

IN THE MATTER OF
ADJOURNMENT

Motion was made by Commissioner J. W. Terrell, Jr. and seconded by Commissioner Carl R. Ferrell to adjourn. Motion carried unanimously.

The above and foregoing minutes for the month of May, 1989 were read and approved this 12th day of June, 1989.

Alford L. Flanagan
ALFORD L. FLANAGAN, COUNTY JUDGE

J. W. Terrell, Jr.
J. W. TERRELL, JR.
COMMISSIONER PRECINCT #3

Mike Price
MIKE PRICE
COMMISSIONER PRECINCT #1

Carl R. Ferrell
CARL R. FERRELL
COMMISSIONER PRECINCT #4

Mike Fields
MIKE FIELDS
COMMISSIONER PRECINCT #2

Eugenia Roach
EUGENIA ROACH, COUNTY CLERK

COMMISSIONERS' COURT MINUTES FOR MAY, 1989 A.D.
RECORDED ON THE 20th DAY OF JUNE, 1989 A.D.

EUGENIA ROACH,
COUNTY CLERK, TITUS COUNTY, TEXAS

BY Jean Crowe
DEPUTY COUNTY CLERK

COMMISSIONERS' COURT
REGULAR MEETING
JUNE 12, 1989

BE IT REMEMBERED THAT THE TITUS COUNTY COMMISSIONERS' COURT met in Regular Session on Monday, June 12, 1989 in the Titus County Courtroom with the following members present:

ALFORD L. FLANAGAN
MIKE PRICE
MIKE FIELDS
J. W. TERRELL, JR.
CARL R. FERRELL

COUNTY JUDGE
COMMISSIONER PRECINCT 1
COMMISSIONER PRECINCT 2
COMMISSIONER PRECINCT 3
COMMISSIONER PRECINCT 4

ABSENT: None

and the following proceedings were had to wit:

IN THE MATTER OF
APPROVING MAY
1989 MINUTES

Motion was made by Commissioner J.W. Terrell, Jr. and seconded by Commissioner Mike Price approving the May, 1989 minutes. Motion carried unanimously.

IN THE MATTER OF
LOCAL OPTION PETITION,
AFFIDAVITS AND ELECTION

County Judge, Alford L. Flanagan, called for a motion to accept eleven (11) affidavits as part of the original local option petition for verification of the eleven (11) signatures on the petition. No motion was made and no action taken on the matter.

IN THE MATTER OF
ACCEPTING BIDS ON THE
SALE OF A 1975 TRACTOR
PRECINCT 2

Motion was made by Commissioner Mike Fields and seconded by Commissioner J.W. Terrell, Jr. to accept the bid of Conroy Ford Tractor Company, Inc., for \$4626.00. (Two other bids were: Stan Crandall-\$4200.00 and Kenneth Jackson-\$3750.00.) Motion carried unanimously.



Conroy Ford Tractor Company, Inc.

1101 W. 16th Phone 572-3437
MT. PLEASANT, TEXAS 75455

*Bid 4500 Ford Tractor
Loader, Backhoe * 4626 =*

*John
Conroy*

IN THE MATTER OF
RESOLUTION FOR RIGHT OF WAY
ON SH 49

Motion was made by Commissioner Carl R. Ferrell and seconded by Commissioner J.W. Terrell, Jr. approving the resolution for the right of way on State Highway 49 project. Motion carried unanimously.

RESOLUTION NO. _____

A RESOLUTION AUTHORIZING THE TITUS COUNTY JUDGE
TO EXECUTE FOR AND ON BEHALF OF TITUS COUNTY, TEXAS,
A RIGHT OF WAY CONTRACTUAL AGREEMENT WITH THE STATE OF TEXAS;
TO BECOME EFFECTIVE UPON ITS PASSAGE AND APPROVAL

WHEREAS, the State Department of Highways and Public Transportation
has approved a Right of Way project for State Highway 49 near East city limits
of Mt. Pleasant to Morris County Line; and

WHEREAS, the State and County have an existing right of way contract
for the above referenced project; and

WHEREAS, the County has now requested that the State assume respon-
sibility for acquisition of all necessary right of way; and

WHEREAS, the County desires to voluntarily contribute to the State
funds equal to ten percent (10%) of the cost of the right of way for the proper
development and construction of the State Highway System.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSIONERS' COURT OF TITUS
COUNTY:

Section 1: That the County Judge of Titus County be authorized to
execute for and on behalf of Titus County the agreement to
contribute funds with the State to cover right of way
acquisition, and the County Clerk is directed to attest
this agreement with the State and to affix the seal of
Titus County thereto.

Section 2: It is further resolved that the County Judge is authorized
to execute on behalf of Titus County any supplemental agree-
ments or further modifications to the above referenced
agreement.

Section 3: That a copy of said agreement is attached hereto and made
a part hereof as if fully set out herein.

Section 4: That this resolution shall become effective immediately
upon passage and approval.

MOTION made by Commissioner Carl R. Ferrell and
SECONDED by Commissioner Carl R. Ferrell, 1969.

PASSED AND APPROVED this 12th day of June, 1969.

TITUS COUNTY COMMISSIONERS' COURT:

W. H. H. H. H. H.
COUNTY JUDGE

W. H. H. H. H.
COMMISSIONER - PRECINCT NO. 1

W. H. H. H. H.
COMMISSIONER - PRECINCT NO. 2

W. H. H. H. H.
COMMISSIONER - PRECINCT NO. 3

W. H. H. H. H.
COMMISSIONER - PRECINCT NO. 4

ATTEST:

Eugenia Rasch
COUNTY CLERK, TITUS COUNTY

State Department of Highways
and Public Transportation
Form D-15-136
Page 1 of 3 Rev. 3-66

**Supplemental Contractual Agreement
for
Right of Way Procurement
(County Form)**

THE STATE OF TEXAS
COUNTY OF TRAVIS

Contract No. _____
County Titus
Project No. 8019-1-42
CSJ No. 0222-01-025
Account No. _____
Highway State 49

This supplemental contractual agreement by and between the State of Texas, acting by and through the State Department of Highways and Public Transportation, hereinafter called the State, and _____ County, Texas, acting by and through its duly authorized officials under Commissioners' Court Order dated the _____ day of _____, 19____, hereinafter called the County, shall be effective on the date of approval and execution by and on behalf of the State.

WHEREAS, the State and County entered into contractual agreements(s) and supplemental contractual agreement(s) for procurement of right of way on the following project on the date(s) indicated:

Date(s) of Agreement(s)	Limits
<u>July 26, 1971</u>	From: <u>Near East City Limits of</u>
<u>October 20, 1977</u>	<u>Mt. Pleasant</u>
_____	To: <u>Morris County Line</u>
_____	_____
_____	_____

and, which are made a part of this instrument by reference; and

WHEREAS, the County has requested that they be relieved of the obligation to acquire the necessary right of way and desires the State to assume the acquisition responsibility; and

WHEREAS, it is mutually desired by the County and the State to modify said original contract(s) and any supplemental contract(s) implementing the terms and provisions of the original contract(s);

NOW, THEREFORE, in consideration of the foregoing premises and the mutual benefits to be derived therefrom, the above-described contract(s) are modified hereby to the extent of the manner, mode and method of the County's obligation to acquire the necessary right of way and receive 90% reimbursement of the cost thereof in that the State hereby assumes the obligation to acquire the necessary right of way and the County shall accomplish its obligation by contributing 10% of the cost of the right of way as hereinafter described.

The State is to acquire all right of way except that the County shall continue with its present obligations to acquire the following-described right of way:

Parcels: 1-14, 15A, 15B, 16-42, 63, 69, 70, 71, 72, 73 & 81

Encasements: 4TE, 6E, 7E, 9E, 9TE, 10E, 10TE, 27TE, 30TE, 32TE, 33E, 36TE, 37TE, 40E, 70E & 70TE

State Department of Highways
and Public Transportation
Form D-15-436
Page 2 of 3 Rev. 3-66

Utilities: Bowie Cass Electric U-9796

Other: Necessary fencing to be constructed and reimbursed as provided in
contractual agreement

The County shall contribute to the State an amount equal to ten percent (10%) of the cost of the right of way to be acquired by the State and shall transmit to the State with the return of this agreement, executed by the County, a warrant or check payable to the State Department of Highways and Public Transportation in the amount of Fifty Thousand and No/100 Dollars (\$ 50,000.00), which represents 10% of the estimated cost of the right of way; however, if it is found that this amount is insufficient to pay the County's obligation, then the County, upon request of the State, will forthwith supplement this amount in such amount as requested by the State. Upon completion of the project and in the event the amount as paid is more than 10% of the cost of the right of way, then any excess amount will be returned to the County. Cost of the right of way acquired by the State shall mean the total value of compensation to owners for their property interests either by negotiation or eminent domain.

This supplemental contractual agreement is approved and executed by and on behalf of the State on the date shown hereinafter.

Titus County, Texas

EXECUTION RECOMMENDED:

By: W. L. H. Hargan
County Judge

District Engineer

Mike Price
Commissioner, Precinct Number 1

THE STATE OF TEXAS

Mike Fildes
Commissioner, Precinct Number 2

Certified as being executed for the purpose and effect of authorizing and/or carrying out the orders, established policies, or work programs heretofore approved and authorized by the State Highway and Public Transportation Commission.

J. W. Lovell Jr.
Commissioner, Precinct Number 3

BY: _____
Right of Way Engineer

Paul L. Jensen
Commissioner, Precinct Number 4

Date _____

IN THE MATTER OF
APPROVING REPORTS
OF COUNTY OFFICIALS

Motion was made by Commissioner J.W. Terrell, Jr. and seconded by Commissioner Mike Price accepting the reports that were submitted by county officials. Motion carried unanimously.

IN THE MATTER OF
APPROVING PAYMENT OF
BILLS AND PAY ORDERS

Motion was made by Commissioner Carl R. Ferrell and seconded by Commissioner J.W. Terrell, Jr. approving payment of bills and pay orders. Motion carried unanimously.

IN THE MATTER OF
BUDGET OF JUSTICE OF
THE PEACE, PRECINCT 2

No action was taken.

IN THE MATTER OF
RESOLUTION FOR
SOUTHWESTERN BELL TELEPHONE

Motion was made by Commissioner J.W. Terrell, Jr. and seconded by Commissioner Carl R. Ferrell to accept the resolution from Southwestern Bell Telephone. Motion carried unanimously.



Titus County Commissioners' Court

Mt. Pleasant, Texas

RESOLUTION

WHEREAS, Titus County Commissioners' Court is vitally interested in the economic development of Titus County, East Texas and the State of Texas as a whole; and

WHEREAS, Southwestern Bell Telephone serves Titus County, and communities through East Texas and the state;

WHEREAS, Southwestern Bell has presented its "Texas First" proposal to this Organization, outlining the company's offer to freeze basic local rates for five years; eliminate four-party telephone service; reduce the present two-party rate to what is presently the four-party rate for all two-party customers; eliminate mileage charges for one and two-party customers; eliminate mileage charges for one and two-party residence and business customers in rural areas; and reduce its charges to long distance companies in Texas with the expectation that those cost savings will be passed on to telephone subscribers; and

WHEREAS, the company is also proposing greater flexibility in its earnings regulation in Texas; and

WHEREAS, the "Texas First" proposal contains items that will benefit individual telephone customers as well as economic development efforts in Texas counties, including Titus County.

BE IT THEREFORE RESOLVED that Titus County Commissioners' Court supports the Southwestern Bell Telephone Company "Texas First" proposal, and recommends consideration and approval of the proposal by the Texas Public Utility Commission.

DATED this 12th day of June, 1989.

Alford L. Flanagan
COUNTY JUDGE

Mike Price
COMMISSIONER, PRECINCT I

J. W. Terrell, Jr.
COMMISSIONER, PRECINCT III

Mike Fields
COMMISSIONER, PRECINCT II

Carl R. Ferrell
COMMISSIONER, PRECINCT IV

COMMISSIONERS' COURT
SPECIAL MEETING
JUNE 26, 1989

BE IT REMEMBERED THAT THE TITUS COUNTY COMMISSIONERS' COURT met in Special Session on Monday, June 26th, 1989 in Titus County Courtroom with the following members present:

ALFORD L. FLANAGAN
MIKE PRICE
MIKE FIELDS
J. W. TERRELL, JR.
CARL R. FERRELL
EUGENIA ROACH

COUNTY JUDGE
COMMISSIONER PRECINCT 1
COMMISSIONER PRECINCT 2
COMMISSIONER PRECINCT 3
COMMISSIONER PRECINCT 4
COUNTY CLERK

ABSENT: NONE
and the following proceedings were had to wit:

IN THE MATTER OF
RESOLUTION DESIGNATING AGENT
FOR DISASTER PURPOSES

Motion was made by Commissioner J. W. Terrell, Jr. and seconded by Commissioner Carl R. Ferrell approving the county judge having the authority to sign as agent for the county and city for disaster purposes. Motion carried unanimously.

DESIGNATION OF APPLICANT'S AGENT

RESOLUTION

BE IT RESOLVED BY COMMISSIONERS COURT OF TITUS COUNTY, TEXAS
(Governing Body) (Public Entity)

THAT ALFORD L. FLANAGAN, TITUS COUNTY JUDGE
• (Name of Incumbent) (Official Position)

OR

• (Name of Incumbent), Governor's Authorized Representative,

is hereby authorized to execute for and in behalf of TITUS COUNTY COMMISSIONERS' COURT OF MT. PLEASANT, TEXAS, a public entity established under the laws of the State of TEXAS, this application and to file it in the appropriate State office for the purpose of obtaining certain Federal financial assistance under the Disaster Relief Act (Public Law 288, 93rd Congress) or otherwise available from the President's Disaster Relief Fund.

THAT TITUS COUNTY COMMISSIONERS' COURT, a public entity established under the laws of the State of TEXAS, hereby authorizes its agent to provide to the State and to the Federal Emergency Management Agency (FEMA) for all matters pertaining to such Federal disaster assistance the assurances and agreements printed on the reverse side hereof.

Passed and approved this 26TH day of JUNE, 19 89.