL 66 PG 36

FILED
ROBIN RODENBERG
COUNTY CLERK

04 FEB 27 PM 11:47

UPSHUR COUNTY, TX.

Property off of JACK TAYLOR

Mailing Address: 11711 Rose TR

Patterson TX 75686

Telephone No. 903-856-2092

LETTER AGREEMENT

BY _____
Date: 2-19-04 DEPUTY, 2004

This Letter Agreement is made and entered into by and between Upshur County, Texas, ("County") and _____, the owner or person legally entitled to possession of the above described property ("Property Owner").

RECITALS

WHEREAS, County is the possessor of certain dirt, silt, or other products of right-of-way dredging which County is desirous of disposing without unjustifiable transportation or stockpiling expenses; and

WHEREAS, Property Owner represents that he is the owner or legal possessor of the referenced property and is desirous of County disposing of said dirt, silt, or other dredging by-products upon Property Owner's property for Property Owner's utilization of the same; and

NOW, THEREFORE, in consideration of the mutual benefits to the parties hereto, the parties agree as follows:

1. Property Owner hereby expressly gives permission for County, through its Road Department, to enter on Property Owner's property, hereby authorizing necessary rights of ingress, egress and regress therefrom for the purpose of disposing of certain dirt, silt or other by-products of right-of-way dredging.
2. County agrees that it will use due care to avoid damage to Property Owner's land in the disposal of said materials upon Property Owner's property, nevertheless, Property Owner agrees that Upshur County and its agents disposing of these materials onto Property Owner's property will not be held responsible for any related damage in connection with said disposal of these materials onto Property Owner's land, and Property Owner hereby agree to indemnify and hold County harmless from contents of the dredged material and from any and all other damages to persons or property associated with County's placing said material on Property Owner's property.
3. Both parties agree that this letter agreement contains the parties' entire agreement.

PROPERTY OWNER/
LEGAL POSSESSOR

Jack Taylor

UPSHUR COUNTY

By [Signature]
Its County Judge

Property off of Box Armiddle Rd
Mailing Address: 285
Belton TX
Telephone No. 725444
7257764

VOL 66 PG 37

Date: 2-19-, 2004 **LETTER AGREEMENT**

This Letter Agreement is made and entered into by and between Upshur County, Texas, ("County") and _____, the owner or person legally entitled to possession of the above described property ("Property Owner").

RECITALS

WHEREAS, County is the possessor of certain dirt, silt, or other products of right-of-way dredging which County is desirous of disposing without unjustifiable transportation or stockpiling expenses; and

WHEREAS, Property Owner represents that he is the owner or legal possessor of the referenced property and is desirous of County disposing of said dirt, silt, or other dredging by-products upon Property Owner's property for Property Owner's utilization of the same; and

NOW, THEREFORE, in consideration of the mutual benefits to the parties hereto, the parties agree as follows:

1. Property Owner hereby expressly gives permission for County, through its Road Department, to enter on Property Owner's property, hereby authorizing necessary rights of ingress, egress and regress therefrom for the purpose of disposing of certain dirt, silt or other by-products of right-of-way dredging.
2. County agrees that it will use due care to avoid damage to Property Owner's land in the disposal of said materials upon Property Owner's property, nevertheless, Property Owner agrees that Upshur County and its agents disposing of these materials onto Property Owner's property will not be held responsible for any related damage in connection with said disposal of these materials onto Property Owner's land, and Property Owner hereby agree to indemnify and hold County harmless from contents of the dredged material and from any and all other damages to persons or property associated with County's placing said material on Property Owner's property.
3. Both parties agree that this letter agreement contains the parties' entire agreement.

PROPERTY OWNER/
LEGAL POSSESSOR
J. E. [Signature]

UPSHUR COUNTY
By [Signature]
Its County Judge
DEPUTY
BY [Signature]
UPSHUR COUNTY, TX.
04 FEB 27 PM 11:46
FILED
ROBIN RODENBERG
CLERK

FILED
ROBIN RODENBERG
COUNTY CLERK

04 FEB 27 PM 11:47
UPSHUR COUNTY, TX.

Property off of _____
Mailing Address: 680 Talip Rd
Pittsburg, TX 75686
Telephone No. _____
Fax No. _____

LETTER AGREEMENT

BY _____ DEPUTY
Date: 2/17, 2002

This Letter Agreement is made and entered into by and between Upshur County, Texas, ("County") and Tommy L. Goodwin, the owner or person legally entitled to possession of the above described property ("Property Owner").

RECITALS

WHEREAS, County is the possessor of certain dirt, silt, or other products of right-of-way dredging which County is desirous of disposing without unjustifiable transportation or stockpiling expenses; and

WHEREAS, Property Owner represents that he is the owner or legal possessor of the referenced property and is desirous of County disposing of said dirt, silt, or other dredging by-products upon Property Owner's property for property owner's utilization of the same; and

NOW, THEREFORE, in consideration of the mutual benefits to the parties hereto, the parties agree as follows:

1. Property Owner hereby expressly gives permission for County, through its Road Department, to enter onto Property Owner's property, hereby authorizing necessary rights of ingress, egress and regress therefrom for the purpose of disposing of certain dirt, silt or other by-products of right-of-way dredging.
2. County agrees that it will use due care to avoid damage to Property Owner's land in the disposal of said materials upon Property Owner's property, nevertheless, Property Owner agrees that Upshur County and its agents disposing of these materials onto Property Owner's property will not be held responsible for any related damage in connection with said disposal of these materials onto Property Owner's land, and Property Owner hereby agrees to indemnify and hold County harmless from contents of the dredged material and from any and all damages to persons or property associated with County's placing said material on Property Owner's property.
3. Both parties agree that this letter agreement contains the parties' entire agreement.

PROPERTY OWNER/
LEGAL POSSESSOR

Tommy L. Goodwin

UPSHUR COUNTY

[Signature]
BY ITS COUNTY JUDGE

SPECIAL ROAD USE AGREEMENT CONTRACT

THE STATE OF TEXAS }
COUNTY OF UPSHUR }

KNOW ALL MEN BY THESE PRESENTS:

The undersigned, STEITLER LAND AND TIMBER CO., hereinafter referred to as First Party, enters into and makes an agreement with Upshur County Commissioner of Precinct No. 3, 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. 3, over which Commissioner has jurisdiction and obligation to maintain in good repair, and both parties being aware of possible damage to said roads as result of hauling on and over same, enter into the following agreement:

1.

First Party agrees to use only that section of (described exact route, direction and miles in tenths) 1/4 mile on Bamboo and 2 miles on Birch.

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 lands located in Precinct No. 3, Upshur County.

4.

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

5.

First Party agrees to post survey bond in the amount of \$-0-, to Upshur County Commissioners' 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.

SPECIAL ROAD USE AGREEMENT CONTRACT

THE STATE OF TEXAS }
COUNTY OF UPSHUR }

KNOW ALL MEN BY THESE PRESENTS:

The undersigned, TRINITY SERVICES, hereinafter referred to as First Party, enters into and makes an agreement with Upshur County Commissioner of Precinct No. 1, 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. 1, over which Commissioner has jurisdiction and obligation to maintain in good repair, and both parties being aware of possible damage to said roads as result of hauling on and over same, enter into the following agreement:

1.

First Party agrees to use only that section of (described exact route, direction and miles in terms): 2/10 mile on Pomegranate.

2.

First Party agrees to use it 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 hauling equipment from lands located in Precinct No. 1, Upshur County.

4.

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

5.

First Party agrees to POST SURVEY BOND in the amount of \$--0--, to Upshur County Commissioners' 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.

TRINITY SERVICES
 By: [Signature] County Judge - Dean Fowler
 First Party Signature

18149 Hwy 80 E [Signature]
 Street or Box Commissioner, Prec. 1 - Joe Orms

Waskom, TX 75692 [Signature]
 City, State and Zip Code Commissioner, Prec. 2 - Joe E. Ferguson

903-687-4350 [Signature]
 Telephone Commissioner, Prec. 3 - Kirk Jackson

[Signature]
 Commissioner, Prec. 4 - Gary Drennan

2-13-04 2/29/04
 Date Signed Date Signed

PERMIT ISSUED FOR A PERIOD NOT TO EXCEED 90 DAYS

FILED
 ROBIN RODENBERG
 COUNTY CLERK
 04 FEB 27 PM 11:47
 UPSHUR COUNTY, TX.
 BY _____
 DEPUTY

VOL 666 PG 44

SPECIAL ROAD USE AGREEMENT CONTRACT

THE STATE OF TEXAS)
COUNTY OF UPSHUR)

KNOW ALL MEN BY THESE PRESENTS:

The undersigned, WOODLANDS FOREST SERVICE, hereinafter referred to as First Party, enters into and makes an agreement with Upshur County Commissioner of Precinct No. 4, 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. 4, over which Commissioner has jurisdiction and obligation to maintain in good repair, and both parties being aware of possible damage to said roads as result of hauling on and over same, enter into the following agreement:

1.

First Party agrees to use only that section of (described exact route, direction and miles in tenths) Approximately 1 mile on Flying Squirrel Road.

2

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

3

First Party agrees to grade, maintain and otherwise repair said road, using its own equipment, labor and materials, if any needed, during the duration of time that First Party is removing logs from lands located in Precinct No. 4, Upshur County.

4

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

5

First Party agrees to post survey bond in the amount of \$-0-, to Upshur County Commissioners' 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.

VOL 66 PG 45

WOODLANDS FOREST SERVICE

By: Jackie Giles
First Party Signature

Dean Fowler
County Judge - Dean Fowler

P. O. Box 243
Street or Box

Joe Orms
Commissioner, Prec. 1 - Joe Orms

Bloomburg, TX 75556
City, State and Zip Code

Joe E. Ferguson
Commissioner, Prec. 2 - Joe E. Ferguson

903-728-5543
Telephone

Rick Jackson
Commissioner, Prec. 3 - Rick Jackson

Jim Roberts
Timber Tract

Gary Drennan
Commissioner, Prec. 4 - Gary Drennan

2-17-04
Date Signed

2/27/04
Date signed

PERMIT ISSUED FOR A PERIOD NOT TO EXCEED 90 DAYS

FILED
ROBIN RODENBERG
COUNTY CLERK
04 FEB 27 PM 11:47
UPSHUR COUNTY, TX.
BY _____
DEPUTY

VOL 666 PG 47

VANDUSEN TIMBER

By Jackie Vandusen Dean Fowler
First Party Signature County Judge - Dean Fowler

4015 Valky Ranch Road
Street or Box Commissioner, Prec. 1 - Joe Orms

Longview, TX 75602
City, State and Zip Code Commissioner, Prec. 2 - Joe E. Ferguson

903-236-7696
Telephone Commissioner, Prec. 3 - Rick Jackson

Lee Thomas
Timber Tract Commissioner, Prec. 4 - Gary Drennan

2-26-04 2/27/04
Date Signed Date Signed

PERMIT ISSUED FOR A PERIOD NOT TO EXCEED 90 DAYS

FILED
ROBIN RODENBERG
COUNTY CLERK
04 FEB 27 PM 11:48
UPSHUR COUNTY, TX.
BY _____
DEPUTY

VOL 66 PG 48

SPECIAL ROAD USE AGREEMENT CONTRACT

THE STATE OF TEXAS }

KNOW ALL MEN BY THESE PRESENTS:

COUNTY OF UPSHUR }

PXP GULF COAST INC.

The undersigned, ~~PLAINS EXPLORATION~~, hereinafter referred to as First Party, enters into and makes an agreement with Upshur County Commissioner of Precinct No. 4, 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. 4, over which Commissioner has jurisdiction and obligation to maintain in good repair, and both parties being aware of possible damage to said roads as result of hauling on and over same, enter into the following agreement:

1.

First Party agrees to use only that section of (described exact route, direction and miles in tenths): Camel Road from 2088 to Deer Road; from Deer to Bison; and approximately 1/2 mile on Bison.

2.

First Party agrees to use it 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 moving equipment to and from lands located in Precinct No. 4, Upshur County.

4.

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

5.

First Party agrees to POST SURVEY BOND in the amount of \$-0--, to Upshur County Commissioners' 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.

VOL 66 PG 49

PXP GULF COAST INC.

R. W. Pendleton

R. W. Pendleton
Vice President
Central Business Unit

Dean Fowler

County Judge - Dean Fowler

700 Milan St., Suite 3100

Street or Box

Joe Orms

Commissioner, Prec. 1 - Joe Orms

Houston, TX 77002

City, State and Zip Code

Joe E. Ferguson

Commissioner, Prec. 2 - Joe E. Ferguson

832-239-6044

Telephone

Rick Jackson

Commissioner, Prec. 3 - Rick Jackson

Gary Drennan

Commissioner, Prec. 4 - Gary Drennan

2/27/04

Date Signed

Date Signed

PERMIT ISSUED FOR A PERIOD NOT TO EXCEED 90 DAYS

FILED
ROBIN RODENBERG
COUNTY CLERK
04 FEB 27 PM 11:48
UPSHUR COUNTY, TX.
BY _____
DEPUTY

PERMIT APPLICATION FOR USE OF UPSHUR COUNTY RIGHT OF WAY

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

PRECINCT NO.: 1 DATE: February 17, 2004

Formal notice is hereby given that Robert Jackson, whose principal address is 2304 Cardinal Road, Gilmer, TX 75644, does hereby purpose to place a culvert within the ROW of County Road Cardinal. The location and description of the proposed lines and 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 27th day of February, 2004. I, Robert Jackson, hereby attest that I have read the conditions set forth in this application and understand its contents.

NAME: Robert Jackson
TELEPHONE: 903-236-4408

APPROVAL OF PERMIT APPLICATION

The Upshur County Commissioners Court offers no objection to the location on the right of way of your proposed culvert as shown by accompanying drawings and notice dated February 17, 2004, except as noted below:

It is expressly understood that the Upshur County Commissioners Court does not purport, intend, or 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 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:

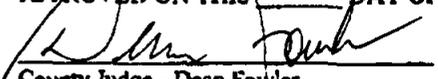
1. Barricades, warning signs, lights and flag men when necessary shall be provided by the contractor or owner. One half of the traveled portion of the road must be open at all times.
2. All lines, where practicable, shall be located or cross roadbed at approximately right angles. No lines are to be installed under or within 50 feet of either end of any bridge. No lines shall be placed in any culvert or within 10 feet of the closest point of same.
3. Parallel lines will be installed as near the right of way lines as possible and no parallel line will be installed in the roadbed or between the drainage ditch and the roadbed without special permission of the County Commissioners Court.
4. Overhead lines will have minimum clearance of 18 feet above the road surface at crossing.

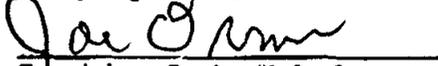
VOL 66 PG 50

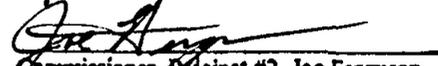
5. Operations along roadways shall be performed in such a manner that all excavated material be kept off the surface at all times, as well as all operating equipment and materials. No equipment for installation procedures will be used which will damage any road surface, roadbed, structures or other right of way feature. Any expenditure that is a direct result of this installation will be borne by owner of this line.
6. All lines under roads carrying pressure in excess of 50psi shall be enclosed in satisfactory casing extending from the right of way line to right of way line. Pipe used for casing may be of any type approved by the County Engineer or Commissioners' Court and shall be capable of supporting load of roadbed and traffic and shall be so constructed that there will be no leakage of any matter through casing for its entire length; inside diameter of casings shall be at least 2 inches greater than the largest diameter of carrier pipe, joints or couplings.
7. All excavations within the right of way and not under surfacing shall be backfilled by tamping 6 inch horizontal layers.
8. Any material placed in County right of way by permit will be of a nature or composition that said line can be located with the use of a standard locator device used in locating buried cables and pipes.)
9. Lines crossing under roads and under cross roads within the right of way will be placed by boring. Boring shall extend from crown line to crown line. Gravity flow sewer lines under roadway will be cast iron or equivalent pipe.
10. Where evidence is presented indicating the impracticability of boring or tunneling, the Commissioners Court may grant permission to cut the surface no wider than 4 inches. In the event a cut is permitted the following conditions will govern: (a) Excavation areas are to be filled and packed with compatible material, (b) The surfacing will be replaced with equivalent quality surfacing
11. Notice will be given to the precinct Commissioner 48 hours prior to starting construction of the line in his precinct
12. Where in the opinion of the Commissioners Court it may be necessary to protect losses incurred by damage to the roads, bridges or right of way structure, they may by action of the Court require a surety bond in an amount sufficient to cover any damages.
13. Where, in the opinion of the Commissioners Court, an inspector is necessary, the party receiving permit will bear the cost of inspection.

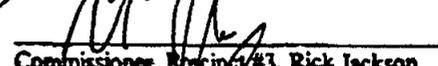
VOL 66 PG 51

APPROVED ON THIS 27 DAY OF FEBRUARY, 2004.


County Judge - Dean Fowler


Commissioner, Precinct #1, Joe Orms


Commissioner, Precinct #2, Joe Ferguson


Commissioner, Precinct #3, Rick Jackson


Commissioner, Precinct #4, Gary Drenth

FILED
ROBIN RODENBERG
COUNTY CLERK
04 FEB 27 PM 11:48
UPSHUR COUNTY, TX.
BY _____
DEPUTY

PERMIT APPLICATION FOR USE OF UPSHUR COUNTY RIGHT OF WAY

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

PRECINCT 2

DATE December 29, 2003

Formal notice is hereby given that Scott Woodall, whose principal address is 3644 Zinnia Road, does hereby purpose to place a culvert within the ROW of County Road Zinnia. The location and description of the proposed lines and 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 29th day of December, 2003. I, Scott Woodall hereby attest that I have read the conditions set forth in this application and understand its contents.

SIGNATURE: Scott Woodall

TELEPHONE: 903-968-3373

APPROVAL OF PERMIT APPLICATION

The Upshur County Commissioners Court offers no objection to the location on the right of way of your proposed culvert as shown by accompanying drawings and notice dated December 29, 2003, 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 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 flag men 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 or cross roadbed at approximately right angles. No lines are to be installed under or within 50 feet of either end of any bridge. No lines shall be placed in any culvert or within 10 feet of the closest point of same.
3. Parallel lines will be installed as near the right of way lines as possible and no parallel line will be installed in the roadbed or between the drainage ditch and the roadbed without special permission of the County Commissioners Court.
4. Overhead lines will have minimum clearance of 18 feet above the road surface at the point of crossing.

VOL 66 PG 52

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

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

7. All excavations within the right of way and not under surfacing shall be backfilled by tamping 6 inch horizontal layers.

8. Any material placed in County right of way by permit will be of a nature or composition that said line can be located with the use of a standard locator device used in locating buried cables and pipes.)

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

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

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

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

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

APPROVED ON THIS 27 DAY OF February, 2009

[Signature]
County Judge -Dean Fowler

[Signature]
Commissioner, Precinct #1, Joe Orms

[Signature]
Commissioner, Precinct #2, Joe Ferguson

[Signature]
Commissioner, Precinct #3, Rick Jackson

[Signature]
Commissioner, Precinct #4, Gary Drehman

FILED
ROBIN RODENBERG
COUNTY CLERK
04 FEB 27 PM 11:48
UPSHUR COUNTY, TX.
BY _____
DEPUTY

PERMIT APPLICATION FOR USE OF UPSHUR COUNTY RIGHT OF WAY

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

PRECINCT NO.: 4

DATE: February 17, 2004

Formal notice is hereby given that Eric Campbell, whose principal address is ~~11647~~ Woodchuck, Gilmer, TX 75644, does hereby purpose to place a culvert within the ROW of County Road Woodchuck. The location and description of the proposed lines and 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 27th day of February, 2004. I, Eric Campbell, hereby attest that I have read the conditions set forth in this application and understand its contents.

NAME: Eric Campbell
TELEPHONE: 903-365-2352

APPROVAL OF PERMIT APPLICATION

The Upshur County Commissioners Court offers no objection to the location on the right of way of your proposed culvert as shown by accompanying drawings and notice dated February 17, 2004, 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 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 flag men 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 or cross roadbed at approximately right angles. No lines are to be installed under or within 50 feet of either end of any bridge. No lines shall be placed in any culvert or within 10 feet of the closest point of same.
3. Parallel lines will be installed as near the right of way lines as possible and no parallel line will be installed in the roadbed or between the drainage ditch and the roadbed without special permission of the County Commissioners Court.
4. Overhead lines will have minimum clearance of 18 feet above the road surface at the point of crossing.

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5. Operations along roadways shall be performed in such a manner that all excavated material be kept off the surface at all times, as well as all operating equipment and materials. No equipment for installation procedures will be used which will damage any road surface, roadbed, structures or other right of way feature. Any expenditure that is a direction result of this installation will be borne by owner of this line.
6. All lines under roads carrying pressure in excess of 50psi shall be enclosed in satisfactory casing extending from the right of way line to right of way line. Pipe used for casing may be of any type approved by the County Engineer or Commissioners' Court and shall be capable of supporting load of roadbed and traffic and shall be so constructed that there will be no leakage of any matter through casing for its entire length; inside diameter of casings shall be at least 2 inches greater than the largest diameter of carrier pipe, joints or couplings.
7. All excavations within the right of way and not under surfacing shall be backfilled by tamping 6 inch horizontal layers.
8. Any material placed in County right of way by permit will be of a nature or composition that said line can be located with the use of a standard locator device used in locating buried cables and pipes.)
9. Lines crossing under roads and under cross roads within the right of way will be placed by boring. Boring shall extend from crown line to crown line. Gravity flow sewer lines under roadway will be cast iron or equivalent pipe.
10. Where evidence is presented indicating the impracticability of boring or tunneling, the Commissioners Court may grant permission to cut the surface no wider than 4 inches. In the event a cut is permitted the following conditions will govern: (a) Excavation areas are to be filled and packed with compatible material; (b) The surfacing will be replaced with equivalent quality surfacing.
11. Notice will be given to the precinct Commissioner 48 hours prior to starting construction of the line in his precinct.
12. Where in the opinion of the Commissioners Court it may be necessary to protect losses incurred by damage to the roads, bridges or right of way structure, they may by action of the Court require a surety bond in an amount sufficient to cover any damages.
13. Where, in the opinion of the Commissioners Court, an inspector is necessary, the party receiving permit will bear the cost of inspection.

APPROVED ON THIS 27 DAY OF FEBRUARY, 2004.

[Signature]
County Judge - Dean Fowler

[Signature]
Commissioner, Precinct #1, Joe Orms

[Signature]
Commissioner, Precinct #2, Joe Ferguson

[Signature]
Commissioner, Precinct #3, Rick Jackson

[Signature]
Commissioner, Precinct #4, Gary Drehman

FILED
ROBIN RODENBERG
COUNTY CLERK
04 FEB 27 PM 11:48
UPSHUR COUNTY, TX.
BY _____
DEPUTY

PERMIT APPLICATION FOR USE OF UPSHUR COUNTY RIGHT OF WAY

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

PRECINCT NO.: 1

DATE: February 24, 2004

Formal notice is hereby given that DeWayne Spell, whose principal address is 1693 Lilac Lane, Gilmer, TX 75645, does hereby purpose to place a culvert within the ROW of County Road Lilac. The location and description of the proposed lines and 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 27th day of February, 2004. I, DeWayne Spell, hereby attest that I have read the conditions set forth in this application and understand its contents.

NAME: *DeWayne Spell*
TELEPHONE: 903-797-3999

APPROVAL OF PERMIT APPLICATION

The Upshur County Commissioners Court offers no objection to the location on the right of way of your proposed culvert as shown by accompanying drawings and notice dated February 24, 2004, 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 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 flag men 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 or cross roadbed at approximately right angles. No lines are to be installed under or within 50 feet of either end of any bridge. No lines shall be placed in any culvert or within 10 feet of the closest point of same.
3. Parallel lines will be installed as near the right of way lines as possible and no parallel line will be installed in the roadbed or between the drainage ditch and the roadbed without special permission of the County Commissioners Court.
4. Overhead lines will have minimum clearance of 18 feet above the road surface at the point of crossing.

vol 66 pg 56

vol 66 PG 57

5. Operations along roadways shall be performed in such a manner that all excavated material be kept off the surface at all times, as well as all operating equipment and materials. No equipment for installation procedures will be used which will damage any road surface, roadbed, structures or other right of way feature. Any expenditure that is a direction result of this installation will be borne by owner of this line.
6. All lines under roads carrying pressure in excess of 50psi shall be enclosed in satisfactory casing extending from the right of way line to right of way line. Pipe used for casing may be of any type approved by the County Engineer or Commissioners' Court and shall be capable of supporting load of roadbed and traffic and shall be so constructed that there will be no leakage of any matter through casing for its entire length; inside diameter of casings shall be at least 2 inches greater than the largest diameter of carrier pipe, joints or couplings.
7. All excavations within the right of way and not under surfacing shall be backfilled by tamping 6 inch horizontal layers.
8. Any material placed in County right of way by permit will be of a nature or composition that said line can be located with the use of a standard locator device used in locating buried cables and pipes.)
9. Lines crossing under roads and under cross roads within the right of way will be placed by boring. Boring shall extend from crown line to crown line. Gravity flow sewer lines under roadway will be cast iron or equivalent pipe.
10. Where evidence is presented indicating the impracticability of boring or tunneling, the Commissioners Court may grant permission to cut the surface no wider than 4 inches. In the event a cut is permitted the following conditions will govern: (a) Excavation areas are to be filled and packed with compatible material; (b) The surfacing will be replaced with equivalent quality surfacing.
11. Notice will be given to the precinct Commissioner 48 hours prior to starting construction of the line in his precinct.
12. Where in the opinion of the Commissioners Court it may be necessary to protect losses incurred by damage to the roads, bridges or right of way structure, they may by action of the Court require a surety bond in an amount sufficient to cover any damages.
13. Where, in the opinion of the Commissioners Court, an inspector is necessary, the party receiving permit will bear the cost of inspection.

APPROVED ON THIS 27 DAY OF FEBRUARY, 2004.

Dean Fowler
County Judge - Dean Fowler

Joe Orms
Commissioner, Precinct #1, Joe Orms

Joe Ferguson
Commissioner, Precinct #2, Joe Ferguson

Rick Jackson
Commissioner, Precinct #3, Rick Jackson

Gary Drennan
Commissioner, Precinct #4, Gary Drennan

FILED
ROBIN RODENBERG
COUNTY CLERK
04 FEB 27 PM 11:48
UPSHUR COUNTY, TX.
BY _____
DEPUTY

VOL 106 PG 58

PERMIT APPLICATION FOR USE OF UPSHUR COUNTY RIGHT OF WAY

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

PRECINCT NO.: 1

DATE: FEBRUARY 6, 2004

Formal notice is hereby given that Northeast Texas Municipal Water District, whose principal address is P. O. Box 955, Hughes Springs, TX 75656, proposes to place a line within the right-of-way of County Road Kildee Road. The location and description of the proposed lines and 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 1st day of March, 2005. I, Walt Sears, Jr., General Manager, hereby attest that I have read the conditions set forth in this application and understand its contents.

NAME: Walt Sears Jr.
TELEPHONE: 903-639-7538

APPROVAL OF PERMIT APPLICATION

The Upshur County Commissioners Court offers no objection to the location on the right of way of your proposed 16" PVC Water Line in 24" Steel Encasement as shown by accompanying drawing and notice dated February 6, 2004 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 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 highway 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 or cross roadbed at approximately right angles. No lines are to be installed under or within 50 feet of either end of any bridge. No lines shall be placed in any culvert or within 10 feet of the closest point of same.
3. Parallel lines will be installed as near the right of way lines as is possible, and no parallel line will be installed in the roadbed or between the drainage ditch and the roadbed without special permission of the County Commissioners Court.
4. Overhead lines will have a minimum clearance of 18 feet above the road surface at the point of crossing.
5. Operations along roadways shall be performed in such a manner that all excavated material be kept off the surface at all times, as well as all operating equipment and materials. No equipment for installation procedures will be used which will damage any road surface, roadbed, structures or other right of way feature. Any expenditure that is a direct result of this installation will be borne by owner of this line.

- 6. All lines under roads carrying pressure in excess of 50 psi shall be enclosed in satisfactory casing extending from the right of way line to right of way line. Pipe used for casing may be of any type approved by the County Engineer or Commissioners Court and shall be capable of supporting load of roadbed and traffic, and shall be so constructed that there will be no leakage of any matter through casing for its entire length; inside diameter of casings shall be at least 2 inches greater than the largest diameter of carrier pipe, joints, or couplings.
- 7. All excavations within the right of way and not under surfacing shall be backfilled by tamping 6 inch horizontal layers.
- 8. Any material placed in County right of way by permit will be of a nature or composition that said line can be located with the use of a standard locator device used in locating buried cables and pipes.
- 9. Lines crossing under roads and under cross roads within the right of way will be placed by boring. Boring shall extend from crown line to crown line. Gravity flow sewer lines under roadways will be cast iron or equivalent pipe.
- 10. Where evidence is presented indicating the impracticability of boring or tunneling, the Commissioners Court may grant permission to cut the surface no wider than 4 inches. In the event a cut is permitted, the following conditions will govern: (a) Excavation areas are to be filled and packed with compatible material; (b) The surfacing will be replaced with equivalent quality surfacing.
- 11. Notice will be given to the precinct Commissioner 48 hours prior to starting construction of the line in his precinct.
- 12. Where in the opinion of the Commissioners Court it may be necessary to protect losses incurred by damage to the roads, bridges, or right of way structure, they may by action of the Court require a surety bond in an amount sufficient to cover any damages.
- 13. Where, in the opinion of the Commissioners Court, an inspector is necessary, the party receiving permit will bear the cost of inspection.

APPROVED ON THIS 27 DAY OF FEBRUARY, 2004.

Dean Fowler
County Judge - Dean Fowler

Joe Orms
Commissioner, Precinct #1, Joe Orms

Joe Ferguson
Commissioner, Precinct #2, Joe Ferguson

Rick Jackson
Commissioner, Precinct #3, Rick Jackson

Gary Drennan
Commissioner, Precinct #4, Gary Drennan

FILED
ROBIN RODENBERG
COUNTY CLERK
04 FEB 27 PM 11:48
UPSHUR COUNTY, TX.
BY _____
DEPUTY

PERMIT APPLICATION FOR USE OF UPSHUR COUNTY RIGHT OF WAY

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

PRECINCT NO.: 2

DATE: FEBRUARY 6, 2004

Formal notice is hereby given that Northeast Texas Municipal Water District, whose principal address is P. O. Box 955, Hughes Springs, TX 75656, proposes to place a line within the right-of-way of County Road Spider Lilly Road. The location and description of the proposed lines and 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 1st day of March, 2005. I, Walt Sears, Jr., General Manager, hereby attest that I have read the conditions set forth in this application and understand its contents.

NAME: Walt Sears, Jr.
 TELEPHONE: 903-639-7538

APPROVAL OF PERMIT APPLICATION

The Upshur County Commissioners Court offers no objection to the location on the right of way of your proposed 16" PVC Water Line in 24" Steel Encasement as shown by accompanying drawing and notice dated February 6, 2004 except as noted below.

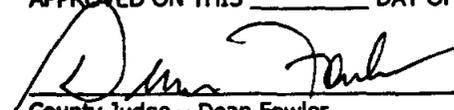
It is expressly understood that the Upshur County Commissioners Court does not purport, hereby, to grant any right, claim, title, or easement in or upon this county road; it is further understood that in the future, should for any reason Upshur County need to work, improve, relocate, widen, increase, 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 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 highway 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 or cross roadbed at approximately right angles. No lines are to be installed under or within 50 feet of either end of any bridge. No lines shall be placed in any culvert or within 10 feet of the closest point of same.
3. Parallel lines will be installed as near the right of way lines as is possible, and no parallel line will be installed in the roadbed or between the drainage ditch and the roadbed without special permission of the County Commissioners Court.
4. Overhead lines will have a minimum clearance of 18 feet above the road surface at the point of crossing.
5. Operations along roadways shall be performed in such a manner that all excavated material be kept off the surface at all times, as well as all operating equipment and materials. No equipment for installation procedures will be used which will damage any road surface, roadbed, structures or other right of way feature. Any expenditure that is a direct result of this installation will be borne by owner of this line.

6. All lines under roads carrying pressure in excess of 50 psi shall be enclosed in satisfactory casing extending from the right of way line to right of way line. Pipe used for casing may be of any type approved by the County Engineer or Commissioners Court and shall be capable of supporting load of roadbed and traffic, and shall be so constructed that there will be no leakage of any matter through casing for its entire length; inside diameter of casings shall be at least 2 inches greater than the largest diameter of carrier pipe, joints, or couplings.
7. All excavations within the right of way and not under surfacing shall be backfilled by tamping 6 inch horizontal layers.
8. Any material placed in County right of way by permit will be of a nature or composition that said line can be located with the use of a standard locator device used in locating buried cables and pipes.
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11. Notice will be given to the precinct Commissioner 48 hours prior to starting construction of the line in his precinct.
12. Where in the opinion of the Commissioners Court it may be necessary to protect losses incurred by damage to the roads, bridges, or right of way structure, they may by action of the Court require a surety bond in an amount sufficient to cover any damages.
13. Where, in the opinion of the Commissioners Court, an Inspector is necessary, the party receiving permit will bear the cost of inspection.

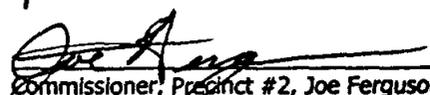
APPROVED ON THIS 27 DAY OF FEBRUARY, 2007.



County Judge - Dean Fowler



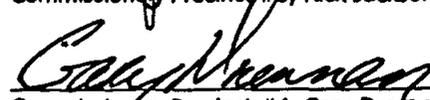
Commissioner, Precinct #1, Joe Orms



Commissioner, Precinct #2, Joe Ferguson



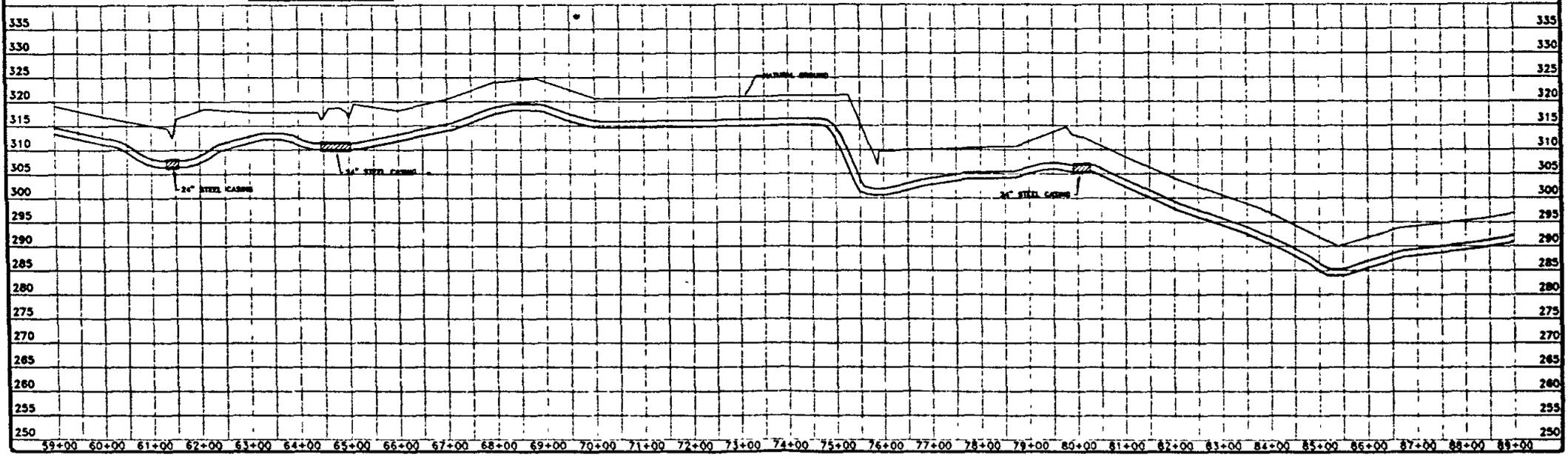
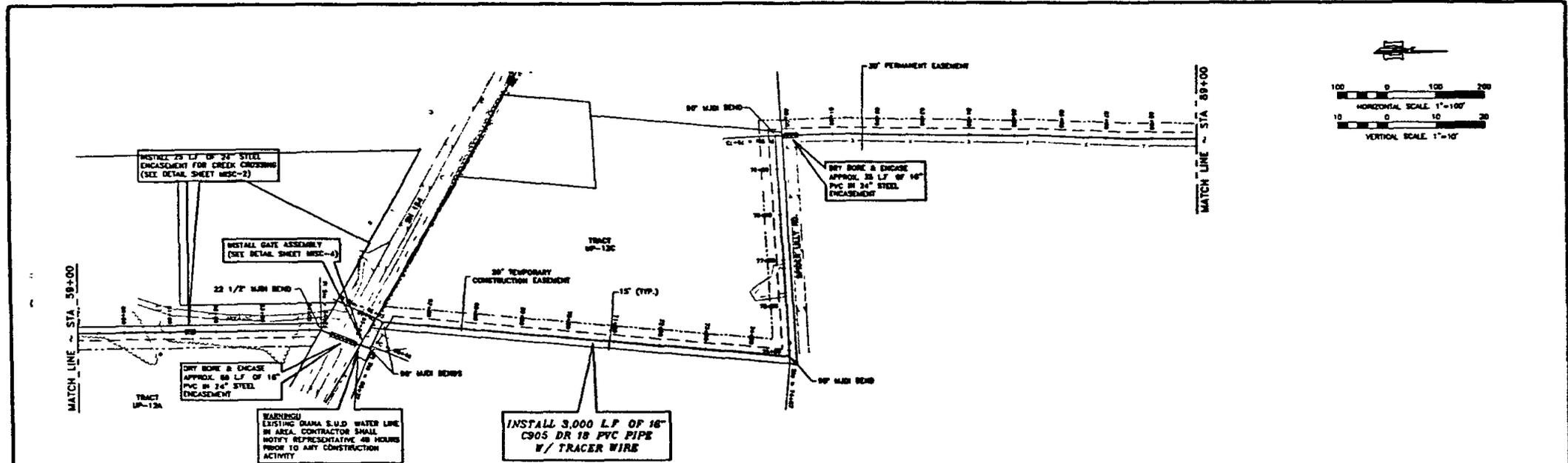
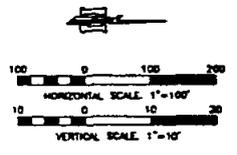
Commissioner, Precinct #3, Rick Jackson



Commissioner, Precinct #4, Gary Drefman

FILED
ROBIN RODENBERG
COUNTY CLERK
04 FEB 27 PM 11:48
UPSHUR COUNTY, TX.
BY _____
DEPUTY

vol. 66 pg 65



NO.	REVISION	DATE

KSA ENGINEERS

201 North 1st Street
 Suite 100
 Phoenix, AZ 85004
 Phone: (602) 254-1100
 Fax: (602) 254-1101

DESIGNED BY
 W.J.M.
 CHECKED BY
 E.R.A.
 DATE REVISION
 7/14/04
 100% JOB NO.
 NET-022

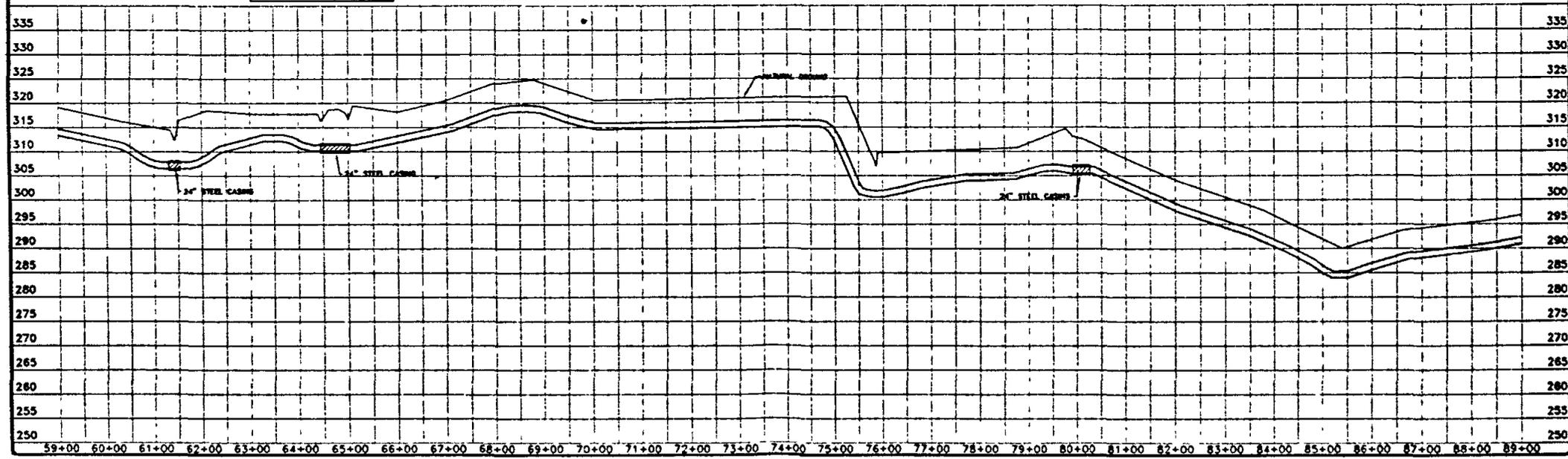
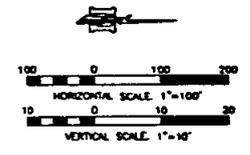
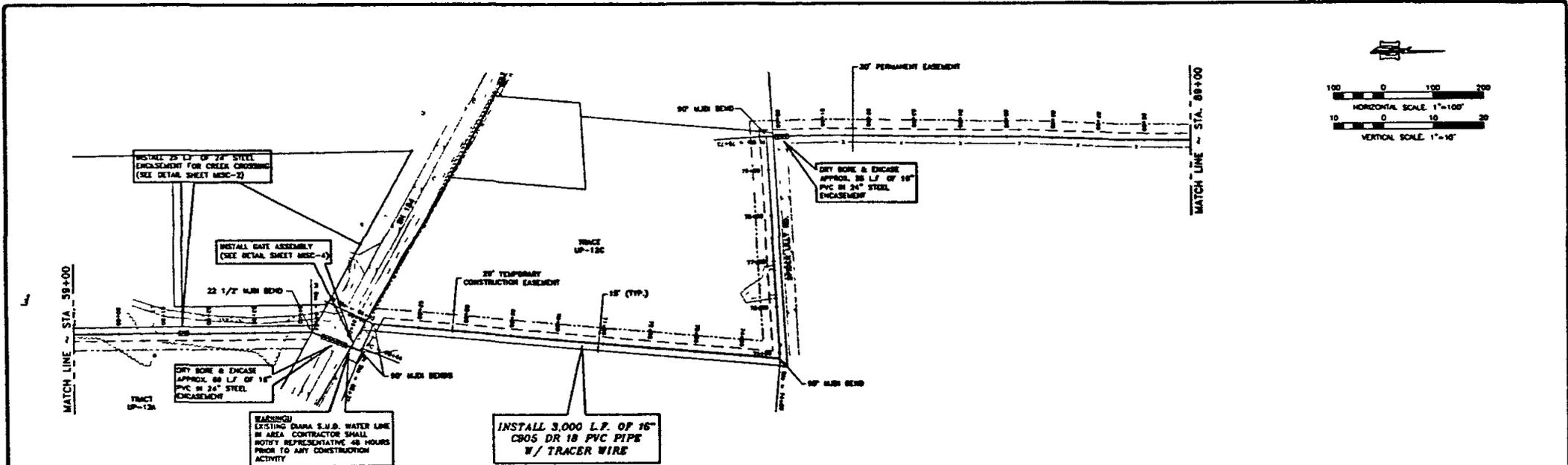
**NETMWD
 LOP SOUTHSIDE
 WATER SUPPLY PROJECT**

**LATERAL D
 PLAN/PROFILE
 STA. 59+00 TO STA. 89+00**



DRAWING SCALE:
 GENERAL 1"=10'
 ELEVATION 1"=10'
 PLOTTING SCALE 1:1
 FILE NO. ECP00001

SHEET NO.
D3
 11



NO.	REVISION	BY	DATE

KGA ENGINEERS

1001 Tyler St., Suite 200
Longwood, Florida 32750
Tel: 407.321.7300
Fax: 407.321.7301
www.kga-engineers.com

Drawn by	W.J.A.
Reviewed by	
Checked by	
DATE	3/14/04
SCALE	AS SHOWN
PROJECT	NET 022

**NETMWD
LOP SOUTHSIDE
WATER SUPPLY PROJECT**

**LATERAL D
PLAN/PROFILE
STA. 59+00 TO STA. 89+00**



DESIGN NO.	
DATE	1"=10'
PROJECT NO.	1"=100'
PLANNING NO.	111
FILE NO.	NETP001

REVISION NO. **D3**
11

PERMIT APPLICATION FOR USE OF UPSHUR COUNTY RIGHT OF WAY

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

PRECINCT NO.: 2

DATE: FEBRUARY 6, 2004

Formal notice is hereby given that Northeast Texas Municipal Water District, whose principal address is P. O. Box 955, Hughes Springs, TX 75656, proposes to place a line within the right-of-way of County Road Sego Lilly Road. The location and description of the proposed lines and 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 1st day of March, 20 05. I, Walt Sears, Jr., General Manager, hereby attest that I have read the conditions set forth in this application and understand its contents.

NAME: Walt Sears, Jr.
TELEPHONE: 903-639-7538

APPROVAL OF PERMIT APPLICATION

The Upshur County Commissioners Court offers no objection to the location on the right of way of your proposed 16" PVC Water Line in 24" Steel Encasement as shown by accompanying drawing and notice dated February 6, 20 04 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 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 highway 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 or cross roadbed at approximately right angles. No lines are to be installed under or within 50 feet of either end of any bridge. No lines shall be placed in any culvert or within 10 feet of the closest point of same.
3. Parallel lines will be installed as near the right of way lines as is possible, and no parallel line will be installed in the roadbed or between the drainage ditch and the roadbed without special permission of the County Commissioners Court.
4. Overhead lines will have a minimum clearance of 18 feet above the road surface at the point of crossing.
5. Operations along roadways shall be performed in such a manner that all excavated material be kept off the surface at all times, as well as all operating equipment and materials. No equipment for installation procedures will be used which will damage any road surface, roadbed, structures or other right of way feature. Any expenditure that is a direct result of this installation will be borne by owner of this line.

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6. All lines under roads carrying pressure in excess of 50 psi shall be enclosed in satisfactory casing extending from the right of way line to right of way line. Pipe used for casing may be of any type approved by the County Engineer or Commissioners Court and shall be capable of supporting load of roadbed and traffic, and shall be so constructed that there will be no leakage of any matter through casing for its entire length; inside diameter of casings shall be at least 2 inches greater than the largest diameter of carrier pipe, joints, or couplings.
7. All excavations within the right of way and not under surfacing shall be backfilled by tamping 6 inch horizontal layers.
8. Any material placed in County right of way by permit will be of a nature or composition that said line can be located with the use of a standard locator device used in locating buried cables and pipes.
9. Lines crossing under roads and under cross roads within the right of way will be placed by boring. Boring shall extend from crown line to crown line. Gravity flow sewer lines under roadways will be cast iron or equivalent pipe.
10. Where evidence is presented indicating the impracticability of boring or tunneling, the Commissioners Court may grant permission to cut the surface no wider than 4 inches. In the event a cut is permitted, the following conditions will govern: (a) Excavation areas are to be filled and packed with compatible material; (b) The surfacing will be replaced with equivalent quality surfacing.
11. Notice will be given to the precinct Commissioner 48 hours prior to starting construction of the line in his precinct.
12. Where in the opinion of the Commissioners Court it may be necessary to protect losses incurred by damage to the roads, bridges, or right of way structure, they may by action of the Court require a surety bond in an amount sufficient to cover any damages.
13. Where, in the opinion of the Commissioners Court, an inspector is necessary, the party receiving permit will bear the cost of inspection.

APPROVED ON THIS 27 DAY OF February, 2004.

[Signature]
County Judge - Dean Fowler

[Signature]
Commissioner, Precinct #1, Joe Orms

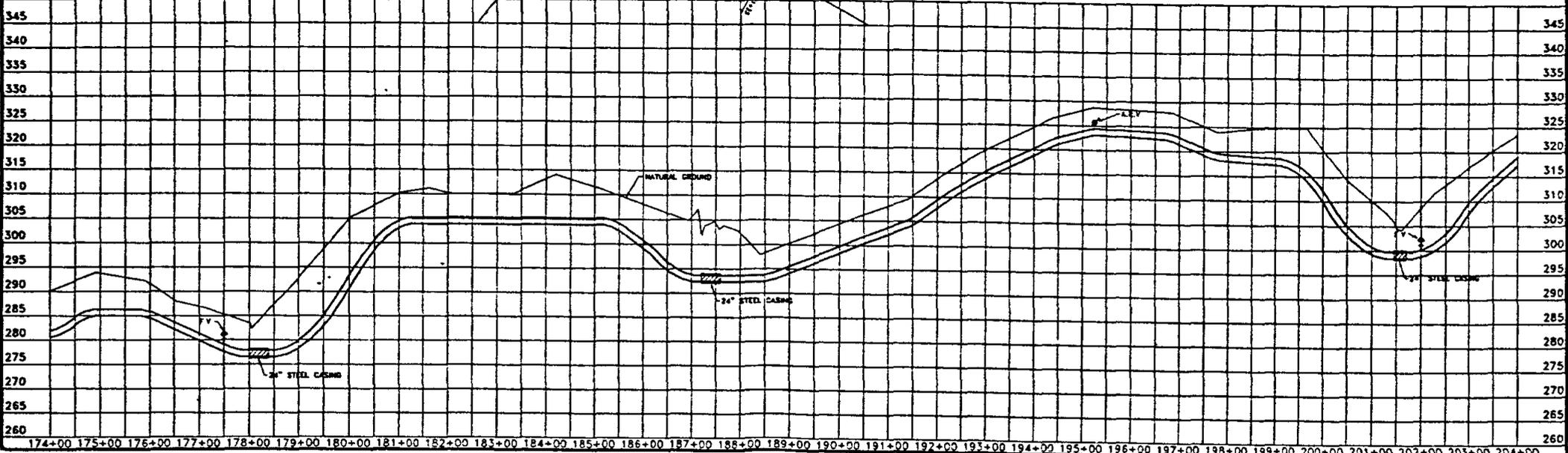
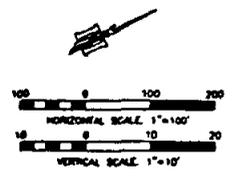
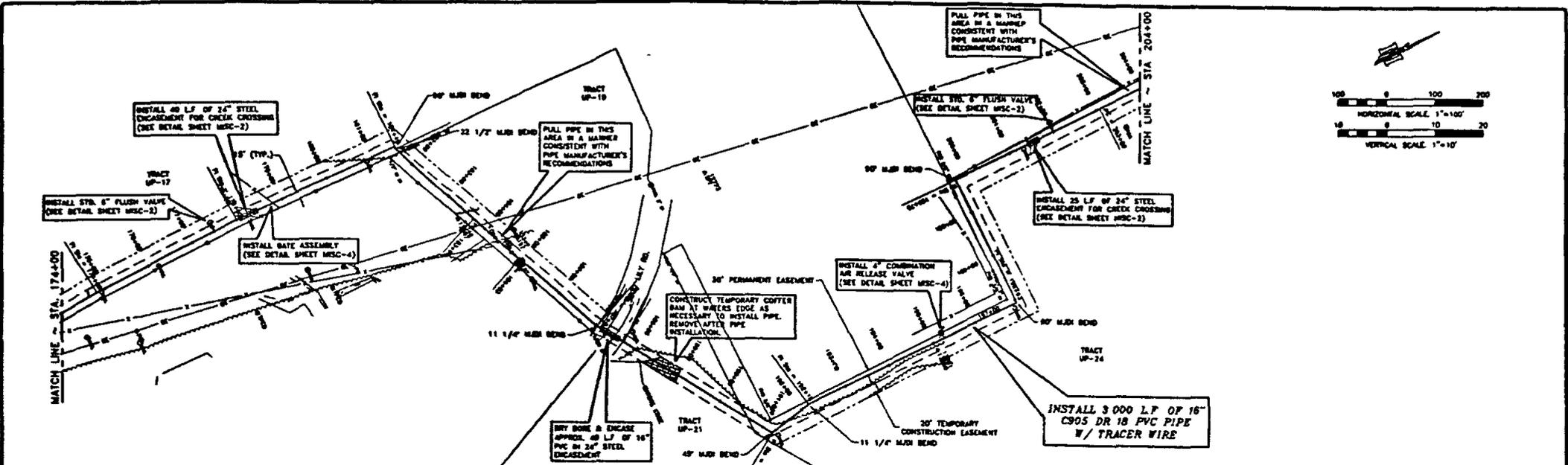
[Signature]
Commissioner, Precinct #2, Joe Ferguson

[Signature]
Commissioner, Precinct #3, Rick Jackson

[Signature]
Commissioner, Precinct #4, Gary Drennan

FILED
ROBIN RODENBERG
COUNTY CLERK
04 FEB 27 PM 11:49
UPSHUR COUNTY, TX.
BY _____
DEPUTY

vol 140 pg 10



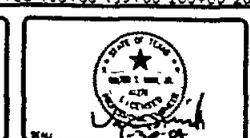
NO.	REVISION	BY	DATE

KEA ENGINEERS
 1000 West 10th Street
 Lincoln, Nebraska 68502
 402-441-7777
 www.keainc.com

DRAWN BY: W.J.M.
 CHECKED BY: W.T.W.
 LATEST REVISION: 1/21/04
 DESIGNED BY: W.J.M.
 NET-023

**NETMWD
 LOP SOUTHSIDE
 WATER SUPPLY PROJECT**

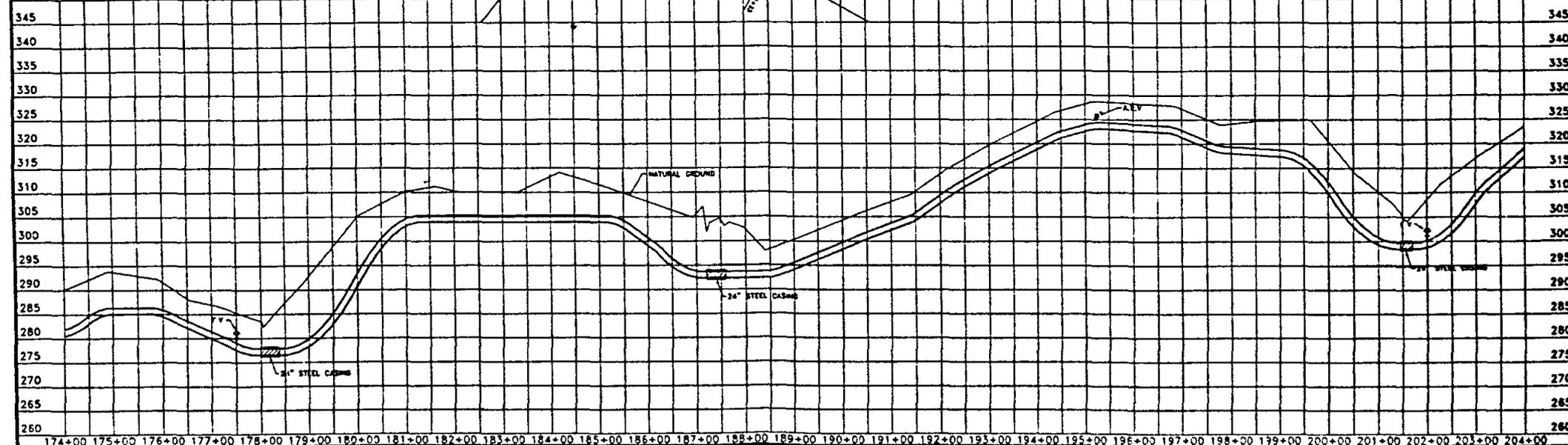
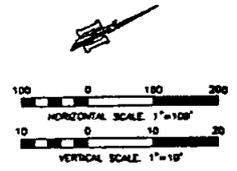
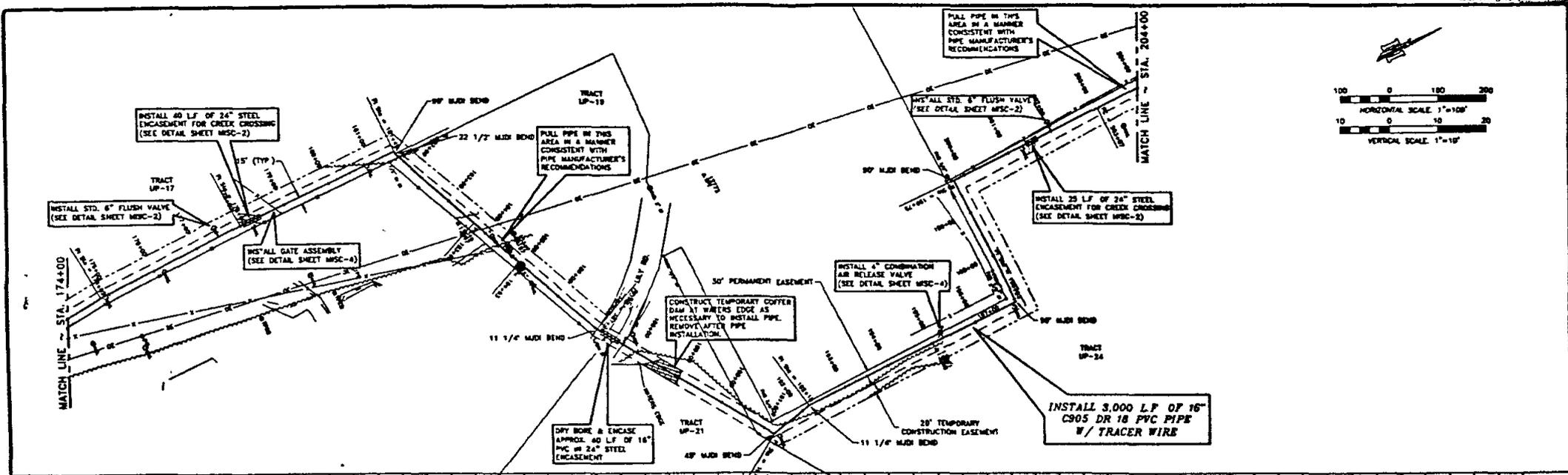
**LATERAL D
 PLAN/PROFILE
 STA. 174+00 TO STA. 204+00**



DRAWING SCALE:
 VERTICAL: 1"=10'
 HORIZONTAL: 1"=100'
 PLOTTING SCALE: 1:1
 FILE NAME: BCP07501

SHEET NO. **D-7**
 11

VOL. 66 PG. 71



KSA ENGINEERS
 1401 Taylor St., Suite 200
 Lincoln, Nebraska 68502
 Telephone: 402-478-7700
 Fax: 402-478-7701
 E-Mail: ksa@ksa.com

DESIGNED BY
 W.F.M.
 CHECKED BY
 W.F.M.
 LATEST REVISION
 1/22/04
 KSA JOB NO.
 NET-022

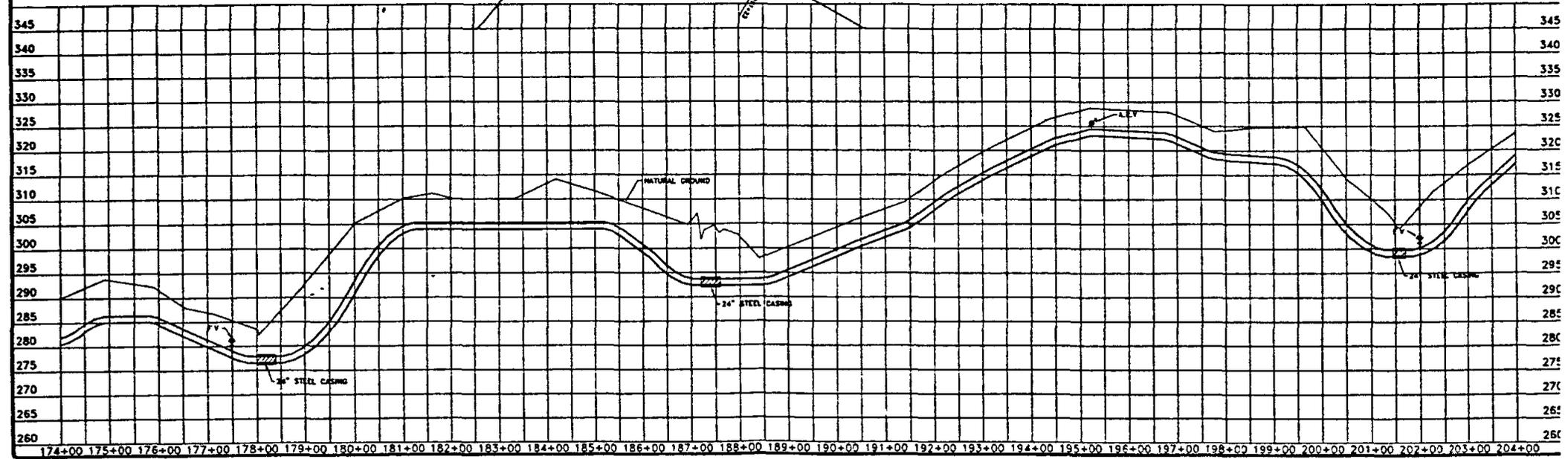
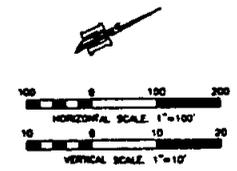
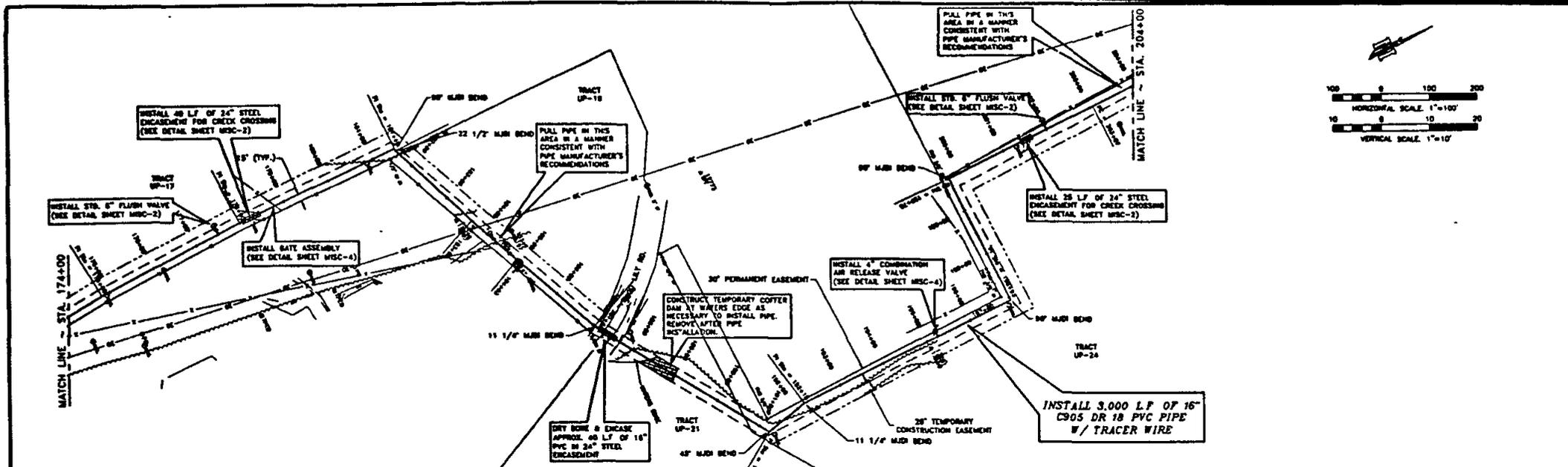
**NETMWD
 LOP SOUTHSIDE
 WATER SUPPLY PROJECT**

**LATERAL D
 PLAN/PROFILE
 STA. 174+00 TO STA. 204+00**



DRAWING SCALE
 VERTICAL: 1"=10'
 HORIZONTAL: 1"=100'
 PLOTTING SCALE: 1:1
 FILE NAME: RCP07001

SHEET NO.
D-7
 11



VOL 100 PG 12

NO.	REVISION	BY	DATE

KSA ENGINEERS
 140 S. Taylor St., Suite 200
 P.O. Box 1002
 Tempe, Arizona 85281
 (602) 970-7000
 (602) 970-7770

DRAWN BY: W.F.M.
 CHECKED BY: W.T.W.
 DATE: 1/22/04
 KSA JOB NO.: NET-022

NETMWD LOP SOUTHSIDE WATER SUPPLY PROJECT

LATERAL D PLAN/PROFILE STA. 174+00 TO STA. 204+00



GRAPHIC SCALE:
 HORIZONTAL 1"=100'
 VERTICAL 1"=10'
 PLOTTING SCALE: 1:1
 FILE NAME: RCP07001

SHEET NO. **D-7**
 11

PERMIT APPLICATION FOR USE OF UPSHUR COUNTY RIGHT OF WAY

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

PRECINCT NO.: 2

DATE: FEBRUARY 6, 2004

Formal notice is hereby given that Northeast Texas Municipal Water District, whose principal address is P. O. Box 955, Hughes Springs, TX 75656, proposes to place a line within the right-of-way of County Road Sego Lilly Road. The location and description of the proposed lines and 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 1st day of March, 2005. I, Walt Sears, Jr., General Manager, hereby attest that I have read the conditions set forth in this application and understand its contents.

NAME: Walt Sears, Jr.
TELEPHONE: 903-639-7538

APPROVAL OF PERMIT APPLICATION

The Upshur County Commissioners Court offers no objection to the location on the right of way of your proposed 16" PVC Water Line in 24" Steel Encasement as shown by accompanying drawing and notice dated February 6, 2004 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 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 highway 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 or cross roadbed at approximately right angles. No lines are to be installed under or within 50 feet of either end of any bridge. No lines shall be placed in any culvert or within 10 feet of the closest point of same.
3. Parallel lines will be installed as near the right of way lines as is possible, and no parallel line will be installed in the roadbed or between the drainage ditch and the roadbed without special permission of the County Commissioners Court.
4. Overhead lines will have a minimum clearance of 18 feet above the road surface at the point of crossing.
5. Operations along roadways shall be performed in such a manner that all excavated material be kept off the surface at all times, as well as all operating equipment and materials. No equipment for installation procedures will be used which will damage any road surface, roadbed, structures or other right of way feature. Any expenditure that is a direct result of this installation will be borne by owner of this line.

vol lde pg 73

Vol 66 PG 74

6. All lines under roads carrying pressure in excess of 50 psi shall be enclosed in satisfactory casing extending from the right of way line to right of way line. Pipe used for casing may be of any type approved by the County Engineer or Commissioners Court and shall be capable of supporting load of roadbed and traffic, and shall be so constructed that there will be no leakage of any matter through casing for its entire length; inside diameter of casings shall be at least 2 inches greater than the largest diameter of carrier pipe, joints, or couplings.
7. All excavations within the right of way and not under surfacing shall be backfilled by tamping 6 inch horizontal layers.
8. Any material placed in County right of way by permit will be of a nature or composition that said line can be located with the use of a standard locator device used in locating buried cables and pipes.
9. Lines crossing under roads and under cross roads within the right of way will be placed by boring. Boring shall extend from crown line to crown line. Gravity flow sewer lines under roadways will be cast iron or equivalent pipe.
10. Where evidence is presented indicating the impracticability of boring or tunneling, the Commissioners Court may grant permission to cut the surface no wider than 4 inches. In the event a cut is permitted, the following conditions will govern: (a) Excavation areas are to be filled and packed with compatible material; (b) The surfacing will be replaced with equivalent quality surfacing.
11. Notice will be given to the precinct Commissioner 48 hours prior to starting construction of the line in his precinct.
12. Where in the opinion of the Commissioners Court it may be necessary to protect losses incurred by damage to the roads, bridges, or right of way structure, they may by action of the Court require a surety bond in an amount sufficient to cover any damages.
13. Where, in the opinion of the Commissioners Court, an inspector is necessary, the party receiving permit will bear the cost of inspection.

APPROVED ON THIS 27 DAY OF FEBRUARY, 2004.

[Signature]
County Judge - Dean Fowler

[Signature]
Commissioner, Precinct #1, Joe Orms

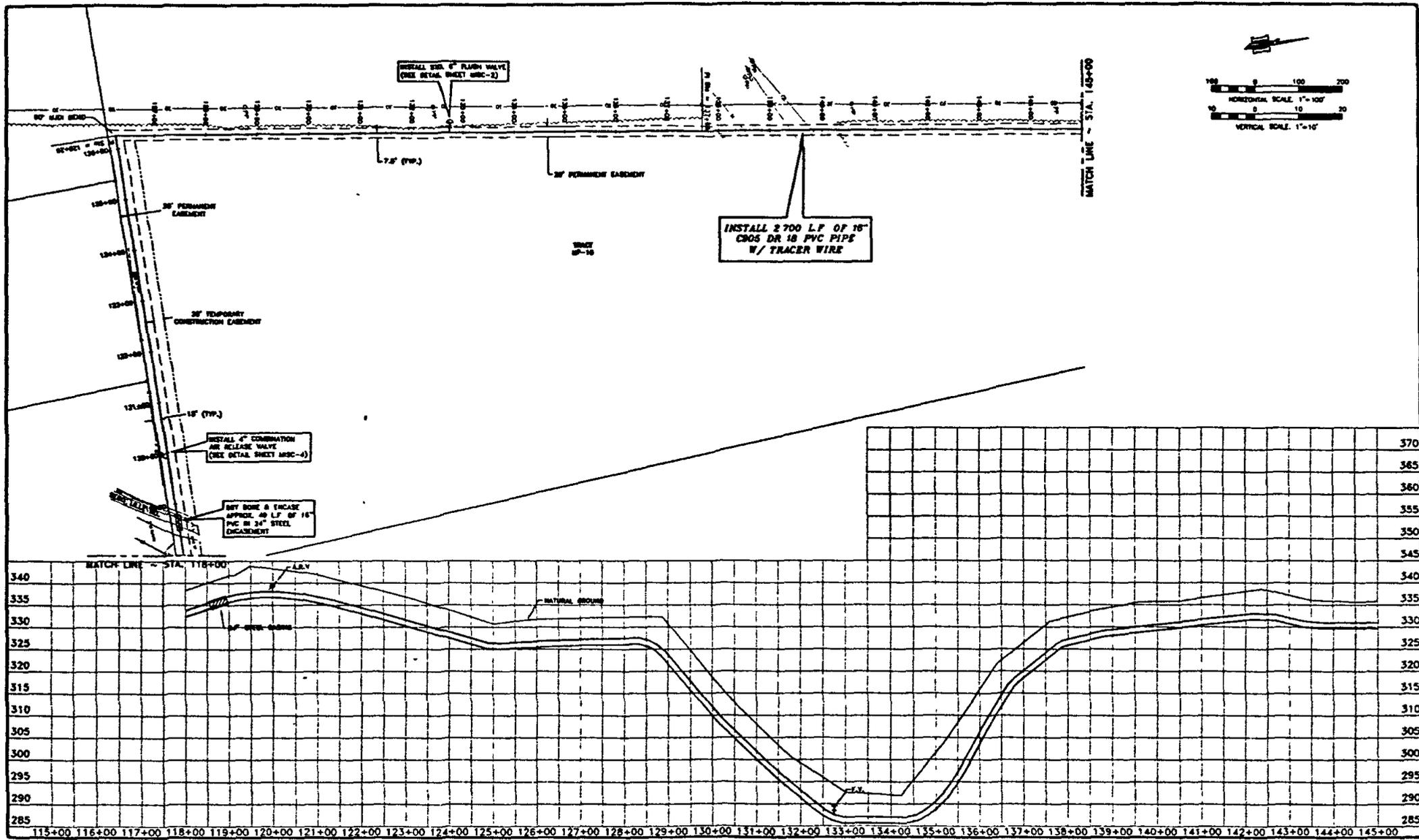
[Signature]
Commissioner, Precinct #2, Joe Ferguson

[Signature]
Commissioner, Precinct #3, Rick Jackson

[Signature]
Commissioner, Precinct #4, Gary Drennan

FILED
ROBIN RODENBERG
CLERK
04 FEB 27 PM 11:49
UPSHUR COUNTY, TX.
BY [Signature] DEPUTY

Vol. 100 PG 11a



REVISION	BY	DATE

ENGINEERS

100 E. Third St., Suite 200
P.O. Box 100
Springfield, Tenn 37080-0100
TEL: 238-7700
FAX: 238-7700
www.netmwd.com

DESIGN BY: W.F.M.
CHECKED BY: C.B.A.
DATE: 2/14/04
JOB NO: NET-012

**NETMWD
LOP SOUTHSIDE
WATER SUPPLY PROJECT**

**LATERAL D
PLAN/PROFILE
STA. 118+00 TO STA. 145+00**



DESIGN SCALE: HORIZONTAL 1"=100'
VERTICAL 1"=10'
PLATE NO: 311
FILE NO: BCPOS001

NET NO: **D5**
SHEET NO: **11**

PERMIT APPLICATION FOR USE OF UPSHUR COUNTY RIGHT OF WAY

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

PRECINCT NO.: 2

DATE: FEBRUARY 6, 2004

Formal notice is hereby given that Northeast Texas Municipal Water District, whose principal address is P. O. Box 955, Hughes Springs, TX 75656, proposes to place a line within the right-of-way of County Road Shamrock Road. The location and description of the proposed lines and 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 1st day of March, 2005. I, Walt Sears, Jr., General Manager, hereby attest that I have read the conditions set forth in this application and understand its contents.

NAME: Walt Sears, Jr.
TELEPHONE: 903-639-7538

APPROVAL OF PERMIT APPLICATION

The Upshur County Commissioners Court offers no objection to the location on the right of way of your proposed 8" PVC Water Line in 12" Steel Encasement as shown by accompanying drawing and notice dated February 6, 2004 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 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 highway 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 or cross roadbed at approximately right angles. No lines are to be installed under or within 50 feet of either end of any bridge. No lines shall be placed in any culvert or within 10 feet of the closest point of same.
3. Parallel lines will be installed as near the right of way lines as is possible, and no parallel line will be installed in the roadbed or between the drainage ditch and the roadbed without special permission of the County Commissioners Court.
4. Overhead lines will have a minimum clearance of 18 feet above the road surface at the point of crossing.
5. Operations along roadways shall be performed in such a manner that all excavated material be kept off the surface at all times, as well as all operating equipment and materials. No equipment for installation procedures will be used which will damage any road surface, roadbed, structures or other right of way feature. Any expenditure that is a direct result of this installation will be borne by owner of this line.

6. All lines under roads carrying pressure in excess of 50 psi shall be enclosed in satisfactory casing extending from the right of way line to right of way line. Pipe used for casing may be of any type approved by the County Engineer or Commissioners Court and shall be capable of supporting load of roadbed and traffic, and shall be so constructed that there will be no leakage of any matter through casing for its entire length; inside diameter of casings shall be at least 2 inches greater than the largest diameter of carrier pipe, joints, or couplings.
7. All excavations within the right of way and not under surfacing shall be backfilled by tamping 6 inch horizontal layers.
8. Any material placed in County right of way by permit will be of a nature or composition that said line can be located with the use of a standard locator device used in locating buried cables and pipes.
9. Lines crossing under roads and under cross roads within the right of way will be placed by boring. Boring shall extend from crown line to crown line. Gravity flow sewer lines under roadways will be cast iron or equivalent pipe.
10. Where evidence is presented indicating the impracticability of boring or tunneling, the Commissioners Court may grant permission to cut the surface no wider than 4 inches. In the event a cut is permitted, the following conditions will govern: (a) Excavation areas are to be filled and packed with compatible material; (b) The surfacing will be replaced with equivalent quality surfacing.
11. Notice will be given to the precinct Commissioner 48 hours prior to starting construction of the line in his precinct.
12. Where in the opinion of the Commissioners Court it may be necessary to protect losses incurred by damage to the roads, bridges, or right of way structure, they may by action of the Court require a surety bond in an amount sufficient to cover any damages.
13. Where, in the opinion of the Commissioners Court, an inspector is necessary, the party receiving permit will bear the cost of inspection.

APPROVED ON THIS 27 DAY OF FEBRUARY, 2004.

[Signature]
County Judge - Dean Fowler

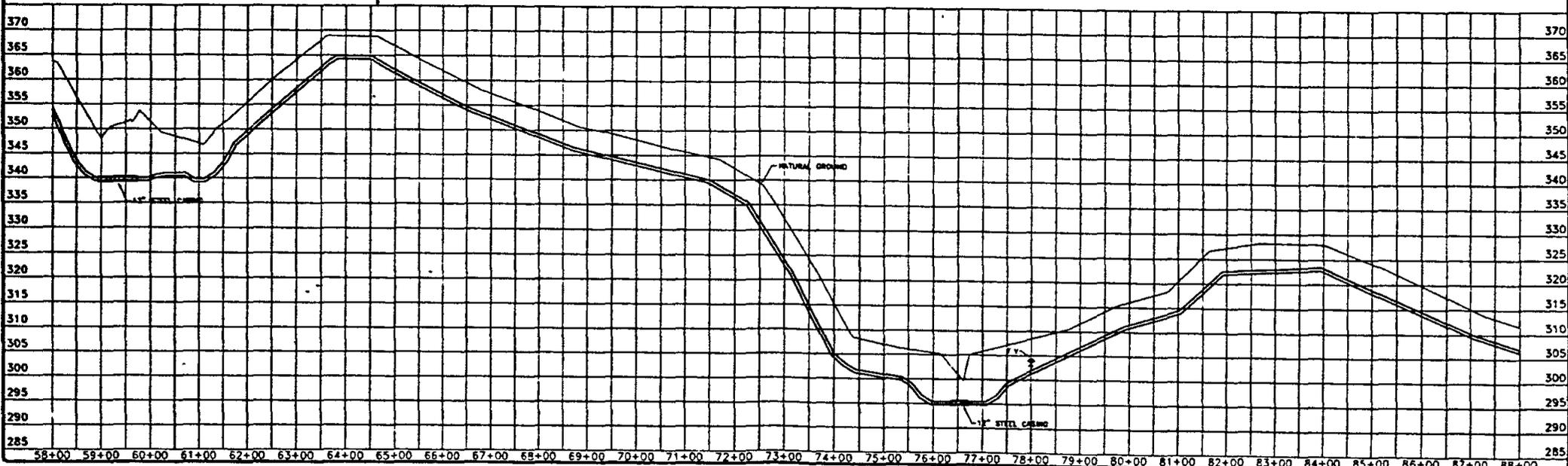
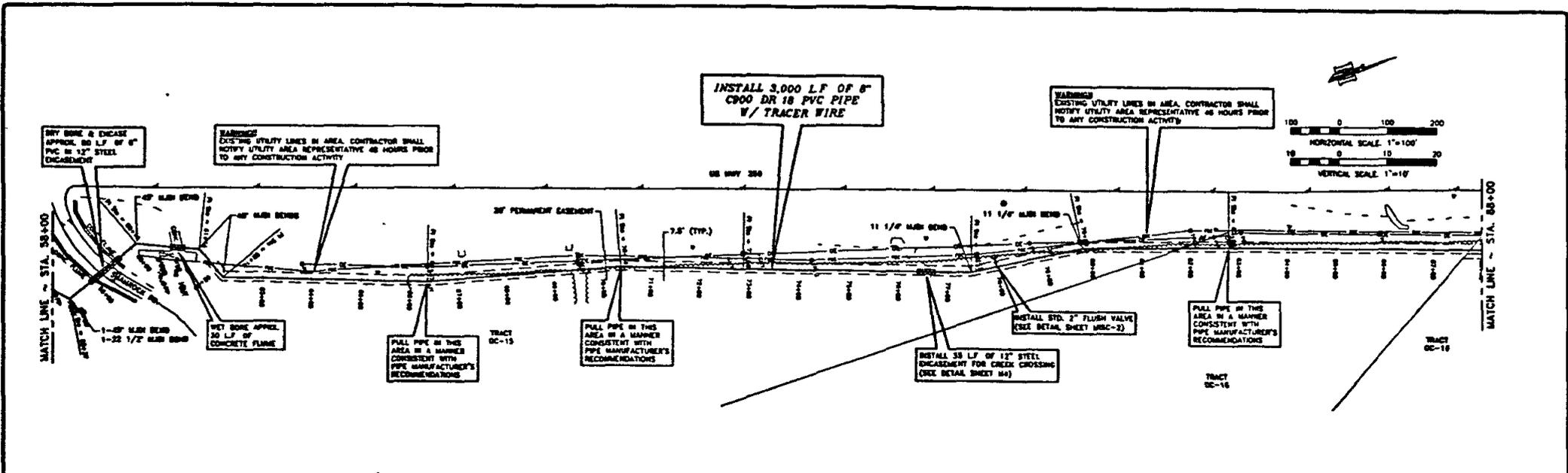
[Signature]
Commissioner, Precinct #1, Joe Orms

[Signature]
Commissioner, Precinct #2, Joe Ferguson

[Signature]
Commissioner, Precinct #3, Rick Jackson

[Signature]
Commissioner, Precinct #4, Gary Drenth

FILED
ROBIN RODENBERG
COUNTY CLERK
04 FEB 27 PM 11:49
UPSHUR COUNTY, TX.
BY _____
DEPUTY



VOL 106 pg 90

NO.	REVISION	BY	DATE

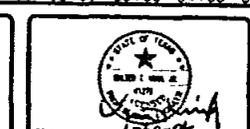
KCA ENGINEERS

1000 N. 17th St. Suite 200
 Irving, Texas 75038-2000
 972-251-7700
 www.kca-engineers.com

DESIGN BY: W.J.M.
 CHECKED BY: W.J.M.
 LATEST REVISION: 12/26/23
 SHEET NO.: NET-023

**NETMWD
 LOP SOUTHSIDE
 WATER SUPPLY PROJECT**

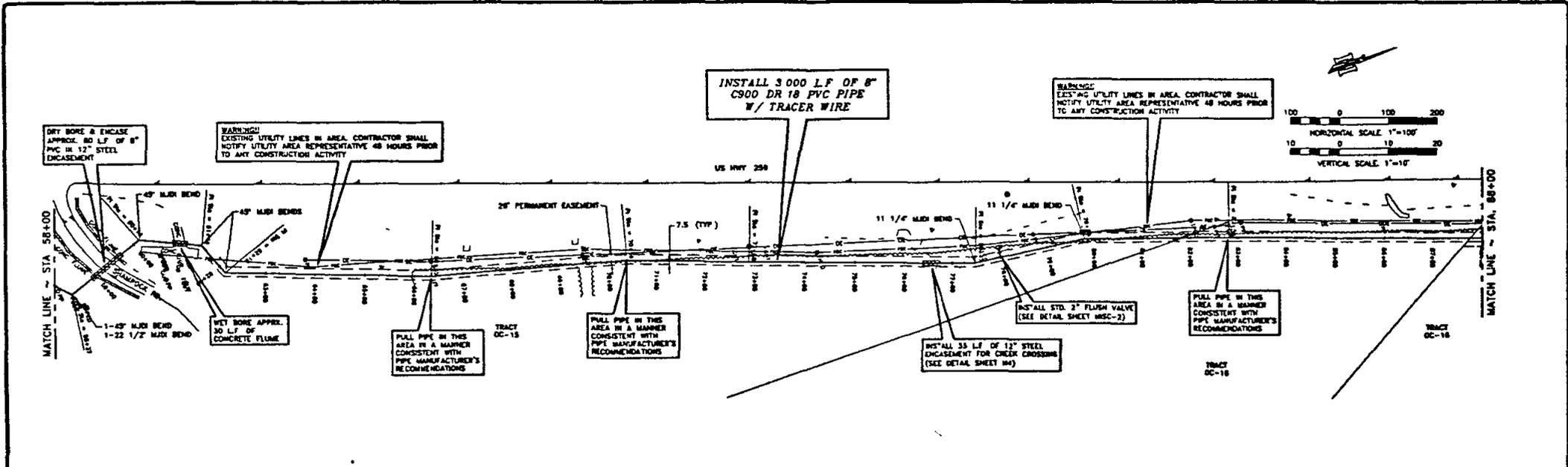
**LATERAL E
 PLAN/PROFILE
 STA. 58+00 TO STA. 88+00**



DRAWING SCALE:
 VERTICAL: 1"=10'
 HORIZONTAL: 1"=100'
 PLATING SCALE: 1:1
 FILE NAME: RCP03001

SHEET NO. **E-3**
 5

vol. See PG 81



KSA ENGINEERS

1000 West 10th Street
 Suite 100
 Lincoln, NE 68502
 Phone: (402) 441-7777
 Fax: (402) 441-7778

Drawn by: W.T.M.
 Checked by: W.T.M.
 Date: 11/2/23
 Scale: AS SHOWN
 Job No: W37-232

**NETMWD
 LOP SOUTHSIDE
 WATER SUPPLY PROJECT**

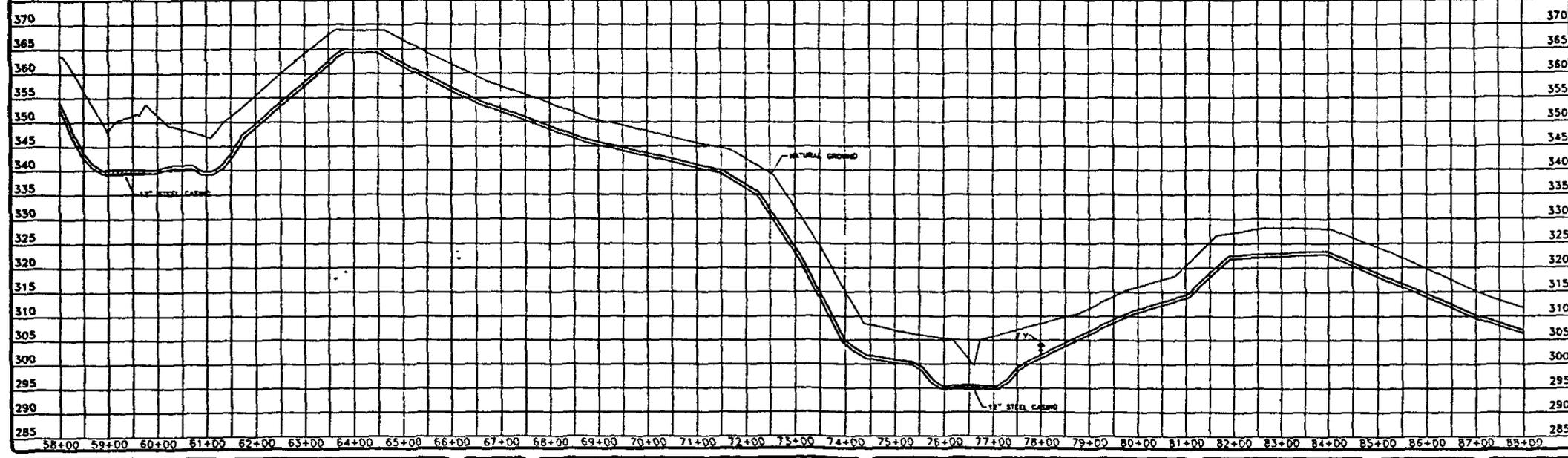
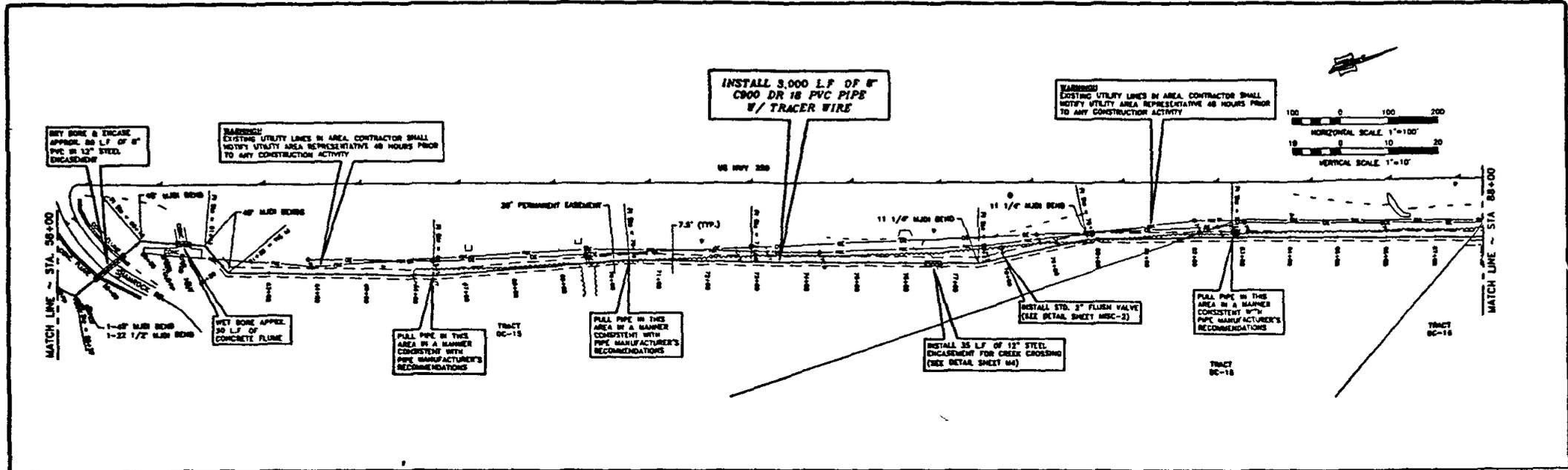
**LATERAL E
 PLAN/PROFILE
 STA. 58+00 TO STA. 88+00**



Drawing Scale:
 Vertical: 1"=10'
 Horizontal: 1"=100'
 Plotting Scale: 1:1
 File Name: RCP03001

SHEET NO.
E-3
 5

Volume 00 4123



NO.	REVISION	BY	DATE



DESIGNED BY
W.F.H.
CHECKED BY
W.F.H.
LATEST REVISION
12/28/23
ENR JOB NO.
NY-027

**NETMWD
LOP SOUTHSIDE
WATER SUPPLY PROJECT**

**LATERAL E
PLAN/PROFILE
STA. 58+00 TO STA. 88+00**



DRAWING SCALE:
GENERAL 1"=10'
VERTICAL 1"=10'
PLATTING SCALE 1:1
P&S SYMBOLS: BCP3001

SHEET NO.
E-3
5

PERMIT APPLICATION FOR USE OF UPSHUR COUNTY RIGHT OF WAY

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

PRECINCT NO.: 2

DATE: FEBRUARY 6, 2004

Formal notice is hereby given that Northeast Texas Municipal Water District, whose principal address is P. O. Box 955, Hughes Springs, TX 75656, proposes to place a line within the right-of-way of County Road Smilax Road. The location and description of the proposed lines and 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 1st day of March, 2005. I, Walt Sears, Jr., General Manager, hereby attest that I have read the conditions set forth in this application and understand its contents.

NAME: Walt Sears, Jr.TELEPHONE: 903-639-7538**APPROVAL OF PERMIT APPLICATION**

The Upshur County Commissioners Court offers no objection to the location on the right of way of your proposed 8" PVC Water Line in 12" Steel Encasement as shown by accompanying drawing and notice dated February 6, 2004 except as noted below.

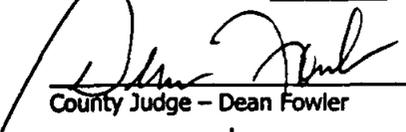
It is expressly understood that the Upshur County Commissioners Court does not purport, hereby, to grant any right, claim, title, or easement in or upon this county road; it is further understood that in the future, should for any reason Upshur County need to work, improve, relocate, widen, increase, 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 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 highway 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 or cross roadbed at approximately right angles. No lines are to be installed under or within 50 feet of either end of any bridge. No lines shall be placed in any culvert or within 10 feet of the closest point of same.
3. Parallel lines will be installed as near the right of way lines as is possible, and no parallel line will be installed in the roadbed or between the drainage ditch and the roadbed without special permission of the County Commissioners Court.
4. Overhead lines will have a minimum clearance of 18 feet above the road surface at the point of crossing.
5. Operations along roadways shall be performed in such a manner that all excavated material be kept off the surface at all times, as well as all operating equipment and materials. No equipment for installation procedures will be used which will damage any road surface, roadbed, structures or other right of way feature. Any expenditure that is a direct result of this installation will be borne by owner of this line.

6. All lines under roads carrying pressure in excess of 50 psi shall be enclosed in satisfactory casing extending from the right of way line to right of way line. Pipe used for casing may be of any type approved by the County Engineer or Commissioners Court and shall be capable of supporting load of roadbed and traffic, and shall be so constructed that there will be no leakage of any matter through casing for its entire length; inside diameter of casings shall be at least 2 inches greater than the largest diameter of carrier pipe, joints, or couplings.
7. All excavations within the right of way and not under surfacing shall be backfilled by tamping 6 inch horizontal layers.
8. Any material placed in County right of way by permit will be of a nature or composition that said line can be located with the use of a standard locator device used in locating buried cables and pipes.
9. Lines crossing under roads and under cross roads within the right of way will be placed by boring. Boring shall extend from crown line to crown line. Gravity flow sewer lines under roadways will be cast iron or equivalent pipe.
10. Where evidence is presented indicating the impracticability of boring or tunneling, the Commissioners Court may grant permission to cut the surface no wider than 4 inches. In the event a cut is permitted, the following conditions will govern: (a) Excavation areas are to be filled and packed with compatible material; (b) The surfacing will be replaced with equivalent quality surfacing.
11. Notice will be given to the precinct Commissioner 48 hours prior to starting construction of the line in his precinct.
12. Where in the opinion of the Commissioners Court it may be necessary to protect losses incurred by damage to the roads, bridges, or right of way structure, they may by action of the Court require a surety bond in an amount sufficient to cover any damages.
13. Where, in the opinion of the Commissioners Court, an inspector is necessary, the party receiving permit will bear the cost of inspection.

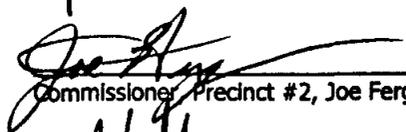
APPROVED ON THIS 27 DAY OF February, 2004.



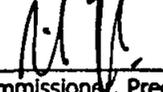
County Judge - Dean Fowler



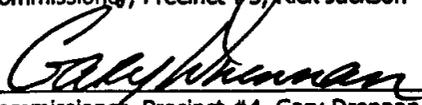
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Commissioner, Precinct #2, Joe Ferguson

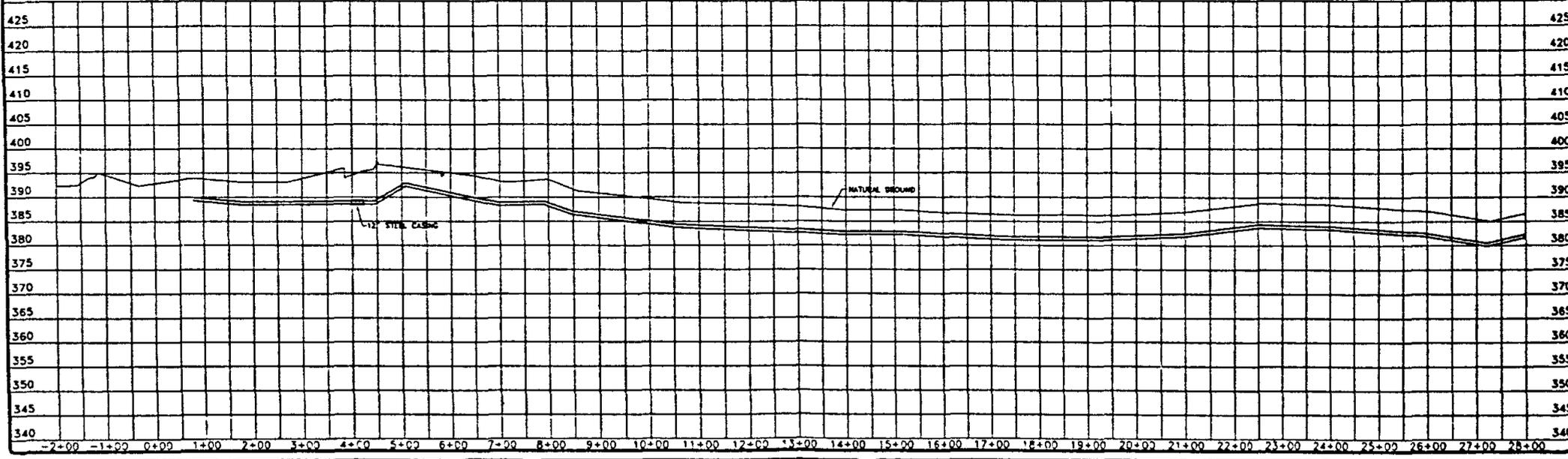
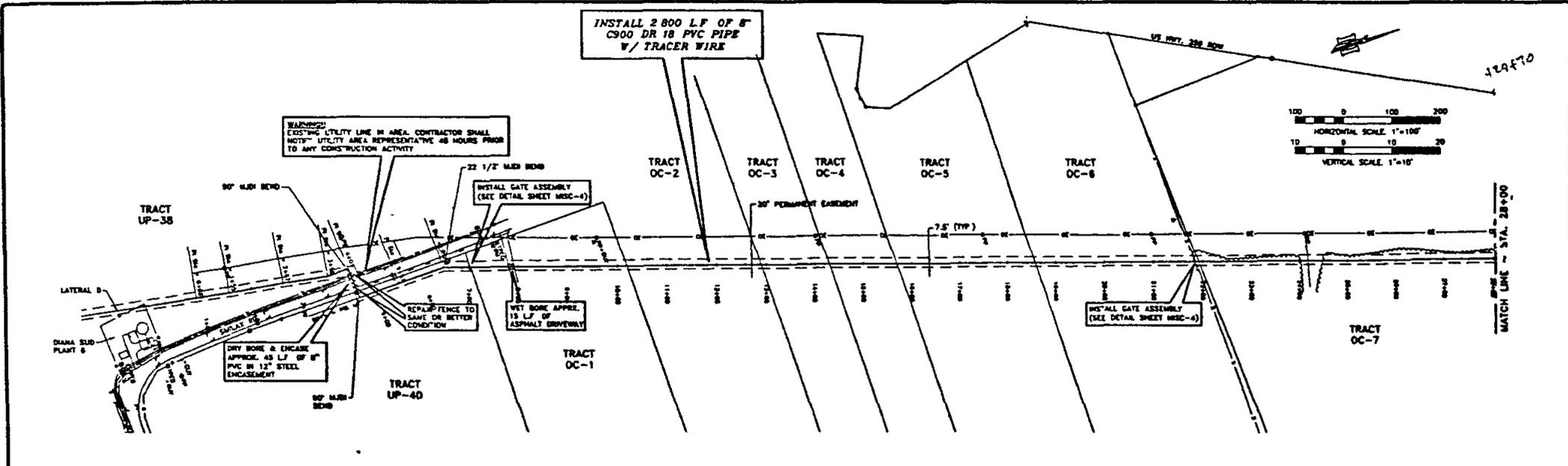


Commissioner, Precinct #3, Rick Jackson



Commissioner, Precinct #4, Gary Drennan

FILED
ROBIN RODENBERG
COUNTY CLERK
04 FEB 27 PM 11:49
UPSHUR COUNTY, TX.
BY _____
DEPUTY



NO.	REVISION	BY	DATE

KSA ENGINEERS

140 E. 9th St., Suite 200
Denver, CO 80202
Tel: 303.733.1100
Fax: 303.733.1101
www.ksa-engineers.com

DESIGN BY	W/J.M.
REVISION BY	W/J.M.
LATEST REVISION	12/27/23
SCALE	AS SHOWN

**NETMWD
LOP SOUTHSIDE
WATER SUPPLY PROJECT**

**LATERAL E
PLAN/PROFILE
STA. 0+00 TO STA. 28+00**

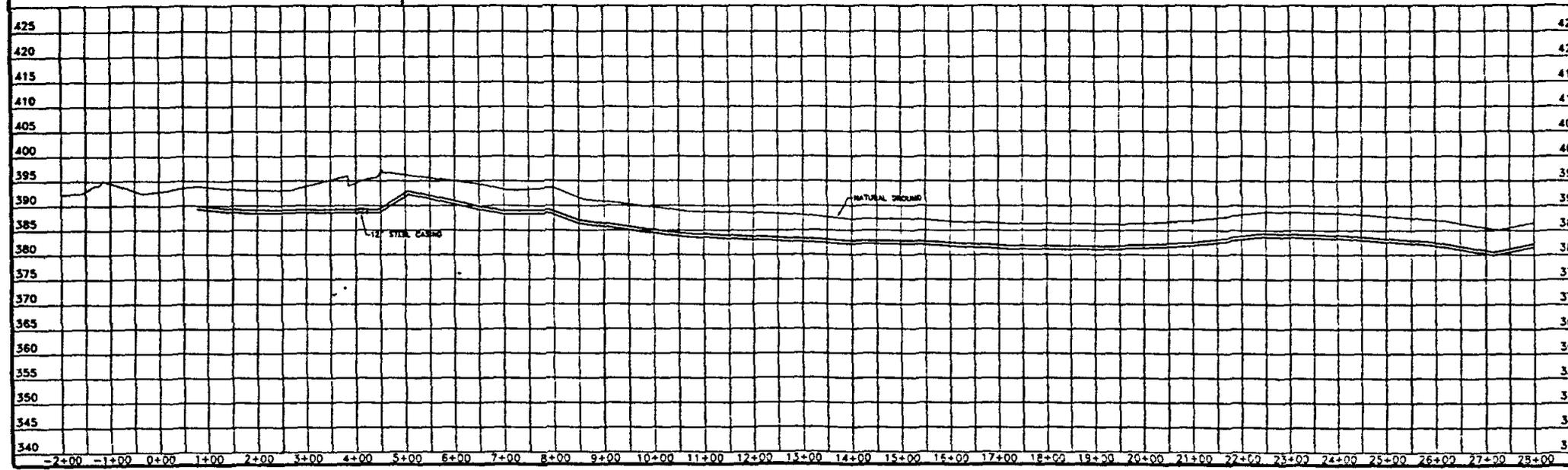
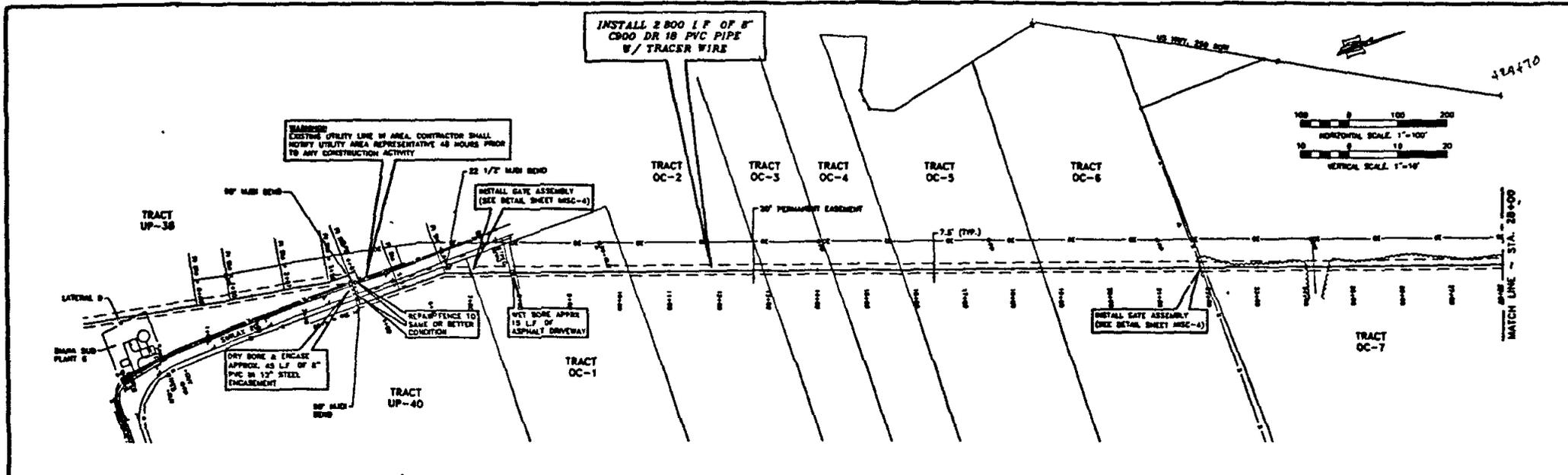


GRAPHIC SCALE	
VERTICAL	1"=10'
HORIZONTAL	1"=100'
PLANNING CODE	3.1
FILE NO.	SCPS1001

SHEET NO. **E-1**

5

Vol. 100 PG 510



NO.	REVISION	BY	DATE

KCA ENGINEERS

1011 West 9th Street, Suite 200
 P.O. Box 100
 Minneapolis, MN 55402
 Telephone: 763-228-1500
 Fax: 763-228-7700
 E-Mail: kca@kca.com

DESIGNED BY: W.F.M.
 CHECKED BY: W.F.M.
 LATEST REVISION: 12/22/03
 DES. AND HOLY: W.F.M.
 NET-032

**NETMWD
 LOP SOUTHSIDE
 WATER SUPPLY PROJECT**

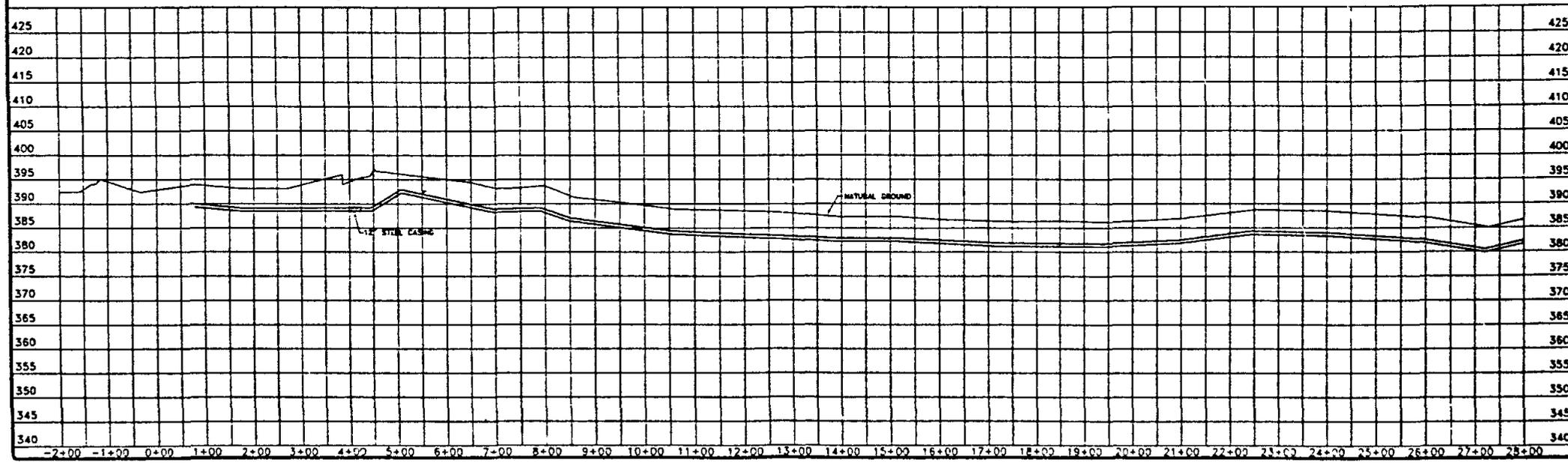
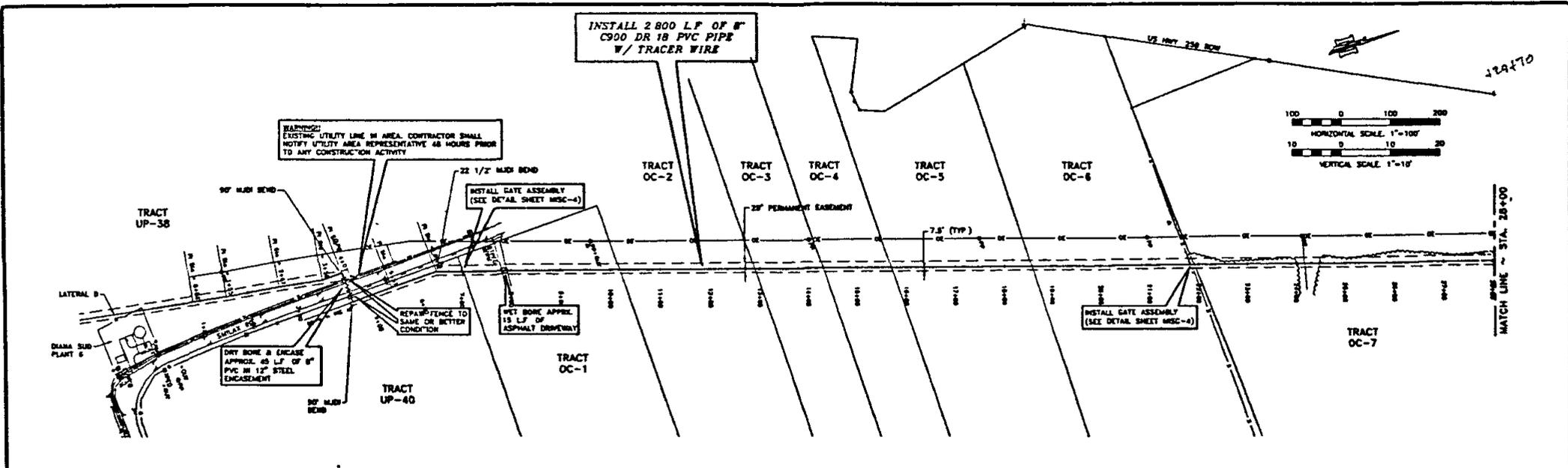
**LATERAL E
 PLAN/PROFILE
 STA. 0+00 TO STA. 28+00**



GRAPHIC SCALE:
 VERTICAL 1"=10'
 HORIZONTAL 1"=100'
 PLOTTING SCALE: 1:1
 FILE NAME: ECP01001

SHEET NO. **E-1**
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VOL 66 PG 87



NO.	REVISION	BY	DATE



DESIGNED BY
W.F.M.

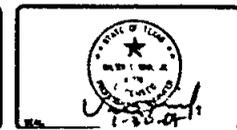
REVIEWED BY
W.F.M.

DATE
2/2/03

PROJECT NO.
NET-C-5

**NETMWD
LOP SOUTHSIDE
WATER SUPPLY PROJECT**

**LATERAL E
PLAN/PROFILE
STA. 0+00 TO STA. 28+00**



GRAPHIC SCALE
VERTICAL: 1"=10'
HORIZONTAL: 1"=100'
PLANTING SCALE: 1:1
FILE NAME: SCP01001

SHEET NO.
E-1
5

PERMIT APPLICATION FOR USE OF UPSHUR COUNTY RIGHT OF WAY

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

PRECINCT NO.: 2

DATE: FEBRUARY 6, 2004

Formal notice is hereby given that Northeast Texas Municipal Water District, whose principal address is P. O. Box 955, Hughes Springs, TX 75656, proposes to place a line within the right-of-way of County Road Zinnia Road. The location and description of the proposed lines and 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 1st day of March, 2005. I, Walt Sears, Jr., General Manager, hereby attest that I have read the conditions set forth in this application and understand its contents.

NAME: Walt Sears, Jr.TELEPHONE: 903-639-7518**APPROVAL OF PERMIT APPLICATION**

The Upshur County Commissioners Court offers no objection to the location on the right of way of your proposed 18" PVC Water Line in 30" Steel Encasement as shown by accompanying drawing and notice dated February 6, 2004 except as noted below.

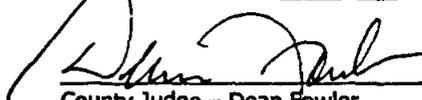
It is expressly understood that the Upshur County Commissioners Court does not purport, hereby, to grant any right, claim, title, or easement in or upon this county road; it is further understood that in the future, should for any reason Upshur County need to work, improve, relocate, widen, increase, 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 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 highway 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.
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7. All excavations within the right of way and not under surfacing shall be backfilled by tamping 6 inch horizontal layers.
8. Any material placed in County right of way by permit will be of a nature or composition that said line can be located with the use of a standard locator device used in locating buried cables and pipes.
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11. Notice will be given to the precinct Commissioner 48 hours prior to starting construction of the line in his precinct.
12. Where in the opinion of the Commissioners Court it may be necessary to protect losses incurred by damage to the roads, bridges, or right of way structure, they may by action of the Court require a surety bond in an amount sufficient to cover any damages.
13. Where, in the opinion of the Commissioners Court, an inspector is necessary, the party receiving permit will bear the cost of inspection.

APPROVED ON THIS 27 DAY OF FEBRUARY, 2004.



County Judge - Dean Fowler



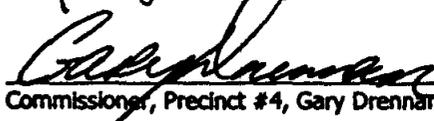
Commissioner, Precinct #1, Joe Orms



Commissioner, Precinct #2, Joe Ferguson

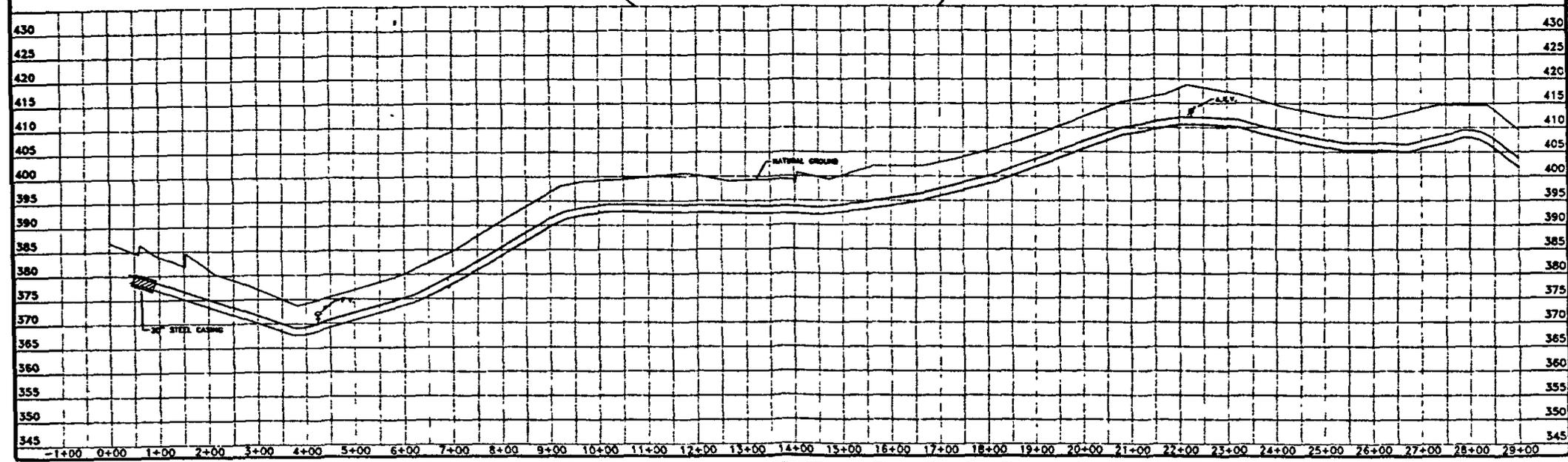
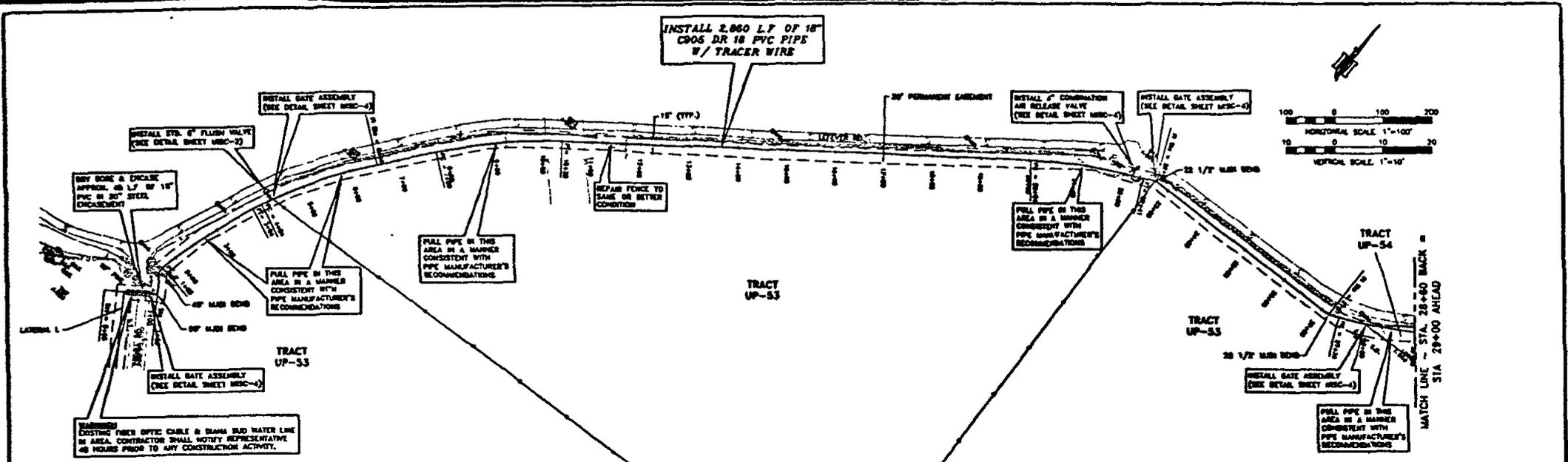


Commissioner, Precinct #3, Rick Jackson



Commissioner, Precinct #4, Gary Drennatt

FILED
ROBIN RODENBERG
COUNTY CLERK
04 FEB 27 PM 11:49
UPSHUR COUNTY, TX.
BY _____
DEPUTY



NO.	REVISION	BY	DATE

KCA ENGINEERS

DRAWN BY: V.J. AL...
 CHECKED BY: W.T.W.
 LATEST REVISION: 1/14/04
 FOR JOB NO.: NET-532

NETMWD
LOP SOUTHSIDE
WATER SUPPLY PROJECT

LATERAL F
PLAN/PROFILE
STA. 0+00 TO STA. 29+00



SHEET NO.: F-1
 SCALE: 1"=100'
 PLATING SCALE: 3:1
 FILE NO.: ECP01001

F-1
5

140 E. Tyler Street, Suite 600
P.O. Box 1552
Longview, Texas 75606-1552
T903.236.7700 F903 236.7779 www.ksaeng.com



February 16, 2004

Ms. Ruth Whiteside
Upshur County
100 Tyler
Gilmer, Texas 75644

RE: Northeast Texas Municipal Water District
Lake O' the Pines Southside Water Supply System

Dear Ruth:

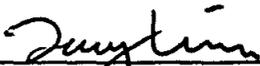
Northeast Texas Municipal Water District is planning to construct a new water supply system on the south side of Lake O' the Pines. Water from Lake O' the Pines will be pumped to a water treatment plant located on FM 450 about 4 miles southeast of Ore City. Potable water will be distributed to area public water suppliers including the City of Ore City, Diana SUD, Tryon Road SUD, and Glenwood WSC. The District requests permission to use the Upshur County right-of-way in seven locations. The locations are shown on the attached Sheets KY-1 and KY-2. Also enclosed are Permit Applications for Use of Upshur County Right-of-Way and three (3) copies of the water line plan/profile sheets as follows:

- Kildee Road Crossing – Sheet D-1
- Spider Lilly Road Crossing – Sheet D-3
- Sego Lilly Road Crossing (South) – Sheet D-5
- Sego Lilly Road Crossing (North) – Sheet D-7
- Smilax Road Crossing – Sheet E-1
- Shamrock Road Crossing – Sheet E-3
- Zinnia Road Crossing – Sheet F-1

We appreciate your consideration of this submittal. Please do not hesitate to call if you have any questions.

Sincerely yours,

KSA ENGINEERS, INC.


Walter T. Wind, Jr., P. E.
Principal

WTW/pkw

Enclosures

pc: Walt Sears - NETMWD

Longview
Tyler
Lufkin
Austin
Dallas
Sugar Land

FILED
ROBIN RODENBERG
COUNTY CLERK
04 FEB 27 PM 11:50
UPSHUR COUNTY, TX.
BY _____
DEPUTY

Opening Statement

FILED
ROBIN RODEMBERG
COUNTY CLERK
04 FEB 27 PM 11:50
UPSHUR COUNTY, TX.
BY _____
DEPUTY

February 11, 2004

Since January 1, 2003, the Upshur County Sheriff's Office in accordance with the Texas Racial Profiling Law (S.B. No. 1074), has been collecting police contact data for the purpose of identify and responding (if necessary) to concerns regarding racial profiling practices. It is my hope that the findings provided in this report will serve as evidence that the Upshur County Sheriff's Office continues to strive towards the goal of maintaining strong relations with the community.

In this report, the reader will encounter several sections designed at providing background information on the rationale and objectives of the Texas Racial Profiling Law. Other sections contain information relevant to the institutional policies adopted by the Upshur County Sheriff's Office banishing the practice of racial profiling among its officers.

The final components of this report provide statistical data relevant to the public contacts made during the period of 1/1/03 and 12/31/03. This information has been analyzed and compared to the Department of Public Safety data on motorists residing in the Upshur County area. The analysis of the data and recommendations for future areas of research are also included. It is my sincere hope that the channels of communication between community leaders and the Upshur County Sheriff's Office continue to strengthen as we move forward to meet the challenges of the near future.

Sincerely,



Sheriff

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**Police Contact Data
Annual Report
January 1, 2003---December 31, 2003**

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 - b) Table of Content
 - c) The Texas Law on Racial Profiling
 - d) Outline of Requirements Introduced by The Texas Racial Profiling Law
- (II) Background**
- a) City/County Historical and Demographical Information
 - b) Police Department's Background/Demographics
 - c) Police Department's General Orders/Procedures (include organizational chart if available)
 - d) Report on Inventory/Usage of Video/Audio Equipment in Police Vehicles
 - e) Police Department's Partnerships with the Local Community
- (III) Responding to the Texas Racial Profiling Law**
- a) Institutional Policy on Racial Profiling (definition/prohibition of racial profiling)
 - b) Implementation of Complaint Process Addressing Allegations of Racial Profiling Practices (includes efforts relevant to the implementation of an educational campaign aimed at informing the public on the complaint process)
 - c) Training Administered to Law Enforcement Personnel
 - d) Tables Depicting Police Contact Information (1/1/03—12/31/03). Tier 1 and (Comparative Analysis)
 - e) Report on Complaints (if any) Filed Against Officers for Violating Racial Profiling Policy (includes institutional procedures/corrective action used when responding to racial profiling complaints)
 - f) Analysis and Interpretation of Data (explain rationale for use of DPS data)
- (IV) Summary of Findings**
- a) Summary Statement Regarding Findings
 - b) Recommendations Addressing Issues of Concern (if applicable)
 - c) Check List/Contact Information

The Texas Law on Racial Profiling

AN ACT

relating to the prevention of racial profiling by certain peace officers.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Chapter 2, Code of Criminal Procedure, is amended by adding Articles 2.131 through 2.138 to read as follows:

Art. 2.131. RACIAL PROFILING PROHIBITED. A peace officer may not engage in racial profiling.

Art. 2.132. LAW ENFORCEMENT POLICY ON RACIAL PROFILING. (a) In this article:

(1) "Law enforcement agency" means an agency of the state, or of a county, municipality, or other political subdivision of the state, that employs peace officers who make traffic stops in the routine performance of the officers' official duties.

(2) "Race or ethnicity" means of a particular descent, including Caucasian, African, Hispanic, Asian, or Native American descent.

(b) Each law enforcement agency in this state shall adopt a detailed written policy on racial profiling. The policy must:

(1) clearly define acts constituting racial profiling;

(2) strictly prohibit peace officers employed by the agency from engaging in racial profiling;

(3) implement a process by which an individual may file a complaint with the agency if the individual believes that a peace officer employed by the agency has engaged in racial profiling with respect to the individual;

(4) provide public education relating to the agency's complaint process;

(5) require appropriate corrective action to be taken against a peace officer employed by the agency who, after an investigation, is shown to have engaged in racial profiling in violation of the agency's policy adopted under this article;

(6) require collection of information relating to traffic stops in which a citation is issued and to arrests resulting from those traffic stops, including information relating to:

(A) the race or ethnicity of the individual detained;

and

(B) whether a search was conducted and, if so, whether the person detained consented to the search; and

(7) require the agency to submit to the governing body of each county or municipality served by the agency an annual report of the information collected under Subdivision (6) if the agency is an agency of a county, municipality, or other political subdivision of the state.

(c) The data collected as a result of the reporting requirements of this article shall not constitute prima facie evidence of racial profiling.

(d) On adoption of a policy under Subsection (b), a law enforcement agency shall examine the feasibility of installing video camera and transmitter-activated equipment in each agency law enforcement motor vehicle regularly used to make traffic stops and transmitter-activated equipment in each agency law enforcement motorcycle regularly used to make traffic stops. If a law enforcement agency installs video or audio equipment as provided by this subsection, the policy adopted by the agency under Subsection (b) must include standards for reviewing video and audio documentation.

(e) A report required under Subsection (b)(7) may not include identifying information about a peace officer who makes a traffic stop or about an individual

who is stopped or arrested by a peace officer. This subsection does not affect the collection of information as required by a policy under Subsection (b)(6).

(f) On the commencement of an investigation by a law enforcement agency of a complaint described by Subsection (b)(3) in which a video or audio recording of the occurrence on which the complaint is based was made, the agency shall promptly provide a copy of the recording to the peace officer who is the subject of the complaint on written request by the officer.

Art. 2.133. REPORTS REQUIRED FOR TRAFFIC AND

PEDESTRIAN STOPS. (a) In this article:

(1) "Race or ethnicity" has the meaning assigned by Article 2.132(a).

(2) "Pedestrian stop" means an interaction between a peace officer and an individual who is being detained for the purpose of a criminal investigation in which the individual is not under arrest.

(b) A peace officer who stops a motor vehicle for an alleged violation of a law or ordinance regulating traffic or who stops a pedestrian for any suspected offense shall report to the law enforcement agency that employs the officer information relating to the stop, including:

(1) a physical description of each person detained as a result of the stop, including:

(A) the person's gender; and

(B) the person's race or ethnicity, as stated by the person or, if the person does not state the person's race or ethnicity, as determined by the officer to the best of the officer's ability;

(2) the traffic law or ordinance alleged to have been violated or the suspected offense;

(3) whether the officer conducted a search as a result of the stop and, if so, whether the person detained consented to the search;

(4) whether any contraband was discovered in the course of the search and the type of contraband discovered;

(5) whether probable cause to search existed and the facts supporting the existence of that probable cause;

(6) whether the officer made an arrest as a result of the stop or the search, including a statement of the offense charged;

(7) the street address or approximate location of the stop;
and

(8) whether the officer issued a warning or a citation as a result of the stop, including a description of the warning or a statement of the violation charged.

Art. 2.134. COMPILATION AND ANALYSIS OF INFORMATION

COLLECTED. (a) In this article, "pedestrian stop" means an interaction between a peace officer and an individual who is being detained for the purpose of a criminal investigation in which the individual is not under arrest.

(b) A law enforcement agency shall compile and analyze the information contained in each report received by the agency under Article 2.133. Not later than March 1 of each year, each local law enforcement agency shall submit a report containing the information compiled during the previous calendar year to the governing body of each county or municipality served by the agency in a manner approved by the agency.

(c) A report required under Subsection (b) must include:

(1) a comparative analysis of the information compiled under Article 2.133 to:

(A) determine the prevalence of racial profiling by peace officers employed by the agency; and

(B) examine the disposition of traffic and pedestrian stops made by officers employed by the agency, including searches resulting from the stops; and

(2) information relating to each complaint filed with the agency alleging that a peace officer employed by the agency has engaged in racial profiling.

(d) A report required under Subsection (b) may not include identifying information about a peace officer who makes a traffic or pedestrian stop or about an individual who is stopped or arrested by a peace officer. This subsection does not affect the reporting of information required under Article 2.133(b)(1).

(e) The Commission on Law Enforcement Officer Standards and Education shall develop guidelines for compiling and reporting information as required by this article.

(f) The data collected as a result of the reporting requirements of this article shall not constitute prima facie evidence of racial profiling.

Art. 2.135. EXEMPTION FOR AGENCIES USING VIDEO AND AUDIO EQUIPMENT. (a) A peace officer is exempt from the reporting requirement under Article 2.133 and a law enforcement agency is exempt from the compilation, analysis, and reporting requirements under Article 2.134 if:

(1) during the calendar year preceding the date that a report under Article 2.134 is required to be submitted:

(A) each law enforcement motor vehicle regularly used by an officer employed by the agency to make traffic and pedestrian stops is equipped with video camera and transmitter-activated equipment and each law enforcement motorcycle regularly used to make traffic and pedestrian stops is equipped with transmitter-activated equipment; and

() (B) each traffic and pedestrian stop made by an officer employed by the agency that is capable of being recorded by video and audio or audio equipment, as appropriate, is recorded by using the equipment; or

(2) the governing body of the county or municipality served by the law enforcement agency, in conjunction with the law enforcement agency, certifies to the Department of Public Safety, not later than the date specified by rule by the department, that the law enforcement agency needs funds or video and audio equipment for the purpose of installing video and audio equipment as described by Subsection (a)(1)(A) and the agency does not receive from the state funds or video and audio equipment sufficient, as determined by the department, for the agency to accomplish that purpose.

(b) Except as otherwise provided by this subsection, a law enforcement agency that is exempt from the requirements under Article 2.134 shall retain the video and audio or audio documentation of each traffic and pedestrian stop for at least 90 days after the date of the stop. If a complaint is filed with the law enforcement agency alleging that a peace officer employed by the agency has engaged in racial profiling with respect to a traffic or pedestrian stop, the agency shall retain the video and audio or audio record of the stop until final disposition of the complaint.

(c) This article does not affect the collection or reporting requirements under Article 2.132.

Art. 2.136. LIABILITY. A peace officer is not liable for damages arising from an act relating to the collection or reporting of information as required by Article 2.133 or under a policy adopted under Article 2.132.

() Art. 2.137. PROVISION OF FUNDING OR EQUIPMENT. (a) The Department of Public Safety shall adopt rules for providing funds or video and audio equipment to law enforcement agencies for the purpose of installing video and audio equipment as described by Article 2.135(a)(1)(A), including specifying criteria to prioritize funding or equipment provided to law enforcement agencies. The criteria may include consideration of tax

effort, financial hardship, available revenue, and budget surpluses. The criteria must give priority to:

(1) law enforcement agencies that employ peace officers whose primary duty is traffic enforcement;

(2) smaller jurisdictions; and

(3) municipal and county law enforcement agencies.

(b) The Department of Public Safety shall collaborate with an institution of higher education to identify law enforcement agencies that need funds or video and audio equipment for the purpose of installing video and audio equipment as described by Article 2.135(a)(1)(A). The collaboration may include the use of a survey to assist in developing criteria to prioritize funding or equipment provided to law enforcement agencies.

(c) To receive funds or video and audio equipment from the state for the purpose of installing video and audio equipment as described by Article 2.135(a)(1)(A), the governing body of a county or municipality, in conjunction with the law enforcement agency serving the county or municipality, shall certify to the Department of Public Safety that the law enforcement agency needs funds or video and audio equipment for that purpose.

(d) On receipt of funds or video and audio equipment from the state for the purpose of installing video and audio equipment as described by Article 2.135(a)(1)(A), the governing body of a county or municipality, in conjunction with the law enforcement agency serving the county or municipality, shall certify to the Department of Public Safety that the law enforcement agency has installed video and audio equipment as described by Article 2.135(a)(1)(A) and is using the equipment as required by Article 2.135(a)(1).

Art. 2.138. RULES. The Department of Public Safety may adopt rules to implement Articles 2.131-2.137.

SECTION 2. Chapter 3, Code of Criminal Procedure, is amended by adding Article 3.05 to read as follows:

Art. 3.05. RACIAL PROFILING. In this code, "racial profiling" means a law enforcement-initiated action based on an individual's race, ethnicity, or national origin rather than on the individual's behavior or on information identifying the individual as having engaged in criminal activity.

SECTION 3. Section 96.641, Education Code, is amended by adding Subsection (j) to read as follows:

(j) As part of the initial training and continuing education for police chiefs required under this section, the institute shall establish a program on racial profiling. The program must include an examination of the best practices for:

(1) monitoring peace officers' compliance with laws and internal agency policies relating to racial profiling;

(2) implementing laws and internal agency policies relating to preventing racial profiling; and

(3) analyzing and reporting collected information.

SECTION 4. Section 1701.253, Occupations Code, is amended by adding Subsection (e) to read as follows:

(e) As part of the minimum curriculum requirements, the commission shall establish a statewide comprehensive education and training program on racial profiling for officers licensed under this chapter. An officer shall complete a program established under this subsection not later than the second anniversary of the date the officer is licensed under this chapter or the date the officer applies for an intermediate proficiency certificate, whichever date is earlier.

SECTION 5. Section 1701.402, Occupations Code, is amended by adding Subsection (d) to read as follows:

(d) As a requirement for an intermediate proficiency certificate, an officer must complete an education and training program on racial profiling established by the commission under Section 1701.253(e).

SECTION 6. Section 543.202, Transportation Code, is amended to read as follows:

Sec. 543.202. FORM OF RECORD. (a) In this section, "race or ethnicity" means of a particular descent, including Caucasian, African, Hispanic, Asian, or Native American descent.

(b) The record must be made on a form or by a data processing method acceptable to the department and must include:

- (1) the name, address, physical description, including race or ethnicity, date of birth, and driver's license number of the person charged;
- (2) the registration number of the vehicle involved;
- (3) whether the vehicle was a commercial motor vehicle as defined by Chapter 522 or was involved in transporting hazardous materials;
- (4) the person's social security number, if the person was operating a commercial motor vehicle or was the holder of a commercial driver's license or commercial driver learner's permit;
- (5) the date and nature of the offense, including whether the offense was a serious traffic violation as defined by Chapter 522;
- (6) whether a search of the vehicle was conducted and whether consent for the search was obtained;
- (7) the plea, the judgment, and whether bail was forfeited;
- (8) [(7)] the date of conviction; and
- (9) [(8)] the amount of the fine or forfeiture.

SECTION 7. Not later than January 1, 2002, a law enforcement agency shall adopt and implement a policy and begin collecting information under the policy as required by Article 2.132, Code of Criminal Procedure, as added by this Act. A local law enforcement agency shall first submit information to the governing body of each county or municipality served by the agency as required by Article 2.132, Code of Criminal Procedure, as

added by this Act, on March 1, 2003. The first submission of information shall consist of information compiled by the agency during the period beginning January 1, 2002, and ending December 31, 2002.

SECTION 8. A local law enforcement agency shall first submit information to the governing body of each county or municipality served by the agency as required by Article 2.134, Code of Criminal Procedure, as added by this Act, on March 1, 2004. The first submission of information shall consist of information compiled by the agency during the period beginning January 1, 2003, and ending December 31, 2003.

SECTION 9. Not later than January 1, 2002:

(1) the Commission on Law Enforcement Officer Standards and Education shall establish an education and training program on racial profiling as required by Subsection (e), Section 1701.253, Occupations Code, as added by this Act; and

(2) the Bill Blackwood Law Enforcement Management Institute of Texas shall establish a program on racial profiling as required by Subsection (j), Section 96.641, Education Code, as added by this Act.

SECTION 10. A person who on the effective date of this Act holds an intermediate proficiency certificate issued by the Commission on Law Enforcement Officer Standards and Education or has held a peace officer license issued by the Commission on Law Enforcement Officer Standards and Education for at least two years shall complete an education and training program on racial profiling established under Subsection (e), Section 1701.253, Occupations Code, as added by this Act, not later than September 1, 2003.

SECTION 11. An individual appointed or elected as a police chief before the effective date of this Act shall complete a program on racial profiling established under Subsection (j), Section 96.641, Education Code, as added by this Act, not later than September 1, 2003.

SECTION 12. This Act takes effect September 1, 2001.

S.B. No. 1074

President of the Senate Speaker of the House

I hereby certify that S.B. No. 1074 passed the Senate on April 4, 2001, by the following vote: Yeas 28, Nays 2; May 21, 2001, Senate refused to concur in House amendments and requested appointment of Conference Committee; May 22, 2001, House granted request of the Senate; May 24, 2001, Senate adopted Conference Committee Report by a viva-voce vote.

Secretary of the Senate

I hereby certify that S.B. No. 1074 passed the House, with amendments, on May 15, 2001, by a non-record vote; May 22, 2001, House granted request of the Senate for appointment of Conference Committee; May 24, 2001, House adopted Conference Committee Report by a non-record vote.

Chief Clerk of the House

S.B. No. 1074

Approved:

Date

Governor

Texas Racial Profiling Law Requirements

Guidelines for Compiling and Reporting Data under Senate Bill 1074

Background

Senate Bill 1074 of the 77th Legislature established requirements in the Texas Code of Criminal Procedure (TCCP) for law enforcement agencies. The Commission developed this document to assist agencies in complying with the statutory requirements.

The guidelines are written in the form of standards using a style developed from accreditation organizations including the Commission on Accreditation for Law Enforcement Agencies (CALEA). The standards provide a description of *what* must be accomplished by an agency but allows wide latitude in determining *how* the agency will achieve compliance with each applicable standard.

Each standard is composed of two parts: the standard statement and the commentary. The *standard statement* is a declarative sentence that places a clear-cut requirement, or multiple requirements, on an agency. The commentary supports the standard statement but is not binding. The commentary can serve as a prompt, as guidance to clarify the intent of the standard, or as an example of one possible way to comply with the standard.

Standard 1

Each law enforcement agency has a detailed written directive that:

- clearly defines acts that constitute racial profiling;
- strictly prohibits peace officers employed by the agency from engaging in racial profiling;
- implements a process by which an individual may file a complaint with the agency if the individual believes a peace officer employed by the agency has engaged in racial profiling with respect to the individual filing the complaint;
- provides for public education relating to the complaint process;
- requires appropriate corrective action to be taken against a peace officer employed by the agency who, after investigation, is shown to have engaged in racial profiling in violation of the agency's written racial profiling policy; and
- requires the collection of certain types of data for subsequent reporting.

Commentary

Article 2.131 of the TCCP prohibits officers from engaging in racial profiling, and article 2.132 of the TCCP now requires a written policy that contains the elements listed in this standard. The article also specifically defines a law enforcement agency as it applies to this statute as an "agency of the state, or of a county, municipality, or other political subdivision of the state, that employs peace officers who make traffic stops in the routine performance of the officers' official duties."

The article further defines race or ethnicity as being of "a particular descent, including Caucasian, African, Hispanic, Asian, or Native American." The statute does not limit the required policies to just these ethnic groups.

This written policy is to be adopted and implemented no later than January 1, 2002.

Standard 2

Each peace officer who stops a motor vehicle for an alleged violation of a law or ordinance regulating traffic, or who stops a pedestrian for any suspected offense reports to the employing law enforcement agency information relating to the stop, to include:

- a physical description of each person detained, including gender and the person's race or ethnicity, as stated by the person, or, if the person does not state a race or ethnicity, as determined by the officer's best judgment;
- the traffic law or ordinance alleged to have been violated or the suspected offense;
- whether the officer conducted a search as a result of the stop and, if so, whether the person stopped consented to the search;
- whether any contraband was discovered in the course of the search, and the type of contraband discovered;
- whether probable cause to search existed, and the facts supporting the existence of that probable cause;
- whether the officer made an arrest as a result of the stop or the search, including a statement of the offense charged;
- the street address or approximate location of the stop; and
- whether the officer issued a warning or citation as a result of the stop, including a description of the warning or a statement of the violation charged.

Commentary

The information required by 2.133 TCCP is used to complete the agency reporting requirements found in Article 2.134. A peace officer and an agency may be exempted from this requirement under Article 2.135 TCCP Exemption for Agencies Using Video and Audio Equipment. An agency may be exempt from this reporting requirement by applying for the funds from the Department of Public Safety for video and audio equipment and the State does not supply those funds. Section 2.135 (a)(2) states, "the governing body of the county or municipality served by the law enforcement agency, in conjunction with the law enforcement agency, certifies to the Department of Public Safety, not later than the date specified by rule by the department, that the law enforcement agency needs funds for video and audio equipment for the purpose of installing video and audio equipment as described by Subsection (a) (1) (A) and the agency does not receive from the state funds for video and audio equipment sufficient, as determined by the department, for the agency to accomplish that purpose."

Standard 3

The agency compiles the information collected under 2.132 and 2.133 and analyzes the information identified in 2.133.

Commentary

Senate Bill 1074 from the 77th Session of the Texas Legislature created requirements for law enforcement agencies to gather specific information and to report it to each county or municipality served. New sections of law were added to the Code of Criminal Procedure regarding the reporting of traffic and pedestrian stops. Detained is defined as when a person stopped is not free to leave.

Article 2.134 TCCP requires the agency to compile and provide an analysis of the information collected by peace officer employed by the agency. The report is provided to the governing body of the municipality or county no later than March 1 of each year and covers the previous calendar year.

There is data collection and reporting required based on Article 2.132 CCP (tier one) and Article 2.133 CCP (tier two).

The minimum requirements for "tier one" data for traffic stops in which a citation results are:

- 1) the race or ethnicity of individual detained (race and ethnicity as defined by the bill means of "a particular descent, including Caucasian, African, Hispanic, Asian, or Native American");
- 2) whether a search was conducted, and if there was a search, whether it was a consent search or a probable cause search; and
- 3) whether there was a custody arrest.

The minimum requirements for reporting on "tier two" reports include traffic and pedestrian stops. Tier two data include:

- 1) the detained person's gender and race or ethnicity;
- 2) the type of law violation suspected, e.g., hazardous traffic, non-hazardous traffic, or other criminal investigation (the Texas Department of Public Safety publishes a categorization of traffic offenses into hazardous or non-hazardous);
- 3) whether a search was conducted, and if so whether it was based on consent or probable cause;
- 4) facts supporting probable cause;
- 5) the type, if any, of contraband that was collected;
- 6) disposition of the stop, e.g., arrest, ticket, warning, or release;
- 7) location of stop; and
- 8) statement of the charge, e.g., felony, misdemeanor, or traffic

Tier one reports are made to the governing body of each county or municipality served by the agency an annual report of information if the agency is an agency of a county, municipality, or other political subdivision of the state. Tier one and two reports are reported to the county or municipality not later than March 1 for the previous calendar year beginning March 1, 2003. Tier two reports include a comparative analysis between the race and ethnicity of persons detained to see if a differential pattern of treatment can be discerned based on the disposition of stops including searches resulting from the stops. The reports also include information relating to each complaint filed with the agency alleging that a peace officer employed by the agency has engaged in racial profiling. An agency may be exempt from the tier two reporting requirement by applying for the funds from the Department of Public Safety for video and audio equipment and the State does not supply those funds [See 2.135 (a)(2) TCCP].

Reports should include both raw numbers and percentages for each group. Caution should be exercised in interpreting the data involving percentages because of statistical distortions caused by very small numbers in any particular category, for example, if only one American Indian is stopped and searched, that stop would not provide an accurate comparison with 200 stops among Caucasians with 100 searches. In the first case, a 100% search rate would be skewed data when compared to a 50% rate for Caucasians.

Standard 4

If a law enforcement agency has video and audio capabilities in motor vehicles regularly used for traffic stops, or audio capabilities on motorcycles regularly used to make traffic stops, the agency:

- adopts standards for reviewing and retaining audio and video documentation; and
- promptly provides a copy of the recording to a peace officer who is the subject of a complaint on written request by the officer.

Commentary

The agency should have a specific review and retention policy. Article 2.132 TCCP specifically requires that the peace officer be promptly provided with a copy of the audio or video recordings if the officer is the subject of a complaint and the officer makes a written request.

Standard 5

Agencies that do not currently have video or audio equipment must examine the feasibility of installing such equipment.

Commentary

None

Standard 6

Agencies that have video and audio recording capabilities are exempt from the reporting requirements of Article 2.134 TCCP and officers are exempt from the reporting requirements of Article 2.133 TCCP provided that:

- the equipment was in place and used during the proceeding calendar year; and
- video and audio documentation is retained for at least 90 days.

Commentary

The audio and video equipment and policy must have been in place during the previous calendar year. Audio and video documentation must be kept for at least 90 days or longer if a complaint has been filed. The documentation must be retained until the complaint is resolved. Peace officers are not exempt from the requirements under Article 2.132 TCCP.

Standard 7

Agencies have citation forms or other electronic media that comply with Section 543.202 of the Transportation Code.

Commentary

Senate Bill 1074 changed Section 543.202 of the Transportation Code requiring citations to include:

- race or ethnicity, and
- whether a search of the vehicle was conducted and whether consent for the search was obtained.

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(II) Background

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**Historical and Demographical
Information**

History of Upshur Count Texas

The county of Upshur was founded in 1846 and created by taking land from both Harrison and Nacogdoches counties. Upshur County was named after U.S. Secretary of State Able Parker Upshur who was born in Virginia on June 17, 1791. After serving in several minor offices in the Virginia Legislature, in 1826 he became a Justice of the Supreme Court in Virginia. In 1841 President John Tyler appointed him Secretary of the Navy and then in June 1843, President Tyler appointed him Secretary of the State, and it was here that he laid ground work for the annexation to Texas to the Union. On February 28, 1844 he was killed in an explosion of the "Peacemaker", a new cannon on the Battleship Princeton, so when the legislature organized this county they requested that it be named Upshur. Upshur County is located in the Piney Wood's in Northeast Texas. Our total population is 35,291 with 556 square miles served by 966 miles of roads. There are 4 incorporated cities within Upshur County and 7 Independent School Districts.

Sheriff's Office Background

The Upshur County Sheriff's Office was founded in 1846 and G.C. Patillo was the first sheriff. Since it's inception there have been 28 different men to serve as Sheriff. Today, the Upshur County Sheriff's Office (UCSO) is made up of 25 commissioned officers and 42 jailers and staff members. The UCSO officers are committed to performing their jobs in a professional manner while serving the residents of Upshur County and the cities and communities within its boundaries.

The sheriff's office promotes, to all its members, to engage in community-policing practices in order to provide quality service to all residents of the community. In 2002, The Upshur County Sheriff's Office adopted a policy, in accordance to the Texas Law on Racial Profiling, banishing racial profiling practices among all UCSO officers.

General Orders

Citizens

The following ethics, and emp
components is
emerging needs

The Upshur County Sheriff's Office will always strive to provide the highest quality service, preserving human rights, lives, and property, while attempting to achieve the mission goals of the office, the city, and the community. In the Upshur County Sheriff's Office, we are committed to the highest professional standards, working in partnership with our citizens to problem solve and meet the challenges of reducing crime, creating a safer environment, and improving the community members' quality of life.

Vision

We, the men and women of the Upshur County Sheriff's Office, are committed to excellence in leadership, providing progressive and proactive services, developing community partnerships, and building for a better future.

Values

We, the members of the Upshur County Sheriff's Office, value the following in our members and our organization:

- Honesty
- Professionalism
- Integrity
- Compassion
- Cultural Diversity

Oath of Office

Each member and volunteer of the Upshur County Sheriff's Office shall subscribe to and abide by the Oath of Office:

I _____ do solemnly swear or affirm that I will faithfully execute the duties the office of the Upshur County Sheriff's Office, Upshur County, 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; and I furthermore solemnly swear or affirm that I have not directly nor indirectly paid, offered, or promised to pay, contributed, nor promised to contribute, any money or valuable thing, or promised any public office or employment, as a reward to secure my appointment, or the confirmation thereof.

So Help Me God.

Upon swearing to the Oath of Office, a signed copy is placed in the employee's personnel file.

Code of Ethics

Each member of the Upshur County Sheriff's Office shall subscribe to and abide by the Code of Ethics:

As a Law Enforcement Officer, my fundamental duty is to serve humanity; to safeguard lives and property; to protect the innocent against deception, the weak against oppression or intimidation, and the peaceful against violence or disorder; and to respect the Constitutional Rights of all people to liberty, equality and justice.

I will keep my private life unsullied as an example to all; maintain courageous calm in the face of danger, scorn, or ridicule; develop self-restraint; and be constantly mindful of the welfare of others. Honest in obeying the laws of the land and the regulations of my Department. Whatever I see or hear of a confidential nature or that is confided to me in my official capacity will be kept ever secret unless revelation is necessary in the performance of my duty.

I will never act officiously or permit personal feelings, prejudices, animosities, or friendships to influence my decisions. With no compromise for crime and with relentless prosecution of criminals, I will enforce the law courteously and appropriately without fear or favor, malice or violence and never accepting gratuities.

I recognize the badge of my office as a symbol of public faith, and I accept it as a public trust to be held so long as I am true to ethics of Law Enforcement. I will constantly strive to achieve these objectives and ideals, dedicating myself to my chosen profession . . . Law Enforcement.

The newly sworn member shall be given one copy of the Code of Ethics.

Equal Opportunity/Affirmative Action

The policy of the Upshur County Sheriff's Office is to be fair and impartial in all of its relations with its employees or applicants for employment while adhering to the concept of equal employment opportunity and affirmative action as a necessary element of basic merit system principles. In order to achieve this goal, the Upshur County Sheriff's Office hereby reaffirms its official policy that discrimination on the basis of race, sex, color, religion, national origin, age, mental or physical handicap, disabled or veteran status is prohibited by all employees of the Upshur County Sheriff's Office. This policy will apply and is not limited to recruitment, promotion, hiring, layoff, termination, demotion, transfer, training, rates of pay, fringe benefits, or other forms of compensation, use of facilities, and other terms, conditions and privileges of employment for all job classifications. The County of Upshur will take the necessary steps in its employment policies, practices and procedures and make reasonable accommodations in order to assure that appropriate equal employment opportunities are available to all persons.

**Policy on Usage of Video/Audio
Equipment**

Video Policy

Each motor vehicle regularly used by this office to make traffic and pedestrian stops is equipped with a video camera and transmitter-activated equipment, and each traffic and pedestrian stop made by an officer of this office that is capable of being recorded by video and audio, or audio, as appropriate, is recorded.

It is the policy of this office to retain the video and audiotapes, or the audiotape of each traffic and pedestrian stop for at least ninety (90) days after the date of the stop. If a complaint is filed with this office alleging that one of our officers has engaged in racial profiling with respect to a traffic or pedestrian stop, this office retains the video and audiotapes, or the audiotape of the stop until final disposition of the complaint.

Supervisors ensure that officers of this department are recording their traffic and pedestrian stops. A recording of each officer will be reviewed at least once every ninety (90) days.

*If the equipment used to record audio and/or video of traffic or pedestrian stops is malfunctioning or otherwise not operable, the officer making the stop is encouraged to properly record and report the information as required in Policy 300.12 Section G of the UCSO Policy Manual.

**(Footnote: In the event of equipment failure; as a consideration, agencies may wish to manually collect data when audio and/or video equipment is temporarily non-operational. An agency that chooses to collect data manually should incorporate the information as contained in Policy 300.12 Section G.*

Partnerships with Community

Community Partnerships

Although the Upshur County Sheriff's Office has always enjoyed the support of the community, since January 1, 2003, it has made extraordinary efforts to reach out to community leaders. This effort has been well received by the Upshur County community; particularly, members of the minority community.

The Upshur County Sheriff's Office, through its Public Information Officer and Sheriff's Program Coordinator, has kept the public informed of the traffic contact data collection effort. Further, it plans to present the data analyzed, on or before March 1, 2004, to members of city council. This will be done in an effort to keep community leaders informed on the current practices of the Upshur County Sheriff's Office.

In addition, the Upshur County Sheriff's Office has asked members of the county to serve on an advisory board to the sheriff's office. This board, which is expected to be operational by July 2004, will be kept informed on any incidents that may arise involving community-related issues. Particular emphasis will be placed on disciplinary actions taken against officers for acts that are in violation of the Texas Racial Profiling Law. Although personnel files won't be discussed with the board members, they will be kept informed in the event irregularities arise following allegations of race-related complaints.

**(III) Responding to the Texas Racial
Profiling Law**

Institutional Policy on Racial Profiling

Racial Profiling Policy

I. PURPOSE

The purpose of the policy is to reaffirm the Upshur County Sheriff's Office commitment to unbiased policing in all its encounters between officer and any person; to reinforce procedures that serve to ensure public confidence and mutual trust through the provision of services in a fair and equitable fashion; and to protect our officers from unwarranted accusations of misconduct when they act within the dictates of departmental policy and the law.

II. POLICY

It is the policy of this department to police in a proactive manner and, to aggressively investigate suspected violations of law. Officers shall actively enforce state and federal laws in a responsible and professional manner, without regard to race, ethnicity or national origin. Officers are strictly prohibited from engaging in racial profiling as defined in this policy. This policy shall be applicable to all persons, whether drivers, passengers or pedestrians.

Officers shall conduct themselves in a dignified and respectful manner at all times when dealing with the public. Two of the fundamental rights guaranteed by both the United States and Texas constitutions are equal protection under the law and freedom from unreasonable searches and seizures by government agents. The right of all persons to be treated equally and to be free from unreasonable searches and seizures must be respected. Racial profiling is an unacceptable patrol tactic and will not be condoned.

This policy shall not preclude officers from offering assistance, such as upon observing a substance leaking from a vehicle, a flat tire, or someone who appears to be ill, lost or confused. Nor does this policy prohibit stopping someone suspected of a crime based upon observed actions and/or information received about the person.

III. DEFINITIONS

Racial Profiling – A law enforcement-initiated action based on an individual's race, ethnicity, or national origin rather than on the individual's behavior or on information identifying the individual as having engaged in criminal activity.

Racial profiling pertains to persons who are viewed as suspects or potential suspects of criminal behavior. The term is not relevant as it pertains to witnesses, complainants or other citizen contacts.

The prohibition against racial profiling does not preclude the use of race, ethnicity or national origin as factors in a detention decision. Race, ethnicity or national origin may be legitimate factors in a detention decision when used as part of an actual description of a specific suspect for whom an officer is searching. Detaining an individual and conducting an inquiry into that person's activities simply because of that individual's race, ethnicity or national origin is racial profiling. Examples of racial profiling include but are not limited to the following:

1. Citing a driver who is speeding in a stream of traffic where most other drivers are speeding because of the cited driver's race, ethnicity or national origin.
2. Detaining the driver of a vehicle based on the determination that a person of that race, ethnicity or national origin is unlikely to own or possess that specific make or model of vehicle.
3. Detaining an individual based upon the determination that a person of that race, ethnicity or national origin does not belong in a specific part of town or a specific place.

A law enforcement agency can derive at two principles from the adoption of this definition of racial profiling:

1. Police may not use racial or ethnic stereotypes as factors in selecting whom to stop and search, while police may use race in conjunction with other known factors of the suspect.
2. Law enforcement officers may not use racial or ethnic stereotypes as factors in selecting whom to stop and search. Racial profiling is not relevant as it pertains to witnesses, etc.

Race or Ethnicity – Of a particular decent, including Caucasian, African, Hispanic, Asian, or Native American.

Pedestrian Stop – An interaction between a peace officer and an individual who is being detained for the purpose of a criminal investigation in which the individual is not under arrest.

Traffic Stop – A peace officer that stops a motor vehicle for an alleged violation of a law or ordinance regulating traffic.

IV. CITATION DATA COLLECTION & REPORTING

An officer is required to collect information relating to traffic stops in which a citation is issued. On the citation officers must include:

1. the violators race or ethnicity;
2. whether a search was conducted;
3. was the search consensual; and
4. arrest for this cited violation or any other violation.

By March of each year, the department shall submit a report to their governing board that includes the information gathered by the citations. The report will include:

1. a breakdown of citations by race or ethnicity;
2. number of citations that resulted in a search;
3. number of searches that were consensual; and
4. number of citations that resulted in custodial arrest for this cited violation or any other violation.

Not later than March 1st of each year, this department shall submit a report to our governing body containing this information from the preceding calendar year.

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**Complaint Process: Addressing
Allegations of Racial Profiling Practices**

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Filing a Complaint with The Upshur County

Sheriff's Office

*The following information has been disseminated to the public as part of an educational campaign aimed at informing community members of the complaint process relevant to violations of the Texas Racial Profiling Law.

UNDERSTANDING THE PROCESS

Once an individual has filed a complaint regarding racial profiling, he/she should expect the following process to commence:

THE INTERVIEW

A sheriff's officer (rank of sergeant or higher) will interview the individual filing the complaint. The officer will ask the alleged victim questions about what happened. It is possible that the officer may be able to explain the officer(s)' actions to your satisfaction.

- Usually, the alleged victim will be interviewed at the Sheriff's Office Main Building. It is possible that he/she may be videotaped during the interview.
 - The individual filing the complaint may bring a lawyer, family member or friend to the interview.
 - The sheriff's officer will ask the individual filing a complaint for the names of witnesses and other police officers that may know facts about the complaint.
 - A sheriff's office photographer may take pictures of any injuries that the alleged victim think are related to the complaint.
-

THE INVESTIGATION

After the interview, the Upshur County Sheriff's Office will investigate the alleged misconduct. Investigators will talk to witnesses and visit the site of the incident.

- The investigators will consist of sheriff's officers assigned to the Administrative Standards Section.
- All officers will be interviewed and witnesses whom the alleged victim has named will be contacted and interviewed, if they agree.
- The alleged victim will receive a letter regarding the progress of the investigation. Although it is impossible to estimate how long the investigation will take, the alleged victim will receive periodic reports on its status.

- A report will then be prepared.
-

THE REVIEW PROCESS

The Sheriff reviews every complaint after the investigation is completed and a report is written.

- If the complaint includes excessive force or charges an officer with a crime, it will also be reviewed by a Civilian Review Board (CRB). The Board includes three citizens who are not members of the Upshur County Sheriff's Office.
 - The CRB will review your complaint, statements from all witnesses and reports from the investigation. The CRB may ask for additional information before making its recommendations to the Sheriff.
 - The results of investigations that suggest there are no charges that the police officer used excessive force or committed a crime are also reviewed by the Sheriff.
 - The Sheriff reviews investigations and makes the final decision on all complaints.
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THE FINDINGS

The results of your complaint are called "findings". There are four possible findings:

- **Sustained** - The complaint has been supported: The officer(s) involved acted improperly and may be disciplined.
- **Unfounded** - The investigation found no basis to the complaint filed.
- **Exonerated** - The police officer(s) involved acted properly and will not be disciplined; or
- **Not provable** - There was not enough evidence to prove the complaint true or false so no further action will be taken.

The Sheriff will decide on a finding after the complaint has been reviewed. Further, he/she will inform the alleged victim through an official letter of the final decision.

Informing the Public on the Process of Filing a Complaint with The Upshur County Sheriff's Office

(I) Educational Campaign:

In accordance to Senate Bill 1074, the Upshur County Sheriff's Office has made significant efforts to launch an educational campaign aimed at informing the public on issues relevant to the complaint process. Special emphasis has been placed on informing community members on filing a complaint relevant to racial profiling practices.

The command staff of the Upshur County Sheriff's Office has hosted a series of town hall meetings where community members have been informed on efforts being made by the sheriff's office to continue banning racial profiling practices among its officers.

(II) Filing a Complaint Based on Violations of the Texas Law on Racial Profiling

The following information has been distributed to residents of Upshur County.

UNDERSTANDING THE PROCESS

Once an individual has filed a complaint regarding racial profiling, he/she should expect the following process to commence:

THE INTERVIEW

A sheriff's officer (rank of sergeant or higher) will interview the individual filing the complaint. The officer will ask the alleged victim questions about what happened. It is possible that the officer may be able to explain the officer(s)' actions to your satisfaction.

- Usually, the alleged victim will be interviewed at the Sheriff's Office Main Building. It is possible that he/she may be videotaped during the interview.
- The individual filing the complaint may bring a lawyer, family member or friend to the interview.
- The police officer will ask the individual filing a complaint for the names of witnesses and other police officers that may know facts about the complaint.

- A sheriff's photographer may take pictures of any injuries that the alleged victim think are related to the complaint.
-

THE INVESTIGATION

After the interview, the Upshur County Sheriff's Office will investigate the alleged misconduct. Investigators will talk to witnesses and visit the site of the incident.

- The investigators will consist of sheriff's officers assigned to the Administrative Standards Section.
 - All officers will be interviewed and witnesses whom the alleged victim has named will be contacted and interviewed, if they agree.
 - The alleged victim will receive a letter regarding the progress of the investigation. Although it is impossible to estimate how long the investigation will take, the alleged victim will receive periodic reports on its status.
 - A report will then be prepared.
-

THE REVIEW PROCESS

The Sheriff reviews every complaint after the investigation is completed and a report is written.

- If the complaint includes excessive force or charges an officer with a crime, it will also be reviewed by a Civilian Review Board (CRB). The Board includes three citizens who are not members of the Upshur County Sheriff's Office.
 - The CRB will review your complaint, statements from all witnesses and reports from the investigation. The CRB may ask for additional information before making its recommendations to the Sheriff.
 - The results of investigations that suggest there are no charges that the police officer used excessive force or committed a crime are also reviewed by the Sheriff.
 - The Sheriff reviews investigations and makes the final decision on all complaints.
-

THE FINDINGS

The results of your complaint are called "findings". There are four possible findings:

- **Sustained** - The complaint has been supported: The officer(s) involved acted improperly and may be disciplined.
- **Unfounded** - The investigation found no basis to the complaint filed.
- **Exonerated** - The police officer(s) involved acted properly and will not be disciplined; or
- **Not provable** - There was not enough evidence to prove the complaint true or false so no further action will be taken.

The Sheriff will decide on a finding after the complaint has been reviewed. Further, he/she will inform the alleged victim through an official letter of the final decision.

(II) A COMMITMENT TO RESPOND TO THE NEEDS OF THE COMMUNITY

The Upshur County Sheriff's Office has made a commitment to its citizens regarding the following:

1. The department shall accept complaints from any person who believes he or she has been stopped or searched based on racial, ethnic or national origin profiling. No person shall be discouraged, intimidated or coerced from filing a complaint, nor discriminated against because he or she filed such a complaint.
2. Any employee who receives an allegation of racial profiling, including the officer who initiated the stop, shall record the person's name, address and telephone number, and forward the complaint through the appropriate channel or direct the individual(s). Any employee contacted shall provide to that person a copy of a complaint form or the department process for filing a complaint. All employees will report any allegation of racial profiling to their superior before the end of their shift.
3. Investigation of a complaint shall be conducted in a thorough and timely manner. All complaints will be acknowledged in writing to the initiator who will receive disposition regarding said complaint within a reasonable period of time. The investigation shall be reduced to writing and any reviewer's comments or conclusions shall be filed with the chief deputy and Sheriff. When applicable, findings and/or suggestions for disciplinary action, retraining, or changes in policy shall be filed with the chief deputy and Sheriff.
4. If a racial profiling complaint is sustained against an officer, it will result in appropriate corrective and/or disciplinary action, up to and including termination.
5. If there is a departmental video or audio recording of the events upon which a complaint of racial profiling is based, upon commencement of an

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investigation by this department into the complaint and written request of the officer made the subject of the complaint, this department shall promptly provide a copy of the recording to that officer.

Racial Profiling Training

Training

In compliance with the Texas Racial Profiling Law, the Upshur County Sheriff's Office has asked that all its officers adhere to all Texas Commission on Law Enforcement Officer Standards and Education (TCLEOSE) training and the Law Enforcement Management Institute of Texas (LEMIT) requirements as mandated by law.

All officers from the Upshur County Sheriff's Office have been asked to complete a TCLEOSE training and education program on racial profiling not later than the second anniversary of the date the officer is licensed under Chapter 1701 of the Texas Occupations Code or the date the officer applies for an intermediate proficiency certificate, whichever date is earlier. A person who on September 1, 2001, held a TCLEOSE intermediate proficiency certificate, or who had held a peace officer license issued by TCLEOSE for at least two years, will complete a TCLEOSE training and education program on racial profiling not later than September 1, 2003.

The sheriff or a representative from the command staff, as part of the initial training and continued education for such appointment, attended the LEMIT program on racial profiling. This fulfills the training requirement as specified in the Education Code (96.641) of the Texas Racial Profiling Training Law.

Tables Illustrating Police Contact

Tier 1 Data

(I) Tier 1 Data

Table 1. General Demographics of Contacts and Searches

Race/Ethnicity*	Contacts		Searches		Consensual Searches		PC for Search		Custody Arrest	
	N	%	N	%	N	%	N	%	N	%
Caucasian	363	80.5	63	17.3	15	4.1	48	13.2	42	11.6
African	59	13.1	9	15.3	4	6.8	5	8.5	6	10.2
Hispanic	28	6.2	3	10.7	1	3.6	2	7.1	3	10.7
Asian	1	.2	0	0	0	0	0	0	0	0
Native American	0	0	0	0	0	0	0	0	0	0
Other	0	0	0	0	0	0	0	0	0	0
Total	451	100	75	43.3	20	14.5	55	28.8	51	32.5

* Race/Ethnicity are defined by Senate Bill 1074 as being of a "particular descent, including Caucasian, African, Hispanic, Asian, or Native American".

(II) Comparative Analysis

Table 1. Comparison of Self-Initiated Stops of Residents and DPS Resident Data

Race/Ethnicity*	Resident Contacts		DPS Data		Variance	
	N	%	N	%	N	%
Caucasian**	391	86.7	24448	90.6		-3.9
African	59	13.1	2315	8.6		4.5
Asian	1	.2	33	.1		.1
Native American	0	0	30	.1		-.1
Other	0	0	144	.6		-.6
Total	451	100	26970	100		

* Race/Ethnicity are defined by Senate Bill 1074 as being of a "particular descent, including Caucasian, African, Hispanic, Asian, or Native American".

** In this table, Hispanics have been added to the Caucasian population. This has been done in order to correspond with DPS data collection methods. According to DPS, Hispanics are combined, in their data reports, with the Caucasian population.

Report on Complaints

Additional Comments:

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Analysis and Interpretation of Data

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Analysis

The data presented in this report contains valuable information regarding police contacts with the public between 1/1/03 and 12/31/03. Despite its value, the raw data does not present much information relevant to racial profiling trends.

Thus, it is felt that further analysis of the data is warranted. As such, data was obtained through the Texas Department of Public Safety (DPS), via a public information request. The data obtained from DPS included the race and gender of drivers in the county of Upshur during the 2003 calendar year. The decision to obtain DPS data was made since, according to experts, census data presents challenges to any effort made at establishing a fair and accurate analysis. That is, census data contains information of all residents of a particular community, regardless of the fact they may or may not be among the driving population. Further, census data, when used as a benchmark of comparison, presents the challenge that it captures information related to city residents only. Thus, excluding individuals who may have come in contact with the Upshur County Sheriff's Office, but reside outside city limits. This has a tendency of inflating the overall figures; thus, providing an inaccurate representation of police contacts with the public. Therefore, it is felt that DPS data relevant to county residents, if compared only to the portion of individuals who reside in the county of Upshur and have come in contact with the police during a given year, will offer a more accurate representation and provide further insights than other sources including census data.

When comparing the county residents who came in contact with the Upshur County Sheriff's Office during 2003 with those who, according to DPS, were residents of the county during that time and held a valid driver's license, the data produced the following findings. That is, the number of police contacts with White drivers (363), when compared to the number of White county residents who held a valid drivers license (24448), demonstrated that the number of contacts with the police were well-represented. It must be noted that Hispanics were grouped with Caucasians for purposes of this analysis since DPS does not collect information related to the ethnicity of drivers. In fact, according to their own language, DPS considers Hispanics, in their data collection process, as Caucasians.

In addition, when analyzing, in the same manner, the data relevant to individuals of African descent, it is clear that this data produced the following findings. That is, the number of police contacts with Black drivers (59), when compared to the number of Black county residents who held a valid drivers license (2315), demonstrated that the number of contacts with the police were also well-represented.

The same information holds true for Asians, Native Americans and Other denominations in Upshur County.

(IV) Summary of Findings

Summary Statement Regarding Findings

Summary Statement

The findings suggest that the Upshur County Sheriff's Office does not currently experience a problem regarding racial profiling practices. This is supported by the fact that it has not received complaints from community members regarding officers misconduct associated with racial profiling practices.

The continuing effort to collect police contact data will assure an on-going evaluation of the Upshur County Sheriff's Office practices. Thus, allowing for the citizens of Upshur county to benefit from professional and courteous service from their sheriff's office.

Recommendations

Recommendations

Based on the findings introduced in this report, the Sheriff, along with command staff, have agreed to adopt the following measures aimed at addressing potential racial profiling problems:

- Provide further racial sensitivity training to its police personnel
- Host a series of seminars on racial profiling issues
- Disseminate information to all officers regarding the guidelines of behavior acceptable under the newly adopted Texas Racial Profiling Law
- Host a public session where information can be provided to the community regarding the newly adopted measures by the sheriff's office
- Create an advisory board made up of minority leaders in the community
- Keep County Commissioners advised of measures being implemented at the Upshur County Sheriff's Office concerning Racial Profiling

Checklist and Contact Information

Checklist

(I) The following requirements **must** be met by all law enforcement agencies in the State of Texas:

- Clearly defined act of actions that constitute racial profiling
- Statement indicating prohibition of any peace officer employed by the Upshur County Sheriff's Office from engaging in racial profiling
- Implement a process by which an individual may file a complaint regarding racial profiling violations
- Provide public education related to the complaint process
- Implement disciplinary guidelines for officer found in violation of the Texas Racial Profiling Law
- Collect data (Tier 1) that includes information on
 - a) Race and ethnicity of individual detained
 - b) Whether a search was conducted
 - c) If there was a search, whether it was a consent search or a probable cause search
 - d) Whether a custody arrest took place
- Produce an annual report on police contacts (Tier 1) and present this to local governing body by March 1, 2003.
- Adopt a policy, if video/audio equipment is installed, on standards for reviewing video and audio documentation

(II) For additional questions regarding the information presented in this report, please contact

Wayne Young
Lieutenant
Upshur County Sheriff's Office
405 N. Titus St.
Gilmer, Texas 75644
903-843-2541

FILED
ROBIN RODENBERG
COUNTY CLERK

THE STATE OF TEXAS
COUNTY OF UPSHUR

04 FEB 27 PM 11:47

UPSHUR COUNTY, TX.

BY _____
DEPUTY

This agreement is made between Upshur County, Texas (the County) and the Upshur County Groundwater Conservation District (the District.)

The District is to hold a Confirmation and Initial Director's Election on May 15, 2004. This will be a Special Election. The District and the County have determined that the County can best facilitate the orderly conduct of the election.

1. The County hereby agrees to allow the County Clerk's office to handle all matters relating to early voting and voting by mail for the District's confirmation election. The dates of early voting will be held beginning April 28, 2004 and ending May 11, 2004 during normal business hours Monday-Friday, 8-5. The dates to request a ballot by mail are from March 16, 2004 to May 7, 2004.
2. The total cost relating to the early voting, voting by mail, and Election Day are expected to be approximately \$4,500.00.
3. The County Clerk will be the Election Officer and Early Voting Clerk for the election.
4. Duties to be performed by The County Clerk's office will include:
 - To procure, prepare and distribute ballots.
 - Furnish ballot boxes, election kits and election materials necessary to conduct election
 - Contact and schedule election workers. The District will use volunteers as much as possible.
 - Retain voted ballots and election materials for 60 days.
5. The District will be responsible for filing all required documentation regarding the election to all pertinent city, county, state and federal agencies.
6. The District and the County Clerk's office will work together to ensure all election procedures are followed according to the law.

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Nothing contained in this contract shall authorize or permit a change in the officer with whom or the place at which any document or record relating to "The Upshur County Groundwater's Confirmation and Initial Directors Elections". is to be filed or the place at which any function is to be carried out, or any nontransferable functions specified under Section 31.096 of the Texas Election Code.

Signed and agreed upon by.

Upshur County Groundwater District

By: _____ Date _____

Upshur County

By: _____ Date _____

ADDITION TO # 4 ELECTION TO BE
RVD IN ACCORDANCE w/ HD 36.35

MONTHLY REPORT OF STATE AND COUNTY TAXES SUMMARY

Collected by: Micheal L. Smith, Tax Assessor-Collector of Upshur County
 During the month of: January 2004

The State of Texas, County of Upshur:
 I, Micheal L. Smith, Tax Assessor-Collector of said County, do solemnly swear that the within attached sheets are a true and correct report of all Taxes collected by me during the month of January 2004 showing the total collections as follows, viz.

STATE AD VALOREM TAXES COLLECTED SUBJECT TO DELINQUENT TAX COLLECTOR FEE (ART 7335)

$0.00 \times 15\% = 0.00$

COUNTY TAX COLLECTIONS ON	AD VALOREM	P & I	ATTORNEY FEES	VARIANCE	TABS	OTHER	TOTAL
CURRENT	\$2,973,359.66	\$	\$	442.02			\$2,973,801.68
DELINQUENT	\$ 31,677.41	\$13,833.33	\$6870.47	43.85			\$52,425.06
PRIOR TO 1982 ATTORNEY FEES NOT COLLECTED							
TOTAL	\$3,005,037.07	\$13,833.33	\$6,870.47	485.87			\$3,026,226.74

Micheal L. Smith
 TAX ASSESSOR-COLLECTOR, UPSHUR COUNTY, TEXAS
 Sworn to and subscribed before me this
25th day of February 2004 A.D.

Robin Rodenberg
 COUNTY CLERK, UPSHUR COUNTY, TEXAS

Pay Delinquent Tax Attorney: \$6870.47

FILED
 ROBIN RODENBERG
 COUNTY CLERK
 04 FEB 27 PM 11:50
 UPSHUR COUNTY, TX.
 BY _____ DEPUTY

I, Robin Rodenberg, County Clerk of Upshur County, here by certify that I have carefully examined the above mentioned Monthly Report of Taxes collected by MICHEAL L SMITH, Tax Assessor-Collector of said county.

MONTHLY REPORT
FOR
AD VALOREM TAXES AND FEES
December 2003

CURRENT TAXES	\$2,973,359.66
DELINQUENT TAXES	\$ 31,677.41
PENALTY & INTEREST	\$ 13,833.33
ATTORNEY FEES COLLECTED	\$ 6,870.47
TAX CERTIFICATES & FEES	\$ 854.46
RETURN CHECK FEES	\$ 50.00
BEER AND ALCOHOL FEES	\$.00
VOTER LIST	\$ 171.77
MICELLANEOUS FEES	\$ 2.00
VARIANCE	\$ 485.87
FEDERAL FLOOD CONTROL	\$ 0.00
ENTITIES COLLECTION FEES	\$ 0.00
MANUAL DISTRIBUTION	0.39
TEX	\$
TOTAL COLLECTIONS	\$ 3,027,305.36
VALOREM INTEREST	\$369.66
HWY DEPARTMENT INTEREST	\$145.72

UPSHUR COUNTY TAX ASSESSOR COLLECTOR
THE SOFTWARE GROUP, INC.

A T C S Y S T E M
RECAP REPORT FOR ENTITY 230 01/01/04 THRU 01/31/04

07 Feb 2004
PAGE 1

YR	ORIG ADJ TAX	CNG TAX DUE	NEW ADJ TAX	TAX PAID	DISC/P&I	ATT FEE	NET PAID	AMOUNT PAID	VARIANCE
39	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
40	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
41	0.13	0.00	0.13	0.00	0.00	0.00	0.00	0.00	0.00
42	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
43	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
44	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
45	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
46	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
49	1.27	0.00	1.27	0.00	0.00	0.00	0.00	0.00	0.00
50	1.28	0.00	1.28	0.00	0.00	0.00	0.00	0.00	0.00
51	2.88	0.00	2.88	0.00	0.00	0.00	0.00	0.00	0.00
52	3.83	0.00	3.83	0.00	0.00	0.00	0.00	0.00	0.00
53	1.28	0.00	1.28	0.00	0.00	0.00	0.00	0.00	0.00
54	1.28	0.00	1.28	0.00	0.00	0.00	0.00	0.00	0.00
55	1.73	0.00	1.73	0.00	0.00	0.00	0.00	0.00	0.00
56	1.73	0.00	1.73	0.00	0.00	0.00	0.00	0.00	0.00
57	1.87	0.00	1.87	0.00	0.00	0.00	0.00	0.00	0.00
58	1.43	0.00	1.43	0.00	0.00	0.00	0.00	0.00	0.00
59	4.74	0.00	4.74	0.00	0.00	0.00	0.00	0.00	0.00
60	4.10	0.00	4.10	0.00	0.00	0.00	0.00	0.00	0.00
61	4.97	0.00	4.97	0.00	0.00	0.00	0.00	0.00	0.00
62	4.92	0.00	4.92	0.00	0.00	0.00	0.00	0.00	0.00
63	9.64	0.00	9.64	0.00	0.00	0.00	0.00	0.00	0.00
64	10.11	0.00	10.11	0.00	0.00	0.00	0.00	0.00	0.00
65	24.43	0.00	24.43	0.00	0.00	0.00	0.00	0.00	0.00
66	10.01	0.00	10.01	0.00	0.00	0.00	0.00	0.00	0.00
67	30.95	0.00	30.95	0.00	0.00	0.00	0.00	0.00	0.00
68	45.11	0.00	45.11	0.00	0.00	0.00	0.00	0.00	0.00
69	66.71	0.00	66.71	0.00	0.00	0.00	0.00	0.00	0.00
70	70.57	0.00	70.57	0.00	0.00	0.00	0.00	0.00	0.00
71	44.57	0.00	44.57	0.00	0.00	0.00	0.00	0.00	0.00
72	68.93	0.00	68.93	0.00	0.00	0.00	0.00	0.00	0.00
73	34.51	0.00	34.51	0.00	0.00	0.00	0.00	0.00	0.00
74	45.28	0.00	45.28	0.00	0.00	0.00	0.00	0.00	0.00
75	77.68	0.00	77.68	0.00	0.00	0.00	0.00	0.00	0.00
76	67.91	0.00	67.91	0.00	0.00	0.00	0.00	0.00	0.00
77	70.76	0.00	70.76	0.00	0.00	0.00	0.00	0.00	0.00
78	131.38	0.00	131.38	0.00	0.00	0.00	0.00	0.00	0.00
79	204.74	0.00	204.74	0.00	0.00	0.00	0.00	0.00	0.00
80	305.16	0.00	305.16	0.00	0.00	0.00	0.00	0.00	0.00
81	1169.09	0.00	1169.09	0.00	0.00	0.00	0.00	0.00	0.00
82	24096.27	0.00	24096.27	0.00	0.00	0.00	0.00	0.00	0.00
83	24336.15	-37.14	24299.01	2.14	5.40	1.13	8.67	7.37	-1.30
84	31934.85	-46.68	31888.25	5.17	12.41	2.64	20.22	20.22	0.00
85	40569.37	-50.84	40518.53	51.52	117.46	25.35	194.33	192.77	-1.56
86	35609.60	-45.38	35564.22	26.17	56.54	12.41	95.12	95.12	0.00
87	35865.95	0.00	35865.95	21.38	43.61	9.76	74.75	74.75	0.00

(230) UPSHUR COUNTY

	ITEMS	LEVY MAD	LEVY 1&S	TAX DUE	DISC / P&I	ATTORNEY	FEE AMOUNT PAID	AMOUNT DUE	VARIANCE	
1983	3	2.14	0.00	2.14	5.40	1.13	0.00	7.37	8.67	-1.30
1984	2	5.17	0.00	5.17	12.41	2.44	0.00	20.22	20.22	0.00
1985	6	51.52	0.00	51.52	117.46	25.35	0.00	192.77	194.33	-1.56
1986	4	26.17	0.00	26.17	56.54	12.41	0.00	95.12	95.12	0.00
1987	4	17.97	3.41	21.38	43.61	9.76	0.00	74.75	74.75	0.00
1988	6	79.60	12.38	91.98	176.61	40.29	0.00	308.89	308.89	0.00
1989	6	41.17	6.01	47.18	84.92	19.81	0.00	151.91	151.91	0.00
1990	6	47.71	6.43	54.14	90.95	21.77	0.00	166.86	166.86	0.00
1991	10	51.87	7.36	59.23	92.35	22.73	0.00	174.31	174.31	0.00
1992	17	129.23	16.85	146.08	210.38	53.49	0.00	409.95	409.95	0.00
1993	27	314.99	37.32	352.31	465.03	122.60	0.00	939.94	939.94	0.00
1994	20	178.38	19.86	198.24	237.83	65.41	0.00	501.48	501.48	0.00
1995	29	416.50	23.51	440.01	459.11	132.63	0.00	1031.75	1031.75	0.00
1996	33	432.44	39.98	472.42	440.47	134.88	0.00	1047.77	1047.77	0.00
1997	45	869.39	75.18	944.57	793.41	260.71	0.00	1998.69	1998.69	0.00
1998	59	1264.33	129.00	1393.33	1003.03	359.46	0.00	2755.82	2755.82	0.00
1999	70	2635.42	0.00	2635.42	1580.92	632.50	0.00	4848.84	4848.84	0.00
2000	107	4206.57	547.67	4754.24	2279.41	1055.08	0.00	8088.73	8088.73	0.00
2001	245	6297.20	661.77	6958.97	2490.29	1417.36	0.00	10866.37	10866.62	-0.25
2002	484	11703.58	1319.33	13022.91	3193.20	2480.46	0.00	18743.53	18696.57	46.96
2003	25339	2772063.30	201296.36	2973359.66	0.00	0.00	0.00	2973801.68	2973359.66	442.02
Entity 230	26722	2800834.65	204202.42	3005037.07	13833.33	6870.47	0.00	3026226.74	3025740.87	485.87

CURRENT ROLL	CURRENT MTD	CURRENT YTD
Current Taxes Collected	2,973,359.66	5,801,991.38
Penalty and Interest	0.00	0.00
Attorney Fees	0.00	0.00
Dverage	442.02	530.10
Total Funds Collected	2,973,801.68	5,802,521.48
2003 Tax Levy Roll		7,404,592.58
Supplements	<4,090.77>	<11,665.04>
Adjusted Tax Levy Roll		7,392,927.54
Prior Month Taxes Collected	2,828,631.72	
Current Month Taxes Collected	2,973,359.66	
Total Taxes Collected		5,801,991.38
Balance of Current Roll		1,590,936.16
% of Current Roll Collected		78.4803

DELINQUENT ROLL	CURRENT MTD	CURRENT YTD
Delinquent Taxes Collected	31,677.41	142,052.54
Penalty and Interest	13,833.33	69,341.14
Attorney Fees	6,870.47	32,212.25
Dverage	43.85	3,969.91
Total Funds Collected	52,425.06	247,575.84
Delinquent Tax Levy Roll		1,638,027.43
Supplements	<1,718.25>	<18,673.09>
Adjusted Tax Levy Roll		1,619,354.34
Prior Month Taxes Collected	110,375.13	
Current Month Taxes Collected	31,677.41	
Total Taxes Collected		142,052.54
Balance of Delinquent Roll		1,477,301.80
% of Delinquent Roll Collected		8.7722

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 Total Tax Outstanding 3,068,237.94

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UPSHUR COUNTY TAX ASSESSOR COLLECTOR
THE SOFTWARE GROUP, INC.

ATC SYSTEM
RECAP REPORT FOR ENTITY 230 01/01/04 THRU 01/31/04

07 Feb 2004
PAGE 2

YR	ORIG ADJ TAX	CHG TAX DUE	NEW ADJ TAX	TAX PAID	DISC/P&I	ATT FEE	NET PAID	AMOUNT PAID	VARIANCE
88	32754.54	-56.50	32698.04	91.98	176.61	40.29	308.88	308.88	0.00
89	36008.68	-9.80	35998.88	47.18	84.92	19.81	151.91	151.91	0.00
90	37869.25	-10.10	37859.15	54.14	90.95	21.77	166.86	166.86	0.00
91	43797.92	-28.83	43769.09	59.23	92.35	22.73	174.31	174.31	0.00
92	50084.69	-30.78	50053.91	146.08	210.38	53.49	409.95	409.95	0.00
93	62219.10	-38.77	62180.33	352.31	465.03	122.68	939.94	939.94	0.00
94	68233.82	-37.45	68216.37	198.24	237.83	45.41	501.48	501.48	0.00
95	91669.11	-11.16	91657.95	490.01	459.11	132.63	1031.75	1031.75	0.00
96	115610.10	-11.40	115598.70	472.42	440.47	134.88	1047.77	1047.77	0.00
97	152894.03	-11.40	152882.63	944.57	793.41	260.71	1998.69	1998.69	0.00
98	201284.37	-11.40	201272.97	1393.33	1003.03	359.46	2755.82	2755.82	0.00
99	279538.28	-11.92	279526.36	2635.42	1580.92	432.50	4848.84	4848.84	0.00
00	328984.38	-66.76	328917.62	4754.24	2279.41	1055.88	8088.73	8088.73	0.00
01	7250959.80	-242.45	7250717.35	6958.97	2490.29	1417.36	10866.62	10866.37	-0.25
02	7590517.43	-939.57	7589577.86	13022.91	3193.20	2480.46	18696.57	18743.53	46.96
03	7397018.31	-4090.77	7392927.54	2973359.66	0.00	0.00	2973359.66	2973801.68	442.02
230	24134400.98	-5809.02	24128591.96	3005037.07	13833.33	6870.47	3025740.87	3026226.74	485.87

FILED
ROBIN RODENBERG
COUNTY CLERK
04 FEB 27 PM 11:50
UPSHUR COUNTY, TX.
BY _____
DEPUTY



GLENWOOD WATER SUPPLY CORPORATION

P. O. BOX 716 or 4863 HUMMINGBIRD ROAD
GILMER, TEXAS 75645-8264
PHONE: (903) 734-5445

February 27, 2004

FILED
ROBIN RODENBERG
CLERK
04 FEB 27 PM 11:47
UPSHUR COUNTY, TX.
BY _____
DEPUTY

The Honorable Judge Dean Fowler
And County Commissioners
Upshur County
P. O. Box 790
Gilmer, Texas 75644

RE: Glenwood School Property
Sealed Bid for Property Lease

Gentlemen:

Glenwood Water Supply Corporation is pleased to offer this bid for long-term lease of 1/2 of the old Glenwood school property along FM 726 from the County. The terms of the lease will be \$1.00 per year for a period of 99 years. The conditions of the lease will include the following to be provided by Glenwood WSC:

- The old Glenwood School building and other buildings on the site will be demolished within the next 12 months. All wells will be filled in accordance with current Texas Commission on Environmental Quality (TCEQ) standards. Combustibles will be disposed by on-site burning. Non-combustibles will be removed from the site for disposal. The County will have right of first refusal on any salvageable materials.
- A multi-purpose metal building will be constructed to include an office and shop for the Corporation and a meeting room, kitchen, and rest rooms to be provided for use at a nominal charge (to cover expenses only) by the Glenwood Community. The meeting room will also be available at no charge to the County for use as a polling place. The total slab area of the building will be at least 3,600 square feet. The yard area will be used for parking and storage of materials and equipment. *Glenwood WSC has not been able to conceive of an acceptable plan to accommodate Upshur County's request for 700 s. f. of office space for the Precinct 1 Justice of the Peace. Sharing of telephone, power, computer, and plumbing systems, and provision of security for shared facilities are obstacles that have not been overcome for this bidding.* However, access to the meeting room by the J. P. for J. P. Court and jury selection will be provided at no cost to the County as requested. Construction of the building will be substantially completed for occupancy within 24 months.
- Vegetative cover and landscaping will be provided along with the building construction. The yard will be maintained to the same standard as that required by TCEQ for the water supply facilities operated by the Corporation.

The Honorable Judge Dean Fowler and Co. Commissioners
February 27, 2004
Page 2

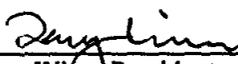
If the Corporation fails to fulfill the conditions described above, the Commissioners Court shall have the authority to cancel the lease after 30 days written notice to the above stated address.

We appreciate your consideration of this sealed bid. If the Commissioners Court accepts this bid, Glenwood WSC will have an attorney prepare a lease agreement to formalize the conditions described above.

Please do not hesitate to call me at 903-236-7700 x 121 (work) or 903-734-7324 (home) if you have any questions.

Sincerely yours,

GLENWOOD WATER SUPPLY CORP.



Terry Wihn, President

ATTENDANCE SIGN-IN SHEET
 LOCATION: SUSSEX COUNTY COMMISSIONERS COURT
 DATE: February 27, 2004

1. Allen Weatherford	1.	
2. Billie Shannon L. NEWS	2.	
3. Melvin Kenkelor	3.	
4. ROBERT D. LYONS	4.	
5. VANCE LOWRY	5.	
6. Maurice Mack	6.	
7. Newton Coy W	7.	
8. Margie Clement	8.	
9. Joseph Johnson	9.	
10. Joseph Johnson	10.	
11. Joseph Johnson	11.	
12. Joseph Johnson	12.	
13. Brenda Patterson	13.	
14. Jim Roberts	14.	
15. Myra Harris	15.	Pelmer
16. Melba Smith	16.	County
17. Phillip Williams	17.	Clodwiner Mirra
18. Joseph Johnson	18.	
19.	19.	
20.	20.	
21.	21.	
22.	22.	
23.	23.	
24.	24.	
25.	25.	

FILED
 ROBIN FODENBERG
 COUNTY CLERK
 04 FEB 27 PM 11:45