

JANUARY 21, 1977

BE IT REMEMBERED THAT THE TITUS COUNTY COMMISSIONER'S COURT met in Special Session, Friday January 21, 1977, in the Titus County Courtroom with following members present.

William Wayne Landrum	County Judge
C.H. Reese	Commissioner Precinct #1
Bert Parr	Commissioner Precinct #2
Bill Reynolds	Commissioner Precinct #3
Allen LaPrade	County Clerk

and the following proceedings were had to-wit:

BOND OF DELINQUENT TAX COLLECTOR

THE STATE OF TEXAS
COUNTY OF TITUS

KNOW ALL MEN BY THESE PRESENTS:

That we, Jack McCreary as Principal, and Merchants Mutual Bonding Company as sureties, are held and firmly bound unto County Judge of Titus County and his successors in office in the just and full sum of One Thousand Dollars, for the payment of which we hereby bind ourselves and our heirs, executors and administrators, jointly and severally, by these presents.

WHEREAS, the said Jack McCreary, a licensed attorney whose address is Austin, Texas, has by means of a written agreement dated December 13, 1976, entered into a contract with the Commissioners' Court of Titus County, for the collection of certain delinquent State and County taxes, during the term beginning Jan. 1, 1977, and ending Dec. 31, 1978, a copy of which agreement is by reference made a part hereof.

Now, therefore, the condition of this obligation is such that if the said Jack McCreary shall faithfully perform the services required of him by the terms of said contract, including the making of reports provided in Section XI thereof and shall fully indemnify and save harmless the said County of Titus from all cost and damage which it may suffer by reason of his failure to do so, and shall fully reimburse and repay the said County of Titus all outlay and expense which the said County may incur in making good any such default, then this obligation shall be null and void; otherwise I shall remain in full force and effect.

IN TESTIMONY WHEREOF, witness our hands

/s/ Jack McCreary
JACK MCCREARY

Merchants Mutual Bonding Company
/s/ Nell H. Peterson,
NELL H. PETERSON, ATTORNEY IN FACT (SEAL)

CERTIFICATE OF COUNTY JUDGE

THE STATE OF TEXAS
COUNTY OF TITUS

The foregoing bond of Jack McCreary, holding contract for the collection of State and County delinquent taxes in Titus County, Texas, was read and approved in open Commissioners' Court, this the 21 day of January, 1977.

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

(SEAL)

POWER OF ATTORNEY
(IRREVOCABLE)

BOND NO. T-109111

KNOW ALL MEN BY THESE PRESENTS:

That this Power of Attorney is not valid or in effect unless attached to the bond which it authorizes executed, but may be detached by the approving officer if desired.

That the Merchants Mutual Bonding Company does hereby make, constitute and appoint, Rogers S. Hanks, Jack M. Puryear, John P. Nieman, Larry A. Larche, Nell H. Peterson and Nancy J. Munn in the City of Austin, State of Texas, with limited authority, its true and lawful Agent and Attorney in Fact with full power and authority hereby conferred, to sign, execute, acknowledge and deliver for and on its behalf as Surety, one of the following bonds:

AN ORIGINAL bond required by Statute, Decree of Court or Ordinance for: MAXIMUM PENALTY

(A) ADMINISTRATOR		
CONSERVATOR		
CURATOR		
EXECUTOR		
GUARDIAN		
TRUSTEE		
SALE OF REAL OR PERSONAL PROPERTY-Testamentary only	When this company has qualifying bond or when it is a separate bond for accounting of sale only	\$300,000.00
COMMISSIONER TO SELL REAL ESTATE		
REFeree IN PARTITION	In Bankruptcy-Federal Court only	
TRUSTEE OR RECEIVER		

(B) NOTARY PUBLIC PUBLIC OFFICIAL AND DEPUTIES RECEIVER	-Under State Court jurisdiction	\$50,000.00
(C) PLAINTIFF'S COURT BOND: FOR CORPORATION	-Public or Private	\$10,000.00
FOR ALL OTHERS	-Not Authorized	\$ 5,000.00
DEFENDANT'S COURT BOND		None
(D) COST REMOVAL OF CAUSE	--Excluding open penalty, stay, supersedeas or guarantee of a Judgment	\$ 1,500.00
(E) LICENSE PERMIT QUIET TITLE	-License and Permit limited to bonds where a county, city, town, village or township is the Obligee	\$10,000.00
(F) ANY BOND OR INDEMNITY, provided there is attached to this Power of Attorney written authority in the form of an endorsement, letter or telegram, signed by the Chairman of the Board, President, Vice-President, Secretary, Treasurer or Assistant Secretary of the Merchants Mutual Bonding Company specifically authorizing its execution.		

The acknowledgment and execution of any such document by the said Attorney-in-Fact shall be as binding upon this Company as if such bond had been executed and acknowledged by the regularly elected officers of this Company.

The MERCHANTS MUTUAL BONDING COMPANY further certifies that the following is a true and correct copy of Article 2 of the By-Laws of the Merchants Mutual Bonding Company of Iowa duly adopted and recorded, to wit: Article 2 (5A): "The President or any Vice President or Secretary or any Assistant Secretary shall have power and authority to appoint attorneys-in-fact, and to authorize them to execute on behalf of the Company, and attach the Seal of the Company thereto, bonds and undertakings, recognizances, contracts of indemnity and other writings obligatory in the nature thereof. Article 2 (5b): The signature of any authorized officer and the Seal of the Company may be affixed by facsimile to any Power of Attorney or Certification thereof authorizing the execution and delivery of any bond, undertaking, recognizance, or other suretyship obligations of the Company, and such signature and seal when so used shall have the same force and effect as though manually fixed."

IN WITNESS WHEREOF, the said MERCHANTS MUTUAL BONDING COMPANY has caused these presents to be executed by its President and Secretary with its corporate seal affixed this Jan. 23, 1975

Attest: /s/ C.W. Story VICE PRESIDENT
/s/ W.W. Warner PRESIDENT
MERCHANTS MUTUAL BONDING COMPANY

STATE OF IOWA, COUNTY OF POLK, ss.

On this 29th day of December 1976 before me, a Notary Public, personally appeared W.W. Warner who, being by me duly sworn, acknowledged that he signed the above Power of Attorney as President of the said MERCHANTS MUTUAL BONDING COMPANY and acknowledged said instrument to be the voluntary act and deed of said corporation.

My commission expires Sept. 30, 1977
/s/H.D. Stiles
Notary Public, Iowa

IN THE MATTER OF
PAYING COUNTY ROAD HANDS

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

IN THE MATTER APPROVING
BONDS

Motion by Judge Landrum and seconded by Commissioner Reynolds to approve bond for firm of McCreary & Hughey. Motion carried.

IN THE MATTER OF ADVERTISING
FOR BIDS

Motion by Judge Landrum and seconded by Commissioner Parr to advertise for bids for 2 cars for Sheriff dept. Motion carried.

IN THE MATTER OF RAISE
IN SALARY FOR JOHN KIRKPATRICK

Motion by Judge Landrum and seconded by Commissioner Reynolds to raise salary of John Kirkpatrick to same amount as other deputies upon approval of county auditor. Motion carried.

IN MATTER OF UNUSED
VACATION

Motion by Judge Landrum and seconded by Commissioner Reynolds to pay John Kirkpatrick for 2 weeks unused vacation. Motion carried.

IN THE MATTER OF
ROW FOR FM 1735

Motion by Judge Landrum and seconded by Commissioner Parr to accept deed from following people for ROW of FM 1735.

- Tract #23 from Fred Snodgrass for the amount \$1800.00
- Tract #28 from Arnold T. & Dorothy Bell for the amount of \$500.00
- Tracts #23C & 26 & 26 from Edwin C. Sims Jr. and wife for the amount of \$366.00 for 25 c & 26 and 749.00 for parcel 26.
- Tract 26 E from E.C. Sims, Jr. and wife for the amount of \$86.00
- Tract 748 from Florence Barber Kelly and Doris Barber White for the amount of \$1624.00
- Tract 9 from Florence Barber Kelly & Doris Barber White for the amount of \$2,266.00

IN THE MATTER OF
UPGRADING RETIREMENT

Motion by Judge Landrum and seconded by Commissioner Reynolds to upgrade county retirement system to 7% percent upon approval of county auditor. Motion carried

IN THE MATTER OF
INCREASE OF BENEFITS IN RETIREMENT SYSTEM

Motion by Commissioner Parr and seconded by Commissioner Reynolds to accept increase in benefits from retirement system. Motion carried.

**SUGGESTED FORM OF COMMISSIONER'S COURT ORDER
SELECTING INCREASES IN BENEFITS THERETOFORE
GRANTED, CREDITS FOR FUTURE RETIREMENTS OR
ADDITIONAL COVERAGES ALLOWABLE UNDER SUBSEC
TION 11 OF SECTION VI.**

STATE OF TEXAS
COUNTY OF TITUS

On this the 21 day of January, 1977, the Commissioners Court of Titus County, Texas, was convened in Special session at a January Term of said Court, with the following members present, to-wit:

William Wayne Landrum,	County Judge
C.H. Shorty Reese	Commissioner, Prec. No.1
Bert B. Parr	Commissioner, Prec. No.2
Bill Reynolds	Commissioner, Prec. No. 4

and at such session, among other proceedings, the following order was passed:

WHEREAS, by virtue of an order of the Commissioners Court of Titus County, Texas, adopted on the 16th day of February 1972, said County became a participating subdivision in the Texas County and District Retirement System; and

WHEREAS, the Actuary for said System has determined and certified that the increases in benefits, credits and additional coverages hereinbelow selected, can be amortized by the County within the time and under the terms prescribed by Subsection 11, Section VI of Article 6228g, Vernon's Texas Civil Statutes, as amended; it is accordingly,

"ORDERED BY THE COMMISSIONERS COURT OF TITUS COUNTY, TEXAS:

"1. Effective January 1, 1977:

(a) Current Service Credits allowable to TCDRS members of said County for service performed thereafter shall be increased from the present factor of 100% of the deposits of each member (1.0:1 matching ratio) to a factor of 120% (1.2:1 matching ratio) of said amount.

(b) Current Service Credits allowed for service performed for said County subsequent to the date of participation in the system and prior to January 1, 1977 shall be increased from a factor of 100% of the deposits of each member during said period to a factor of 120% (1.2:1 matching ratio) of said amount.

(c) Allocated (Special) Prior Service Credits heretofore allowed by said County and now in effect shall be increased from the present 100% of the Maximum Special Prior Service Credit of each member affected to 110% said amount.

(d) Current service annuities attributable to said subdivision and in effect December 31, 1976, shall be increased as to monthly benefits payable for January 1977 and thereafter by 10% of the monthly benefit paid to such annuitant for the month of December, 1976 (excluding any amounts paid as distributive benefits).

(e) Monthly payments as to prior service annuities arising from prior service credits allowed by said County and in effect December 31, 1976 shall be increased by 10% of the monthly benefit paid to such annuitant for the month of December, 1976 excluding any amounts paid as distributive benefits.

2. Any person who is a TCDRS member of this County on or after January 1, 1977 and who shall have accumulated twenty 20 or more years of creditable service, or who shall have accumulated twelve 12 or more years of creditable service and has attained the age of sixty 60 shall have the right of deferred service retirement under the terms and conditions prescribed in Subsection 11 of Section VI of Article 6228g, Vernon's Texas Civil Statutes as amended.

3. Any person who is a TCDRS member of this County on or after January 1, 1977, and who has accumulated at least twelve 12 years of creditable service with this and other participating subdivisions which have adopted twelve-year vesting, shall have the right, despite withdrawal from service prior to attainment of age sixty 60 to remain a member and to retire at or after age sixty 60, conditioned that he lives to date of retirement and that he shall not have withdrawn his accumulated deposits with the System.

4. Prior service credit not exceeding 36 months total shall be, and is hereby allowed (effective January 1, 1977) for active service in the armed forces of the United States performed by a TCDRS member of this County under the following conditions, viz:

(a) Such service was performed prior to date of the County's participation in Texas County and District Retirement System.

(b) Such service was performed during a time that the United States was involved in organized conflict with foreign forces, whether in a formal state of war or police action;

(c) Such person was an employee of said County immediately prior to the beginning of such service in the armed forces, entered such military service without intervening employment, and returned to employment of said County within one hundred eighty 180 days following his discharge or release from active duty with the armed forces; and

(d) Such person has not heretofore been allowed credit for any part of such military service.

5. Any person who is a TCDRS member of this County on or after January 1, 1977, and who was a member of the military service of the United States during the period from April 6, 1917 to November 11, 1919, or from October 16, 1940 to October 31, 1974, and who otherwise qualifies under the requirements of paragraph (d)(10) of Subsection 11, Section VI of Article 6228g, Vernon's Texas Civil Statutes, shall be granted current service credit for each month of such military service (not exceeding the limits prescribed in said Act) for which such member makes application and makes deposits within the time and manner as required by said Act. Any prior service allowed such member pursuant to paragraph 4, above, of this order shall be included in determining the maximum credit which may be allowed such member for military service.

The above order being read, it was moved and seconded that the same do pass and be adopted. Thereupon, the question being called for, the following members voted Aye: William Wayne Landrum, C.H. Shorty Reese, Bert B. Parr Bill Reynolds; and the following voted No: none

Witness our hands officially this 21 day of January 1977.

/s/ William Wayne Landrum
County Judge

/s/ C.H. Reese
Commissioner Precinct No. 1

/s/ Bert B. Parr
Commissioner Precinct No. 2

Commissioner Precinct No. 3
/s/ Bill Reynolds

Commissioner Precinct No. 4

ATTEST:

/s/ Allen LaPrade
Allen LaPrade, County Clerk
and Ex-Officio Clerk of the
Commissioners Court,
Titus County, Texas

TEXAS COUNTY AND DISTRICT RETIREMENT SYSTEM
SUGGESTED FORM OF COMMISSIONERS COURT ORDER
INCREASING RATE OF DEPOSITS OF EMPLOYEES
ON TOTAL COMPENSATION

THE STATE OF TEXAS
COUNTY OF TITUS

On This the 21 day of January, 1977, the Commissioners Court of Titus County, Texas was convened in special session at a January Term of said Court, with the following members present, to wit:

William Wayne Landrum	County Judge
C.H. Shorty Reese	Commissioner Precinct #1
Bert B. Parr	Commissioner Precinct #2
Bill Reynolds	Commissioner Precinct #4

and at such session, among other proceedings, the following order was passed:

Whereas, by virtue of an order of the Commissioners Court of Titus County, Texas, adopted on the 21 day of January 1977, said County became a participating subdivision in the Texas County and District Retirement System, and

Whereas, by said order it was provided that each employee of the County should make deposits to the System for each payroll period at the rate of Seven per centum (7%) of earnings; and that the County should make deposits for each payroll period in an amount of equal to the sum of deposits made to the System by all of its employees for such period; and

Whereas, the Commissioners Court finds that it is to the public interest that the rate of deposits to the System be increased; now therefore,

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

1. For each payroll period from and after the 1 day of February 1977, each employee of Titus County shall make deposits to the Texas County and District Retirement System at the rate of Seven per centum (7%) of earnings; and such deposits shall be withheld by the County Clerk from the compensation of the employee and transmitted to the System for deposit to the individual account of such employee.

2. The County shall make benefit contributions to the System in an amount which for each payroll period is equal to the sum of deposits made to the System by all of its employees for such period.

The above order being read, it was moved and seconded that the same do pass and be adopted. Thereupon, the question being called for, the following members voted Aye: William Wayne Landrum, C.H Shorty Reese, Bert B. Parr and Bill Reynolds, and the following voted No: none

Witness our hands officially this 21 day of January, 1977.

/s/ William Wayne Landrum

County Judge

/s/ C.H. Reese

Commissioner Precinct #1

/s/ Bert B. Parr

Commissioner Precinct #2

Commissioner Precinct #3

/s/ Bill Reynolds

Commissioner Precinct #4

ATTEST:

/s/ Allen LaPrade
Allen LaPrade, County Clerk
and Ex-Officio Clerk of the
Commissioners Court, Titus
County, Texas

IN THE MATTER OF PAINTING
PROBATION OFFICE

Motion by Commissioner Reynolds and seconded by Commissioner Parr to repaint Probation office.
Motion carried.

MT. PLEASANT, TEXAS, JULY 9, 1976
LLOYD E. BILLUPS, SALARY RAISE

WHEREAS, the Official Court Reporter of the 76th Judicial District of Texas, Lloyd E. Billups, is presently drawing a salary of \$10,320.00 per year (\$860.00 per month) apportioned among the four counties of the District, and,

WHEREAS, due to inflation in the cost of living, the Court deems it necessary and appropriate that the salary should be increased \$86.00 a month or an increase of \$1,032.00 per year, making a salary of \$11,352.00 per year, or \$946.00 per month, commencing on January 1, 1977, and to be apportioned among the four counties on a per monthly basis as follows:

Camp County	\$189.20
Marion County.....	94.60
Morris County.....	283.80
Titus County.....	378.40

This order is entered pursuant to and in conformity with the provisions of Article 3912K Section 3 Vernon's Annotated Statutes of the State of Texas, this 9 day of July 1976.

/s/ Morris Rolston

Judge, 76th Judicial
District Court

The above and foregoing minutes for the month of January 1977, were read and approved on this the 21 day of February 1977.

ATTEST:

Allen LaPrade
Allen LaPrade, County Clerk

William Wayne Landrum, County Judge