

REGULAR SESSION
APRIL 14, 1975

BE IT REMEMBERED that the Titus County Commissioners' Court met in Regular Session, Monday, April 14, 1975 in the Titus County Courtroom at 9:00 A.M. with all members present:

William Wayne Landrum
Rayford Taylor
Bert B. Farr
Hubert Martin
Bill Reynolds
Allen LaPrade

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

and the proceedings were had, to-wit:

IN THE MATTER OF PAYING MONTHLY BILL

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

IN THE MATTER OF PAYING ROAD HANDS

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

IN THE MATTER OF APPROVING OFFICERS MONTHLY REPORT

Motion by Commissioner Farr and seconded by Commissioner Reynolds to approve officers' monthly reports, including Treasurers' quarterly report, upon approval of County Auditor. Motion carried.

IN THE MATTER OF APPROVING OFFICERS' EXPENSE ACCOUNTS

Motion by Commissioner Martin and seconded by Commissioner Reynolds to pay officers' expense accounts upon approval of County Auditor. Motion carried.

IN THE MATTER OF PURCHASING A TYPEWRITER FOR W.H. CAMLIN

Motion by Commissioner Farr and seconded by Commissioner Taylor to purchase a typewriter for W.H. Camlin, Veteran Service Officer. Motion carried.

IN THE MATTER OF PORTABLE RADIO FOR CITY OF MONTICELLO

Motion by Commissioner Farr and seconded by Commissioner Taylor to purchase an additional radio communication equipment for the city of Monticello at a cost of \$194.75, said cost to be paid by the City of Monticello. Motion carried.

IN THE MATTER OF RECEIVING BIDS ON 1972 USED CAR

Motion by Commissioner Farr and seconded by Commissioner Reynolds to accept bid of Carl Hutson in the amount of \$ 484.50 for 1972 Chevrolet Sheriff's Car. Motion carried.

IN THE MATTER OF AGREEMENT BETWEEN COUNTY AND TRI-WATER

Motion by Commissioner Farr and seconded by Commissioner Reynolds that in addition to the agreement between Titus County and Tri-Water Corporation that prior to utilizing county right of way that an affidavit be submitted to the Commissioners' Court to the effect that an easement on private property could not be attained. Motion carried.

IN THE MATTER OF PAYING COMMISSIONS IN CONDEMNATION SUITS

Motion by Commissioner Farr and seconded by Commissioner Taylor that Jack Pope, H.F. Cross and Luther Moses be paid \$300.00 each as appraisers in Condemnation Causes #13,627 and #13,629. Motion carried.

IN THE MATTER OF ATTORNEYS' FEE IN CONDEMNATION SUITS

Motion by Commissioner Farr and seconded by Commissioner Taylor that Jimmy White be paid \$350.00 in cause #13,627 and \$350.00 in cause #13,629 as attorney fees in Condemnation Cases. Motion carried.

State of Texas I
County of Titus I

RESOLUTION

Providing for the endorsement of the Ark-Tex Council of Governments to operate manpower program activity within the boundaries of Titus County. The said program activity would be provided under the Comprehensive Employment and Training Act of 1973, as amended, and contracted through the Texas Department of Community Affairs, Austin, Texas.

NOW, THEREFORE, BE IT RESOLVED that the Ark-Tex Council of Governments has the endorsement of the Titus County Commissioners' Court to operate manpower program activity in Titus County.

ATTEST:
/s/ Allen LaPrade
Allen LaPrade, County Clerk

/s/ William Wayne Landrum
William Landrum, County Judge
Titus County

ELECTION RESULTS
TRUSTEE ELECTION OF APRIL 5, 1975

STATE OF TEXAS |
COUNTY OF TITUS |

The Commissioners' Court of Titus County, Texas, meeting in Regular Session on this the 14 day of April, 1975, canvassed the elections for County Trustees of Titus County and declare the results as follows:

FOR COUNTY TRUSTEE 1 and 2

IN HARTS BLUFF, Precinct 1

Thomas Walsh received 13 votes

received votes

Thomas Walsh is hereby declared elected.

IN ARGO, Precinct 3

Jack Harvey received 12 votes

received votes

Jack Harvey is hereby declared elected.

IN WINFIELD, Precinct

Thomas Walsh received 0 votes

received votes

Thomas Walsh is hereby declared elected.

Upon the reading of the above and foregoing, and after due consideration by the Commissioners' Court of Titus County, Texas, Commissioner Taylor moved the above and foregoing be passed. Thereupon motion was seconded by Commissioner Martin and County Judge, William Landrum, put the motion to a vote which carried by unanimous vote.

APPROVED AND ENTERED THIS THE 14th DAY OF APRIL, 1975

/s/ William Wayne Landrum
County Judge, Titus County, Texas

ELECTION RESULTS
TRUSTEE ELECTION OF APRIL 5, 1975

STATE OF TEXAS |
COUNTY OF TITUS |

The Commissioners' Court of Titus County, Texas, meeting in Regular Session on this the 14th day of April, 1975, canvassed the trustee elections, of the various school districts of Titus County which were held on April 5, 1975, and declare the results as follows:

OLD UNION CSD #12

Hiller Hess III received 15 votes

Darrell Worthy received 8 votes

Hiller Hess III is hereby declared elected.

HARTS BLUFF CSD # 30

Neumon Surratt received 15 votes

Ralph Day received 14 votes

Roy Lilly received 13 votes

Neumon Surratt & Ralph Day are hereby declared elected.

CHAPEL HILL CSD # 706

Heyward Ryan received 72 votes

Dick Justice received 47 votes

Jerry Taylor received 34 votes

Lee Jenkins received 2 votes

Carl Jenkins received 1 votes

Heyward Ryan & Dick Justice are hereby declared elected.

ARGO CSD # 804

Clyde Amos received 7 votes
John Grimes received 9 votes
Jimmy Ellis received 1 votes
David Ellis received 7 votes
John Grimes are hereby declared elected.
 Clyde Amos and David Ellis tied with 7 votes each.

WINFIELD CSD # 805

Carrol Peacock received 65 votes
Bob Shurbet received 63 - votes
Clyde Sells received 13 votes
James Narramore received 1 votes
Mike Miller received 1 votes
Wanda Miller received 1 votes
Carrol Peacock & Bob Shurbet are hereby declared elected.

COOKVILLE ISD # 901

Robert Laney received 7 votes
Hulen Reynolds received 7 votes
Robert Laney & Hulen Reynolds are hereby declared elected.

 APPLICATION FOR LOCAL OPTION ELECTION PETITION TO LEGALIZE

To the County Clerk of Titus County, Texas:

We, the undersigned ten or more qualified voters of Monticello, Titus County, Texas, (said County, Justice Precinct, Incorporated City or Town hereinafter for convenience referred to as Area), in accordance with the terms and provisions of Article 666-32 of Vernon's Annotated Penal Code of the State of Texas, as amended, hereby submit this our written application for a "Petition for Local Option Election to Legalize" to be circulated among the qualified voters of such area for the signatures of those qualified voters in such area who desire that a local option election be called therein for the purpose of determining the following issue, to-wit:

FOR THE LEGAL SALE OF ALL ALCOHOLIC BEVERAGES INCLUDING MIXED BEVERAGES
 AGAINST THE LEGAL SALE OF ALL ALCOHOLIC BEVERAGES INCLUDING MIXED BEVERAGES

It is the hope, purpose and intent of the applicants whose signatures appear herein to see legalized the sale of alcoholic beverages referred to in the issue set out above.

DATED this the 2nd day of April, 1975.

| NAME | RESIDENT ADDRESS | VOTERS REGISTRATION CERTIFICATE NUMBER |
|----------------------|-------------------------------------|--|
| Mrs. Harold Smith | Box 369, Mt. Pleasant, Texas | A-05408 |
| Harold Smith | Box 369, Mt. Pleasant, Texas | A-05407 |
| Jimmy L. White | Box 369, Mt. Pleasant, Texas | A-06251 |
| Ladye Harolyn White | Rt. 3, Box 369, Mt. Pleasant, Texas | A-06250 |
| Mrs. E. J. Narramore | Rt. 1, Mt. Pleasant, Texas | A-04177 |
| Vernon Childress | Rt. 3, Mt. Pleasant, Texas | A-09917 |
| Harold J. Smith, Jr. | Box 369, Mt. Pleasant, Texas | A-05409 |
| Mary Smith | Box 369, Mt. Pleasant, Texas | B-00050 |
| Rita M. Shankle | Rt. 3, Mt. Pleasant, Texas | B-00102 |
| James Robert Jackson | Rt. 3, Mt. Pleasant, Texas | C-00327 |

Filed for Record by Allen LaPrade, County Clerk of Titus County, Texas, on April 7, 1975 at 2:00P.M.

 PETITION FOR LOCAL OPTION ELECTION TO LEGALIZE

To the Commissioners' Court of Titus County, Texas:

We, the undersigned qualified voters of Monticello, Titus County, Texas, (said County, Justice Precinct, or Incorporated City or Town hereinafter for convenience referred to as Area) hereby respectfully request that a local option election be called in accordance with the terms and provisions of the Texas Liquor Control Act and in particular, Article 666-32 through 666-40a of Vernon's Annotated Penal Code of the State of Texas, as amended, in the above mentioned Area for the purpose of submitting to the legally qualified voters of said Area the determination of the following issue, to-wit:

FOR the legal sale of all alcoholic beverages including mixed beverages.
AGAINST the legal sale of all alcoholic beverages including mixed beverages.

It is the hope, purpose and intent of the petitioners whose signatures appear hereon to see legalized the sale of alcoholic beverage referred to in the issue set out above.

DATED this the 7th day of April, 1975.

| NAME | RESIDENT ADDRESS | VOTERS REGISTRATION CERTIFICATE NUMBER |
|----------------------|---------------------------------------|--|
| Mrs Harold J. Smith | Box 369, Mt. Pleasant, Texas | A 05408 |
| Harold J. Smith | Box 369, Mt. Pleasant, Texas | A 05407 |
| Jimmy L. White | Box 369, Mt. Pleasant, Texas | A 06251 |
| Ladye Carolyn White | Rt. 3, Box 369, Mt. Pleasant, Texas | A 06260 |
| James Robert Jackson | Rt. 3, Lot 7, Mt. Pleasant, Texas | C 00327 |
| Donna Jean Wright | RT. 3, Box 210-C, Mt. Pleasant, Texas | D 00146 |
| Rita M. Shankle | Rt. 3, Mt. Pleasant, Texas | B 00102 |
| Bobby Joe Shankle | Rt. 3, Mt. Pleasant, Texas | B 00101 |
| Mrs. E. J. Narremore | Rt. 3, Mt. Pleasant, Texas | A 04177 |
| Mary Smith | P.O. Box 369, Mt. Pleasant, Texas | B 00050 |
| Vernon A. Childery | Rt. 3, Mt. Pleasant, Texas | A 09917 |
| Harold J. Smith | Box 369, Mt. Pleasant, Texas | A 05409 |

SERIAL NUMBER 3
DATE OF ISSUANCE April 7, 1975 . Must be Presented by May 7, 1975
Filed for Record in Titus County on April 11, 1975 at 2:00P.M.

CERTIFICATE OF COUNTY CLERK PERTAINING TO PETITION FOR LOCAL OPTION ELECTION

THE STATE OF TEXAS I
COUNTY OF TITUS I

I, the undersigned County Clerk of Titus County, Texas, do hereby certify that I have checked the original and copy of Petition for Local Option Election to Legalize, Serial Number 3, issued the 7th day of April, 1975, and all filed with me on the 11 day of April, 1975, and requesting that a local option election be held in accordance with the terms and provisions of Article 666-32 through 666-40a of Vernon's Annotated Penal Code of the State of Texas, as amended in Monticello, Titus County, Texas, (said County, Justice Precinct, Incorporated City or Town hereinafter for convenience referred to as Area), and I hereby certify as follows pertaining to said petitions:

1. That said petitions were filed with me on the 11 day of April, 1975, which is within 30 days after the date of issuance of said petitions.
2. That in checking the names of the signers of said petitions and the voting precincts in which they reside to ascertain the number of qualified voters signing said petitions, no signature was counted where there was reason to believe that the signature was not the actual signature of the purported signor or that the voter registration certificate was not correct, or in the actual handwriting of the signer or that it is a duplicate either of name or of handwriting used in any other signature on the petitions, and no signature was counted unless the correct resident address of the signer is shown in the actual handwriting of the signer and unless it is signed exactly as the name of the voter appears on the official copy of the current list of registered voters for the voting year in which the petitions are issued.
3. I further certify that said petitions are signed in accordance with the above requirements by as many as 33% of the qualified voters at the time said petitions were issued in said Area taking the votes for Governor at the last preceding general election as the basis for determining the qualified voters in said Area.
4. I further certify that said petitions were in accordance with the above requirements and were signed by 12 qualified voters at the time said petitions were issued of said Area.

WITNESS MY HAND this the 11 day of April, 1975.

ALLEN LAPRADE
County Clerk, Titus County

Filed on this the 14th day of April, 1975 .

ORDER FOR LOCAL OPTION ELECTION TO LEGALIZE

THE STATE OF TEXAS I
COUNTY OF TITUS I

ON this the 14th day of April, 1975, the Commissioners' Court of Titus County, Texas convened in regular session open to the public, at the regular meeting place thereof at the Courthouse in Mt. Pleasant, Texas, with the following members present, to-wit:

- William Wayne Landrum County Judge
- Rayford Taylor Commissioner Precinct No. 1
- Bert Parr Commissioner Precinct No. 2
- Hubert Martin Commissioner Precinct No. 8

Bill Reynolds, Commissioner Precinct No. 4

Allen LaPrade, County Clerk

and the following absent none, constituting a quorum, and among other proceedings, passed the following order:

There came on to be considered the original and copied of Petitions for Local Option Election to Legalize bearing Serial Number 3, issued by the County Clerk on the 7th day of April, 1975, requesting that a local option election be ordered in Monticello, Titus, Texas, (said County, Justice Precinct, Incorporated City or Town hereinafter for convenience referred to as Area), in accordance with the terms and provisions of the Texas Liquor Control Act and in particular, Article 666-32 through 666-40a of Vernon's Annotated Penal Code of the State of Texas, as amended, for the purpose of submitting to the legally qualified voters of said Area the determination of the issue described therein. There also came on to be considered the certificate of the County Clerk pertaining to said petitions certifying therein that said petitions are signed by the requisite number of qualified voters of said Area in accordance with the terms and provisions of the Texas Liquor Control Act.

It appearing to the satisfaction of the Court that said petitions were filed with the Clerk of this Court within 30 days after date said petitions were issued by said Clerk and that said Clerk has checked and verified to this Court said petitions and that said petitions comply with all the terms and provisions of the Texas of the Texas Liquor Control Act and are signed by the requisite number of qualified voters at the time said petitions were issued of said Area as required by said Liquor Control Act and that said petitions are otherwise in conformity with the law, and that no election on the same issue has been held in said Area within a period of one year prior to the date fixed for holding the election herein provided.

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

That an election to be held in Monticello, Titus, Texas, on the 6th day of May, 1975, which is not less than 20 days nor more than 30 days from date of this Order in accordance with the terms and provisions of the Texas Liquor Control Act for the purpose of submitting to the legally qualified voters of said Area, the determination of the following issue, to-wit:

FOR the legal sale of all alcoholic beverages including mixed beverages.

AGAINST the legal sale of all alcoholic beverages including mixed beverages.

That said election shall be held in each election precinct at the following polling places as provided in the Texas Liquor Control Act in the above named area and the following persons are appointed presiding judge and alternate judge for each of said election precincts and each presiding judge shall appoint the necessary clerks to assist him which shall not exceed 1 clerks.

| <u>Election Precinct Number</u> | <u>Location</u> | <u>Presiding Judge</u> | <u>Alternate Presiding Judge</u> |
|---------------------------------|----------------------|------------------------|----------------------------------|
| Four (4) | Narramore Washeteria | Mrs. E.J. Narramore | Mrs. Harold Smith |

The polls at each of the above designated polling places shall on said election date be open from 8:00 o'clock to 7:00 o'clock p.m.

The ballots for said election shall have printed thereon at the top in plain letters the words "Official Ballot" and shall also have printed thereon the following instruction: note: "Scratch or mark out one statement so that the one remaining indicates the way you wish to vote." Said ballot shall also have printed thereon the issue appropriate to this election as provided by Article 666-40, Vernon's Annotated Penal Code of Texas, as amended, to-wit:

FOR the legal sale of all alcoholic beverages including mixed beverages.

AGAINST the legal sale of all alcoholic beverages including mixed beverages.

Each voter shall vote on the issue hereby submitted by marking a pencil mark through one of said expressions, thus leaving the other as indicating his vote.

None but qualified voters of the above named area shall be allowed to vote at said election. Said election shall be conducted according to the election code of this state as applicable thereto, and within 24 hours after said election, the officers holding said election shall make returns thereof to this Court as required by law.

Notice of this election shall be given by posting a copy of this order in each Election Precinct in said above named area at least six days prior to the date of said election. The County Clerk is hereby authorized and directed to cause said notice to be posted as herein directed. The County Clerk is further authorized to publish notice of said election as required by Article 29a.2

Absentee voting for said election shall be conducted by the County Clerk in accordance with the terms and provisions of the Election Code. Said place for absentee voting shall remain open for at least eight hours on each day for absentee voting which is not a Saturday, a Sunday, or an official State holiday, beginning on the 20th day and continuing through the 4th day preceding the date of said election. Said place of voting shall remain open between the hours of 8 o'clock a.m. and 5 o'clock p.m. on each day for said absentee voting.

A public school of instructions for those who will actually conduct the above election shall be held at Monticello, Texas, which is not less than 3 days before said election and the County Clerk shall post notice of said meeting at least 24 hours before it is held and the clerk shall also notify each presiding judge of the time and place at which said school will be held and said clerk shall instruct each presiding judge to give notice of the persons who will serve as clerks and watchers of said school.

It is further found and determined that notice of the date, place, and subject of this meeting was posted on the bulletin board located at a place convenient to the public in the County Courthouse, Mt. Pleasant, Texas at least 72 hours preceding the day of this meeting and that all of the terms and provisions of Article 6252-17 have been complied with and a copy of said notice together with the return of posting shall be attached to this order and become a part thereof.

The above order being read, it was moved and seconded that same do pass. Thereupon, the question being called for, the following members of the Court voted AYE: William Wayne Landrum,

Bert Parr, Rayford Taylor, Hubert Martin,

Bill Reynolds, and the following members voted NO: None.

PASSED, APPROVED AND ADOPTED this the 14th day 66 April, 1975.

/s/ William Wayne Landrum
County Judge, Titus County, Texas
/s/ Rayford Taylor
Commissioner Precinct 1
/s/ Bert Parr
Commissioner Precinct 2
/s/ Hubert Martin
Commissioner Precinct 3
/s/ Bill Reynolds
Commissioner Precinct 4
Filed this the 14th day of April, 1975 by Allen LaPrade, County Clerk, Titus County, Texas

NOTICE OF MEETING OF THE COMMISSIONERS' COURT OF TITUS COUNTY, TEXAS

Notice is hereby given that a regular meeting of the above named Commissioners' Court will be held on the 14 day of April, 1975, at 9:00 A.M., in the County Courthouse Mount Pleasant, Texas, at which time the following subjects will be discussed, to-wit: Application for call of election of Alcoholic Beverages for City of Monticello, Canvass votes for School Election, Open bids for sale of Sheriff's car.

Dated this the 9th day 6f April, 1975.

Commissioners' Court of Titus County, Texas

By /s/ William Wayne Landrum
William Wayne Landrum
County Judge, Titus County

I, the undersigned, County Clerk, do hereby certify that the above Notice of Meeting of the above named Commissioners' Court, is a true and correct copy of said Notice, and that I posted a true and correct copy of said Notice on the bulletin board at the Courthouse door of Titus County, Texas, on the 9th day of April, 1975, and said Notice remained so posted continuously for at least 72 hours immediately preceding the day of said Meeting.

Dated this the 9th day of April, 1975.

County Clerk Titus County, Texas

By /s/ Allen LaPrade
Allen LaPrade
County Clerk, Titus County, Texas

NOTICE OF LOCAL OPTION ELECTION

THE STATE OF TEXAS I
COUNTY OF TITUS I

TO THE QUALIFIED VOTERS OF MONTICELLO, TITUS COUNTY, TEXAS

TAKE NOTICE that an election will be held on the 6th day of May, 1975 at the places, in the manner, and on the issue set forth in the attached copy of an ORDER FOR LOCAL OPTION ELECTION to legalize duly entered by the Commissioners' Court of Titus County, Texas on the 14th day of April, 1975. Said attached ORDER FOR LOCAL OPTION ELECTION to legalize is made a part of this notice for all intents and purposes.

/s/ Allen LaPrade
County Clerk, Titus County, Texas

AFFIDAVIT OF POSTING ELECTION NOTICE

Before me, the undersigned authority, on this day personally appeared John W. Terrell Sheriff of Titus County, Texas, who after being by me duly sworn, says upon his oath, to-wit:

That he posted a true copy of the Notice of Local Option heretofore attached in each voting precinct in the area involved in said election, and that said notices were posted at the following public places in said County and area, to-wit:

| Election Precinct Number | Place of Posting | Election P |
|--------------------------|-----------------------------|------------|
| 4 | Harramore Washateria | |
| 4 | Jones Grocery Company, Inc. | |
| 4 | L & H Grocery, Inc. | |

Each of said notices were posted at least 6 days prior to the date of said election.

/s/ John W. Terrell
Sherriff of Titus County, Texas