

IN THE MATTER OF
APPROVING PAYING BILLS
AND SIGNING PAY ORDERS

Motion was made by Commissioner J. W. Terrell, Jr. and seconded by Commissioner Thomas E. Hockaday approving paying bills and signing pay orders. Motion carried unanimously.

EXECUTIVE SESSION

The Commissioners' Court went into executive session to discuss real estate. No action was taken when the Commissioners came back into open court.

IN THE MATTER OF
ADJOURNMENT

Motion was made by Commissioner Thomas E. Hockaday and seconded by Commissioner J. W. Terrell, Jr. to adjourn. Motion carried unanimously.

COMMISSIONERS' COURT
SPECIAL MEETING
APRIL 26, 1993

BE IT REMEMBERED THAT THE TITUS COUNTY COMMISSIONERS' COURT met in Special Session on Monday, April 26th, 1993 in the Titus County Courtroom with the following members present:

ALFORD L. FLANAGAN
MIKE PRICE
MIKE FIELDS
J. W. TERRELL, JR.
THOMAS E. HOCKADAY
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
BIDS FOR AUTOMOBILE INSURANCE

Motion was made by Commissioner J. W. Terrell, Jr. and seconded by Commissioner Mike Price approving accepting the Texas Association of Counties bid of \$24,121.00 for auto collision, liability, comprehensive and theft insurance. (There was one other bid from Capps Insurance Agency for \$39,933.00.) Motion carried unanimously.

JAC TITUS COUNTY

INSURANCE SPECIFICATIONS

COMPREHENSIVE AUTOMOBILE LIABILITY INSURANCE

Bodily Injury	-	\$100,000/person \$300,000/occurrence
Property Damage	-	\$100,000/occurrence

*Comprehensive & Coll. - \$500 Ded. (Comprehensive & Coll. on Sheriff's vehicles and 1990 IH Truck only)

RENEWAL EFFECTIVE DATE April 30, 1993 to July 1, 1994

Prior Carriers: The Hartford	
Policy No 46 CES SQ9480	
Experience Modification Credit	<u>12%</u>
The Hartford	
Policy No 46 CES SK4923	
Experience Modification Credit	<u>29%</u>
Insurance Company of North America	
Policy No CA 95 66 53	
Experience Modification Credit	<u>40%</u>
Cigna Insurance Company of Texas	
Policy No CAL 91 26 11	
Experience Modification Credit	<u>9%</u>

See Attached for Vehicle List.

Please line item as to premium cost. Bid will be awarded based on total cost of the line items:

*Comprehensive..(\$500.Deductible).....	\$1,303
*Collision.....(\$500.Deductible).....	\$4,729
Liability.....(\$0.Deductible).....	\$ 18,089
TOTAL	<u>\$24,121</u>

No Claims on Policy of 4/92-4/93

IN THE MATTER OF
BIDS FOR TRAILER MOUNTED
PATCHING MACHINE

Tabled until May 10 regular meeting.

IN THE MATTER OF
TEXAS UTILITIES MINING COMPANY CLOSING, ABANDONING AND
VACATING PORTIONS OF COUNTY ROADS NW - 22A, NW - 22B,
NW - 22C and NW - 22D

Motion was made by Commissioner Mike Price and seconded by Commissioner Mike Fields approving Texas Utilities Mining Company closing, abandoning and vacating certain portions of county roads: NW-22A from its intersection with U. S. 271 to its intersection with NW-22; NW-22B from its intersection with U. S. 271 to its intersection with NW-22; NW-22C from its intersection with U. S. 271 to the termination of the road; NW-22D from its intersection with U. S. 271 to the termination of the road. Motion carried unanimously.

RUSSELL, RUSSELL & WOOTTEN, P.C.

ATTORNEYS AT LAW
P.O. BOX 1136
116 EAST THIRD STREET
MT. PLEASANT, TEXAS 75468

TRAYLOR RUSSELL (1808-1882)
SAM W. RUSSELL
KERRY WOOTTEN

April 2, 1993

TELEPHONE
(800) 672-3883
FAX
(800) 672-7442

TO: County Judge and Commissioners' Court of Titus County, Texas

RE: Request to close, abandon and vacate certain county roads in Titus County, Texas; to relocate a section of U.S. Highway 271; and for mining purposes.

Gentlemen:

Texas Utilities Mining Company (TUMCO) would show that it has coal and lignite leases on several thousand acres of land lying in the northern portion of Titus County, Texas. In order to effectively carry out its mining program, it will be necessary that certain county roads located within TUMCO's proposed mining area be closed, abandoned and vacated. Pursuant to authority vested in the Commissioners' Court under Articles 2351(2) and 6702-1, Sec. 2.002, V.A.T.S., TUMCO respectfully requests the Commissioners' Court of Titus County, Texas, to close, abandon and vacate the following described county roads located in Titus County, Texas, identified in items (1), (2), (3) and (4) below:

- (1) TUMCO requests the closure, abandonment and vacation of County Road NW-22A from its intersection with U.S. Highway 271 to its intersection with NW-22, said closure being marked as Road #1 on the map attached hereto as Exhibit #1;
- (2) TUMCO requests the closure, abandonment and vacation of County Road NW-22B from its intersection with U.S. Highway 271 to its intersection with NW-22, said closure being marked as Road #2 on the map attached hereto as Exhibit #1;
- (3) TUMCO requests the closure, abandonment and vacation of County Road NW-22C from its intersection with U.S. Highway 271 to the termination of the road, said closure being marked as Road #3 on the map attached hereto as Exhibit #1; and
- (4) TUMCO requests the closure, abandonment and vacation of County Road NW-22D from its intersection with U.S. Highway 271 to the termination of the road, said closure being marked as Road #4 on the map attached hereto as Exhibit #1.

TUMCO requests that the Commissioners' Court of Titus County, Texas, adopt and enter an order which closes, abandons and vacates the county roads identified in items (1), (2), (3) and (4), above.

In the event that there are individuals living on lands in the vicinity of the roads for which closure, abandonment and vacation is being requested, no such resident or landowner will be denied access to their property. TUMCO would further show that they own the lands located on both sides of the segments of county roads sought to be closed, abandoned and vacated.

TUMCO proposes to relocate a section of U.S. Highway 271 from its intersection with NW-22 south approximately one mile. This relocation will be conditioned upon the closing of NW-22A, NW-22B, NW-22C and NW-22D.

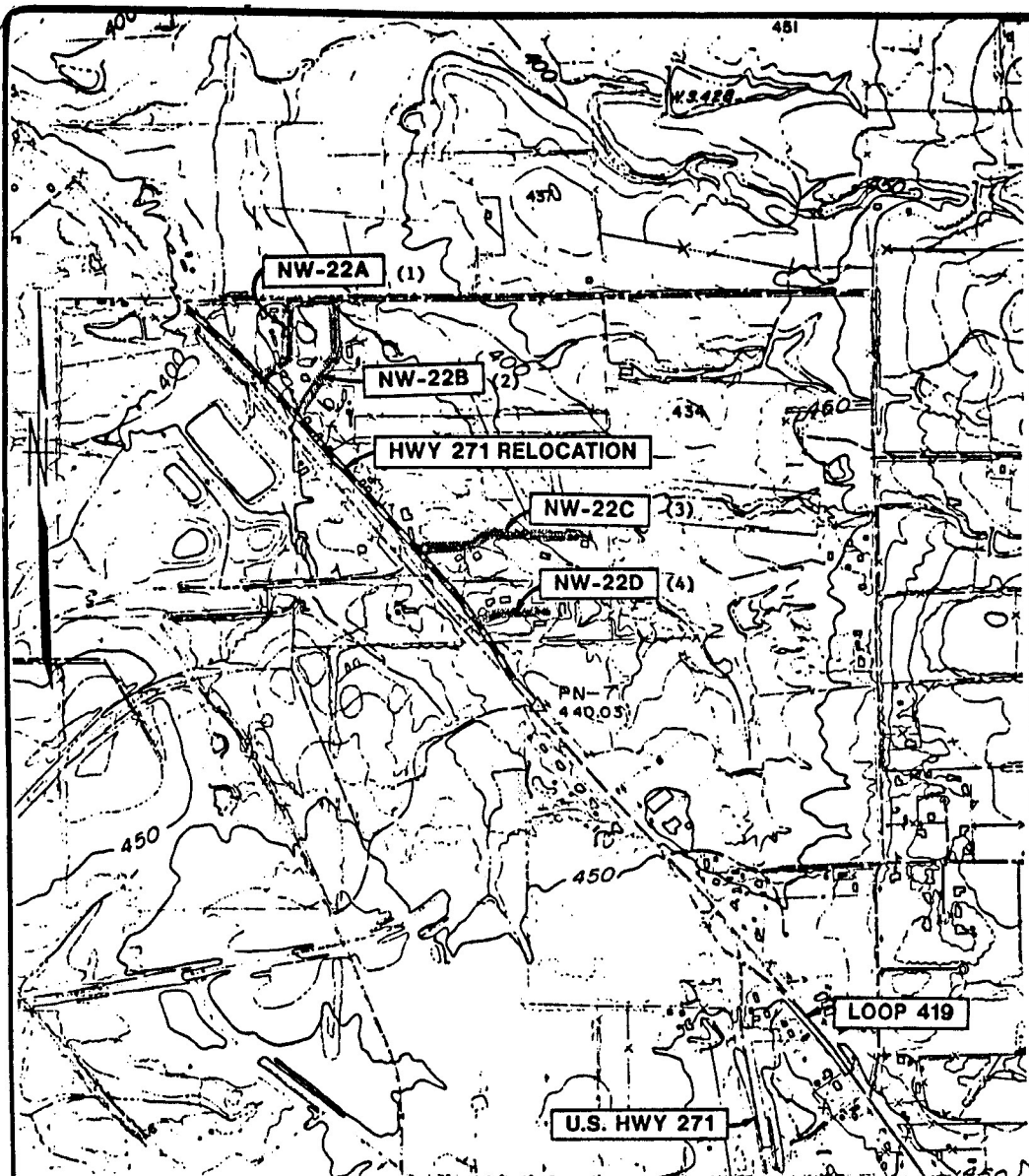
The roads sought to be closed, abandoned and vacated have not been classified by the Commissioners' Court, and TUMCO would represent that the public interest will be better served by closing, abandoning and vacating the roads in question in order that the area may be mined and that the coal and lignite lying in, on and under such county roads and the surrounding area may be removed.

Respectfully submitted,

TEXAS UTILITIES MINING COMPANY

By: Kerry Wootten
Kerry Wootten, Attorney

RUSSELL, RUSSELL & WOOTTEN, P.C.
P. O. Box 1135
Mt. Pleasant, Texas 75456-1135
Telephone: (903) 572-3653



PROPOSED ROAD CLOSURES

TEXAS UTILITIES MINING COMPANY
MI PLEASANT, TEXAS

EXHIBIT #1

NOTICE OF REQUEST
TO CLOSE, ABANDON AND VACATE CERTAIN
COUNTY ROADS IN TITUS COUNTY, TEXAS

Notice is hereby given that Texas Utilities Mining Company (TUMCO) has requested the Commissioners' Court of Titus County, Texas, to close, abandon and vacate four (4) county roads and to relocate a section of U.S. Highway 271 located in Titus County, Texas. This request will be heard by the Commissioners' Court of Titus County, Texas, in a regular session on the 26th day of April, 1993, at 9:00 o'clock a.m., in the Commissioners' Courtroom located in the Titus County Courthouse. A copy of such request and accompanying maps are on file in the Office of the County Clerk of Titus County, Texas, and may be inspected by any interested person. As a result of closing, abandoning and vacating said four (4) county roads, no person will be left without access to their residence or lands.

• Notice given this 2 day of April, 1993.

TEXAS UTILITIES MINING COMPANY

By: Kerry Wootten
Kerry Wootten, Attorney

RUSSELL, RUSSELL & WOOTTEN, P.C.
P. O. Box 1135
Mt. Pleasant, Texas 75456-1135
Telephone: (903) 572-3653

CERTIFICATE

I hereby certify that a true and correct copy of the above and foregoing Notice was posted on the North door of the Titus County Courthouse, Mt. Pleasant, Texas, on this 2 day of April, 1993.

Kerry Wootten
FILED
2:52 O'CLOCK AM PM ✓

APR 2 1993

Eugenia Roach
Titus County Clerk

IN THE MATTER OF
MENTAL HEALTH CENTER EXPANSION

Motion was made by Commissioner J. W. Terrell, Jr. and seconded by Commissioner Mike Price approving an additional \$46.00 per month for the Mental Health Center expansion. (The present amount the county contributes is \$100.00 per month. The total of \$146.00 will be in the budget for the coming year and will not be paid until then.) Motion carried unanimously.

IN THE MATTER OF
DECLARATION TO FINANCE JAIL CONSTRUCTION
COST AND REIMBURSE EXPENDITURES

Motion was made by Commissioner J. W. Terrell, Jr. and seconded by Commissioner Thomas E. Hockaday approving the Declaration To Finance Jail Construction Cost And Reimburse Expenditures. Motion carried unanimously.

**DECLARATION OF OFFICIAL INTENT OF THE
COMMISSIONERS COURT OF TITUS COUNTY, TEXAS
RELATING TO THE FINANCING OF RENOVATIONS AND ADDITIONS
TO THE COUNTY JAIL AND THE REIMBURSEMENT OF CERTAIN EXPENDITURES**

WHEREAS, the Commissioners Court ("Court") of Titus County, Texas ("County") has the authority to expend County funds for the purpose of financing the construction of renovations and additions to the county jail ("Jail"); and

WHEREAS, the Court has been made aware that the expenditure of funds for the Jail should begin in the near future; and

WHEREAS, the cost of the Jail to the County is anticipated to be approximately \$5,500,000; and

WHEREAS, it is the intent of the Court to pay part of the cost of construction relating to certain pre-construction professional services of an architect and for the purchase of land in the amount not to exceed \$1,000,000 with moneys legally available therefor in the County's General Fund, and to reimburse the General Fund with tax-exempt debt in an amount equal to such expenditure plus interest thereon, if any, from the proceeds of a future tax-exempt County bond issue, or any other legal means of tax-exempt financing for the Jail; and

WHEREAS, it is the intent of the Court to finance the construction of renovations and additions to the Jail through the issuance of bonds.

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

1. The Court hereby authorizes the expenditure of an amount not to exceed \$1,000,000 for the payment of professional services of an architect related to the pre-construction and planning for the Jail and the purchase of land being paid from moneys legally available therefor in the County's General Fund.

2. It is the intent of the Court to reimburse the General Fund of the County in an amount equal to the actual expenditure, not to exceed \$1,000,000, from the proceeds of a future tax-exempt bond issue.

3. The reimbursement to the General Fund shall take place by the later of (a) the date one year after the moneys are expended, or (b) the date one year after the improvements described herein are placed in service.

4. The funds authorized to be expended herein are to be used solely to acquire, construct or rehabilitate property having a reasonably expected economic life of at least one year.

5. This Declaration is a declaration under Section 1.103-18 of the Federal Income Tax Regulations to establish its official intent to reimburse itself for expenditures made after the date of this Declaration. It is also made to evidence its intent to make such reimbursements under article 717k-6, § 7(b), TEX. REV. CIV. STAT. ANN.

6. This Declaration of official intent shall be available for public inspection in accordance with the provisions of the Texas Open Records Act. Further, a copy of this Declaration shall be posted in the manner of posting notices of the Commissioners Court for thirty days after the date of this Declaration.

PASSED, APPROVED AND ADOPTED this 26th day of April, 1993.

Alford L. Flanagan
ALFORD L. FLANAGAN County Judge
Titus County, Texas

ATTEST:

Eugenia Resch
County Clerk and Ex-Officio
Clerk of the Commissioners
Court of Titus County, Texas

[Comm. Crt. Seal]

side line temp

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IN THE MATTER OF
APPROVING DRUG FOREITURE FUND EXPENDITURE FOR
FOUR CAR TELEPHONES FOR SHERIFF'S DEPARTMENT

Motion was made by Commissioner J. W. Terrell, Jr. and seconded by Commissioner Mike Price approving the Drug Forfeiture Fund Expenditure for four (4) car telephones for the Sheriff's Department. Motion carried unanimously.

APR 19 1993



CHARLES C. BAILEY

District Attorney, 76th Judicial District of Texas
P. O. Box 249
Mt. Pleasant, Texas 75456-0249

Counties:
Camp
Titus

Office Address:
105 West 1st
Telephone:
(903) 677-6728

April 12, 1993

Hon. Judge Flanagan
County Judge
Titus County Courthouse
Mt. Pleasant, Texas 75455

RE: Drug Forfeiture Expenditure Request

Dear Judge Flanagan:

We respectfully request the approval of the court for the expenditure of \$1122.00 from the referenced fund to purchase four car telephones for the Sheriff's office for law enforcement use. The department will be responsible for all telephone bills.

Attached hereto is our bid for these phones.

Sincerely,

Charles C. Bailey
Charles C. Bailey
District Attorney

CCB/mm
Enc.



elliott

CENTEL
CELLULAR
AUTHORIZED AGENT

April 8, 1993

Chuck Bailey
District Attorney
P.O. Box 704
Mt. Pleasant, TX 75455

Dear Mr. Bailey,

Elliott Motors is pleased to offer the following cellular phone costs to Titus County.

The purchase of one to five phones, the cost per unit is \$280.50. The cost of six or more phones will be \$265.00 per unit. This is a Motorola Bag Phone with battery.

Enclosed is a brochure covering the bag phone. It should answer any questions you may have concerning the phone and it's operations. If you have other questions please don't hesitate to call.

Sales tax exempt for county.

We are looking forward to your business.

Best regards,

Ruth Ann Lane
Phone Coordinator

928 W. 16th - Hwy. 67 West Mt. Pleasant, Texas 75455 Phone: 903-572-4371 Fax: 903-572-3012

IN THE MATTER OF
REVIEWING BUDGET AMENDMENT

Motion was made by Commissioner Thomas E. Hockaday and seconded by Commissioner Mike Fields approving amending the budget to be: auditor's fees of \$53,461.00 to Gohmert Associates Architects Planners. Motion carried unanimously.

IN THE MATTER OF
APPROVING COUNTY OFFICIAL'S REPORTS

Motion was made by Commissioner Thomas E. Hockaday and seconded by Commissioner Mike Fields approving the county official's reports: County Clerk, District Clerk and Tri Lakes Volunteer Fire Department. Motion carried unanimously.

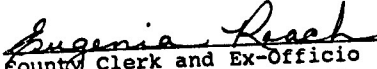
IN THE MATTER OF
SIGNING PAY ORDERS AND
APPROVAL OF PAYING BILLS

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

PASSED, APPROVED AND ADOPTED this 26th day of April, 1993.


ALFORD L. FLANAGAN, County Judge
Titus County, Texas

ATTEST:


County Clerk and Ex-Officio
Clerk of the Commissioners
Court of Titus County, Texas

[Comm. Crt. Seal]

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IN THE MATTER OF
APPROVING DRUG FOREITURE FUND EXPENDITURE FOR
FOUR CAR TELEPHONES FOR SHERIFF'S DEPARTMENT

Motion was made by Commissioner J. W. Terrell, Jr. and seconded by Commissioner Mike Price approving the Drug Forfeiture Fund Expenditure for four (4) car telephones for the Sheriff's Department. Motion carried unanimously.

APR 19 1993



CHARLES C. BAILEY
District Attorney, 76th Judicial District of Texas
P. O. Box 249
Mt. Pleasant, Texas 75456-0249

Counties:
Camp
Titus

Office Address:
105 West 1st
Telephone:
(803) 577-6728

April 13, 1993

Hon. Judge Flanagan
County Judge
Titus County Courthouse
Mt. Pleasant, Texas 75455

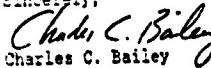
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Attached hereto is our bid for these phones.

Sincerely,


Charles C. Bailey
District Attorney

CCB/mm
Enc.



elliott

CENTEL
CELLULAR
AUTHORIZED AGENT

April 8, 1993

Chuck Bailey
District Attorney
P.O. Box 704
Mt. Pleasant, TX 75455

Dear Mr. Bailey,

Elliott Motors is pleased to offer the following cellular phone costs to Titus County.

The purchase of one to five phones, the cost per unit is \$280.50. The cost of six or more phones will be \$265.00 per unit. This is a Motorola Bag Phone with battery.

Enclosed is a brochure covering the bag phone. It should answer any questions you may have concerning the phone and it's operations. If you have other questions please don't hesitate to call.

Sales tax exempt for county.

We are looking forward to your business.

Best regards,

A handwritten signature in cursive script, appearing to read "Ruth Ann Lane".

Ruth Ann Lane
Phone Coordinator

928 W. 16th - Hwy 67 West Mt Pleasant, Texas 75455 Phone: 903-572-4371 Fax: 903-572-3012

IN THE MATTER OF
REVIEWING BUDGET AMENDMENT

Motion was made by Commissioner Thomas E. Hockaday and seconded by Commissioner Mike Fields approving amending the budget to be: architect's fees of \$53,461.00 to Gohmert Associates Architects Planners. Motion carried unanimously.

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IN THE MATTER OF
SIGNING PAY ORDERS AND
APPROVAL OF PAYING BILLS

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

EXECUTIVE SESSION

The Commissioner's Court went into executive session to consider real estate matters. After the executive session the court was reconvened and County Judge, Alford L. Flanagan, announced no action was taken.

IN THE MATTER OF
ADJOURNMENT

Motion was made by Commissioner Thomas E. Hockaday and seconded by Commissioner J. W. Terrell, Jr. to adjourn. Motion carried unanimously.

The above and foregoing minutes for the month of April, 1993 were read and approved this 10th day of May, 1993.

Alford L. Flanagan
ALFORD L. FLANAGAN, COUNTY JUDGE

Mike Price
MIKE PRICE
COMMISSIONER PRECINCT #1

Mike Fields
MIKE FIELDS
COMMISSIONER PRECINCT #2

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

Thomas E. Hockaday
THOMAS E. HOCKADAY
COMMISSIONER PRECINCT #4

Eugenia Roach
EUGENIA ROACH, COUNTY CLERK

COMMISSIONERS' COURT MINUTES FOR APRIL, 1993 A.D.
RECORDED ON THE 11th DAY OF MAY, 1993 A.D.

EUGENIA ROACH
COUNTY CLERK, TITUS COUNTY, TEXAS

BY Jean Crowe
DEPUTY COUNTY CLERK

COMMISSIONERS' COURT
SPECIAL MEETING
MAY 3, 1993

BE IT REMEMBERED THAT THE TITUS COUNTY COMMISSIONERS' COURT met in Special Session on Monday, May 3rd, 1993 in The Titus County Courtroom with the following members present:

ALFORD L. FLANAGAN
MIKE PRICE
MIKE FIELDS
J. W. TERRELL, JR.
THOMAS E. HOCKADAY
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
CANVASSING ELECTION RESULTS OF THE MAY 1,
1993 SPECIAL ELECTION FOR UNITED
STATES SENATOR AND AMENDMENTS

Motion was made by Commissioner Mike Fields and seconded by Commissioner Thomas E. Hockaday approving the canvassing of the Special Election May 1, 1993 for United States Senator and Amendments with one correction in Box 15 On the Constitutional Amendments Proposition 3 was changed from Against 26 to the correct amount of 43. Motion carried unanimously.

IN THE MATTER OF
ADJOURNMENT

Motion was made by Commissioner Mike Price and seconded by Commissioner J. W. Terrell, Jr. to adjourn. Motion carried unanimously.