

COMMISSIONERS' COURT
REGULAR MEETING
AUGUST 13, 1990

BE IT REMEMBERED THAT THE TITUS COUNTY COMMISSIONERS' COURT met in Regular Session on Monday, August 13th, 1990 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
APPROVING JULY,
1990 MINUTES

Motion was made by Commissioner J. W. Terrell, Jr. and seconded by Commissioner Mike Fields to make a correction in the July Minutes Volume 12 Page 727 "In The Matter Of Paying For A Pauper's Funeral" approving payment of \$850.00 instead of the printed \$883.00 and approve the July, 1990 Minutes. Motion carried unanimously.

IN THE MATTER OF
PAYING PAUPER'S FUNERAL
FOR CHARLES BEN CHANCELLOR

Motion was made by Commissioner Carl R. Ferrell and seconded by Commissioner Mike Price to pay the pauper's funeral expense of \$850.00 for Charles Ben Chancellor to Bates - Cooper - Weems Funeral Home. Motion carried unanimously.

IN THE MATTER OF
WASTE WATER INSPECTION

No action taken.

IN THE MATTER OF
1990 EFFECTIVE
TAX RATE

Motion was made by Commissioner Mike Price and seconded by Commissioner J. W. Terrell, Jr. to consider an 8% tax increase with a tax rate of .14061.

FOR:
Commissioner Mike Price
Commissioner Mike Fields
Commissioner J. W. Terrell, Jr.

AGAINST:
Commissioner Carl R. Ferrell

Motion carried unanimously.

PUBLIC HEARING ON THE
EFFECTIVE TAX RATE

Motion was made by Commissioner J. W. Terrell, Jr. and seconded by Commissioner Mike Fields to have a public hearing on the 1990 Effective Tax Rate August 23, 1990 at 11:00 A. M. in the Commissioners' Courtroom at the Courthouse. Motion carried unanimously.

IN THE MATTER OF
COMPUTER SUPPLIES FOR
THE TAX ASSESSOR - COLLECTOR

Motion was made by Commissioner Mike Fields and seconded by Commissioner Carl R. Ferrell to approve the tax collector - assessor purchasing computer supplies in the amount of \$2,500.00. Motion carried unanimously.

IN THE MATTER OF
REIMBURSING SALES TAX TO
VILLA NURSING CENTER

Motion was made by Commissioner J. W. Terrell, Jr. and seconded by Commissioner Mike Price to reimburse sales tax to the Villa Nursing Center in the amount of \$2,296.97. Motion carried unanimously.

IN THE MATTER OF
GTE LAYING BURIED CABLE
ON RIGHT-OF-WAY IN PRECINCT 3

Motion was made by Commissioner J. W. Terrell, Jr. and seconded by Commissioner Carl R. Ferrell approving GTE laying buried cable on right-of-way in Precinct 3 on the county road by Maple Springs Church. Motion carried unanimously.

Inter-Office Memo



The Honorable Commissioners Court

GTE Southwest Incorporated

County of TitusMt. Pleasant, Texas 75455ROW 2 - Titus County - Talco, Texas - 75487E6E1060 - NO - JMF:pep

Formal notice is hereby given that General Telephone Company of the Southwest proposes to place a buried telephone cable along the right-of-way of a oil County Road.

Attached are three copies of Form ED-135, "Notice of Proposed Installation Buried Cable", with sketches showing in detail a more exact location of this proposed construction. The new cable to be placed within 5 feet of the right-of-way at all locations possible, and at a minimum depth of 30 inches.

General Telephone Company of the Southwest agrees to assume liability for any damage to the roadway and/or right-of-way which may be caused from this construction.

In the event subsequent construction in connection with the repair, widening or improvement of the present roadway may require the lowering, revamping or relocating of the cable, General Telephone Company of the Southwest will bear all the expense of such lowering, revamping or relocating of the facilities.

If additional information is required, please notify:

Beverly Moore
Beverly Moore, Project Coordinator
General Telephone Co. of the Southwest
1121 Shannon Road
Sulphur Springs, Texas 75482
Telephone No. 214-885-1740

Att (3)

MC 800847
EO-135 (REV. 1-88)**GTE** GTE Southwest
IncorporatedNOTICE OF COMMUNICATION
LINE INSTALLATIONDATE 7/24/90TO THE COMMISSIONER'S COURT OF Titus COUNTY

ATTENTION COUNTY JUDGE: Alford L. Flanagan

Formal notice is hereby given that GTE SOUTHWEST INCORPORATED will construct a communication line within the right-of-way of a County Road in Titus County, E6E1060 as follows:

GTE proposes to direct bury a 25 pair communications line along and within five (5) feet of the east right-of-way of oil county road starting at the intersection of FM 71 at Maple Springs Church and continue northward approximately 800'.

SEE MAP & SKETCH ATTACHED

The location and description of this line and associated appurtenances is more fully shown by 3 copies of drawings attached to this notice. The line will be constructed and maintained on the County Road right-of-way in accordance with governing laws.

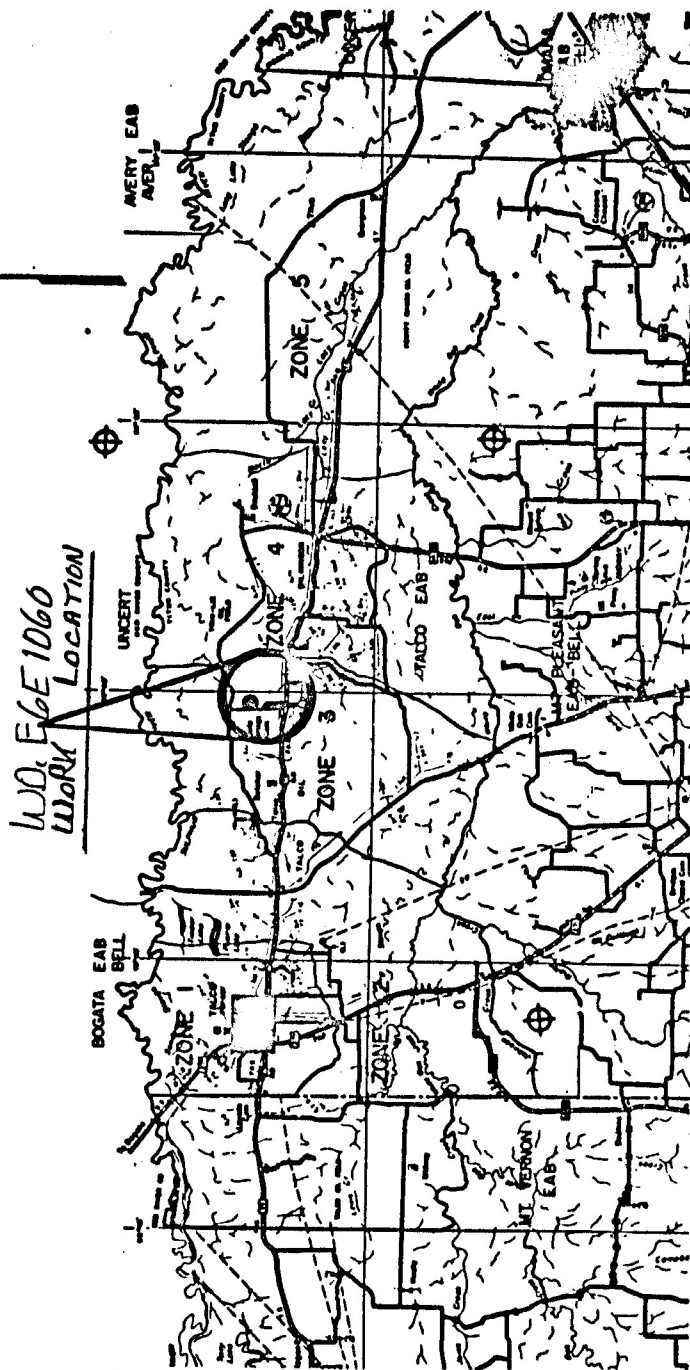
Notwithstanding any other provision contained herein, it is expressly understood that tender of this notice by the GTE Southwest Incorporated does not constitute a waiver, surrender, abandonment or impairment of any property rights, franchise, easement, license, authority, permission, privilege or right now granted by law or may be granted in the future and any provision or provisions so construed shall be null and void.

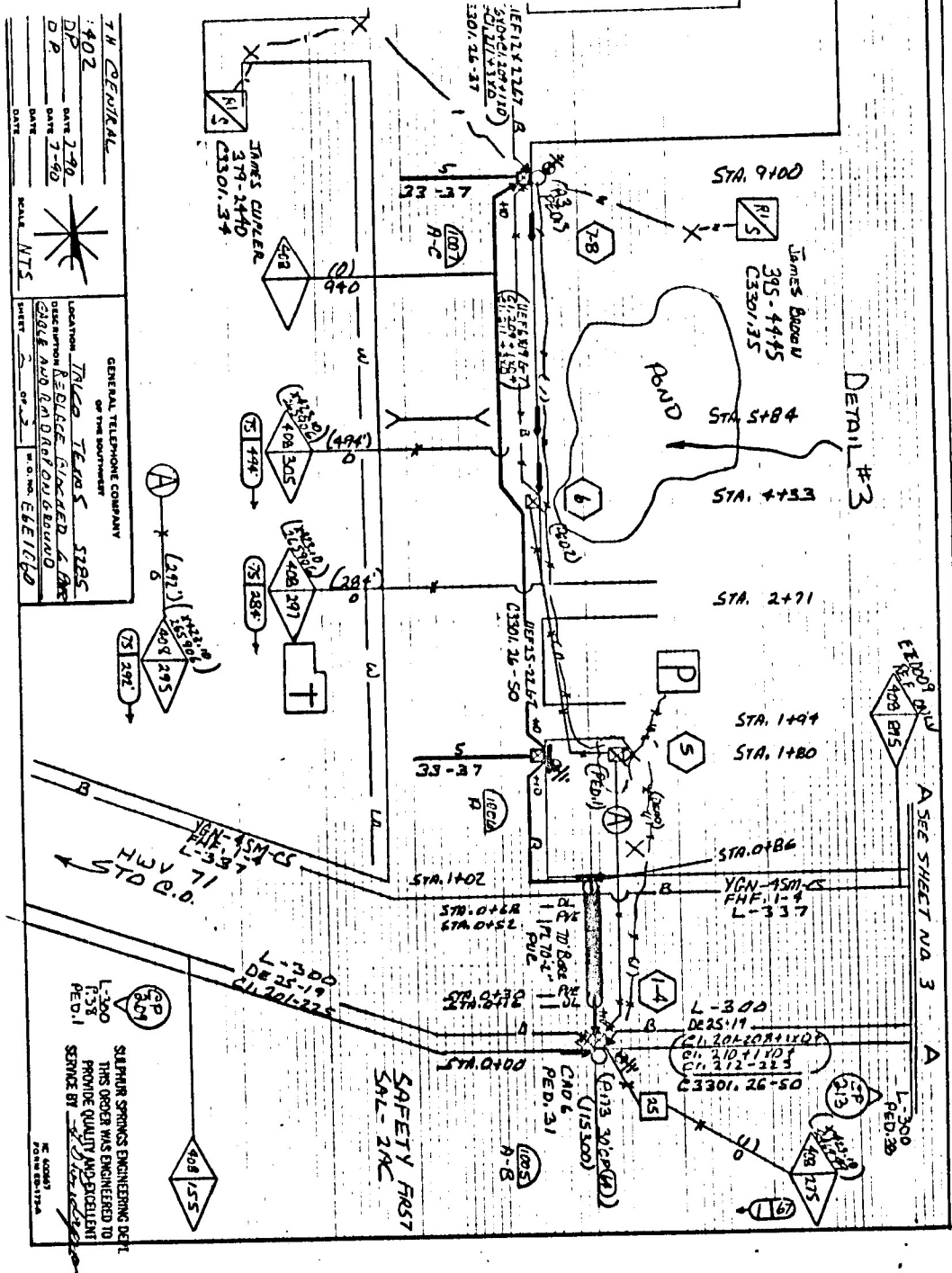
Construction of this line will begin on or after August 13 19 90.

GTE SOUTHWEST INCORPORATED

By Beverly Moore
EngineerAddress P. O. Box 498
Sulphur Springs, TX 75482

<p>ISSUED 6/30/79 EFFECTIVE 1/23/79 DOCKET 10,2359</p>	<p>GTE GENERAL TELEPHONE COMPANY OF THE SOUTHWEST</p>	<p>TEXAS GENERAL EXCHANGE TARIFF MAP SUPPLEMENT SECTION 6 Talco, Texas Exchange Area Boundary</p>
<p>SCALE 1 inch = 2 mi. ALL BOUNDARIES ARE 800 FEET FROM ROADS UNLESS OTHERWISE NOTED</p>	<p>Second Revised CANCELLING FIRST Revised F.E. HIGHTOWER</p>	<p>SHEET NO. 254A SHEET NO. 256A VICE PRESIDENT-REVENUE REQUIREMENTS</p>





IN THE MATTER OF
APPROVING REPORTS
OF OFFICIALS

Motion was made by Commissioner Mike Price and seconded by Commissioner J. W. Terrell, Jr. approving the reports of officials. Motion carried unanimously.

IN THE MATTER OF
APPROVING PAYMENT OF
BILLS AND SIGNING PAY ORDERS

Motion was made by Commissioner J. W. Terrell, Jr. and seconded by Commissioner Mike Price approving payment of the bills and signing pay orders. Motion carried unanimously.

IN THE MATTER OF
ARCHITECT FOR OLD
COURTHOUSE

No action taken, county attorney to be consulted.

IN THE MATTER OF
PAYING MEDICAL EXPENSES FOR
RESERVE DEPUTY, HAROLD CONNER

Motion was made by Commissioner Mike Fields and seconded by Commissioner Carl R. Ferrell to pay \$987.00 medical expenses for reserve deputy, Harold Conner. Motion carried unanimously.

IN THE MATTER OF
APPROVING RESOLUTION FOR LEASE /
PURCHASE OF COMPUTER SYSTEM

Motion was made by Commissioner Carl R. Ferrell and seconded by Commissioner Mike Fields approving resolution for lease / purchase of computer system between Titus County and Consolidated Financial Resources, Inc. and the County Judge signing the resolution for the county. Motion carried unanimously.



Titus County Commissioners' Court
Mt. Pleasant, Texas

RESOLUTION

A RESOLUTION REGARDING THE LEASE PURCHASE AGREEMENT
FOR THE PURPOSE OF PURCHASING A COMPUTER SYSTEM

WHEREAS, Titus County (the "County") desires to enter into that certain Lease-Purchase Agreement dated as of August 13, 1990 by and between the County and Consolidated Financial Resources, Inc. for the purpose of purchasing a Computer System. The County desires to designate this Agreement as a "qualified tax exempt obligation" of the County for the purposes of Section 265(b)(3) of the Internal Revenue Code of 1986, as amended. The County desires to designate Alford L. Flanagan, County Judge, and Eugenia Roach, County Clerk, as authorized signers of the Agreement.

NOW THEREFORE, BE IT RESOLVED BY TITUS COUNTY:

Section 1. That the County will enter into a Lease Purchase Agreement with Consolidated Financial Resources, Inc. for the purpose of purchasing a Computer System.

Section 2. That the Lease Purchase Agreement dated as of August 13, 1990 by and between the County and Consolidated Financial Resources, Inc. is designated by the County as a "qualified tax-exempt obligation" for the purposes of Section 265(b)(3) of the Internal Revenue Code of 1986, as amended.

Section 3. That the County will designate Alford L. Flanagan, County Judge, and Eugenia Roach, County Clerk, as authorized signers of the Lease Purchase Agreement dated as of August 13, 1990, by and between the County and Consolidated Financial Resources, Inc.

PASSED AND APPROVED by the Titus County Commissioners Court in a meeting held on the 13th day of August, 1990.

BY: Alford L. Flanagan
Alford L. Flanagan, County Judge

ATTEST:

BY: Eugenia Roach
Eugenia Roach, County Clerk

IN THE MATTER OF
LEASE AGREEMENT WITH DEPARTMENT
OF HUMAN RESOURCES AND
RENOVATION OF FOURTH FLOOR

Motion was made by Commissioner Carl R. Ferrell and seconded by Commissioner Mike Fields approving a lease agreement with The Department of Human Resources and renovation of the fourth floor of the courthouse. Motion carried unanimously.

IN THE MATTER OF
RESOLUTION FOR NORTHEAST
TEXAS HOUSING CORPORATION

Motion was made by Commissioner Mike Price and seconded by Commissioner J. W. Terrell, Jr. approving the Resolution for Northeast Texas Housing Corporation. Motion carried unanimously.

Motion was made by Commissioner Carl R. Ferrell and seconded by Commissioner J. W. Terrell, Jr. to appoint Alford L. Flanagan and Mike Fields to the Board of Directors of The Northeast Texas Housing Corporation. Motion carried unanimously.

COMMISSIONERS COURT OF
TITUS COUNTY, TEXAS
RESOLUTION NO. _____

RESOLUTION APPROVING THE CREATION OF THE NORTHEAST TEXAS HOUSING FINANCE CORPORATION AND INCLUSION OF TITUS COUNTY AS A MEMBER "SPONSORING LOCAL GOVERNMENT" IN SUCH CORPORATION; APPROVING ARTICLES OF AMENDMENT TO THE ARTICLES OF INCORPORATION OF THE TITUS COUNTY HOUSING FINANCE CORPORATION; AUTHORIZING AND APPROVING OTHER MATTERS RELATING TO BONDS TO BE ISSUED BY THE NORTHEAST TEXAS HOUSING FINANCE CORPORATION IN CALENDAR YEAR 1991; AND REPEALING PRIOR RESOLUTIONS OR ORDERS IN CONFLICT HEREWITH.

WHEREAS, the Texas Housing Finance Corporations Act, as amended, Chapter 394, Local Government Code (the "Act") authorizes this Commissioners Court, upon receipt of a proper application requesting such action, to authorize and approve the creation and organization of a joint housing finance corporation to act on behalf of Titus County, Texas (the "County") and certain other local governments set forth in such application, for purposes of the Act;

WHEREAS, this Commissioners Court has received such an application in accordance with the Act requesting that it authorize and approve the creation of the Northeast Texas Housing Finance Corporation to act as a joint housing finance corporation under the Act on behalf of the County and the Counties of Bowie, Cass, Delta, Franklin, Hopkins, Lamar, Morris, and Red River, Texas (collectively, including the County, the "Sponsoring Local Governments");

WHEREAS, the Commissioners Court hereby finds and determines that the formation of the Northeast Texas Housing Finance Corporation for such purposes is advisable and in the best interest of the citizens of the County;

WHEREAS, the Commissioners Court has heretofore authorized the formation of the Titus County Housing Finance Corporation to act on behalf of the County in accordance with the Act;

WHEREAS, in accordance with the Act, the Commissioners Court may not permit the incorporation on behalf of the County of more than one corporation that has the power to make or acquire home mortgages, or to make loans to lending institutions, the proceeds of which are to be used to make home mortgages or to make loans on residential developments;

WHEREAS, it is hereby determined and declared that it is the intention of this Commissioners Court that the Northeast Texas Housing Finance Corporation shall be the only corporation with such power to act on behalf of the County and that the Articles of Incorporation of the Titus County Housing Finance Corporation be amended to remove any such power from that corporation;

WHEREAS, the Commissioners Court now desires to authorize and approve certain other matters relating to the proposed issuance of bonds by the Northeast Texas Housing Finance Corporation in Calendar Year 1991 (the "1991 Bonds"), the proceeds of which would be used to acquire mortgage loans made to eligible borrowers to finance the purchase of qualifying single family residences located within the boundaries of the Sponsoring Local Governmental Units; and

WHEREAS, this meeting is open to the public as required by law, and public notice of the time, place and purpose of this meeting was given as required by Article 6252-17, TEX. REV. CIV. STAT. ANN., as amended.

NOW, THEREFORE BE IT RESOLVED THAT:

Section 1. The findings and declarations contained in the recitals of this Resolution are incorporated herein as part of this Resolution.

Section 2. The Commissioners Court hereby authorizes and approves the creation of a corporation to be named "Northeast Texas Housing Finance Corporation" to act on behalf of the County as its duly constituted authority and instrumentality for the public purposes set forth in the Act, and the Articles of Incorporation of such corporation are hereby approved in substantially the form attached hereto as Exhibit A. Upon approval by the governing bodies of the other Sponsoring Local Governments, the Articles of Incorporation are authorized to be filed with the Secretary of State of the State of Texas in accordance with the Act. In the event that the name chosen for such corporation is not available at the time of filing the Articles of Incorporation with the Secretary of State, the incorporators are authorized to change the name without further approval of this Commissioners Court.

Section 3. The Commissioners Court hereby appoints those persons named in the Articles of Incorporation, attached as Exhibit A hereto, to serve as the initial members of the Board of Directors of the Northeast Texas Housing Finance Corporation, and such persons shall serve for a term of four (4) years or until their successors are appointed.

Section 4. The Titus County Housing Finance Corporation, heretofore created to act on behalf of the County in accordance with the Act, shall have no further authority to make or acquire home mortgages on behalf of the County, or to make loans to lending institutions on behalf of the County, the proceeds of which are to be used to make home mortgages or to make loans on residential developments, and in connection therewith, the Articles of Amendment of the Titus County Housing Finance Corporation attached hereto as Exhibit B are hereby approved. The County Judge and County Clerk are hereby authorized and directed to execute such Articles of Amendment and to file them with the Secretary of State of the State of Texas.

Section 5. The Commissioners Court hereby authorizes and approves the use of the proceeds of the Northeast Texas Housing Finance Corporation's 1991 Bonds to finance home mortgages for homes located within the County.

Section 6. Following the public hearings relating to the issuance of the 1991 Bonds to be held by the Northeast Texas Housing Finance Corporation in accordance with the requirements of Section 147(f) of the Internal Revenue Code of 1986, as amended, the County Judge, as the chief elected official of the County, is hereby authorized to execute a certificate of approval of the issuance of such 1991 Bonds, and the County Judge and County Clerk are each authorized to execute on behalf of the County such other certifications as are necessary and appropriate for the issuance of such bonds.

Section 7. All resolutions and orders, or parts thereof, in conflict with this Resolution are hereby repealed to the extent of such conflict.

Section 8. This Resolution shall take effect immediately from and after its adoption.

PASSED AND APPROVED this 13th day of August, 1990.

Alford L. Flanagan
County Judge

ATTEST:

Eugenia Roach
County Clerk

[SEAL]

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0016

IN THE MATTER OF
OPENING BIDS FOR
GASOLINE AND DIESEL

Motion was made by Commissioner Mike Price and seconded by Commissioner J. W. Terrell, Jr. to accept the bid of Pleasant Oil Company for gasoline and diesel. Other Bids were: Brown Oil Co., Niblett Oil and Morrison Products Co., Inc. Motion carried unanimously.

BID FORM FOR GASOLINE AND DIESEL FOR TITUS COUNTY

September 1, 1990 to August 31, 1991

QUANTITIES OF 500 to 1,000 GALLONS: PRICE PER GALLON:

DIESEL.....\$ Cost + 3 1/4¢
 REGULAR GASOLINE.....\$ Cost + 3 1/4¢
 UNLEADED GASOLINE.....\$ Cost + 3 1/4¢
 SUPER UNLEADED GASOLINE.....\$ Cost + 3 1/4¢

QUANTITIES OF 1,000 to 5,000 GALLONS:

DIESEL.....\$ Same
 REGULAR GASOLINE.....\$ Price
 UNLEADED GASOLINE.....\$ Price
 SUPER UNLEADED GASOLINE.....\$ Price

- Example - Conoco Price Dated 8/10/90

RU = $1.0796 + 3\frac{1}{4}¢ = 1.1121 - .0910 \text{ Fed Tax} = 1.0211$
 mid-Grade Unleaded = $1.1246 + 3\frac{1}{4}¢ = 1.1571 - .0910 \text{ Fed Tax} = 1.0661$
 SU = $1.1996 + 3\frac{1}{4}¢ = 1.2321 - .0910 \text{ Fed Tax} = 1.1411$
 Diesel: $.7703 + 3\frac{1}{4}¢ = .8031$

Pleasant Oil

BID FORM FOR GASOLINE AND DIESEL FOR TITUS COUNTY

Sealed bids will be received by the Titus County Commissioners Court, Mt. Pleasant, Texas until Monday, August 13, 1990 at 9:00 A.M., for gasoline and diesel for county use for the following period:

September 1, 1990 to August 31, 1991

Sealed bids marked "Gasoline and Diesel Bid" are to be submitted to the Auditor's office, Titus County Courthouse, Mt. Pleasant, Texas. Bid forms are available in the Auditor's office.

For bidding a fluctuating price, calculate your cost, plus freight, plus state tax, plus your profit.

(With this type bid, we will require copies of invoices reflecting your cost with each billing to Titus County, calculating the cost, freight, tax and profit.)

The following is required with bid:

Yes ☒

No ☐

Will your allocation of gasoline be able to supply Titus County up to 100,000 gallons per year?

Yes ☒

No ☐

Diesel and gasoline must be furnished to Titus County at bidders pump at: County Tanks at all four Precinct Barns - Sheriff's Tank - Maintenance Building.

IN THE MATTER OF
ADJOURNMENT

Motion was made by Commissioner Mike Fields and seconded by Commissioner Mike Price to adjourn. Motion carried unanimously.