COMMISSIONERS' COURT
REGULAR MEETING
JANUARY 9, 1995

BE IT REMEMBERED THAT THE TITUS COUNTY COMMISSIONERS' COURT met in *REGULAR SESSION* on Monday, January 9, 1995, in the Titus County Courtroom with the following members present:

DANNY P. CROOKS.....COUNTY JUDGE
MIKE PRICE.....COMMISSIONER PRECINCT 1
MIKE FIELDS.....COMMISSIONER PRECINCT 2
J. W. TERRELL, JR.....COMMISSIONER PRECINCT 3
THOMAS E. HOCKADAY.....COMMISSIONER PRECINCT 4
SHERRY MARS.....COUNTY CLERK

ABSENT: NONE

PUBLIC AND COUNTY OFFICIALS ATTENDING MEETING:

CARL JOHNSON, COUNTY AUDITOR
JUNE ROACH, COUNTY TAX ASSESSOR-COLLECTOR
CYNTHIA AGAN, COUNTY TREASURER
JOHN A. MOSS, SHERIFF
CHRIS DURANT, CONSTABLE PRECINCT 1
THOMAS P. GRESHAM, CONSTABLE PRECINCT 2

MARGIE THOMAS	P. A. THOMAS, JR.
KAY EVERS	ALEX EVERS
ARNEIL McBETH	MRS. JOHN HOLLINGSWORTH
EULA OWSLEY	MARGARET NEELEY
J. A. BELL	VANNOY CAPEHART
SANDY AGAN	MARGARET LAING
ALEXANDER LAING	MELVIN BOONER
AMOS ROCKWELL	DOUG WYMAN
JOHN BOOTH	ROBERT N. BAKER
BOB HILL	NORMA NARRAMORE
JAKE NARRAMORE	SUE WATSON
JACLYN JEWELL	

Judge Crooks opened the meeting by introducing himself and asking everyone to stand for the invocation. Invocation was given by Mr. Bob Baker.

Judge Crooks stated that the first thing they wanted to discuss was allowing the voters to abolish the office of County Treasurer.

IN THE MATTER OF
CONSIDERING ALLOWING VOTERS
TO ABOLISH THE OFFICE OF
COUNTY TREASURER

He asked if there were any comments.

County Treasurer Cynthia Agan asked, "Where would the duties go if the County Treasurer's Office is no longer here?"

Commissioner Mike Fields repeated, "Where would the duties go? The checks and stuff would go to the Auditor's Office and also the County Clerk's Office. That's the way other counties have done it." "Is that correct?"

County Treasurer Cynthia Agan asked, "Why is this being done at this time?"

Commissioner Mike Price remarks, "I think the reason it has been brought up is because there has been several people come to several of us wanting the opportunity to vote on doing away with the County Treasurer's Office."

County Treasurer Cynthia Agan asked, "Why, I don't mean to be impertinent to anyone, but why did the people come to you and expect to vote on the County Treasurer's Office anymore than they vote on your office or any other office in the County?"

Commissioner Mike Price replied, "I can't answer that."

County Treasurer Cynthia Agan asked, "Did you not ask those people that?"

Commissioner Mike Price answered, "No Ma'am."

County Treasurer Cynthia Agan said, "Just let me ask you this. How many people called or came to you?"

Commissioner Mike Price answered, "Several, to me."

County Treasurer Cynthia Agan then said, "Just give me a round figure."

Commissioner Mike Price replied, "Over the last year, month, six months, I don't know."

County Treasurer Cynthia Again said, "Okay, since the checks and balances are in the Auditor's Office now, there is no checks and balance system in Titus County. I have passed out a list of checks and the amounts of checks that have been missent or overpaid since the Auditor took over these duties of payroll, anyway. The Auditor's Office has always done the vouchers, but this has just started happening in the last several months. You say you have the last say so on the checks. Yes, I do, but I do not have any way of knowing whether that 60, 90, 120 day old invoice has been paid." "When I go to the Auditor's Office; I'm told, I don't care what anybody says, that's been paid. Even when the vendors call me and say, Mrs. Agan, you've overpaid this invoice." "So you want to take all the checks and balance system out of Titus County? This right here is a prime example of why there is a definite need for a checks and balance system."

County Auditor Carl Johnson asked, "Sandy, can I get a copy of that?"

County Treasurer Cynthia Agan remarks, "You certainly can."

Commissioner Mike Fields asked, "Sandy doesn't the elected official sign every pay order before it is paid?"

County Treasurer Cynthia Agan replied, "Yes."

Commissioner Mike Fields asked, "Then it goes to the County Auditor's Office and then it goes to your office for your signature?"

County Treasurer Cynthia Agan remarks, "Yes, but right here is an example. We paid the Sheriff's cleaning bill of $1,960.24. They called and they said, "Mrs. Agan, I can't decide which invoices you're paying."

Commissioner J. W. Terrell, Jr. asked, "Could I ask a question?"

County Treasurer Cynthia Agan replied, "Yes."

Commissioner J. W. Terrell, Jr. asked, "Did the Sheriff sign both invoices?"

County Treasurer Cynthia Agan remarks, "Yes he did, but he signed one of them on October 5th, November 1st, another one November 1st, November 4th, and these were paid December 27th."

Commissioner J. W. Terrell, Jr. said, "If he is signing those, then in effect, he is telling the Auditor's Office that those are legitimate invoices."

County Treasurer Cynthia Agan replied, "But there is no way he has, he has no way of knowing if the 60, 90, 120 days invoices have been paid. He has no way of knowing that they are being held in the Auditor's Office."

County Auditor Carl Johnson asked, "Can I make a comment?" "I figured it was going to come down to this and I wrote some notes and I'd like to make a few statements. First off, I think it's important that everybody understand exactly what our, the way the county's bills are paid. What happens is the invoices a, whoever the elected official is calls down and talks to Glendel and gets a purchase order. The purchase order is then processed through. When the invoice comes in they are all stacked up in the Auditor's Office. That's the office that receives them. Each elected official is supposed to go through those invoices, note on there if they have received them or whatever and then they sign off on them saying yes it's okay to pay these bills. After they okay everything, then we punch them into the county accounting system and pay a voucher like what Sandy had right there. At that point, I check them to see that there is a purchase order there, that there is an invoice there and that the county official always signs that it is okay to pay. Then they are run through each Commissioner's Court, a whole list of them, every item, every invoice. They approve them. After they are approved by them, then Sandy's told to print off the checks. Sandy prints off the checks. The invoice, all the invoices are taken up to her office and she has the opportunity to look at everyone of those before she signs them. If she has any questions at all, she can come to our office and talk to me about it. That's about as good a system as I know of. Sure there's some faults with it. Sure anytime there's human beings involved, there will be errors made. We have a twelve million dollar budget this year. We issue about, I don't know, 30 or 40

thousand checks a year. I have never stopped and added them all up. She has found about 20 checks out of 30 thousand that an error was made on. The errors were made all through the system. It was made when they signed it to okay it, if it was done paid. It was signed like it was paid. We didn't catch it in our office. The Commissioners didn't catch it when they reviewed it, and apparently Sandy didn't catch it when she reviewed it. Errors happen. It happens all the time. I could go and get a list, in fact there was one this morning that got an okay by Sandy's office, that went through. Accidents happen. She makes the deposits and she happened to make some to the wrong bank account. They were caught by our office. That's what happens. We try to do the best we can on that."

County Treasurer Cynthia said, "Another example of there needs to be a checks and balance system."

County Auditor Carl Johnson said, "I agree with you. I agree with you and we want a checks and balance system. The second thing I think needs to be brought up is exactly what the Treasurer's job is and what her checks and balances are. Every office has their own bank account. Every elected official has their own bank account. June has her own bank account. Sherry has her own bank account. They collect the money the fees and taxes from the tax payers or from the people who owe money that may not be tax payers. After it is collected, they put it in their own bank account. Each week or each month, they fill out a written report and write a check to transfer that money to the county's main operating account. They could take the check down themselves and put it in the bank. The report is given to the Commissioners. It's easy enough to see that the check is deposited. It has to match the report that they give to the Commissioners. In our organization with a County Treasurer, that's the County Treasurer's job. That is fine, if that's the way the people want it, but please understand that all she's doing is taking their deposits to the bank for them after a report is already filled out and it's sending a check. Okay, in my office, in my CPA office that's done by the girl who works part-time in the afternoon. She goes to the bank for us. You don't pay somebody $25,000.00 a year to be your errand runner for you. Now, the second duty that Sandy has is an important duty. She is the second signature on all the checks. I agree, there needs to be a second signature on all the checks. There needs to be a dual check signing, or somebody else that is working in the same building, saying yeah it is okay to pay them. Right now,

that is Sandy's job. If there wasn't a County Treasurer like there isn't in about 15 other counties..."

County Treasurer Cynthia Agan said, "Seven, Seven."

County Auditor Carl Johnson said, "Then the, or nine or whatever, or like it is not going to be at the state level because the State Treasurer is going to do away with her job."

County Treasurer Cynthia Agan remarks, "The Comptroller is elected. He's appointed."

County Auditor Carl Johnson said, "That doesn't matter."

Comment from someone in the audience, "Amen." There were several people trying to talk at once.

County Judge Danny P. Crooks said, "This has to stop with the arguing."

County Auditor Carl Johnson remarks, "I feel like my office is getting slandered and this is not my request to do this; this way. All they've done, is the voters have come to them and asked them. I didn't ask for this."

County Treasurer Cynthia Agan remarks, "Well, I have one question of Mr. Johnson and then one question of you folks and one question for the voters. Would you put up with this same, with this kind of operation in your CPA office?"

County Auditor Carl Johnson said, "Yes, I sure would."

County Treasurer Cynthia Agan said, "I don't think you would. This is money that the county is losing money. They are losing interest on this money that goes out."

County Auditor Carl Johnson said, "Sandy, I would like to tell you...."

County Judge Danny P. Crooks said, "All right, that's enough for right now please."

Mr. Alexander Laing got up to leave the courtroom. As he was leaving, he asked if he could say something.

County Judge Danny P. Crooks answers, "Yes sir, yes sir."

Mr. Alexander Laing said, "Well this is getting a little nervous about the meeting. I just got over a heart attack. I heard about this. Does the Auditor, who does he have to answer to? He's not voted in, he's got to answer to somebody."

Commissioner J. W. Terrell, Jr. said, "He answers to the District Judges."

Mr. Alexander Laing said, "To the District Judges. We put the Treasurer in, we voted her in right. He should answer to her, not them. That is my opinion. I'm getting out of here and let these people vote."

County Judge Danny P. Crooks said, "Thank you sir."

County Treasurer Sandy Agan said, "This is a District Judge that knows nothing about either office. He told me that."

County Treasurer Carl Johnson remarks, "But the control is all over the place, Sandy. It takes two signatures on every check. Everything comes through the Commissioners' Court."

County Judge Danny P. Crooks said, "We need to move on. Is there anyone got any other additional information that needs to be given to the court?"

P. A. Thomas said, " I haven't got any information myself Judge, but I wonder why we are taking this away from the County Treasurer that the people elected and giving it to a CPA." There is a lot of clapping and talking going on at this time.

County Auditor Carl Johnson said, "P. A. that's not what they're doing. If they take her job..."

P. A. Thomas remarks, "Well, they're trying to abolish her job."

County Auditor Carl Johnson replies, "Well, I know P. A. but, if they did that either the County Judge or somebody else is going to take over that job."

Someone from the audience asks Mr. Johnson, "Aren't you kin to one of the Commissioners?"

County Auditor Carl Johnson replies, "I'm kin to Mike Price." There is clapping and talking going on. County Auditor Carl Johnson said, "We're not taking away the duties given to me. Ya'll need to understand that. They are not giving those duties to me."

Bob Aikin said, "Can I just ask the Court a question? What is the purpose of you wanting to do it? What is the purpose of your wanting to cancel this job. Abolish it?"

County Judge Danny P. Crooks said, "I came in on this..." Mr. Aikin asked, "Is it because you think you can save money, or what is it? Give me the reason."

Commissioner Mike Fields remarks, "All I can say is some people that talked to me about it felt like because the State did away with or the State is looking at...."

Mr. Bob Aikin said, "The State isn't going to do that. That's a political ploy. I've got that straight from Martha. That's all political. It isn't done yet. Wait until it is a done deal."

County Treasurer Cynthia Agan remarks, "That was not Martha's intent. I have a letter....."

Mr. Bob Aikin said, "The Comptroller is elected and this gentleman is not elected. It would be the same thing that I oppose, is if they wanted to hire an engineer to take you people's place and for your government job would, be a non-paying like the City Council. You would be elected to that. Now you wouldn't like that. I don't like that because I don't like that system. I think that each commissioner doing his road work and stuff like that, ought to be, we ought to have it. We could save money now by electing an engineer to do all the road work in all the precincts. We could also then elect you people or

whoever wanted the job like they do City Council. No pay. You save a lot of money that way, but that's not a good idea."

Commissioner Mike Fields remarks, "Well, I will say this. I've had people ask me about it that it be put on the ballot and let people vote on it."

Mr. Bob Aikin said, "I've had a lot of people call me since this came up. One reason I'm up here. I don't express just my opinion, but people that's called me. They're upset about it and they don't like it and they weren't able to be here so I'm not only speaking individually but for a lot of people that's called me that's against this kind of move. Thank you."

Mrs. John Hollingsworth remarks, "Let me say this. I understand that this has been tried twice before and it didn't go over. Well why should the County Court, the Commissioners, have the authority to bring something like this up, when the Commissioners are only elected in their precinct? And evidently the people must be pretty well pleased, if Mrs. Agan has been in since 1978 and not even anybody has even run. This idea of saving money, I noticed in the Longview paper this morning that they were trying to save money, yet they pay someone $25,000.00 a year and by the same token, didn't the County Court and the Commissioners all vote their selves a big raise? That's not saving money to me. I don't think that it's right for them to take this advantage because in my opinion, the reason they want to start it now is because some of these Commissioners won't be here by the time it gets around back to vote and if the people are so interested, why don't they call somebody other than just in their precinct. Now that's the way I feel about it and if they needed a County Treasurer all these many years, when years ago, a mans word was his bond and they didn't have a lot of money they had to dispense of and properties to take care of at that time, but now they have a lot of property and where they had hundreds of dollars to take care of then, now they have thousands and millions now. So, if there was ever a time they needed a County Treasurer and when there is so much swindling and so much back biting and so many hands behind the back, you scratch my back and I'll scratch yours and I think its wrong to do away with the County Clerk, the County Treasurer's Office.

County Judge Danny P. Crooks said, "Thank you Ma'am."

Sandy Agan, Cynthia Agan's daughter in law stands up to talk.

County Judge Danny P. Crooks says, "Yes, Ma'am is this essential?"

Sandy Agan replies, "Yes, Sir it is. I have been involved in County Government in the last ten years and I think for the four of you commissioners up there a lot of the problem is that you have a grudge against Mrs. Agan."

Mrs. John Hollingsworth adds, "Amen."

Sandy Agan continues, "She stands up for what she feels is right for her and she will take care of her business. I think there is a grudge with you Commissioners."

County Judge Danny P. Crooks asks, "Ma'am, are you related to Mrs. Agan?"

Sandy Agan answers, "Yes, Sir I am. I'm her daughter in law my name is Sandy Agan, also."

P. A. Thomas remarks, "What difference does that make?"

Mrs. John Hollingsworth, "I don't think that it's the County Treasurer's Office that they want to get rid of, I think it's Mrs. Agan because she stands up for the people."

County Judge Danny P. Crooks, "Well, this is going to be the end of the discussion. We are going to call for a vote and determine whether to allow the voters to abolish the Treasurer or not. Do I hear a motion?"

Commissioner Mike Price, "Yes, after the recent election in which Martha Whitehead won the campaign to eliminate the State Treasurer's Office, some of the voters of Titus County have asked the members of this Court about the need to vote on the need of the local office. After listening to the people and giving this careful consideration, I make a motion to take the steps necessary to put this on the ballot and allow the people to decide whether or not the continue the office of County Treasurer of Titus County."

County Judge Danny P. Crooks asked, "Do I hear a second?"

Commissioner Thomas E. Hockaday said, "Second."

County Judge Danny P. Crooks said, "All right we're gonna call for all in favor of this motion, say aye." All Commissioners said "Aye."

County Judge Danny P. Crooks then asked, "All opposed." None answered. Motion carried unanimously. Motion passed.

The Court recessed for 5 minutes at 9:25 A.M.
Court reconvened at 9:30 A.M.

IN THE MATTER OF
PRESENTATION BY DOUG WYMAN
TACTICAL NARCOTICS TEAM TASK FORCE

The Court heard Doug Wyman concerning whether or not the new court was going to continue to work with the Task Force.

Commissioner J. W. Terrell, Jr. commented, "We are reimbursed."

Motion was made by Commissioner Thomas E. Hockaday and seconded by Commissioner Mike Price to work with the Task Force. Motion carried unanimously.

IN THE MATTER OF
CONSIDERING BIDS ON CHIP
SPREADER AND SWEEPER

Motion was made by Commissioner J. W. Terrell, Jr. and seconded by Commissioner Thomas E. Hockaday to purchase a used chip spreader in the amount of $52,500.00 from Nichols Machinery Company and not to purchase a sweeper at this time. Motion carried unanimously. *SEE ATTACHMENT "A"*

IN THE MATTER OF
DISCUSSING AGREEMENT BETWEEN
TEXAS DEPARTMENT OF TRANSPORTATION
AND TITUS COUNTY FOR RTS PROGRAM,
AUTO REGISTRATION DEPARTMENT

Tax Assessor - Collector June Roach recommended that the Court approve this agreement. The agreement provides that the State would furnish 3 or 4 computers to the Tax assessor - collectors office for an automated system for the uniform registration and titling of motor vehicles throughout the state of Texas.

Motion was made by Commissioner J. W. Terrell, Jr. and seconded by Commissioner Mike Price to approve the agreement between Texas Department of Transportation and the Titus County Tax Office. Motion carried unanimously. *SEE ATTACHMENT "B"*

IN THE MATTER OF
APPROVING BONDS FOR
ELECTED OFFICIALS

Motion was made by Commissioner Thomas E. Hockaday and seconded by Commissioner Mike Price approving bonds for elected officials. Motion carried unanimously.

IN THE MATTER OF
APPROVING MEMBERS OF
SALARY GRIEVANCE COMMITTEE

Motion was made by Commissioner J. W. Terrell, Jr. and seconded by Commissioner Mike Fields to approving members of salary grievance committee. Motion carried unanimously. *SEE ATTACHMENT "C"*

IN THE MATTER OF
APPROVING DRUG FORFEITURE EXPENDITURE
FOR MOTOROLA PAGER FOR SHERIFF'S DEPARTMENT

Motion was made by Commissioner J. W. Terrell, Jr. and seconded by Commissioner Thomas E. Hockaday approving drug forfeiture expenditure funds for a Motorola Pager in the sum of $318.00 for the Sheriff's Department from McCollum Electronics. Motion carried unanimously. *SEE ATTACHMENT "D".*

IN THE MATTER OF
APPROVING MINUTES FOR
DECEMBER 1994

Motion was made by Commissioner J. W. Terrell, Jr. and seconded by Commissioner Mike Price to table minutes until next court day. Motion carried to unanimously.

IN THE MATTER OF
CONSIDERING OBSERVANCE OF
JANUARY 16, 1995 AS A HOLIDAY

Motion was made by Commissioner Mike Fields and seconded by Commissioner Mike Price to observe Martin Luther King's Birthday as a holiday on January 16, 1995. Motion carried unanimously.

IN THE MATTER OF
APPROVING BUDGET AMENDMENTS

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

IN THE MATTER OF
SIGNING PAY ORDERS AND
PAYING BILLS

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

IN THE MATTER OF
APPROVING REPORTS OF
COUNTY OFFICIALS

Motion was made by Commissioner Mike Price and seconded by Commissioner J. W. Terrell, Jr. to approve reports of County Officials. Motion carried unanimously.

The Commissioners' Court went into Executive Session at 10:05 A.M. The Court returned at 10:25 A.M. No action was taken.

IN THE MATTER OF
ADJOURNMENT

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

ATTACHMENT "A"
QUOTATION

VOL 19 PAGE 15

CONLEY LOTT
Nichols
MACHINERY COMPANY

To: TITUS COUNTY
COUNTY COURTHOUSE
MT. PLEASANT, TX 75455

Date 12-19-94

ATTN: COUNTY JUDGE & COMMISSIONERS

1511 WEST MARSHALL LONGVIEW, TEXAS 75604 (903) 758-5547

Quantity	DESCRIPTION	Unit Price	Total
	WE ARE PLEASED TO FURNISH THE FOLLOWING QUOTATION FOR YOUR CONSIDERATION.		
ONE	USED ETNYRE HYDROSTATIC DRIVE CHIPSPREADER, S/N K5238, WITH 413 HOURS:		
	DIESEL ENGINE 14' HOPPER BOX FLASHERS ALL OTHER STANDARD EQUIPMENT		
	F.O.B. MT. PLEASANT		$60,000.00
	LESS TRADE IN:		
ONE	USED FLAHERTY CHIPSPREADER, S/N SPKH86284		-$ 7,500.00
			$52,500.00
	TERMS: NET CASH 15 DAYS FROM RECEIPT OF INVOICE QUOTE VALID FOR 30 DAYS SUBJECT TO ALL APPLICABLE TAXES		
	DELIVERY: FROM STOCK, SUBJECT TO PRIOR SALE		

FORM D-27—

Conley-Lott-Nichols Machinery Company

By: Eddy H Lenkowski

AMARILLO CORPUS CHRISTI DALLAS FORT WORTH HOUSTON LONGVIEW SAN ANTONIO

VOL 19 PAGE 16

QUOTATION

CONLEY · LOTT
Nichols
MACHINERY COMPANY

To: TITUS COUNTY
COUNTY COURTHOUSE
MT. PLEASANT, TX 75455

Date 12-19-94

ATTN: COUNTY JUDGE & COMMISSIONERS

1511 WEST MARSHALL LONGVIEW, TEXAS 75604 (903) 758-5547

Quantity	DESCRIPTION	Unit Price	Total
	WE ARE PLEASED TO FURNISH THE FOLLOWING QUOTATION FOR YOUR CONSIDERATION.		
ONE	NEW ETNYRE HYDROSTATIC DRIVE CHIPSPREADER:		
	2 WHEEL DRIVE DIESEL ENGINE 14' HOPPER BOX FULL LENGTH FLASHING ALL OTHER STANDARD EQUIPMENT		
	F.O.B. MT. PLEASANT		$83,588.00
ONE	SEAMON FLAHERTY CHIPSPREADER S/N SPKH86284, LESS TRADE-IN		-$ 8,500.00
	TERMS: NET CASH 15 DAYS RECEIPT OF ORDER QUOTE VALID FOR 30 DAYS SUBJECT TO ALL APPLICABLE TAXES		$75,088.00
	DELIVERY: 45-60 DAYS FROM RECEIPT OF ORDER		

FORM D-27--

Conley-Lott-Nichols Machinery Company

By: Eddy H. Tenhouser

AMARILLO CORPUS CHRISTI DALLAS FORT WORTH HOUSTON LONGVIEW SAN ANTONIO

QUOTATION VOL 19 PAGE 17

CONLEY LOTT
Nichols
MACHINERY COMPANY

To: TITUS COUNTY
COUNTY COURTHOUSE
MT. PLEASANT, TX 75455

Date 12-19-94

ATTN: COUNTY JUDGE & COMMISSIONERS

1511 WEST MARSHALL LONGVIEW, TEXAS 75604 (903) 758-5547

Quantity	DESCRIPTION	Unit Price	Total
	WE ARE PLEASED TO FURNISH THE FOLLOWING QUOTATION FOR YOUR CONSIDERATION:		
ONE	NEW WALDON SELF PROPELLED SWEEPER:		
	CUMMINS DIESEL ENGINE CAB W/PRESSURIZER A.C. 1/2 & 1/2 BRUSH- POLY & STEEL LIGHTS BEACON REVERSE ALARM TURBO II AIR CLEANER ENGINE DOORS		
	F.O.B. MT. PLEASANT		$31,618.00
	TERMS: NET CASH 15 DAYS RECEIPT OF INVOICE QUOTE VALID FOR 30 DAYS SUBJECT TO ALL APPLICABLE TAXES		
	DELIVERY: 4 - 6 WEEKS FROM RECEIPT OF ORDER		

FORM D-27—

Conley-Lott-Nichols Machinery Company

By: Ashley H. Lundquist

AMARILLO CORPUS CHRISTI DALLAS FORT WORTH HOUSTON LONGVIEW SAN ANTONIO

VOL 19 PAGE 18

CONLEY · LOTT

Nichols

MACHINERY COMPANY

QUOTATION

To: TITUS COUNTY
COUNTY COURTHOUSE
MT. PLEASANT, TX 75455

Date 12-19-94

ATTN: COUNTY JUDGE & COMMISSIONERS

1511 WEST MARSHALL LONGVIEW, TEXAS 75604 (903) 758-5547

Quantity	DESCRIPTION	Unit Price	Total
	WE ARE PLEASED TO FURNISH THE FOLLOWING QUOTATION FOR YOUR CONSIDERATION.		
ONE	USED WALDON SELF PROPELLED SWEEPER WITH 300 HOURS:		
	CUMMINS DIESEL ENGINE CAB W/PRESSURIZER A.C. 1/2 & 1/2 BRUSH- POLY & STEEL LIGHTS BEACON REVERSE ALARM TURBO II AIR CLEANER ENGINE DOORS		
	F.O.B. MT. PLEASANT		$24,900.00
	TERMS: NET CASH 15 DAYS RECEIPT OF INVOICE QUOTE VALID FOR 30 DAYS SUBJECT TO ALL APPLICABLE TAXES		
	DELIVERY: FROM STOCK, SUBJECT TO PRIOR SALE		

FORM D-27—

Conley-Lott-Nichols Machinery Company

By: Eddy H Kunkowski

AMARILLO CORPUS CHRISTI DALLAS FORT WORTH HOUSTON LONGVIEW SAN ANTONIO

ATTACHMENT "B"

VOL 19 PAGE 19

Rev. 9/30/94

Agreement No. 1-95

STATE OF TEXAS *

COUNTY OF TRAVIS *

AGREEMENT FOR THE USE OF STATE
OF TEXAS AUTOMATION EQUIPMENT

THIS AGREEMENT, is made by and between the State of Texas, acting by and through the Texas Department of Transportation, hereinafter called the "State", and the County of Titus, Texas, acting by and through its duly authorized officials, hereinafter called the "County".

W I T N E S S E T H

WHEREAS, the State is statutorily responsible for administering motor vehicle titles and registration pursuant to Texas Civil Statutes, Articles 6675a-1 et seq and 6687-1; and

WHEREAS, the County Tax-Assessor Collector acts as agent for the State in the processing of motor vehicle titles and registration; and

WHEREAS, the State has designed and will furnish an automated system for the uniform registration and titling of motor vehicles, hereinafter identified as the automated registration and title system (RTS); and

WHEREAS, automation equipment is necessary for the processing of motor vehicle titles and registration; and

WHEREAS, the State and the County desire that automation equipment procured by the State, hereinafter identified as the "Equipment", be installed and operated at location(s) under the jurisdiction of the County; and

WHEREAS, associated policies and procedures for the County use of the Equipment are codified in Title 43, Texas Administrative Code (TAC), Section 17.53 - 17.55; and

WHEREAS, the State will furnish the Equipment to the County provided the County agrees to adhere to and comply with those policies and procedures and the requirements established in this Agreement; and

WHEREAS, on the 9th day of January, 1995 the Titus County Commissioners Court Order or Resolution No._____, attached hereto and identified as "EXHIBIT A", authorizing the County's execution of this Agreement; and

A G R E E M E N T

NOW, THEREFORE, in consideration of the mutual promises in this Agreement, the parties agree as follows:

1. AGREEMENT TERMS

This Agreement shall become effective on the date of final execution by the State and shall terminate when all Equipment is removed from the County office(s) unless sooner terminated pursuant to Section 16 of this Agreement.

2. EQUIPMENT

The Equipment to be furnished by the State to the County is listed in "Exhibit B", attached hereto and made a part of this Agreement. The State retains full and complete title in the Equipment and nothing in this Agreement shall grant to the County, its officers or employees ownership in the Equipment.

3. EQUIPMENT PROCUREMENT

The State shall purchase all hardware and software that it determines is initially needed to support the RTS in approved County tax office locations.

The State shall purchase all telecommunications cable initially needed to attach the approved County tax office locations to the RTS telecommunications network.

The State shall purchase all telephone lines and equipment initially needed to attach the approved County tax office locations to the RTS network.

4. ADDITIONAL WORKSTATIONS

If a County desires additional workstations (in addition to the Equipment allocated by the State) for the initial implementation of RTS, they may be procured at County expense through the State. The cost of each additional workstation at a site previously designated by the county for initial RTS implementation is listed on the attached schedule (EXHIBIT C, Item 1.).

The cost of the first additional workstation for a County site not previously designated by the County for initial RTS implementation is listed on the attached schedule (EXHIBIT C, Item 2). After the purchase of the first additional workstation for a new county site, the cost of any other workstations for the site is listed on the attached schedule (EXHIBIT C, Item 2.).

There will be an ongoing annual cost to the County for installation, maintenance support, RTS software and network charges for each additional workstation purchased by the County and added to the RTS system. The associated costs for the equipment or services are listed on the attached schedule (EXHIBIT C, Item 3.).

Workstations purchased by the County are the property of the County. However, the loading of any software other than the RTS application or software expressly approved by the State on any workstation used for RTS may cause system problems or workstation processing failure. Service costs incurred for problems resulting from such software being loaded on the workstations are the responsibility of the County.

5. EQUIPMENT INSTALLATION

The State will pay for the costs incurred for the installation of the Equipment as listed in EXHIBIT B, Part 1 in the approved County tax office locations for the automated registration and title system. This payment does not include, nor will the State pay for any County employee time expended, any physical alterations the County may make to its offices to accommodate the Equipment, or for the installation of additional workstations purchased through the State by the County.

The State will pay for installation costs of telecommunications cable and lines as needed to attach to the automated registration and title system network in the approved County tax office locations.

The State will pay for teleprocessing costs associated with the use of the telecommunications network for the Equipment.

6. PROGRAMMING

The State shall perform all computer programming needed for the development and continued support of the automated registration and title system.

7. SECURITY

The County shall be responsible for the physical security and protection of the Equipment installed in its office(s).

8. MAINTENANCE

The State will pay maintenance costs required for the automated registration and title system for at least five (5) years (one year of warranty coverage and four years of maintenance coverage) from the date of installation. This maintenance contract will provide for the technical maintenance support of the Equipment purchased by the State and placed in the approved County tax office locations.

Provision will be made by the State for timely repair or replacement of the Equipment purchased by the State and placed in the approved County tax office locations. The timeframe for such repair/replacement will be as specified in the maintenance clause of the hardware equipment contract.

The State will provide the County with ongoing basic maintenance support for the automated registration and title system Equipment and software.

The County must purchase ongoing basic maintenance support through the State for the additional workstations purchased by the County. The maintenance support provided under this purchase will be the same as that provided by the State. This purchase cost is included in the figure listed in EXHIBIT C, Item 3.

9. EQUIPMENT REPAIR AND REPLACEMENT

The County shall be responsible for full repair or replacement costs for the Equipment in the event the Equipment under State contract that is placed under County control is damaged or lost. The repair cost shall be determined by the Equipment service vendor under contract to the State to provide maintenance service for the Equipment. The replacement cost shall be determined by the cost of equivalent equipment under State contract at the time the damage or loss occurs. In addition, the County shall be responsible for any service costs resulting from problems caused by unauthorized software or hardware residing on the workstations. The Equipment will be monitored electronically. Any unauthorized software detected on the Equipment will be removed electronically.

The County's payment for repair or replacement costs for damaged or lost Equipment, or service costs resulting from problems caused by unauthorized software residing on the workstations, or installation of unauthorized hardware on the State equipment, shall be remitted to the State by the County within 30 days of written request by the State.

10. EQUIPMENT MOVEMENT

The County shall notify the State of its intent to add, move, close, or remodel (if equipment or cabling is affected) any County office in which the Equipment is currently installed, or will need to be installed or removed.

Notification must be in writing and shall be submitted prior to the anticipated date the change will occur. Minimum notification periods:

- 30 days in the case of an office closing or remodelling,
- 90 days in the case of an office location change, or
- 180 days in the case of an additional office location.

The County shall notify the State prior to incidental movement of the workstation equipment within the office in which it is currently housed. A telephone call to the State is sufficient notification in this situation. All calls of this type will be documented by the State and kept on file.

Failure to notify and receive instructions from the State for such equipment moves exposes the County to liability if the Equipment is damaged in the move (see 7. SECURITY). The county shall be liable to the State for all such costs in the event the county fails to notify the State and receive instructions concerning movement of the workstation equipment.

11. UNAUTHORIZED USE OF STATE EQUIPMENT

Unauthorized entry into the Equipment for any reason, including but not limited to attempts to repair the hardware, or to load unapproved software, is expressly prohibited.

The County usage of the Equipment to access County automated systems is subject to prior approval by the State in writing.

The attachment or installation of any unauthorized equipment onto the automated registration and title system network is expressly prohibited.

12. ELECTRICAL REQUIREMENTS

The County shall meet and maintain minimum office electrical requirements as specified by the State for operation of the Equipment.

The County shall be responsible for the payment of all electrical power costs resulting from the operation of the Equipment.

Unless otherwise specified by the State, the Equipment shall remain on 24 hours a day, 7 days a week.

13. INVENTORY OF EQUIPMENT

The State is authorized access to the Equipment to perform a physical inventory at the County office locations during regular county business hours.

In order to maintain an accurate inventory of the Equipment, the County shall notify the State in writing of any equipment replacement.

14. TRAINING

The State shall provide on-site initial training for the County's employees on the automated registration and title system. The training plan must be reviewed and agreed to by the County prior to the implementation of the system. Training of deputies on the RTS after implementation of the automated system in the County will be the responsibility of the County.

The State will provide the counties with reference manuals for the automated registration and title system.

The State will provide the County with continuing training/advisory support on the automated registration and title system.

15. SUPPLIES

The State will provide the County with an adequate supply of continuous form paper to be used solely in conjunction with the automated registration and title system.

16. TERMINATION

This Agreement may be terminated by any of the following conditions:

A. By mutual consent and Agreement of the parties hereto.

B. By either party, upon thirty (30) days written notice to the other party.

C. By the State, should it determine that the County, at any time, has failed to comply with the requirements of this Agreement.

Should the Agreement be terminated for any of the above conditions, the County shall allow removal of the Equipment by the State within a period established by the State.

17. AMENDMENTS

Any changes in the terms and conditions of this Agreement must be enacted by a written amendment executed by State and the County.

18. PRIOR AGREEMENTS SUPERSEDED

This Agreement constitutes the sole and only Agreement of the parties hereto and supersedes any prior understandings and/or written agreements between the State and the County respecting the subject matter described herein.

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EXHIBIT A

1-95

IN TESTIMONY HEREOF, the parties to this Agreement have caused these presents to be executed in duplicate counterparts.

THE COUNTY OF TITUS **, TEXAS**

By: Danny P. Crook
County Judge

Date: JANUARY 09, 1995

By: June Roach
County Tax Assessor-Collector

Date: 1-9-95

ATTEST: Sherri Mars

THE STATE OF TEXAS VOL 19 PAGE 25

Executed for the Executive Director and approved by the Texas Transportation Commission under the authority of Minute Order No. 100002 and Administrative Circular 15-93, for the purpose and effect of activating and carrying out the orders, established policies or work programs heretofore approved by the Texas Transportation Commission.

By: _____
Assistant Executive Director for Motorist Services

Date: 2/8/95

ATTACHMENT "C"

SHERRY JO MARS
TITUS COUNTY CLERK
100 W. 1ST., SUITE 204
MT. PLEASANT, TEXAS 75455

GRIEVANCE COMMITTEE FOR 1995

1. **DWAIN FORTENBERRY (CHAIRMAN)**
   RT. 3 BOX 1905
   MT. PLEASANT, TEXAS 75455

2. **JEFF PRESCOTT**
   RT. 6 BOX 1465
   MT. PLEASANT, TEXAS 75455

3. **JERRY HARVEY**
   207 E. HOLLAND
   MT. PLEASANT, TEXAS 75455

4. **JOHN K. VINYARD**
   P.O. BOX 1156
   MT. PLEASANT, TEXAS 75456-1156

5. **ROGER KECK**
   1701 JEAN
   MT. PLEASANT, TEXAS 75455

6. **MARSHALL N. REDFEARN**
   812 W. 6TH.
   MT. PLEASANT, TEXAS 75455

7. **DIANA BROWN**
   1905 FRIENDLY
   MT. PLEASANT, TEXAS 75455

8. **JIM THOMAS BARTON**
   RT. 4 BOX 240 B
   PITTSBURG, TEXAS 75686

9. **BILLY ROBISON**
   503 SOUTHGATE
   MT. PLEASANT, TEXAS 75455

ATTACHMENT "D"

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NOV 15 1994

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) 577-6726

November 11, 1994

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

RE: Drug Forfeiture Expenditure Request

Dear Judge Flanagan:

We respectfully request approval for the expenditure of $318.00 from the referenced fund for a pager for the sheriff's office.

Attached is the bid from McCollum Electronics.

Thank you very much.

Sincerely,

Charles C. Bailey

Charles C. Bailey
District Attorney

CCB/mc
Enc.

COUNTY CLERK'S MEMO
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McCOLLUM ELECTRONICS, INC.
1010 West First Street
Mt. Pleasant, TX 75455
(903) 572-8641 • Fax (903) 572-8673

MOTOROLA Radius Authorized Dealer

9-21-94

Titus County Sheriff Dept

Motorola Minitor II Pager, #318.00

COUNTY CLERK'S MEMO
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