

REGULAR SESSION
NOVEMBER 11, 1974

BE IT REMEMBERED that the Titus County Commissioner's Court met in Regular Session on Monday, November 11, 1974 in the Titus County Courtroom at 9:00 A.M. with the following members present:

William W. Landrum
Rayford Taylor
Bert B. Parr
Hubert Martin
Dan Bynum
Allen LaPrade

County Judge
Commissioner Precinct #1
Commissioner Precinct #2
Commissioner Precinct #3
Commissioner Precinct #4
County Clerk

and the following proceedings were had, to-wit:

IN THE MATTER OF PAYING ROAD HANDS

Motion by Commissioner Taylor and seconded by Commissioner Martin to pay road hands upon approval of County Auditor. Motion carried.

IN THE MATTER OF PAYING MONTHLY BILLS

Motion by Commissioner Bynum and seconded by Commissioner Martin to pay monthly bills upon approval of County Auditor. Motion carried.

IN THE MATTER OF APPROVING OFFICERS' MONTHLY REPORTS

Motion by Commissioner Taylor and seconded by Commissioner Parr to approve officers' monthly reports upon approval of County Auditor. Motion carried.

IN THE MATTER OF APPROVING OFFICERS' EXPENSE ACCOUNTS

Motion by Commissioner Taylor and seconded by Commissioner Bynum to approve officer's expense accounts upon approval of County Auditor. Motion carried.

IN THE MATTER OF CANVASSING VOTES OF GENERAL ELECTION

Motion by Commissioner Taylor and seconded by Commissioner Martin that the votes of the General Election held on November 5, 1974, be canvassed and that the results be recorded in Record of Election Returns of Titus County, Texas. Motion carried.

IN THE MATTER OF RECEIVING BIDS ON AIR CONDITIONING COURTHOUSE AND PAINTING
INSIDE COURTHOUSE AND FLOOR COVERING

A bid in the amount of \$16,140.00 was presented by Johnson & Craig, painting contractors, Mt. Pleasant, Texas for painting inside courthouse.

A bid in the amount of \$5,200.00 was presented by Fashion Floors, Mt. Pleasant, Texas, a second bid in the amount of \$5,799.91 was presented by Tom Redfearn Flooring Co., Mt. Pleasant, Texas, and a third bid in the amount of \$6,317.80 was presented by Dean Stotts, Dallas, Texas, for flooring contract.

A bid in the amount of \$11,413.31 was presented by Wood Air Conditioning Co., Mt. Pleasant, Texas and a second bid in the amount of \$12,445.00 was presented by Roberts Air Conditioning Co., Mt. Pleasant, Texas on air conditioning contract. All of the above bids are to be studied by Louis Gohmert and presented to Commissioners' Court on Friday November 15, for accepting above mentioned bids.

IN THE MATTER OF ACCEPTING BID FOR SHERIFF CAR

Motion by Commissioner Bynum and seconded by Commissioner Martin to accept bid on a new 1975 Chevrolet Bel Air 6 door Sedan in the amount of \$4,302.77 from Sandlin Motors, Inc, Mt. Pleasant, Texas. Motion carried.
November 8, 1974

Titus County Commissioners Court
Titus County
Mt. Pleasant, Texas 75455

Re: Sheriff Car Bid

Gentlemen:

Please accept our bid on a new 1975 Chevrolet Bel Air 4 Dr. Sedan equipped with 350 C.I.D. Engine, factory air conditioning, power steering, power disc brakes, turbo hydromatic transmission and all factory standard and safety equipment such as: 2 speed windshield washers and wipers, back up lamps, turn signals and safety flasher, seat belt, shoulder straps, etc.

We will deliver this car to the Sheriff's Department for \$4156.81.

Delivery date will be approximately 30 days from order date.

We appreciate the opportunity to quote you on this bid and hope it will meet with your approval.

Yours very truly,

/s/ JAMES L. CLARK

James L. Clark
Sales Manager

JLC:mt

Radio - \$53.82 (extra)	\$4156.81
400 cu. \$8814.	53.82
4 Barrell	88.14
1482 Vinal trim \$14.00	14.00
	<u>\$4302.77</u>

IN THE MATTER OF PLASTERING COURTHOUSE WALLS

Motion by Commissioner Parr and seconded by Commissioner Taylor to contract with Cloves Williams to replaster damaged wall in courthouse on a cost plus basis. Work to begin soon after leak in roof is repaired. Motion carried.

IN THE MATTER OF APPROVING PLAT HAYS ESTATE, SUB DIVISION

Motion by Commissioner Taylor and seconded by Commissioner Parr to approve plat of Hays Estate Sub division in lieu of one previously filed in plat records of Titus County. Motion carried.

IN THE MATTER OF RELEASE OF EASEMENT OF COUNTY OF TITUS TO LADYE TAYLOR

Motion by Commissioner Parr and seconded by Commissioner Taylor to release easement of County of Titus to Ladye Taylor as recorded in Vol 390, Page 291, Dead Records of Titus County, Texas. Motion carried.

CERTIFICATE FOR ORDER CALLING TITUS COUNTY HOSPITAL DISTRICT TAX BOND ELECTION

THE STATE OF TEXAS
 COUNTY OF TITUS

We, the undersigned officers of the Commissioners Court of said County, hereby certify as follows:

1. That the Commissioners Court of said County convened in REGULAR TERM ON THE 11TH DAY OF NOVEMBER, 1974, at the County Courthouse, and the roll was called of the duly constituted officers and members of said Commissioners Court, to-wit:

William Wayne Landrum	County Judge
Rayford Taylor	Commissioner Precinct #1
Bert B. Parr	Commissioner Precinct #2
Hubert Martin	Commissioner Precinct #3
Dan Bynum	Commissioner Precinct #4
Allen LaPrade	County Clerk

and all of said persons were present, except the following absentees: NONE
 thus constituting a quorum. Whereupon, among other business, the following was transacted at said Term:
 a written

ORDER CALLING TITUS COUNTY HOSPITAL DISTRICT TAX BOND ELECTION

was duly introduced for the consideration of the Commissioners Court and read in full. It was then duly moved and seconded that said Order be passed; and, after due discussion, said motion, carrying with it the passage of said Order, prevailed and carried by the following vote:

AYES: All members of said Commissioners' Court shown present above voted "AYE".
 NOES: None.

2. That a true, full and correct copy of the aforesaid Order passed at the Term described in the above and foregoing paragraph is attached to and follows this Certificate; that said Order has been duly recorded in said Commissioners Court's minutes of said Term; that the above and foregoing paragraph is a true, full and correct excerpt from said Commissioners Court's minutes of said Term pertaining to the passage of said Order; that the persons named in the above and foregoing paragraph are the duly chosen, qualified and acting officers and members of said Commissioners Court as indicated therein; and that each of the officers and members of the Commissioners Court was duly and sufficiently notified, officially and personally, in advance, of the time, place and purpose of the aforesaid Term, and that said Order would be introduced and considered for passage at said Term, and each of said officers and members consented, in advance, to the holding of said Term for such purpose; that said Term was open to the public as required by law; and that public notice of the time, place and purpose of said Term was given as required by Vernon's Ann.Civ.St.Art. 6252-17, as amended.

SIGNED AND SEALED this the 11 day of November, 1974.

/s/ ALLEN LAPRADE
 COUNTY CLERK
 (COMMISSIONERS COURT SEAL)

/s/ WILLIAM WAYNE LANDRUM
 COUNTY JUDGE

ORDER CALLING TITUS COUNTY HOSPITAL DISTRICT TAX BOND ELECTION

STATE OF TEXAS
 COUNTY OF TITUS

WHEREAS, in accordance with Chapter 298, Acts of 1963, 58th Legislature, Regular Session, as amended, the Commissioners Court of Titus County deems it advisable to call the election hereinafter ordered; and

WHEREAS, it is hereby officially found and determined: that a case of emergency or urgent public necessity exists which requires the holding of the meeting at which this Order is passed, such emergency or urgent public necessity being that the proceeds from the sale of the proposed bonds are required as soon as possible and without delay for necessary and urgently needed public improvements; and that said meeting was open to the public, and public notice of the time, place, and purpose of said meeting was given, all as required by Vernon's Ann.Civ.St.art. 6252-17, as amended.

THEREFORE, BE IT ORDERED BY THE COMMISSIONERS COURT OF TITUS COUNTY, TEXAS:

1. That an election shall be held on the 7th day of December, 1974, in Titus County Hospital District at the following designated polling place: County Courthouse, Mt. Pleasant, Texas. Said District shall constitute a single election precinct for said election, and the following election officers are hereby appointed to hold said election:

R. L. THACKER PRESIDING JUDGE
H. L. BOWDEN ALTERNATE JUDGE

2. That the Presiding Judge shall appoint not less than two nor more than eight qualified election clerks to serve and assist in conducting said election; provided that if the Presiding Judge actually serves as expected, the Alternate Presiding Judge shall be one of such Clerks.

3. That absentee voting shall be conducted at the Office of the County Clerk, Courthouse, Mt. Pleasant Texas, and during the period absentee voting is required or permitted by law, the hours designated for absentee voting by personal appearance shall be from 9:00 A.M., to 5:00 P.M., on each day except Saturdays, Sundays, and official State holidays; and the absentee voting clerk shall keep said absentee voting place open during such hours for absentee voting by personal appearance. The absentee voting clerk for said election shall be Fatti Smith. The following persons are hereby appointed to serve as a Special Canvassing Board for canvassing ballots of absentee voters:

PAUL HARBOR PRESIDING JUDGE
MRS. PAUL HARBOR CLERK
MRS. DAVID MYERS CLERK

4. That said election shall be held and conducted in effect as two separate but simultaneous elections, to-wit: one election at which only the resident, qualified electors who own taxable property in the District and who have duly rendered the same for taxation shall be entitled to vote, and another election at which all other resident, qualified electors of the District shall be entitled to vote. The votes cast at each of said separate but simultaneous elections shall be recorded, returned, and canvassed separately. It is hereby declared that the purpose of holding the election in such manner is to ascertain arithmetically, with respect to a submitted PROPOSITION, (a) the aggregate votes cast at the election for and against the PROPOSITION by resident, qualified electors of the District, and also (b) the aggregate votes cast at the election for and against the PROPOSITION by resident, qualified electors who own taxable property in the District and who have duly rendered the same for taxation. Each elector shall be entitled to vote once, in accordance with the provisions of this order.

5. That a substantial copy of this Order shall serve as proper Notice of said election, and said Notice shall be published once a week for two consecutive weeks, the date of the first publication to be not less than 14 days prior to the date set for the election, in a newspaper of general circulation published within Titus County. Notice of said election shall also be given by posting a substantial copy of this Order in each of the election precincts of such county and also at the County Courthouse.

6. That at said election the following PROPOSITION shall be submitted in accordance with law:

PROPOSITION

Shall the Commissioners Court of Titus County, Texas, be authorized to issue and sell as obligations of Titus County Hospital District the bonds of the District, in one or more series, in the aggregate principal amount of \$1,500,000, for the purpose of the purchase, construction, acquisition, repair, or renovation of buildings and improvements and equipping the same for hospital purposes; with said bonds to mature serially or otherwise within a maximum of not to exceed 40 years, bear interest and be issued and sold in accordance with law; and shall the Commissioners Court be authorized to levy and cause to be assessed and collected, annual ad valorem taxes, on all taxable property in the District, to sufficient to create and maintain an interest and sinking fund sufficient to pay the interest on and the principal of the bonds as they come due and mature, provided said taxes, together with any other taxes levied for said District, shall not exceed 75c on the \$100 valuation on such property?

7. That the official ballots for said election shall be prepared in accordance with the Texas Election Code so that ballots may be cast "FOR" or "AGAINST" the aforesaid Proposition, which shall be set forth in substantially the following form:

PROPOSITION

FOR)
) THE ISSUANCE OF \$1,500,000 OF BONDS AND LEVYING THE TAX IN
AGAINST) PAYMENT THEREOF

AUTHORIZATION TO RELEASE PLEDGED SECURITIES

CUSTODIAN BANK: REPUBLIC NATIONAL BANK OF DALLAS, DALLAS, TEXAS
DEPOSITORY BANK: FIRST NATIONAL BANK, MT. PLEASANT, TEXAS
DATE: NOVEMBER 12, 1974

TO THE CUSTODIAN BANK NAMED ABOVE

You are hereby authorized to allow withdrawal of the securities described below upon request of the above named Depository Bank.

<u>Custody Receipt Number (s)</u>	<u>Description of Securities</u>	<u>Pay Amount of Sec.</u>
879495	Columbus, Ohio NHA Bonds dated 11-1-71, due 5-1-77	\$75,000.00
WE PLEDGE INLIEU: 829721	Texarkana, Arkansas, School District No. 7 GO Bonds, dated 2-1-70, due 2-1-78	\$25,000.00
942583	Austin, Texas, Elec. Water & Sewer Rev. Bonds, dated 6-1-68, due 10-1-79	\$25,000.00
955340	Wylie, Texas, ISD Cons, Dist. #7 5-15-74, due 5-15-81	\$25,000.00

Titus Co. Commissioner Court: Name of Pledgee First National Bank of Mt. Pleasant: Name of Depository Depositor

BY /s/ WILLIAM WAYNE LANDRUM
Authorized Signature

BY /s/ ESTELLE SWEET, V.P.
Authorized Signature

AGREEMENT

This agreement entered into by and between Titus County, acting by and through its Commissioners' Court (hereinafter called "County"), and the City of Mt. Pleasant, acting by and through its City Council (hereinafter called "City"), WITNESSETH:

1. City will pay the rental cost on the Stark and Williams properties lying between East First Street and East Second Street in the City of Mt. Pleasant and use for public parking so long as the same are available and at a reasonable ground rent cost. Also, City will pay all lighting and maintenance cost of lights in the area South of Brice Gymnasium in the City of Mt. Pleasant so long as such are needed.
2. The City will, at its sole expense, purchase and maintain all equipment and devices needed for the installation of parking meters on the courthouse square, and will police same and keep the pavement marked for parking and traffic flow, and will place such traffic signs as may be needed.
3. The City will remove such meters as the Commissioners' Court may request for free parking by County officials.
4. The City shall retain all funds and fines received from the parking meters on the courthouse square and any fines arising from traffic violations.
5. This agreement supersedes and takes the place of agreement between said parties dated December 12, 1966.

IN WITNESS WHEREOF, the Commissioners' Court has authorized the execution of this contract by the County Judge, duly attested by the County Clerk; and the City of Mt. Pleasant has authorized the execution of this contract by its Mayor, and attested by the City Secretary, this, the 13th day of November, 1974.

ATTEST:

TITUS COUNTY

/s/ ALLEN LAPRADE
County Clerk

BY /s/ WILLIAM WAYNE LANDRUM
County Judge

ATTEST:

CITY OF MT. PLEASANT

/s/ MARY COOKER
City Secretary

BY /s/ ROBERT E. CROOKS
Mayor

CONTRACT

THIS CONTRACT, entered into by and between the CITY OF MT. PLEASANT, TEXAS, herein called "City", acting by and through its Mayor; and TITUS COUNTY, TEXAS, herein called "County", acting by and through its County Judge, both of whom are duly authorized to sign same, WITNESSETH:

WHEREAS, City owns, operates and maintains a dump ground for garbage, refuse and waste on lands owned by City out of the J. F. Lavigna Survey, A-352, located about 3 miles southwest of the City; and

WHEREAS, County, finding it necessary to provide a place for the citizenship of Titus County residing outside of Mt. Pleasant to dispose of garbage, refuse and waste from homes, farms, ranches, retail and wholesale businesses, desires to contract with City whereby such garbage, refuse and waste may be deposited in the city dump:

NOW THEREFORE

Said parties agree and bind themselves as follows:

- (1) The city dump is hereby made available to all citizens of Titus County, residing outside of the city limits of Mt. Pleasant, for the purpose of disposing of garbage, waste and refuse from homes, farms, ranches, retail and wholesale businesses.
- (2) Industrial, manufacturing and mining businesses are not permitted under this contract to use the dump, except under such contracts as they may make with the City. The County shall have no right to enter into a contract with any person, firm or corporation providing for the use of the city dump for the dumping of garbage, waste or refuse. County shall have the right to contract with any person to pick up and deliver to the dump such garbage, waste or refuse as the citizenship of the County is permitted to deliver to the dump. In the event of such contract, the name and address of the contractor shall be furnished to the City Manager of City.
- (3) City shall have the right to refuse the dumping of any waste, refuse or garbage that contains poisonous, toxic, deleterious, or hydro-carbon substances or such other substances as may be harmful or dangerous to persons or machinery. City shall be responsible only for the disposition of such garbage, waste, or refuse as may be delivered into the dump ground and delivered in such manner that the Deliveror can place it where he may be directed by the supervisor or his agent. City may refuse to receive from any person such garbage, refuse or waste when such person fails or refuses to comply with instructions and directions given by such person as may be in charge of the dump.
- (4) County does not, by this contract, acquire any right or interest in the City dump, nor right of management or control, as these remain with the City. City will furnish all labor and machinery for the efficient operation of the dump, and will operate and maintain same in accordance with law and all applicable governmental rules, regulations and ordinances.
- (5) City will keep dump open and available to the public from 8 A.M. until 6 P.M. on Mondays through Fridays; and from 9 A.M. until 5 P.M. on Saturdays; and closed on Sundays.
- (6) County will pay City for the right and privileges granted under this contract the sum of ONE THOUSAND (\$1,000.00) DOLLARS per month, payable monthly, beginning September 1, 1974.
- (7) The term of this contract is from month to month; except that City will give written notice to County of intention to cancel at least thirty (30) days prior to cancellation.

(6) All correspondence and communication on the part of the City shall be addressed to the City Manager; and all correspondence and communications to the County shall be addressed to the County Judge.

EXECUTED, this, the 15th day of August, 1974.

CITY OF MT. PLEASANT, TEXAS

BY /s/ ROBERT E. CROOKS
Mayor

TITUS COUNTY, TEXAS

BY /s/ WILLIAM WAYNE LANDRUM
County Judge

SPECIAL SESSION
NOVEMBER 15, 1974

BE IT REMEMBERED that the Titus County Commissioners' Court met in Special Called Session on Friday November 15, 1974 in the Titus County, Texas Courtroom with the following members present:

William W. Landrum	County Judge
Rayford Taylor	Commissioner Precinct #1
Bert B. Farr	Commissioner Precinct #2
Hubert Martin	Commissioner Precinct #3
Dan Bynum	Commissioner Precinct #4
Allen LaPrade	County Clerk

and the following proceedings were had, to-wit:

IN THE MATTER OF RECEIVING BIDS ON PAINTING CONTRACT INSIDE COURTROOM

Motion by Commissioner Taylor and seconded by Commissioner Martin to accept bid of \$14,940.00 from Johnson & Craig, Painting Contractors, Mt. Pleasant, Texas, for painting inside walls of courthouse, upon approval of County Auditor. Motion carried.

IN THE MATTER OF RECEIVING BIDS ON FLOORING CONTRACT OF COURTROOM

Motion by Commissioner Taylor and seconded by Commissioner Martin to accept bid of \$3,200.00 from Fashion Floors, Mt. Pleasant, Texas for flooring and covering of the District Courtroom upon approval of County Auditor. Motion carried.

IN THE MATTER OF RECEIVING BIDS ON AIR CONDITIONING OF DISTRICT COURTROOM

Motion by Commissioner Taylor and seconded by Commissioner Martin to accept bid of \$11,413.31 from Wood Air Conditioning Co., Mt. Pleasant, Texas for air conditioning of the District Courtroom upon approval of County Auditor. Motion carried.

IN THE MATTER OF CLOSING THANKSGIVING

Motion by Commissioner Taylor and seconded by Judge Landrum that courthouse be closed November 28th and 29th for Thanksgiving. Motion carried.

SPECIAL SESSION
NOVEMBER 22, 1974

BE IT REMEMBERED that the Titus County Commissioners' Court met in Special Session on Friday, November 22, 1974 in the Titus County Courtroom at 9:00 A.M. with the following members present;

William W. Landrum	County Judge
Rayford Taylor	Commissioner Precinct #1
Bert B. Farr	Commissioner Precinct #2
Hubert Martin	Commissioner Precinct #3
Dan Bynum	Commissioner Precinct #4
Allen LaPrade	County Clerk

and the following proceedings were had, to-wit:

IN THE MATTER OF PAYING ROAD HANDS

Motion by Commissioner Taylor and seconded by Commissioner Martin to pay road hands upon approval of County Auditor. Motion carried.

IN THE MATTER OF ACCEPTING RIGHT OF WAY DEED FOR JESSIE ELOUISE CABANISS ET AL

Motion by Commissioner Taylor and seconded by Judge Landrum to approve Right of Way deed and payment of \$4,470.00 to be paid out of Right of Way Fund upon approval of County Auditor. Motion carried.

IN THE MATTER OF MT. PLEASANT-TITUS COUNTY DISASTER PLAN

Motion by Judge Landrum and seconded by Commissioner Bynum to adopt the Mt. Pleasant-Titus County Disaster Plan. Motion carried.

The above and foregoing minutes were read and approved on this the 29th day of November, 1974.

BY Allen LaPrade
COUNTY CLERK

JUDGE