#### COMMISSIONER'S COURT REGULAR MEETING SEPTEMBER 13, 1999

BE IT REMBERED THAT THE TITUS COUNTY COMMISSIONERS' COURT met in *Regular Session* on Monday, September 13, 1999 in the Titus County Courtroom with the following member present:

DANNY P. CROOKS	COUNTY JUDGE
MIKE PRICE	COMMISSIONER PRECINCT 1
MIKE FIELDS	.COMMISSIONER PRECINCT 2
BILLY J. THOMPSON	.COMMISSIONER PRECINCT 3
THOMAS E. HOCKADAY	COMMISSIONER PRECINCT 4
JEAN CROVER	

**ABSENT: NONE** 

PUBLIC AND COUNTY OFFICIALS ATTENDING MEETING:

CARL JOHNSON, AUDITOR
CYNTHIA AGAN, COUNTY TREASURER

MICHAEL D. THOMPSON BOB SUMMERS LANNY WALKER ANN RUNDLE JOHN PAYNE

Invocation was given by Brother Michael D. Thompson.

IN THE MATTER OF OPENING AND CONSIDERING BID

#### RE-CREATION OF COUNTY CLERK'S RECORDS

Judge Crooks recommended that this matter be tabled until the next meeting due to the fact Miss Sherry Mars, Titus County Clerk was out of town.

Motion was made by Commissioner Mike Fields and seconded by Commissioner Billy J. Thompson to table this matter until September 27,

1999 Commissioner's Court to allow County Clerk to be present. Motion carried unanimously.

#### INSURANCE FOR TITUS COUNTY

Capps Insurance Bid was for \$99,806.00 with no workman's compensation included in the bid. Texas Association Of Counties bid was \$101,024.00 and was discounted to \$96.903.04. Texas Association Of Counties bid for workman's compensation was \$48,328.00.

A. Coverage for buildings & contents, public officials liability, comprehensive and theft, law enforcement liability, commercial liability.

Motion was made by Commissioner Thomas E. Hockaday and seconded by Commissioner Mike Price to approve the lowest bid from Texas Association Of Counties. Motion carried unanimously.

#### B. Worker's compensation.

Motion was made by Commissioner Mike Price and seconded by Commissioner Mike Fields to approve the only bid from Texas Association Of Counties. Motion carried unanimously. SEE ATTTACHMENT "A"

### IN THE MATTER OF APPROVING MINUTES FOR AUGUST, 1999

Motion was made by Commissioner Thomas E. Hockaday and seconded by Commissioner Mike Price to approve the minutes for August, 1999. Motion carried unanimously.

# IN THE MATTER OF CONSIDERING RESOLUTION REQUESTING TXDOT TO MAKE CR 4410 A FARM TO MARKET ROAD IN PRECINCT 2

Commissioner Mike Fields said, "We have a heavy traffic area for about 4 miles of County Road 4410. It is my recommendation to allow TXDOT to make this into a farm to market road."

Motion was made by Commissioner Mike Fields and seconded by Commissioner Thomas E. Hockaday to approve the resolution requesting TXDOT to make CR 4410 into a Farm to Market Road in Precinct 2. Motion carried unanimously. SEE ATTACHMENT "B"

# IN THE MATTER OF REVIEW OUTSIDE AUDIT REPORT OF SEPTEMBER 30, 1998 BY ARNOLD, WALKER, & ARNOLD COMPANY

Mr. Lanny Walker said, "Titus County had an increase in revenues and lease expenditures for the year of 1998. It was a good year for the County. The Wisconsin Prisoners helped." "It is still my recommendation that the county uses two signatures on all checks."

Motion was made by Commissioner Thomas E. Hockaday and seconded by Commissioner Mike Price to approve the outside audit by Arnold, Walker, Arnold Company. Motion carried unanimously.

#### IN THE MATTER OF CONSIDERING AND APPROVE SEPTEMBER 30, 1999 OUTSIDE AUDITOR CONTRACT

Motion was made by Commissioner Thomas E. Hockaday and seconded by Commissioner Mike Price to approve September 30, 1999 for outside auditor contract from Arnold, Walker & Arnold Company. Motion carried unanimously.

#### IN THE MATTER OF CONSIDERING GOING OUT FOR BIDS FOR ONE (1) ONE-TON 4-WHEEL DRIVE FIRE TRUCK

Motion was made by Commissioner Thomas E. Hockaday and seconded by Commissioner Mike Price to go out for bids for 1, one-ton 4-wheel drive fire truck. Motion carried unanimously.

### IN THE MATTER OF APPROVING BUDGET AMENDMENTS

Motion was made by Commissioner Mike Price and seconded by Commissioner Thomas E. Hockaday to approve budget amendments number 26 through 30. These can be seen in the County Auditors Office. Motion carried unanimously.

### IN THE MATTER OF APPROVING COUNTY OFFICIAL REPORTS

Motion was made by Billy J. Thompson to approve reports from County Auditors, District Clerk, Precinct 1 Justice of the Peace, Precinct 2 Justice of the Peace, City of Talco Fire Department, Five Star Volunteer Fire Department, Nortex Volunteer Fire Department, and Winfield Volunteer Fire Department. Motion carried unanimously.

### IN THE MATTER OF APPROVING SIGNING PAY ORDERS AND PAYING BILLS

Motion was made by Commissioner Thomas E. Hockaday to approve the signing of pay orders and paying bills. Motion carried unanimously.

## IN THE MATTER OF APPROVING DEPUTATION OF WAYNE M. SMITH AS DEPUTY SHERIFF

Motion was made by Commissioner Thomas E. Hockaday and seconded by Commissioner Billy J. Thompson to approve the deputation of Wayne M. Smith as Deputy Sheriff. Motion carried unanimously.

IN THE MATTER OF
CONSIDERING APPOINTMENT OF NEW MEMBERS TO
THE CHILD PROTECTIVE SERVICES BOARD:
JUDY CAPPS, KAY QUIRING, PAM SMITH, LEONARD HARCROW

Motion was made by Commissioner Mike Price and seconded by Commissioner Thomas E. Hockaday to approve appointment of Judy Capps, Kay Quiring, Pam Smith, Leonard Harcrow to the Child Protective Services Board. Motion carried unanimously. SEE ATTACHMENT "C"

# IN THE MATTER OF APPROVING SOUTHWESTERN BELL TELEPHONE COMPANY BURYING CABLE ALONG AND UNDER SW 2, PRECINCT 2

Motion was made by Commissioner Mike Fields and seconded by Commissioner Thomas E. Hockaday to approve Southwestern Bell Telephone Company along and under SW2, in Precinct 2 except to bore under all roads and driveways. Motion carried unanimously. SEE ATTACHMENT "D".

### IN THE MATTER OF ADJOURNMENT

Motion was made by Commissioner Mike Price and seconded by Commissioner Thomas E. Hockaday to adjourn. Motion carried unanimously.

VOL 27 PAGE 6
The above and foregoing minutes for the month of AUGUST, were read and approved this 13th day of SEPTEMBER, 1999.
Demis Grant
DANNY P. CROOKS, COUNTY JUDGE
mik fini
MIKE PRICE, COMMISSIONER PRECINCT #1
mile Full
MIKE FIELDS, COMMISSIONER PRECINCT #2
BILLY J. THOMPSON, COMMISSIONER PRECINCT #3
Thomas E. Hockalay
THOMAS E. HOCKADAY, COMMISSIONER PRECINCT #4
Therey Mars
SHERRY MARS, COUNTY CLERK
COMMISSIONERS' COURT MINUTES FOR AUGUST, 1999 A.D. RECORDED ON THE 14TH DAY OF SEPTEMBER, 1999, A.D.
SHERRY MARS, COUNTY CLERK TITUS COUNTY, TEXAS
By Gen Crower DEPUTY COUNTY CLERK



## ATTACHMENT "A" VOL 27 TEXAS ASSOCIATION OF COUNTIES COUNTY GOVERNMENT RISK MANAGEMENT FUND PUBLIC OFFICIALS LIABILITY CLAIMS MADE FORM PROPOSAL VOL\_27

Member Name: Titus County Contract No.: 2250

Proposal Date: 08/20/99
Proposed Effective Date: 10/01/1999 12:01 AM
Proposed Expiration Date: 10/01/2000 12:01 AM
Deductible: \$10,000
Retroactive Date: INCEPTION

Notes:

Coverage	Limit	Contribution
Basic Coverage PUNITIVE DAMAGES Endorsement	\$ 2,000,000 Per Claim and Aggregate \$ 1,000,000 in addition to Basic Coverage	\$ 9,085 Limits \$ 1,817
COMPLETED SIGNED AND DATE	Total Annual Contrib	PROPOSAL LL LOSSES AND ANY
,	COVERAGE ACCEPTANCE	
The Member elects:	Basic Coverage	
Optional Coverages:	County Clerks District Clerks	
Signature and Tile of Acce	Punitive Damages Other  October Octobe	
Christie Rob	utagn Sufferbu 13,19	99
	nless received by the TAC office not later than 60 days from the proposi	ni date shown RHL/BID AL.GL.LE.PO.APD

Annual

22093 - 99 RML/BID AL.GL, LE.PO.APD, PR

### Comparison - Public Officials Liability

	Basic Coverage Features	TAC Pool	Commercial Underwriters	National Casualty	National Union	Titan
1	Specifically designed for County governments in the State of Texas?	Yes	No	No	No	No
2	Underwritten in Texas by Texans?	Yes	No	No	No	Yes
3	Claims supervision and control conducted in Texas?	Yes	No	No	No	Yes
4	Covered Officials include: (a) All duly elected or appointed	Yes	Yes	Yes	Yes	Yes
	(b) Past, Present or future officials	Yes	Yes	Yes	Yes	"present" only
	(c) Employees	Yes	Yes	Yes	Yes	Yes
	(d) Volunteers	Yes	Yes	Yes	Yes	Yes. If authorized
5	In separate coverage, with limits in addition to basic policy limits, afforded to:  (a) District Clerks?	Yes (1)	No	No	No	No
	(b) County Clerks?	Yes (1)	No	No	No	No
6	Is coverage afforded to Attorneys, Engineers, Architects and Accountants employed by the County?	Yes (3)	Yes (2)	Yes (2)	Yes (3)	Yes
	Is the County covered as a Named Insured?	Yes	Yes	Yes	Yes	Yes
8	Is coverage in a:			<del></del>		· · · · · · · · · · · · · · · · · · ·
	(a) "Pay on behalf of basis?	Yes	Yes	Yes	Yes	Yes
	(b) "Indemnification" basis?	No	No	No	No	No
	Is coverage written on a "claims made" form?	Yes	Yes	Yes	Yes	Yes
10	Is coverage for "prior Acts" available?	Yes	Yes	Yes	Yes	Yes
	Does the Company have the duty to defend?	Yes	Yes	Yes	Yes	Yes
12	Are defense costs provided in addition to the limit of liability?	Yes	Yes	Yes	No	Yes
13	Are claims seeking non-monetary relief covered?	No	Yes	No	No	No
	Are punitive or exemplary damages covered with limits in addition to basic policy limit?	Yes	No	No	No	No
15	Is coverage included for members of board or commissions:			N. C.		
	(a) operating under the jurisdiction of the County?	Yes	Yes	Yes	Yes	Yes
	(b) operating outside of the jurisdiction of the County?	No (4)	No	No (4)	No (4)	No (4)

	Basic Coverage Features	TAC Pool	Commercial Underwriters	National Casualty	National Union	Titan
6	Does form affirmatively cover:					<u> </u>
	(a)Civil Rights Violations	Yes	No	Yes	Yes	Yes
	(b) Employment related discrimination?	Yes	Yes	No	No	No
7	Is coverage included for:					
	(a) fraud & dishonest?	No (5)	No	No (5)	No (5)	No
	(b) criminal acts?	No (5)	No	No (5)	No (5)	No
B	Notice of Cancellation is:	60 days	45 days	60 days	30 days	30 days
)	Extended Reporting Period options are:					
	(a) One year?	Yes	Yes	Yes	Yes	Yes
	(b) Two years?	Yes	No	Yes	No	Yes
	(c) Three years?	No	No	Yes	No	No

- The insured vs. Insured exclusion is removed for this exposure.
   Covered as any other official or employee.
   Covered as any other officials or employee, and subject to the insured vs. Insured exclusion.
- (4) May be added by endorsement.(5) Defense will be provided until final adjudication.

Notice: This form is intended to provide highlights of coverage for comparison and is not a coverage document. Please refer to the coverage document for complete details of coverage including definitions, exclusions, and other terms and conditions.

#### **TEXAS ASSOCIATION OF COUNTIES**

#### **TITUS COUNTY**

August 20, 1999

#### ADDENDUM TO AUTOMOBILE LIABILITY PROPOSAL

Since TAC provides the above coverage on a fleet basis, it would be necessary to include all vehicles including all trailers for coverage.

The estimated cost to provide Automobile Liability coverage to 23 trailers which were deleted on the vehicle list submitted for bid is \$483 additional annual contribution. Trailers will need to be added if TAC obtains this coverage.



# TEXAS ASSOCIATION OF COUNTIES COUNTY GOVERNMENT RISK MANAGEMENT FUND AUTOMOBILE LIABILITY PROPOSAL

Member Name: Titue County Contract No.: 2250

Proposal Date: 08/20/99
Proposed Effective Date: 10/01/1999 12:01 AM
Proposed Expiration Date: 10/01/2000 12:01 AM
Deductible: \$0
Experience Mod.: 1.0000
Notes:

Coverage	Limit	Annua ontribu	
Basic Coverage	\$100,000 BI Per Person / \$300,000 BI Per Occurrence	\$ 11	, 804
Non-Owned Link o or Co-	\$100,000 Property Damage Per Occurrence	1	
Non-Owned Liab 0-25 Emp Hired Automobiles	Same as Basic Coverage Limits	\$	37
	Same as Basic Coverage Limits	•	25
ACCEPTANCE FORM AND FULL DISSITUATION THAT COULD RESULT	AC APPLICATION FORM, INTERLOCAL AGREEMENT, PROPOS CLOSURE TO AND ACCEPTANCE BY THE FUND OF ALL LOSS N A POSSIBLE CLAIM.  Total Annual Contribution:	SES AND	
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TAALQW4 9-94

22093 - 99 RML/BID AL,GL,LE,PO,APD,FR

All Vehicles	AL Vehicle Sch
Deductible: 50	AL Vehicle Schedule with Contributions

TEXAS ASSOCIATION OF COUNTIES
AL Coverage Period: 10/01/1999 - 10/01/2000

Titus County 02250

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Class   Effect   Expire   Total   To	M/C	18 1992 FORD TRUCK
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All Vehicles	AL Vehicle Sci
Deductible: \$0	AL Vehicle Schedule with Contributions

TELAS ASSOCIATION OF COUNTIES
AL Coverage Period: 10/01/1999 - 10/01/2000

Titus County 02250

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AL Vehicle Schedule with Contributions
All Vehicles Deductible: \$0

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Annual Pro Rata

AL Coverage Period: 10/01/1999 - 10/01/2000

TEXAS ASSOCIATION OF COUNTIES

Titus County 02250

Page 6

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AL Vehicle Schedule with Contributions
All Vehicles Deductible: \$0

#### **TEXAS ASSOCIATION OF COUNTIES**

#### **AUTOMOBILE LIABILITY COVERAGE SUMMARY**

**Basic Coverage** 

Limits:

**Bodily Injury** 

\$100,000 per person \$300,000 per occurrence

Property Damage

\$100,000 per occurrence

Hired & Non-Owned Automobile Coverage

Limits:

**Bodily Injury** 

\$100,000 per person

\$300,000 per occurrence

Property Damage

\$100,000 per occurrence

Limited Mexico Coverage

Not to exceed 25 miles from boundary of United States of America

Not to exceed 10 days at any one time

Supplementary Death Benefit

\$10,000 per person

Caused by an automobile accident and sustained by an insured while

wearing a seat belt or protected by an airbag.

**Out of State Travel** 

Limit:

\$1,000,000 per occurrence

The following coverages are optional for an additional contribution.

**Personal Injury Protection** 

Limit:

\$5,000 per person
Personal Injury Protection provided ONLY for private passenger autos, pickup trucks and light vans as indicated on automobile liability schedule of vehicles.

Uninsured/Underinsured Motorist Coverage

**Basic Limits:** 

**Bodily Injury** 

\$ 20,000 per person

\$40,000 per occurrence

**Property Damage** 

\$15,000 per occurrence

Other limits are available up to:

**Bodily Injury** 

\$100,000 per person

\$300,000 per occurrence

Property Damage

\$100,000 per occurrence

#### TEXAS ASSOCIATION OF COUNTIES

#### **TITUS COUNTY**

August 20, 1999

#### **PRICING SUMMARY**

Coverage	Limits	<u>Deductible</u>	Contribution
Automobile Liability	100/300/100	None	\$11,865
Automobile Physical Damage	Per Scheduled Values	\$500 Comp \$500 Coll	\$5,716
General Liability	100/300/100	None	\$11,038
Public Officials Liability	\$2,000,000	\$10,000	\$10,902
Law Enforcement Liability	\$2,000,000	\$10,000	\$49,158
Property	Per Scheduled Values / Replacement Cost Coverage	\$1,000	\$12,345
	B&M		Included
Workers' Compensation	Statutory	None	\$48,323
Total			\$149,347
Workers' Compensation Property /	Liability Package Discounts		\$9,665
Total with WC Package Discount			\$139,682

Note: This is a summary sheet only and does not take the place of the proposal forms enclosed. Please refer to proposal forms for details on coverages and optional deductibles offered.

#### **ANNOUNCING**

#### **TEXAS ASSOCIATION OF COUNTIES**

#### WORKERS' COMPENSATION FUND

#### **Preferred Package Discount**

January 1, 1999 - 2000

The Texas Association of Counties Workers' Compensation Fund has established a Preferred Liability-Property Package Discount. Effective January 1, 1999, all members of TAC's Workers' Compensation Fund who also participate in the Risk Management Fund and/or the Property Casualty Fund will receive up to a 20% additional discount off their annual Worker's Compensation contribution. Each eligible line of coverage, carried through TAC, in either the Risk Management or Property Casualty Funds will earn an additional 4% discount off TAC Workers' Compensation charges. This additional discount is given after all other member discounts and experience modifiers have been applied to the manual Workers Compensation contribution. Eligible coverages are Automobile Liability, General Liability, Public Officials Liability, Law Enforcement Liability and Property.

#### Titus County:

Titus County estimated 1999 WC Contribution	\$48,323
Less discounts based on current participation (-\$8%) /AL -4%/LE -4%)	\$3.86 <u>6</u>
Total Current 1999 WC Contribution	\$44,457
Discounts available if county accepts TAC proposals (-12%) (GL -4%/PO -4%/PR -4%)	<u>\$5,799</u>
Total 1999 WC Contribution less Preferred Liability-Property Package Discounts if county accepts TAC proposals WC discount based on 1999 pricing. This is only an estimate of the discount that would be available in 2000.	\$38,658

### TEXAS ASSOCIATION OF COUNTIES

1204 San Antonio • Austin, TX 78701



P.O. Box 2131 • Austin, TX 78768-2131

Sam D. Seale • Executive Director

August 17, 1999

Titus County Commissioners Court c/o Hon. Danny Crooks Titus County Judge 100 West First Street, Suite 202 Mt. Pleasant, Texas 75455

Dear Honorable Court Members:

Thank you for the opportunity to present the enclosed proposals to your county. TAC has developed a portfolio of coverages specifically designed for Texas Counties which, I believe, responds well to the unique needs of county government. The proposals enclosed are as follows:

\*Automobile Liability Coverage

Public Officials Liability Coverage

\*Automobile Physical Damage Coverage

\*Workers' Compensation Coverage

General Liability Coverage

\*Law Enforcement Liability Coverage

ge Property Coverage

\*Our bids for Automobile Liability, Law Enforcement Liability, Automobile Physical Damage and Workers' Compensation coverage are for replacement of the coverages currently in force and would ensure uninterrupted protection for these exposure areas. Please note that each line of self-insurance offered attempts to provide the broadest coverage possible. Your self-insurance Fund's primary purpose for existence is to ensure reasonably priced coverage is available and that members do not experience problems of non availability as they did several years ago when the commercial insurance market refused to write coverage for governmental entities.

We have also included, for your information and reference, a list of other counties that participate in the TAC sponsored self-insurance Pool. We are confident that any of them would provide excellent references for the Fund. Also, enclosed is a fact sheet detailing how TAC's Pools operate. Among other concepts discussed in the fact sheet are assurances that each Fund managed by TAC is a non-assessable funding mechanism that transfers responsibility for a claim from the subscribing member to the Pool. There are other Pools operating in Texas where the risk is not transferred and where responsibilities for paying a claim's cost revert back to the county, if the county cancels coverage with that Pool or if the Pool experiences difficulty paying the claim.

To initiate coverage, please complete the enclosed coverage acceptance forms immediately and return them to us. It will be necessary to have these documents completed and returned prior to the coverage effective date. Please have the appropriate official sign all copies of the agreements and return one copy of each to our office.

If you have any questions or need assistance in evaluating our proposal, please do not hesitate to contact your Service Representative, Victor Uvalle or me at 1-800-456-5974.

Sincerely

Jamo W. Jean, AJM

Director, Program Administration

JWJ/vu Enclosures

(512) 478-8753 • 1-(800) 456-5974 • FAX (512) 478-1426

## Texas Association of Counties Pooling Self-Insuring for Workers' Compensation, Liability and Property Coverage

Pooling results from an agreement among a group of counties or similar entities to jointly finance their losses. Members contribute funds (premiums) to the pool, which in turn pays losses, purchases reinsurance and handles administrative functions in a manner similar to what an insurance company does.

**Background** 

In the middle 1970's, liability suits against counties and other governmental entities mushroomed. Plaintiffs found new basis for claims in laws such as the Civil Rights Act and for the first time Texas Counties were required to provide workers' compensation to their employees. The doctrine of "joint and several liability" was applied more widely by the courts. Under this doctrine, if two or more entities or individuals are responsible for an injury, and one is unable to pay, the other party must pay the entire claim, even when environmental factors were alleged. For example, an automobile accident could be partially attributed to imperfect road design, thus the county could be required to pay even though the more approximate cause was error on the part of the driver.

Because use and application of these legal concepts by the courts caused an explosion of claims and attendant cost, most insurers elected to drop out of the municipal business. Those that remained raised their price to unacceptably high levels because of the uncertainty of the legal system. The result was a movement by governmental bodies to pool risks among related entities to compensate for the lack of affordable insurance and as an attempt by management to control cost. This "pooling" movement began in earnest in the late 1970's and accelerated through the 1980's, enabling public entities to do without commercial insurance entirely or at least eliminate it for lower cost risks and retain most of the liability exposure within the Pool.

Workers' compensation was the first type of risk to be pooled by County Government in Texas because the commercial market could not provide the needed insurance. Pooling did not begin for coverages such as Public Officials Errors and Omissions and Law Enforcement liability until a crisis in liability insurance availability was precipitated in the middle 1980's. Though initially only involved with workers' compensation, TAC, responding to member needs, began offering a full range of liability coverages. In the early 1990's this was again expanded to offer property coverage.

#### Benefits of TAC Sponsored Pooling

Stability of year-to-year insurance cost

- Liability for risks are transferred to the Pool, not retained by the members as may be the case with some other risk financing scheme or pools that allow members to be assessed additional cost.
- Risk transfer costs are reduced; that is, agent or broker fees and insurer overhead, are reduced or eliminated by replacing these functions with professional, in-house Pool managers and staff.
- Investment income is realized from investing money held for reserves for claims payment. This
  investment income directly lowers costs of coverage to Pool members
- Entities with particularly bad loss experience can be excluded because they are identifiable and can
  be subjected to scrutiny and evaluation by their peers. If coverage is offered members with high
  losses will pay a higher cost, proportional to their losses.
- Each member has a voice, through its Board of Directors, in claims-making decisions and an
  opportunity to create a rating system to encourage activities pool members believe are important to
  them.
- Professional risk and claims management services are provided for entities too small to afford it on their own. Familiarity of the Fund manager and staff with pool members leads to better risk analysis, loss prevention, claims handling, and excess insurance placement.
- Spreading loss prevention costs over a broad base allows more complete programs of safety, training, and other loss prevention programs.
- The combined purchasing power of many entities leads to more effective purchase of reinsurance.

<u>Pooling By the Members - for the Members</u>
All coverages offered by TAC are managed by Board of Trustees composed exclusively of **Texas** elected or appointed county officials. These members have a fiduciary duty which they voluntarily and enthusiastically perform to provide pool members with a quality program and reasonable prices for their liability needs.

Legislative Authority for Pool Operation

During the special legislative session in 1986, Chapter 119, Local Government Code was enacted through the combined efforts of many county officials and the Texas Association of Counties. Chapter 119 created the County Government Liability Insurance Pool which TAC manages. Through this pool, counties are able to join together to self insure for general, automobile, public officials and law enforcement liability. In this manner, counties can avoid being caught in any future insurance crunch. During 1993, the Legislature amended Chapter 119 to make clear that any political subdivision could participate in the Pool.

Section 119.008 of Chapter 119, Local Government Code, states that coverage, when provided by the TAC Risk Management Pool, is not insurance for purposes of any statute of the State. Rather the fund provides coverage on a self insured basis, through an interlocal agreement (The Interlocal Cooperation Act - Chapter 791, Texas Government Code) which is not subject to competitive bidding

Authority for the Workers' Compensation Fund's operation is detailed in Chapter 504 of the Texas Labor Code, while the Property Pool was formed pursuant to Article 715C Vernon's Civil Statutes.

Reinsurance

Excess insurance is purchased by each fund to respond to losses once individual claims exceed a certain size. This is referred to as specific excess insurance. For the Workers' Compensation Fund this is \$500,000 per claim and for the Public Officials/Law Enforcement coverages, reinsurance is provided above the pool's self-insured retention, up to the policy limit. For Auto Physical Damage and Property coverages, reinsurance, above the pool's self-insurance retention, is also procured.

<u>Expense Savings</u>
Expense savings are realized from reduced administrative expenses, more cost efficient loss control and safety programs and economies of scale due to group purchasing power. The investment income earned on the premium and loss (claims) reserve funds is another source of revenue to the Pool.

Actuarial Projections
The rate which claims are paid out for workers' compensation and liability claims can be estimated from industry average and from Pool experience. Workers' compensation claims are referred to as "long-tail" claims and may take up to 15 or more years to be totally paid and closed. Liability claims are also "long-tail" and frequently take seven or more years to be fully closed. Actuarial analysis of pool data is utilized to determine funding level required to provide the money to satisfy liabilities for these longtail claims and to determine rates that must be charged to each member for Pool solvency.

Financial Management

Financial management of the pool is extremely important since the reserve for claims are held for many years. A 1% increase in the rate of return can make a big difference. The rate of return attained by TAC is a primary reason members enjoy such good pricing for their Pool participation.

<u>Loss Prevention</u>
A vital part of each pool's program is analysis of hazards for pool members and providing loss prevention expertise. The pool management is in a position to know the activities and hazards of the members better than anyone from the commercial insurance industry, and is in a position to develop and recommend loss prevention techniques suited to conditions of the membership.

Claims Management

Control of claims can be viewed as another aspect of loss prevention, at least as important as the others, and calls for professional staff overview. In-house adjusters at TAC oversee claims administrating companies that were selected on the basis of background, skills and their ability to provide cost effective claims adjusting services.

# SERVICES PROVIDED BY THE TEXAS ASSOCIATION OF COUNTIES ADDED VALUE

#### Legislative Support

Analyze and monitor legislation
Determine fiscal impact to counties
Disseminate critical information to
counties

Watchdog state agency regulations TACNEWS newsletter by FAX Coordinate legislative goals of all independent county officeholders

#### Legal Resources/Research

Legal department hotline
Publications of county-specific
research on issues like open
meetings, election laws,
bonds/oaths, road & bridge
statutes

Analysis of county-related court cases and opinions

#### **Continuing Education**

County Management Institute
Pre-Legislative Conference
Post-Legislative Conference
Regional seminars for loss control
planning, law enforcement and
county official liability training
New officials orientation through
LBJ School of Public Affairs
Judicial education for judges and
on-going updating through
computer labs, writing courses
and two judicial institutes
Assist with regional and statewide
conferences for each association

#### **Field Services**

#### Safety

County customized audits Surveys and walk-throughs County-specific on-site training

#### Personnel

Assistance with personnel policies Resource for questions regarding labor law and supervision of employees

On-site training

#### Law Enforcement

Technical assistance Evaluation of existing policies Regional and on-site training

#### Coverage Assistance

County-specific risk assessments Assistance with preparation of bid specifications

Evaluating coverage needs and documents

On-going insurance training and resources

#### **Independent Property Appraisals**

Replacement cost, appraisals provided for designated buildings

#### Communications

COUNTY Magazine Legislative Newsletter Flashpoint! Safety Newsletter Personnel Pointers Newsletter World Wide Web Page

## COUNTIES PARTICIPATING IN TAC'S PROPERTY CASUALTY POOL

Aransas County **Bailey County Bandera County Bastrop County Baylor County** Blanco County **Borden County Brewster County Briscoe County Brown County Burleson County Burnet County** Callahan County Cameron County Camp County Chambers County Cherokee County Clay County Cochran County Colorado County **Comal County** Comanche County Cooke County Coryell County Crane County Crosby County **Dallam County** Dawson County **Delta County Denton County DeWitt County Dickens County Donley County Duval County Eastland County** Ellis County Erath County Fannin County **Favette County Fisher County** Floyd County Franklin County Frio County **Garza County** 

Hamilton County Hardin County Harrison County Hartley County **Haskell County** Hays County **Hidalgo County** Hill County **Hockley County Hood County Howard County Hunt County Hutchinson County Jackson County Jeff Davis County** Jim Hogg County Johnson County Jones County Karnes County Kaufman County Kent County Kerr County **Kinney County Kleberg County Knox County** La Salle County Lamar County Lamb County Lampasas County Lavaca County Lee County Leon County Liberty County **Limestone County** Live Oak County Llano County **Loving County** Mason County **Maverick County** McLennan County Medina County Milam County Mitchell County Montague County **Moore County** Navarro County Oldham County **Orange County** 

Palo Pinto County Parker County Parmer County Polk County Rains County Randall County Real County **Red River County** Reeves County Refugio County **Roberts County Rockwall County** Runnels County Sabine County **Scurry County Sherman County** Somervell County Stephens County Stonewall County Swisher County Terrell County **Titus County Trinity County** Tyler County **Upshur County Upton County** Van Zandt County Victoria County Waller County **Washington County** Wharton County Wichita County Wilbarger County Willacy County Winkler County Wise County

Property Casualty Pool includes Property, Auto Physical Damage and Crime Coverages

As of 8/17/99

**Goliad County** 

**Grayson County** 

Grimes County Hall County

## COUNTIES PARTICIPATING IN TAC'S COUNTY GOVERNMENT RISK MANAGEMENT FUND

Aransas County **Archer County Bailey County Bandera County** Bastrop County **Baylor County Blanco County Borden County Brewster County Briscoe County Brown County Burleson County Burnet County** Cameron County Camp County Carson County Chambers County Cherokee County Clay County Cochran County Colorado County Comal County Comanche County Cooke County Coryell County Crane County Crosby County **Dallam County Dawson County Delta County Denton County DeWitt County Dickens County Donley County Duval County Eastland County** Erath County Fannin County **Fayette County Fisher County** Floyd County Franklin County Garza County

Hall County **Hamilton County** Harrison County Hartley County Haskell County Hays County Hemphill County Hidalgo County Hill County **Hood County Hopkins County Houston County** Howard County **Hunt County Hutchinson County** Jack County Jackson County Jeff Davis County Jim Hogg County Johnson County Jones County Karnes County Kaufman County **Kent County** Kerr County **Kinney County Kleberg County Knox County** La Salle County Lamar County Lamb County Lampasas County Lavaca County Lee County Leon County Limestone County Lipscomb County Llano County **Loving County** Martin County Mason County **Maverick County McLennan County** McMullen County Medina County

Morris County Navarro County **Nueces County** Oldham County **Orange County** Palo Pinto County Parker County Parmer County Polk County **Presidio County** Rains County Randall County Real County **Red River County** Reeves County Refugio County **Roberts County** Rockwall County Runnels County **Rusk County** Sabine County Scurry County **Sherman County** Somervell County Stephens County Stonewall County **Swisher County Terrell County Terry County Titus County Trinity County** Tyler County **Upshur County Upton County** Van Zandt County Victoria County Waller County Washington County Wharton County Wiseeler County Wilbarger County Willacy County Williamson County Winkler County Wise County Yoakum County

Risk Management Pool includes Auto Liability, General Liability, Public Official Liability and Law Enforcement Liability Coverages

Milam County

**Moore County** 

Montague County

As of 8/17/99

Goliad County

**Gonzales County** 

**Grayson County** 

**Gregg County** 

**Grimes County** 

## COUNTIES PARTICIPATING IN TAC'S WORKER'S COMP FUND

**Anderson County** Andrews County **Aransas County Archer County** Armstrong County Atascosa County **Austin County Bailey County Bandera County Bastrop County Baylor County Bee County Bell County** Blanco County **Borden County Bosque County Bowie County** Brazoria County **Brazos County Brewster County Briscoe County Brooks County Brown County Burleson County Burnet County** Caldwell County Calhoun County Callahan County **Cameron County** Camp County Carson County Castro County Chambers County Cherokee County Childress County Clay County **Cochran County** Coleman County Colorado County **Comal County** Comanche County Cooke County Coryell County **Cottle County Crane County Crosby County Dallam County Dawson County** 

Deaf Smith County **Delta County Denton County DeWitt County Dickens County** Dimmit County **Donley County Duval County Eastland County Ector County Edwards County** Ellis County Erath County Falls County **Fannin County Fisher County** Floyd County Franklin County Freestone County Frio County **Gaines County Garza County** Gillespie County **Goliad County Gonzales County Grayson County Gregg County** Hale County Hall County **Hamilton County** Hansford County Hardeman County Hardin County Harrison County Hartley County Haskell County **Hays County Hemphill County Henderson County Hidalgo County** Hill County **Hockley County Hood County Hopkins County Howard County Hunt County Hutchinson County Jack County** 

Jackson County Jeff Davis County Jim Hogg County Jim Wells County Johnson County Jones County Karnes County **Kaufman County** Kendall County **Kenedy County** Kent County Kerr County Kinney County Klebera County Knox County La Salle County **Lamar County** Lamb County **Lampasas County** Lavaca County Lee County Leon County **Liberty County Limestone County Lipscomb County** Live Oak County Llano County **Loving County Lubbock County** Madison County **Marion County** Martin County Mason County **Maverick County** McLennan County **McMullen County** Medina County Milam County Mitchell County Montague County Montgomery County Moore County **Morris County Navarro County Nolan County Nueces County** Ochiltree County **Oldham County** 

As of 8/17/99

## COUNTIES PARTICIPATING IN TAC'S WORKER'S COMP FUND

Orange County Palo Pinto County Panola County Parker County **Parmer County Pecos County Polk County Potter County Presidio County** Rains County Randall County Real County **Red River County** Reeves County Refugio County Roberts County **Robertson County** Rockwall County Runnels County Rusk County San Augustine County San Jacinto County San Patricio County San Saba County **Scurry County Sherman County** Smith County Somervell County Starr County Stephens County Stonewall County **Swisher County Taylor County Terrell County Terry County Titus County Trinity County** Tyler County **Upshur County Upton County Uvalde County** Val Verde County Van Zandt County

Wheeler County
Wichita County
Wilbarger County
Willacy County
Williamson County
Winkler County
Wise County
Wood County
Yoakum County
Young County
Zapata County

As of 8/17/99

Victoria County Walker County Waller County Washington County Wharton County



# TEXAS ASSOCIATION OF COUNTIES PROPERTY AND CASUALTY SELF INSURANCE FUND AUTOMOBILE PHYSICAL DAMAGE PROPOSAL

Member Name: Titus County

Contract No.: 2250

Proposal Date: 08/20/99

Proposed Effective Date: 10/01/1999 12:01 AM Proposed Expiration Date: 10/01/2000 12:01 AM

Deductible: \$500

Notes:

Coverage	Limit	Annual Contribution
Collision	See Schedule of Vehicles	\$ 4,003
Comprehensive (all causes other than collision)	See Schedule of Vehicles	\$ 1,633
SUBJECT TO RECEIPT AND ACCEPTANCE BY COMPLETED SIGNED AND DATED TAC APPLI ACCEPTANCE FORM AND FULL DISCLOSURE SITUATION THAT COULD RESULT IN A POSS	CATION FORM, INTERLOCAL AGREEM TO AND ACCEPTANCE BY THE FUND	ENT, PROPOSAL OF ALL LOSSES AND ANY
Signature of TAC Official	Date  DVERAGE ACCEPTANCE	
Coverage as offered on this propose  Signature and Fittle of Accepting Official  Christic Robertson  Insurance Coordinator	OCTAL 01. 199 Coverage Effective Date  September 13 Date of Signature	

This acceptance not valid unless received by the TAC office not later than one day prior to the coverage effective date shown above.

PTAPDQW5

22093 - 99 RWL/BID AL,GL, LE, PO, AFD, PR

TAPDOW4 9-94

Page 1

22093 - 99 RML/31D AL,GL,LE,PO,APD,PR

Titus County Contract No. 02250

TRUAS ASSOCIATION OF COUNTIES

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Project # Hame

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General Ledger Acct Number

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TEXAS ASSOCIATION OF COUNTIES
APD Coverage Period: 10/01/1999 - 10/01/2000

Vehicle Subtotal All Projects:

Grand Totals:

Titus County Contract No. 02250

\$ 4,082 \$ 1,633 \$ 5,716 \$ 4.082 \$ 1,633 \$ 5,716 APD Vehicle Schedule with Contributions 100 : Alt-P All Vehicles w/ Presiums

Page 3

PTAPDSC4 08/17/99 8:53 AM

22093 - 99 RML/FID AL,GL.LE,FO,AFD.PR



# TEXAS ASSOCIATION OF COUNTIES PROPERTY AND CASUALTY SELF INSURANCE FUND PROPERTY COVERAGE PROPOSAL

Member Name: Titus County

Contract No.: 2250

Proposal Date: 08/20/99
Proposed Effective Date: 10/01/1999 12:01 AM
Proposed Expiration Date: 10/01/2000 12:01 AM

Deductible: \$1,000 Per Occurrence for Standard / No Coverage for Mobile Equipment /

/ \$1,000 Per Occurrence for Boiler & Machinery

Coverage	Limit	Annual Contribution
Basic Coverage	\$ 9,674,500	\$ 12,345
Mobile Equipment	s o	
Boiler & Machinery	\$ 9,674,500	\$ 0
SITUATION THAT GOULD RESULT	Total Annual	Contribution: \$ 12,345
Signature of TAC Officia	Date	
	COVERAGE ACCEPTANCE	
Coverage as offered on	this proposal is accepted.	
Signature and ritle of Accepti	ng Official Coverage Effective Date	1999
Christie Robe	September Date of Signature	13,1999
A FULLY EXECUTED AGR	EED AMOUNT STATEMENT MUST ACCOMPANY THIS ACC	EPTANCE NOTICE.
This acceptance not valid unle	ess received by the TAC office not later than one day prior to	the coverage effective

PTAPROM6

22093 - 99 RWL/BID AL,GL,LE,PO,APD,PR

TAPRQW41 9-94



## TEXAS ASSOCIATION OF COUNTIES PROPERTY AND CASUALTY SELF INSURANCE FUND PROPERTY COVERAGE PROPOSAL

Member Name: Titus County

Contract No.: 2250

Proposal Date: 08/20/99
Proposed Eff. Date: 10/01/1999 12:01 AM Proposed Exp. Date: 10/01/2000 12:01 AM

Deductibles: \$1,000 Per Occurrence for Standard / No Coverage for Mobile Equipment /

\$1,000 Per Occurrence for Boiler & Machinery

Notes:

Code	Classification Description		Limit	Sublimit	Ratable Value
1	Buildings		8,837,000	0	8,837,000
2	Contents		837,500	0	837,500
3	Boiler & Machinery		9,674,500	٥	0
٠.	EDP Equipment			۰	•
5	Fine Arts		0		0
6	Leasehold Interest	ŀ	•	۰	0
7	Personal Effects			0	0
	Mobile Equipment	Ì			0
,	APD Catastrophe Coverage	1	۰		0
10	Misc. Property & Equip.	1	٥	۰	0
20	Valuable Papers	1	• ]	25,000	0
21	EDP - Media/Software		٥	25,000	0
22	Loss of Revenue		٥	100,000	0
23	Extra Expense	1	٥	500,000	0
24	Loss of Rents	1	0	500,000	0
25	Accounts Receivable	ļ		50,000	0
28	Flood (Aggregate Limit)	į į	٥	2,500,000	0
29	Newly Acquired Locations	i	0	1,500,000	0
30	Builder's Risk	ľ	c	500,000	٥
31	Expediting Expenses		0	100,000	e
32	Property in Transit		0	250,000	0
33	Increased Cost of Construction	1	0	500,000	0
34	Demolition Cost	1	o	500,000	0
35	Earthquake (Aggregate Limit)	Į.	0	5,000,000	
36	Debris Removal	i	0	500,000	0
37	Bam Off Premises Serv Inter	1	٥	1.000,000	0
38	B&M Consequential Damage	1	0	100,000	0
39	BiM Expediting Expense	1	0	100,000	0
40	B&M Ammonia Contamination	İ	0	100,000	٥
41	B&M Water Damage	1	0	100,000	٥
42	EDP - Extra Expense	l	0	25,000	۰
60	Garagekeepers	1	٥	25,000	۰
60	Garagekeopers		ð	25,000	
		Totals	19,349,000		9,674,50

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22093 - 99 RML/BID AL.GL, LE.PO, APD, PR

Page 2 of 2

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	5,000 1975 MC-B	EDW10-1406	3,000 1992 S .	1,500 1967 ICM	2,970 1983 S MMY80-1405	6.600 1994 BV	7,100 1994 MC-ICM IMD10-1708	1994 S CHTY10-120	4.800 0000 FLA	10,049 1981 SPR CMT710-110	18,000 0000 FRA	15,500 1990 FRA CMTY10-10	Sq. Pt. Built Construction Description	
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8	No. Address	Occupancy Key Rate	seq •		Sq. Pt. Built Construction Description	Building	Contents Effective Expires 19 Proj
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													Titus County Contract No. 02250
	4,002 1969 FZA	5,000 1975 NC-B	3,400 1995 MC-B EDW10-1406	3,000 1992 S	1,500 1967 ICM	2,970 1983 S MMY80-1405	6,600 1994 BV	7,100 1994 NC-ICM IMD10-1708	13,000 1994 S CMTY10-120	4,000 0000 FRA	10,049 1981 SFR CHTY10-110	Sq. Ft. Built Construction Description	02250
	190,000	270,000	215,000	10,000	12,000	30,000	10,000	200,000	200,000	400,000	5,300,000	Building	E Boi
100,000	•	۰	10,000	5,000	9,500	10,000	3,000	25,000	25,000	٥	400,000	Contents	ler and Mach
	10/01/99	10/01/99	10/01/99	10/01/99	10/01/99	10/01/99	10/01/99	10/01/99	10/01/99	10/01/99	10/01/99	Effective Expires LP Proj	Boiler and Machinery Schedule Listed Locations have BEM Coverage

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08/10/99
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22093 - 99 RWL/BID AL,GL,LE,PO,APD,PR

Page 2

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VOL 27 PAGE 41

TEXAS ASSOCIATION OF COUNTIES
PR Coverage Period: 10/01/1999 - 10/01/2000 Occupancy Rey Rate Seq 8

NT. PLEASANT

COURTHOUSE AMNEX

Titus County Contract No. 02250

5q. Ft. Built Construction Building Description

19,000 0000 FRA

1,000,000

250,000 10/01/99

.....

8,837,000

837,500

Boiler and Machinery Schedule Listed Locations have BaM Coverage

Contents Effective Expires LP Proj

#### TEXAS ASSOCIATION OF COUNTIES

## PROPERTY RISK POOL QUOTATION NOTES

#### 1. Equipment Breakdown Coverage (Boiler & Machinery)

Limit of Liability as respects:

Physical Damage per accident (All Covered locations)	Per Schedule
Business Interruption – per accident (Included in total Property program Business Interruption)	\$100,000
Extra Expense - per accident (Included in total Property program Extra Expense)	\$500,000
Off Premises Service Interruption	\$1,000,000
Consequential Damage	\$100,000
Expediting Expense	\$100,000
Ammonia Contamination - per accident	\$100,000
Water Damage – per accident	\$100,000

(Boiler Inspection certificates required by state law will be provided as a pool service.)

- 2. Garage Keeper's Liability per occurrence
- \$25,000
- 3. Values Your values may vary from those included in this quotation. Generally speaking, any increase or decrease in the insured values will cause a proportional increase or result in a decrease in contribution. The reverse is true if you choose a lower deductible.
- 4. Automobile Physical Damage Catastrophe There is a \$100,000 minimum deductible for Automobile Physical Damage Catastrophe Coverage.
- 5. Special Flood Exclusion-Flood coverage is excluded at all locations situated within a 100 year flood zone, as designated by the Federal Emergency Management Agency. Coverage is also excluded at any location where no flood designation or classification has been established by the Federal Emergency Management Agency.

- 6. Flood Deductible-In any one loss is \$25,000
- 7. Earthquake / Earth Movement Deductible in any one loss is \$5,000
- Special Windstorm and Hurricane Exclusion- Wind and Hurricane coverage as defined in the TAC property coverage document is <u>excluded</u> for all property located within 1,000 feet from the Gulf of Mexico, including bays constitution a part thereof
- 9. Windstorm and Hurricane Deductibles
  - a) Deductible at all premises located over 1,000 feet and less than three miles from the Gulf of Mexico \$1,000,000 per building.
  - b) Deductible at all premises over three miles and less than ten miles from the Gulf of Mexico \$25,000 per building.

Note: Please refer to the TAC property coverage document for other conditions, exclusions and deductibles which apply.

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## TEXAS ASSOCIATION OF COUNTIES WORKERS' COMPENSATION SELF-INSURANCE FUND

## WORKERS' COMPENSATION PROPOSAL

Member Name: Titus County - MC

Entity No.: 2250

Notes: WC BID FOR 1-1-00 TO 1-1-01>

Post Date: 01/01/2000
Proposed Effective Date: 01/01/2000 12:01 AM

Code	Classification	Estimated	No. of		Estimated
55060	ROAD EMPLOYEES-PAVING, REPAVING	Payroll	Employees	Rate	Contribution
56060		471,931	20	12.41	50,56
77200	CO. & DRAIN DIST. COMMISSIONERS	186,509	4	3.97	7,40
83910	LAN ENFORCEMENT, AMBULANCE	1,287,626	49	5.94	76,48
	AUTO MECHANICS	82,053	3	4.49	3,68
87420	JUV PROBATION, COLLECTORS, SALES	216,240	6	. 97	2.09
**100	CLERICAL	1,020,004	54	.52	5,30
90150	BLDG MAINT & JANITORS	33,372	2	7.20	2,40
90790	RESTAURANT, FOOD PREP., CATERER	31,421	3	5.70	1,81
	County's current experience modifer was used for this bid ans is subject to change when program modifiers are computed in Nov Dec. 1999.				,
	Total Payroll/Employees	\$ 3,329,555	141		31,300 (31,000,00
	Total Manual Contribution				\$ 157,759
	Less Underwriting Modifier		48.30 % (S	76,198)	137,75
	= Adjusted Manual Contribution		4 2		\$ 81,56
	Less Experience Modifier Credit		0.9200 (\$	6,525)	61,36
	= Standard Contribution			4,4831	\$ 75,030
	Less Member Discount	T	30.00 \$ (5	22,511)	3 /5,030
	= Discounted Contribution		30.00 41 15	42,511)	
	Less Preferred Liability - Property Discount				\$ 52,52
	Estimated Workers' Compensation Contribution		8.00 % (\$	4,202)	<u> </u>
					\$ 48,32

This acceptance not valid unless received by the TAC office not later than 60 days from the proposal date shown above, unless an extension is granted by TAC.

PTANCH6 TAWCOWE

22040 - WC Bid 1999

#### LETTER OF INTENT TO SELF INSURE

#### WITH COUNTIES IN TEXAS

The undersigned county and/or other political entity does hereby evidence its intent to become a subscriber to the Texas Association of Counties Workers' Compensation Self Insurance Fund.

#### **TITUS COUNTY**

156	3,329,555.40
(Number of Employees)	(Estimated Payroll)
75-600/180 (Federal Tax ID Number) By Danyl Cush	Titus County Judge
(Signature)	(Title)
(Effective Date)	
Person to contact as the Workers' Co	mpensation Coordinator:
Christie Robertson	<u>Assistant Auditor</u> (Title)
100 w First Suita 202 (Address)	(1112)
mt. Pleasant TX (City)	25t 25455* (Zip)
(903) 572-810 (Area Code/Telephone Number)	(903) 577-6793 (FAX Number)

#### MAIL TO:

Jenéll-Marie Moore Texas Association of Counties Workers' Compensation Self Insurance Fund P.O. Box 2131 Austin, Texas 78768

#### **TEXAS ASSOCIATION OF COUNTIES**

#### WORKERS' COMPENSATION SELF INSURANCE FUND

- PURPOSE The Texas Association of Counties Workers' Compensation Self Insurance
  Fund was established in 1974. As a Non-Profit and tax exempt program, the Fund is able to
  make workers' compensation coverage available to counties and county related entities at
  the lowest prudent cost. The Fund is governed by an eleven (11) member Board of Trustees
  made up of county officials.
- II. ENABLING LEGISLATION The Fund is designed to fully comply with Chapter 504 of the Texas Labor Code (formerly Article 8309h, Vernon's Annotated Civil Statutes as amended by the 73rd Regular Session of the Texas Legislature). This legislation authorizes local political subdivisions to contract with each other through an Interlocal Agreement to jointly self insure the payment of workers' compensation benefits.
- III. PARTICIPATION The Fund is the largest provider of workers' compensation coverage to Texas counties. Currently over 200 of the 254 Texas counties are members of the Fund. Over 100 county-related entities (appraisal districts, hospital districts, etc.) also belong to the Fund. The high participation is due to low premiums and excellent claim service.
- IV. WORKERS' COMPENSATION COVERAGES Participation in the Fund provides the member with the following coverages: Coverage A (Workers' Compensation) Meets the limits set by law. Coverage B (Employer Liability) \$1,000,000 per occurrence. United States Longshoreman & Harbor Workers' Coverage and all state coverage is also included. Coverage for volunteers, jurors, and election personnel is available upon request.
- V. <u>CLAIM SERVICE</u>. The Fund has contracted with RSKCo, Inc., in Austin, Texas to process claims. To assist members, the claims office can be reached by a TOLL-FREE number (1-800-752-6301). A report of claim activity is provided quarterly. A listing of payments to injured workers and medical providers is provided weekly to assist in coordinating workers' compensation benefits with any supplement benefits your county or authority may offer.
- VI. LOSS CONTROL. The Fund has established a safety and loss control program to help members reduce injury to their employees. The safety and loss control program gives members the opportunity to have substantial control over their premiums. As opposed to an insurance company's safety program that has to be general enough to meet the needs of a wide range of policy holders, the Funds' safety and loss control program was specifically designed to meet the particular needs of county government. The safety program is offered at no additional cost.
- VII. <u>INVESTMENTS</u> Available funds are invested according to the investment policy adopted by the Workers' Compensation Board of Trustees.

- VIII. BOARD OF TRUSTEES The Trustees control all aspects of the Fund on behalf of the participating members. The Trustees are responsible for authorizing expenditures, declaring dividends, providing annual audit, selecting service providers, etc. The Trustees are: Mickey West Chairperson, Palo Pinto County Judge; Jim Lewis, McLennan County Judge; Bill Freeman, Cooke County Justice of the Peace; Beatrice Langehennig, Mason County and District Clerk; Dallas Brewer, Yoakum County Judge; Jack Harris, Brazoria County Commissioner; James Bagnell, Navarro County Judge; Nancy Braswell, Smith County Auditor; Wayne Farmer, Andrews County Sheriff; Mark Evans, Trinity County Judge and Linda Spencer, Kaufman County Auditor.
- IX. HOW TO JOIN THE FUND Both copies of the Interlocal Agreement should be signed.

  Retain one copy for your files, and return the other copy to TAC. Also, please complete the Letter of Intent to Self Insure form, indicating the person who should receive quarterly billing and claim reports. The TAC staff is available to answer any questions regarding the Fund.
- X. PREMIUM CALCULATION This proposal is based on the estimated payrolls provided by your county. The final premium will be based on the actual payrolls. DISCOUNTS AND RATES REVIEWED ANNUALLY AND SUBJECT TO CHANGE. (See enclosed proposal worksheet.)
- XI. PROPOSAL AUTHORIZED BY: JAMES W. JEAN, ARM Director of Self Insurance Programs Administration

\_ PAGE <u>48</u>

# TEXAS ASSOCIATION OF COUNTIES COUNTY GOVERNMENT RISK MANAGEMENT FUND LAW ENFORCEMENT LIABILITY CLAIMS MADE FORM PROPOSAL

Member Name: Titus County Contract No.: 2250

Proposal Date: 08/20/99

Proposed Effective Date: 10/01/1999 12:01 AM

Proposed Expiration Date: 10/01/2000 12:01 AM

Deductible: \$10,000 Retroactive Date: 12/08/1997

Notes:

overage	Limit	Annual Contribution
sic Coverage	\$ 2,000,000 Per Claim and Aggregate	\$ 40,704
NITIVE DAMAGES Endorsement	\$ 1,000,000 in addition to Basic Coverage Limits	\$ 8,454
IMPLETED SIGNED AND DATED TAC A	E BY THE TAC SELF-INSURANCE FUND OF ORIGINAL I PPLICATION FORM, INTERLOCAL AGREEMENT, PROP SURE TO AND ACCEPTANCE BY THE FUND OF ALL LO	OSAL
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OMPLETED SIGNED AND DATED TAC A CCEPTANCE FORM AND FULL DISCLOS ITUATION THAT COULD RESULT IN A P Signature of TAC Official The Member elects: Basic Co	IPPLICATION FORM, INTERLOCAL AGREEMENT, PROPURE TO AND ACCEPTANCE BY THE FUND OF ALL LO POSSIBLE CLAIM.  Total Annual Contribution  Date  COVERAGE ACCEPTANCE	OSAL SSES AND AN
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eceived by the TAC office not later than 60 days from the proposal date shown above, unless extension is granted by TAC.

22093 - 99 RWL/BID AL,GL,LE,PO,APD,PR

TALEQW4 9-94

#### COMPARISON - LAW ENFORCEMENT LIABILITY

	Basic Coverage Features	TAC Pool	Agricultural Excess	National Casualty	American Reciprocal	Titan
	Specifically designed for Sheriff Departments in the State of Texas	Yes	No	No	No	No
	Underwritten in Texas by Texans	Yes	No	No	No	Yes
3 -	Claims supervision and control conducted in Texas	Yes	No	No	No	Yes
4	Will provide coverage for jails which are operating under certain variances in accordance with Texas Law	Yes	No	No	No	No
5 "	Specifically designed to cover County and Sheriffs	Yes	No	No	No	No
6	exposures for juvenile probation officers  Is definition of Act or Occurrence restricted to an	No	No	No	Yes (4)	No
7	"accident?"  Covers Errors, Omissions and Negligent Acts	Yes	Yes	Yes	Yes	Yes
8	Covers Violations of Civil Rights	Yes	Yes	Yes	No	Yes
	Covers Discrimination	Yes (3)	Yes (3)	Yes (3)	No	Yes
10	Covers Personal Injury:	*				
	a) False Arrest	Yes	Yes	Yes	Yes	Yes
	b) False Imprisonment	Yes	Yes	Yes	Yes	Yes
8	c) Wrongful Detention	Yes	Yes	Yes	Yes	Yes
	d) Malicious Prosecution	Yes	Yes	Yes	Yes	Yes
	e) Wrongful Entry	Yes	Yes	Yes	Yes	Yes
	f) Wrongful Eviction	Yes	Yes	Yes	Yes	Yes
11	Covers Bodily Injury:					
	a) After an arrest	Yes	Yes	Yes	Yes	Yes
	b) In jail	Yes	Yes	Yes	Yes	Yes
	c) Arising from products	Yes	No	Yes	Yes	Yes
	d) Arising from disease	Yes	Yes	Yes	Yes	Yes
12	Coverage Provided for: a) Judge	Yes	No	No	Yes	Yes
	b) Commissioners	Yes	No	No	Yes	Yes
	c) Clerks	Yes	No	No	Yes	Yes *
	d) Staff & Employees (for above officials)	Yes	No	No	Yes	Yes
13	Covers vicarious liability for willful violation of an ordinance	Yes	No	No	Yes	Yes
14	Covers regulatory functions	Yes	Yes	Yes	Yes	Yes
	Covers all Care, Custody, and Control of Property:					
	a) of prisoners	Yes	Yes	Yes	Yes	Yes
	b) confiscated by court order	Yes	Yes	No	Yes	Yes
	c) controlled at scene of an accident	Yes	Yes	No	Yes	Yes
16	Covers Invasion of the Right of:					
	a) public occupancy	Yes	No	Yes	Yes	Yes
	b) private occupancy	Yes	Yes	No	No	Yes
1	7 Covers Violation of Property Rights	Yes	Yes	Yes	Yes	Yes

	Basic Coverage Features	TAC Pool	Agricultural Excess	National Casualty	American Reciprocal	Titan
18	Covers False or Improper Service of Process	Yes	Yes	Yes	Yes	Yes
19	Covers Humiliation	Yes	Yes	Yes	Yes	Yes
20	Covers Libel, Slander, Defamatory or Disparaging Material	Yes	Yes	Yes	Yes	Yes
21	Covers Assault and Battery	Yes	Yes	Yes	Yes	Yes
22	Covers First Aid	Yes	Yes (5)	Yes	Yes	Yes
23	Covers Mental Injury, Anguish, Shock	Yes	Yes	Yes	Yes	Yes
24	Covers Bodily Injury, includes Sickness, Disease & Disability	Yes	Yes	Yes	Yes	Yes
25	Covers Property Damage, Physical Injury or Loss of Use	Yes	Yes	Yes	Yes	Yes
26	Covers Punitive Damage	Optional	No	No	Yes	Optional
	Additional Limit Available	Yes	No	No	No	Yes
27	Covers Supplementary Payments	Yes	Yes	Yes	Yes	Yes
28	Is the cost of coverage fixed at an inception and not subject to adjustment?	Yes	No	No	No	Yes
29	Duty to defend	Yes	Yes	Yes	Yes	Yes

- 1) If arising from PD/BI.
- 2) If arising out of the law enforcement function.
- 3) Except employment related matters.
- 4) Restriction does not apply to Advertising, Injury, Assault and Battery.
  5) For emergency medical treatment at time of accident only.

#### • If considered a Public Official

Notice: This form is intended to provide highlights of coverage and is not a coverage document. Please refer to the coverage document for complete details of coverage including definitions, exclusions, and other terms and conditions.



# TEXAS ASSOCIATION OF COUNTIES COUNTY GOVERNMENT RISK MANAGEMENT FUND GENERAL LIABILITY PROPOSAL

Member Name: Titus County

Contract No.: 2250

Proposal Date: 08/20/99
Proposed Effective Date: 10/01/1999 12:01 AM Proposed Expiration Date: 10/01/2000 12:01 AM

Deductible: so Experience Mod.: 1.0000

Notes:

Coverage	Limit	Contribution
Basic Coverage	\$100,000 BI Per Person / \$300,000 BI Per Occur \$100,000 Property Damage Per Occurrence	rrence \$ 11.036
Includes the following coverages:		
Employee Benefits	\$100,000 Aggregate (\$1,000 Deductible)	i
Fire Legal Liability	\$ 50,000 Property Damage Per Occurrence	
Incidental Medical Malpractice	\$100,000 BI Per Person / \$300,000 BI Per Occur	rrence
Personal Injury	\$300,000 Aggregate (Excludes Law Enforcement)	
Premises Medical Payments	\$ 1,000 Bodily Injury Per Person	
COMPLETED SIGNED AND DATED TAC	ICE BY THE TAC SELF-INSURANCE FUND OF ORIGIN : APPLICATION FORM, INTERLOCAL AGREEMENT, PI OSURE TO AND ACCEPTANCE BY THE FUND OF ALL )POSSIBLE CLAIM.	ROPOSAL LOSSES AND AN

Total Annual Contribution: 5

1 1 1999

COVERAGE ACCEPTANCE

Liability coverage as offered on this proposal is accepted.

Chinator
This acceptance not valid unless received by the TAC office not later than 60 days
from the proposal date shown above, unless extension is granted by 1857. 99 RML/BID AL.GL, LE, PO, APD, PR

PTAGLOWS

TAGLOW4 9-94

#### TEXAS ASSOCIATION OF COUNTIES

### GENERAL LIABILITY COVERAGE SUMMARY

**Premises Operations** 

Limits:

**Bodily Injury** 

\$100,000 per person

**Property Damage** 

\$300,000 per occurrence \$100,000 per occurrence

No aggregate applies to Governmental Functions

**Products/Completed Operations** 

(Covers County Liability Only)

Limits:

**Bodily Injury** 

\$100,000 per person

\$300,000 per occurrence \$300,000 aggregate

**Property Damage** 

\$100,000 per occurrence

\$100,000 aggregate

**Employee Benefits** 

Limits:

\$100,000 each claim

\$100,000 aggregate

(\$1,000 deductible)

**Incidental Medical Malpractice** 

Limits:

**Bodily Injury** 

\$100,000 per person

\$300,000 per occurrence

Personal Injury/Advertising Injury

Limit:

\$300,000 aggregate

Premises Medical Payments

Limit:

**Bodily Injury** 

\$1,000 each person

Fire Legal Liability

Limit:

Property Damage

\$50,000 per occurrence

Optional coverage for additional contribution.

Law Enforcement Watercraft - Under 26 feet in length

#### TEXAS ASSOCIATION OF COUNTIES

#### **GENERAL LIABILITY CHECKLIST**

The Texas Association of Counties Risk Management Fund offers comprehensive general liability coverage including protection for independent contractors, contractual liability and;

- Products/completed operations (aggregate limit provision \$300,000 Bl and \$100,000 PD applies)
- Employee benefit liability coverage affording protection for claims arising out of errors in the administration of employee benefit programs. (\$1,000 deductible)
- Explosion, collapse and underground hazard (does not include work done by independent contractors).
- The operations of a landfill site are covered, with the exception of pollution exposures.
- Pollution claims are not covered.
- The Broad Form Comprehensive General Liability Endorsement including coverages scheduled below:
  - Contractual liability providing coverage for liability assumed in both written and oral
    contracts.
  - · Advertising injury liability.
  - Personal injury liability is included.
     (However, since the comprehensive general liability policy is not intended to provide law enforcement protection, the personal injury provisions covering false arrest, detention, imprisonment or malicious prosecution and covering wrongful entry or eviction or other invasion of the right of private occupancy have been deleted. The result is a restriction in personal injury protection which leaves law enforcement liability protection with those underwriters.)
  - Premises medical payments coverage. (\$1,000 per person)
  - Host liquor law liability coverage.
  - Fire legal liability coverage for real property. (\$50,000 per occurrence)
  - Broad form property damage liability coverage (including completed operations).
  - Medical malpractice liability coverage. (Coverage for paramedics, nurses, etc. Physicians and hospital employees excluded.)
  - Coverage has been extended to include protection for claims arising from both owned and nonowned watercraft liability (with watercraft under 26 feet in length).
  - Limited worldwide coverage.
- Employees as additional insureds.
- Coverage for county approved volunteers.
- Unintentional errors and omissions endorsement stating that the unintentional failure of the
  member to disclose all hazards existing as of the inception date of the coverage shall not prejudice
  that member with respect to coverage by the Pool.
- Blanket additional insured endorsement stating that coverage is provided for additional insureds as
  required by contracts entered by the member. Except this endorsement shall not apply to any
  contract between the named insured and any voluntary association.

NOTE: This form is intended to provide highlights of coverage for easy comparison and is not a coverage document. Please refer to the coverage document for complete details of coverage including definitions, exclusions and other terms and conditions.

### **CAPPS INSURANCE AGENCY**

P.O. Box 1618 204 W. 8th Street Mt. Pleasant, TX 75456-1618

(903) 572-4366 (800) 256-1905 (903) 577-1467-FAX

August 20, 1999

Titus County Auditor's Office **Titus County Courthouse Room 202** Mt. Pleasant, TX 74555

Gentlemen:

Below is our bid for the indicated coverage:

#### **COMMERCIAL AUTO POLICY**

**COVERAGE:** 

Per Person Bodily Injury Liability

\$100,000

Per Accident Bodily Injury Liability

\$300,000

**Property Damage Liability** 

\$100,000

Hired / Non-Owned are also included under the above limits.

#### **DEDUCTIBLES & PREMIUM:**

Deductibles:

Comprehensive \$500

Collision

\$500

**Premiums** 

**Physical** 

\$16,629.

Damage

Liability

13,630.

**Auto Theft Prevention Fund** 

74.

**Total Annual Premium:** 

\$30,333.

Coverage to be placed with Titan Indemnity Group an A-rated carrier. Total number of Autos on schedule equals 74.

#### **COMMERCIAL GENERAL LIABILITY**

Coverage: Per Person \$100,000 Per Occurrence 300,000 **Property Damage** 100,000 General Aggregate 2,000,000 Products & Completed Operations Aggregate \*\* 2,000,000 Fire Legal Liability 50,000 Employee Benefits Liability\*\* 300,000

Coverage to be placed with Titan Indemnity Group an A-rated carrier.

#### **General Liability Provisions:**

Premises liability is extended to the jail

Employment related personal injury claims are excluded, this coverage is included in most Public Officials Liability Policies.

#### **DEDUCTIBLES & PREMIUM:**

Deductibles:

Employee Benefits Liability \$1,000

All other Losses \$ 0

**Total Annual Premium** 

\$7,730.

#### **COMMERCIAL FIRE POLICY**

#### **COVERAGES:**

Total CURRENT Scheduled Buildings

**\$9,027,000. 839,500.** 

Personal Property

Coverages included Fire & Lightning

Extended Coverages

Vandalism & Malicious Mischief

#### **DEDUCTIBLES & PREMIUM:**

**Deductibles:** 

Per Occurrence \$1,000

**Total Annual Premium** 

\$10,952.

Coverage to be placed with Titan Indemnity Group an A-rated carrier.

#### **BLANKET SURETY BOND**

#### **COVERAGE:**

**Blanket Honesty Bond** 

20,000

Faithful Performance Blanket Position Bond

20,000

NOTE: Bond is written on employee form P. This provides 20,000 per employee.

#### DEDUCTIBLES & PREMIUM:

**Total Annual Premium** 

\$1,205.

Coverage to be placed with American States Company an A-rated carrier.

**Total Package Price** 

\$50,220.

Sincerely,

Steven M. Capps

Certified Insurance Counselor

Licensed Risk Manager

#### VOL <u>27</u> PAGE <u>57</u> CAPPS INSURANCE AGENCY

P.O. Box 1618 204 W. 8th Street Mt. Pleasant, TX 75456-1618 (903) 572-4366 (800) 256-1905 (903) 577-1467-FAX

August 20, 1999

Titus County Auditor's Office Titus County Courthouse Room 202 Mt. Pleasant, TX 74555

Gentlemen:

Below is our bid for the indicated coverage:

#### LAW ENFORCEMENT OFFICERS' LIABILITY POLICY

#### Law Enforcement Officers' Liability Policy

The Law Enforcement Officers' Liability policy will pay all sums the insured legally must pay as damages because of personal injury or property damage to which this insurance applies, caused by an occurrence resulting from law enforcement activities. This includes governmental action directed toward the prevention and control of crime in the course of public employment.

The Law Enforcement Officers' Liability policy is written on a claims made policy form. The claims-made policy form only covers claims made against the insured during the policy term. A claim made after the policy expires is not covered by a claims-made policy unless the claim is covered by an extended reporting period.

#### **Basic Extended Reporting Period (Basic Tail)**

This coverage is provided automatically without an additional premium charge if coverage is canceled, not renewed, or the insurer renews with a later retroactive date. The basic extended reporting period starts at the end of the policy period and last for 60 days.

#### Supplemental Extended Reporting Period (Supplemental Tail)

The supplemental extended reporting period is available under the same circumstances as the basic one and can be extended one or two years. However, it becomes effective only if the named insured makes a written request within 30 days after termination of the policy period and the additional premium is paid. The Additional Premium will be determined according to the companies rules and rates but will not exceed 200% of the annual premium. The supplemental extended reporting begins when the basic one ends, and it continues for one to two years. Once in effect, the Extended Reporting Periods may not be cancelled.

#### PAGE 58 Retroactive Date

The retroactive date shown in the policy declarations is the same as the inception date, or the retroactive date can be a date prior to the inception date. A policy can also be written with no retroactive date.

#### Who is insured

The person or organization shown as the named insured on the declaration page of the policy.

The law enforcement agency shown on the declaration page of the policy and its law enforcement officers. This includes heirs, executors, administrators, assigns and legal representatives in the event of their death, incapacity or bankruptcy.

The political entity or subdivision that the law enforcement agency is a part, department or bureau and its public officials.

All other employees and authorized volunteers of the law enforcement agency.

No persons or organization is an insured with respect to the conduct of any partnership, joint venture, multijurisdictional law enforcement organization or multijurisdictional penal institution that is not shown as a named insured in the declarations.

#### Limits of Coverage:

\$ 2,000,000	Limit of Liability
\$ 10,000	Deductible

**Total Law Enforcement Liability Premium -**

\$35,000.

## VOL 27 PAGE 59 CAPPS INSURANCE AGENCY

P.O. Box 1618 204 W. 8th Street Mt. Pleasant, TX 75456-1618 (903) 572-4366 (800) 256-1905 (903) 577-1467-FAX

August 20, 1999

**Titus County Auditor's Office** Titus County Courthouse **Room 202** Mt. Pleasant, TX 74555

Gentlemen:

Below is our bid for the indicated coverage:

#### **PUBLIC OFFICIALS' LIABILITY**

#### Coverage (Claims-Made Form)

Any One Claim Limit	S	2,000,000
Chi Chaim Cinic		2,000,000
Annual Aggregate	\$	2,000,000
Deductible	\$	10,000
Annual Premium	s	\$14,586.
20 4 8 4 5 2 7 14 4 4 5 5 5 6 5 6 5 6 5 6 5 6 5 6 6 6 6	1	

- Puntu

ATTACHMENT "B"



## Titus County Commissioners' Court Mt. Pleasant, Texas

#### RESOLUTION

WHEREAS, County Road 4410 (commonly known as Tennison Road), is a well traveled route connecting Hwy. 271 South and FM 2348 in Titus County, Texas, and

WHEREAS, County Road 4410 is one of the main arteries for the flow of traffic in Southeast Titus County; therefore,

BE IT RESOLVED, that the Titus County Commissioners' Court requests the Texas Department of Transportation to establish Titus County Road 4410 as a Farm to Market Road and to be designated as such in the road system of the State of Texas.

APPROVED the 13th day of September, 1999.

Danny Q Crooks, Titus County Judge

Commissioner, Precinct #1

Commissioner, Precinct # 2

Complesioner, Precinet # 3

Shower 2. Hockel

100 M. First Street, Guite 200

Mt. Pleasant, Texas 75455

Celephone 903-577-6791

Fax 903-577-6793

#### ATTACEMENT "C"

New Members to be appointed to the Child Protective Services Board at Sept 13 meeting:

Judy Capps (Mrs. Steve) - Capps Insurance Kay Quiring (Mrs. Mark) - physician Pam Smith (Mrs. Mike) - Pam employed for Dr. Greene Leonard Harcrow - retired MPISD

Submitted by OraLee Day, President Child Protective Services Board 575-2165

ATTACEMENT "D"

RECEIVED

SEP - 9 1999

TITUS COUNTY JUDGE

#### **APPLICATION FOR PERMIT**

TO: COMMISSIONERS COURT Mt. Pleasant, Texas 75455

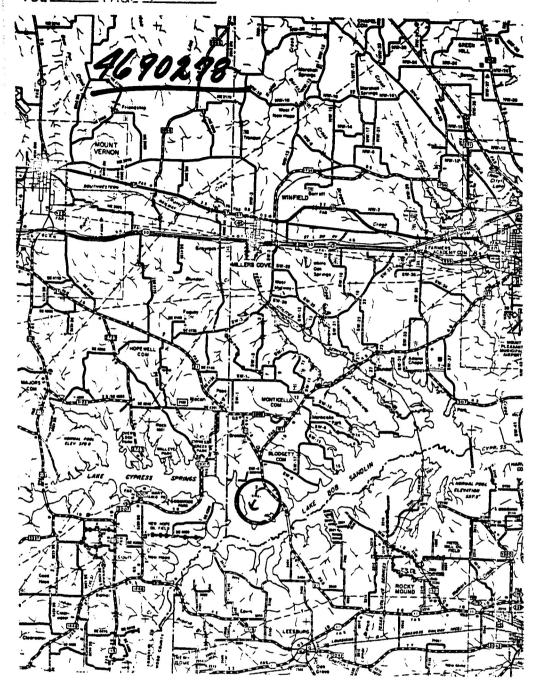
Application is hereby made by Southwestern Bell Telephone Company for permission to lay buried line along/under that certain segment of the county road in Precinct # (2) two at the following location(s):

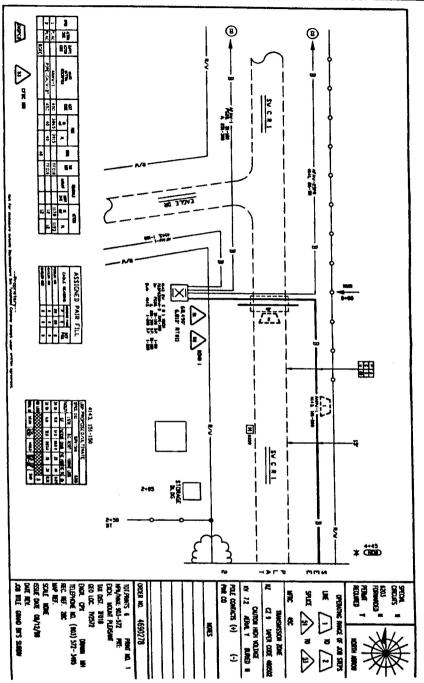
Place and bore across and along SW C R 1 as shown on the attached drawings.

Respectfully submitted,

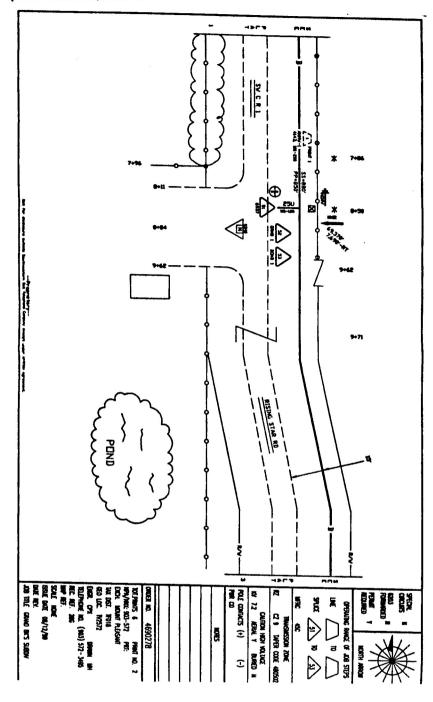
Manger-Engineer Design 307 N. Van Buren Mt. Pleasant, Texas 75455 (903)572-3495

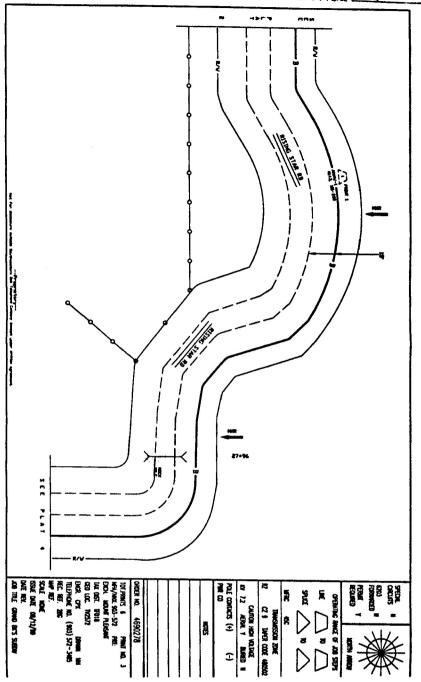
OPPROVED DENIED

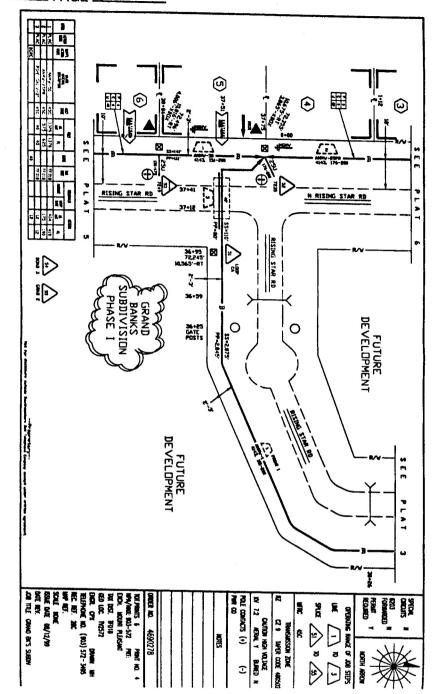


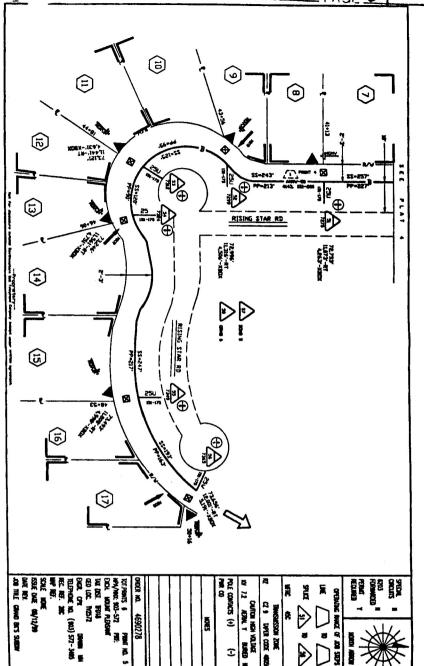


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