

FILED FOR RECORD: 8-15 19 83 at 9:00 o'clock A M
DULY RECORDED: 8-23 19 83 at 9:00 o'clock A M
INSTRUMENT NO. _____ GRACE BOSTICK TYLER CO. CLK.
BY: Jean Phillips Deputy
JEAN PHILLIPS

TYLER COUNTY COMMISSIONER'S COURT
REGULAR MEETING
AUGUST 8, 1983

VOL 008 PAGE 377

The Regular Meeting of the Commissioner's Court met on Monday, August 8, 1983 at 10:00 A. M. All members being present. The meeting was opened with prayer by County Judge Allen Sturrock.

A motion was made by Commissioner Riley and seconded by Commissioner Lowe to approve the County Extension's Monthly report, as submitted by the County Extension Service. All voted yes and none no.

A motion was made by Commissioner Riley and seconded by Commissioner Odom to approve the Resolution Recommending the passage into Law of House Bill No. 29, increasing litigation fees to be collected by State District Clerks in all Counties in the State of Texas, as submitted by Patricia Brown, District Clerk. All voted yes and none no. See Attached.

A motion was made by Commissioner Riley and seconded by Commissioner Odom to approve the County Auditor's Monthly report, as submitted by County Auditor Ann Nichol. All voted yes and none no. See Attached.

A motion was made by Commissioner Riley and seconded by Commissioner Odom to advertise for bids for two (2) Radar units and two (2) mobile walkie-talkies for locally based Department of Public Safety Officers. Officer Ron Porter made the request for the DPS. All voted yes and none no. Bids are to be opened September 12, 1983, at 10:00 A. M. See Attached.

A motion was made by Commissioner Lowe and seconded by Commissioner Mahan to approve the removal of a chain link fence located on State right-of-way, Highway 69, by Commissioner Maxie Riley, to make clearance for the proposed construction job in process. All voted yes and none no. See attached.

A motion was made by Commissioner Riley and seconded by Commissioner Mahan to approve the monthly travel allowance of Justice of the Peace, Pct. #1, Wanda Brasher to be increased to \$157.50 from \$57.50, retroactive to August 1, 1983, as requested by Wanda Brasher. All voted yes and none no.

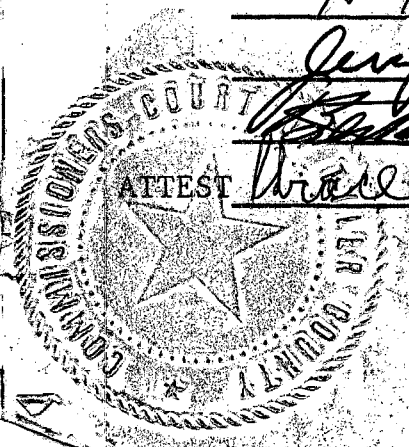
A motion was made by Commissioner Riley and seconded by Commissioner Odom to approve bond for Gary Gazaway, Deputy Tax Assessor/Collector, Chester Independent School District. All voted yes and none no. See Attached.

A motion was made by Commissioner Odom and seconded by Commissioner Mahan to set the date for the Budget Workshop for Monday, August 15, 1983, at 9:00 A. M. All voted yes and none no.

A motion was made by Commissioner Riley and seconded by Commissioner Lowe to approve the Resolution on the Block Grant, as presented to Tyler County Commissioners Court, with County Judge Allen Sturrock signing for the Court. All voted yes and none no. See attached.

There being no further business, the meeting adjourned.

SIGNED Allen Sturrock Allen Sturrock, County Judge
Maxie Riley Maxie Riley, Comm. Pct. #1
H. K. Lowe H. K. Lowe, Comm. Pct. #2
Jerry Mahan Jerry Mahan, Comm. Pct. #3
Berton A. Odom Berton A. Odom, Comm. Pct. #4
ATTEST Grace Bostick Grace Bostick, County Clerk



Clerks Copy

Resolution No. _____

TYLER COUNTY COMMISSIONERS COURT RESOLUTION RECOMMENDING THE PASSAGE INTO LAW OF HOUSE BILL NUMBER 29, INCREASING LITIGATION FEES TO BE COLLECTED BY STATE DISTRICT CLERKS IN ALL COUNTIES IN THE STATE OF TEXAS

WHEREAS, the District Clerk's offices all over the State of Texas are being operated at a deficit, taking in far less than the cost of maintaining these offices, and are therefore constituting undue expense to the taxpayers of most, if not all, of the counties in Texas, including Tyler County, despite the fact that the quality of the operation of most of these offices, including Tyler County's District Clerk's Office is excellent, both in conservation of public funds and in efficiency;

AND WHEREAS, it is the feeling of this court that more of the expense of litigation should be borne by litigants than is currently the situation in our State;

AND WHEREAS, we are reliably informed that House Bill Number 29, will, if enacted into law, have the effect of placing the proper proportion of the expenses of litigation upon the litigants, thus relieving the taxpayers of much of such expense, thus meeting with our strong approval;

NOW THEREFORE, we respectfully urge the members of the Texas State Legislature and the Honorable Governor of this State to sincerely strive for the passage of House Bill #29 at the earliest possible time.

Respectfully submitted,

TYLER COUNTY COMMISSIONERS COURT

By: *Marie Spiley*
Commissioner, Precinct #10

By: *Jerry Mahan*
Commissioner, Precinct #3

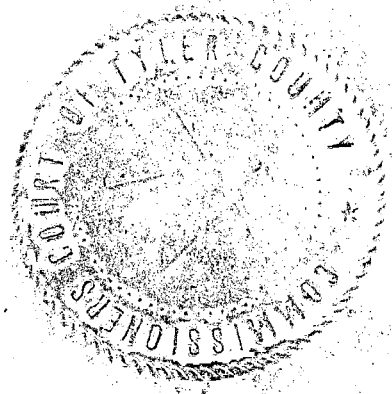
By: *H/T Lovel*
Commissioner, Precinct #2

By: *Beth Wilson*
Commissioner, Precinct #4

Allen Sturrock
Allen Sturrock, Tyler County Judge

Attest:

Grace Bostick
Grace Bostick, Tyler County Clerk




COUNTY AUDITORS MONTHLY REPORT
STATEMENT OF REVENUE, EXPENDITURES & CASH BALANCES
FOR THE MONTH OF July 1983

VOL 008 PAGE 379

Fund	Cash Balance 7-01-83	Total Revenue	Transfers		Personel Expenditures	Operating Expenditures	Indebtedness	Cash Balance 7-31-83
			In	Out				
OPERATING FUNDS:								
General Fund.....	\$ 500,061.09	\$ 35,456.02	\$ 2,715.65	\$ 196.02	\$ 73,728.55	\$ 20,939.47	-0-	\$ 443,368.72
Road & Bridge I.....	107,785.32	802.15	8,219.73	-0-	10,443.79	4,711.56	-0-	101,651.85
Road & Bridge II.....	109,175.38	1,145.56	6,801.68	-0-	8,664.02	3,644.19	-0-	104,814.41
Road & Bridge III.....	84,369.52	1,172.10	9,502.42	-0-	10,484.48	8,950.88	-0-	75,608.68
Road & Bridge IV.....	136,392.69	1,206.31	8,610.10	-0-	13,511.70	4,652.12	-0-	128,045.28
General Road & Bridge.....	-0-	13,362.58	19,575.33	32,937.91	-0-	-0-	-0-	-0-
SPECIAL REVENUE FUNDS:								
Library Fund.....	13,312.54	160.00	-0-	-0-	-0-	-0-	-0-	13,472.54
Revenue Sharing, General.....	42,045.03	42,997.00	-0-	38,112.55	253.37	4,100.00	-0-	42,576.11
Revenue Sharing, Pct. I.....	(10,428.79)	-0-	6,918.22	-0-	-0-	-0-	-0-	(3,510.57)
Revenue Sharing, Pct. II.....	(11,271.34)	-0-	6,918.22	-0-	-0-	-0-	-0-	(4,353.12)
Revenue Sharing, Pct. III.....	(9,148.72)	-0-	6,918.22	-0-	-0-	-0-	-0-	(2,230.50)
Revenue Sharing, Pct. IV.....	13,427.42	-0-	6,918.22	-0-	-0-	-0-	-0-	20,345.64
Revenue Sharing, Solid Waste.....	2,668.28	117.43	10,439.67	-0-	2,906.14	631.66	-0-	9,687.58
CAPITOL PROJECTS FUNDS:								
Capitol Improvements fund.....	88,524.77	-0-	-0-	-0-	-0-	73.58	-0-	88,451.19
County Wide Right-of-Way.....	26,150.24	30.59	-0-	-0-	-0-	-0-	-0-	26,180.83
DEBT SERVICE FUNDS:								
Solid Waste.....	4,320.58	83.95	-0-	-0-	-0-	-0-	-0-	4,404.53
TRUST & AGENCY FUNDS:								
County Atty. Check Proc. Fund.....	341.63	150.00	-0-	-0-	284.25	-0-	-0-	207.38
Dist. Atty. Check Proc. Fund.....	1,245.67	30.00	-0-	-0-	-0-	129.45	-0-	1,146.22
State Cost.....	12,351.10	2,111.00	-0-	794.40	-0-	7,149.60	-0-	6,518.10
State CVC.....	251.50	330.00	-0-	17.75	-0-	337.25	-0-	226.50
Auto Registration.....	15,389.05	29,564.90	-0-	21,478.83	-0-	1,022.97	-0-	22,452.15
Adult Probation Fund.....	37,337.71	6,800.10	-0-	-0-	5,829.16	266.95	-0-	38,041.70
Juvenile Probation Fund.....	1,049.49	3,290.05	-0-	-0-	1,869.25	25.03	-0-	2,445.26
TOTAL ALL FUNDS:	\$1,165,350.16	\$138,809.74	\$93,537.46	\$ 93,537.46	\$127,974.71	\$ 56,634.71	\$ -0-	\$1,119,550.48

I hereby certify that this report is correct to the best of my knowledge and belief, according to records of my office.


Ann Nichol, Tyler County Auditor



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COMMISSION

ROBERT H. DEDMAN, CHAIRMAN
A. SAM WALDROP
JOHN R. BUTLER, JR.

STATE DEPARTMENT OF HIGHWAYS
AND PUBLIC TRANSPORTATION

1150 West Avenue N
Silsbee, Texas 77656
July 27, 1983

ENGINEER-DIRECTOR
MARK G. GOODE

U. S. Highway 69
Control 200-8
8020-1-15
Tyler County

IN REPLY REFER TO
FILE NO.

Honorable Allen Sturrock
County Judge, Tyler County
Tyler County Courthouse
Woodville, Texas 75979

Dear Judge Sturrock:

In order to expedite right of way clearance for the proposed construction job on U. S. Highway 69 for a September letting, County Commissioner Maxie Riley had volunteered to remove an existing chain link fence encroachment within state right of way, left of Station 328 to 331.

This letter is Tyler County's authority to enter on state right of way to remove existing encroachment.

Yours very truly,

Mr. F. C. Young
District Engineer

By:

A handwritten signature in cursive script that reads "Edward C. Dominguez".

Edward C. Dominguez
Sr. Resident Engineer

ECD:11

cc: Mr. F. C. Young, District Engineer

Texas

WESTERN SURETY COMPANY

One of America's Oldest Bonding Companies

CHICAGO • ST. LOUIS • KANSAS CITY • DALLAS
PALO ALTO • VALLEY FORGE

VOL **C09** PAGE **155**

OFFICIAL BOND AND OATH

THE STATE OF TEXAS

County of Tyler } ss

VOL **C08** PAGE **381**

KNOW ALL MEN BY THESE PRESENTS:

FORM No. 42-OFF-68236

That we, Gary Gazaway, as Principal, and the WESTERN SURETY COMPANY, a corporation duly licensed to do business in the State of Texas, as Surety, are held and bound unto Tax Assessor/Collector of Chester Independent School District, his successors in office, in the sum of: One Thousand and no/100 (\$ 1,000.) DOLLARS, (NOT VALID IF FILLED IN FOR MORE THAN \$50,000.00)

for the payment of which we hereby bind ourselves and our heirs, executors and administrators, jointly and severally, by these presents.

Dated this 14 day of June, 19 83.

THE CONDITION OF THE ABOVE OBLIGATION IS SUCH, That whereas, the above bounden Principal was on the 1 day of August, 19 83, duly appointed Deputy Tax to the office of Assessor/Collector for a term of one year beginning the 1 day of August 19 83 and ending the 31 day of July 19 84, in and for: Chester Independent School District County in the State of Texas.

NOW THEREFORE, if the said Principal shall well and faithfully perform and discharge all the duties required of him by law as the aforesaid officer, ~~and shall~~

then this obligation to be void, otherwise to remain in full force and effect.

Gary Gazaway Principal
WESTERN SURETY COMPANY
By B. J. Mehlhag Vice President

ACKNOWLEDGMENT OF PRINCIPAL

THE STATE OF TEXAS

County of Tyler } ss

Before me, Charlotte Barnes on this day, personally appeared

Gary Gazaway, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

Given under my hand and seal of office at Chester, Texas,

this 18th day of July, 19 83.

Charlotte Barnes
Tyler County, Texas



OATH OF OFFICE
(COUNTY COMMISSIONERS and COUNTY JUDGE)

I, _____, do solemnly swear (or affirm) that I will faithfully execute the duties of the office of _____ of the State of Texas, and will to the best of my ability preserve, protect, and defend the Constitution and laws of the United States and of this State; and I furthermore solemnly swear (or affirm) that I have not directly nor indirectly paid, offered, or promised to pay, contributed, nor promised to contribute any money, or valuable thing, or promised any public office or employment, as a reward for the giving or withholding a vote at the election at which I was elected; and I furthermore solemnly swear (or affirm) that I will not be, directly or indirectly, interested in any contract with or claim against the County, except such warrants as may issue to me as fees of office. So help me God.

Signed _____

Sworn to and subscribed before me at _____, Texas, this _____ day of _____, 19__.

SEAL _____ County, Texas

OATH OF OFFICE
(General)

I, Gary Gazaway, do solemnly swear (or affirm) that I will faithfully execute the duties of the office of Deputy Tax Assessor/Collector of the State of Texas, and will to the best of my ability preserve, protect, and defend the Constitution and laws of the United States and of this State; and I furthermore solemnly swear (or affirm) that I have not directly nor indirectly paid, offered, or promised to pay, contributed, nor promised to contribute any money, or valuable thing, or promised any public office or employment, as a reward for the giving or withholding a vote at the election at which I was elected. So help me God.

Signed Gary Gazaway

Sworn to and subscribed before me at Woodville, Texas, this 4th day of August, 1983.

SEAL _____ County, Texas

THE STATE OF TEXAS }
County of Tyler } ss

The foregoing bond of Gary Gazaway as Deputy Tax Assessor, Coll. in and for Tyler County and State of Texas, this day approved in open Commissioner's Court.

ATTEST: Grace Beatrix Clerk Date 8-8, 1983
Tyler County Court Tyler County Allen [Signature] County Judge, Tyler County, Texas

County of Tyler

I, GRACE BOSTICK, County Clerk, in and for said County, do

hereby certify that the foregoing Bond dated the 1st day of August, 1983, with its certificates of authentication, was filed for record in my office the 8th day of August, 1983, at 1:00 o'clock P M., and duly recorded the 9th day of August, 1983, at 9:00 o'clock A M., in the Records of Official Bonds of said County in Volume 9, on page 155.

WITNESS my hand and the seal of the County Court of said County, at office in Woodville, Texas, the day and year last above written.

GRACE BOSTICK Clerk

By Jean Phillips Deputy County Court Tyler County

OFFICIAL BOND REQUIREMENTS

OFFICIAL	2. AMOUNT	1. TO WHOM PAYABLE	APPROVED BY	Art. of Statutes	4. CONDITIONS
District Attorney	\$5,000.	Governor	District Judge	323	"Will faithfully pay over, in the manner prescribed by law, all money which he may collect or which may come to his hands for the State or for any county."
County Attorney	\$2,500.	Governor	Commissioner's Court	330	"That he will faithfully pay over in the manner prescribed by law all moneys which he may collect or which may come to his hands for the State or any county."
County Judge	*\$1,000.- 10,000.	County Treasurer	Commissioner's Court	1928 and 5998	"That he will pay over to the person or officer entitled to receive it, all moneys that may come into his hands as county judge, and that he will pay over to his county all moneys illegally paid to him out of county funds, as voluntary payments or otherwise, and that he will not vote or give his consent to pay out county funds except for lawful purposes."
County Clerk	*\$2,000.- 10,000.	Governor	Commissioner's Court	1937	"For the safekeeping of the records and the faithful discharge of the duties of his office, and further conditioned that said clerk will pay over to his county all moneys illegally paid to him out of the county funds, as voluntary payments or otherwise."
Auditor	\$5,000. & up	District Judge(s)	District Judge(s)	1649	"For the faithful performance of his duties."
County Treasurer	Fixed by the Commissioner's Court	County Judge	Commissioner's Court	1704 and 5998	"Shall faithfully execute the duties of his office and pay over according to law, all moneys which shall come into his hands as county treasurer, and render a true account thereof to said court at each regular term of said court."
District Clerk	\$5,000.	Governor	Commissioner's Court	1897 and 5998	"For the faithful discharge of the duties of his office."
County School Superintendent	\$1,000.	Commissioner's Court	Commissioner's Court	2689 and 5998	"Upon the faithful performance of his duties."
County Surveyor	*\$500.- 10,000.	Not Stated (Suggested to County Judge)	Commissioner's Court	5284 and 5998	"That he will faithfully perform the duties of his office."
Hide and Animal Inspector	*\$1,000.- 10,000.	County Judge	Commissioner's Court	6973	"That he shall well and truly perform the duties of his office."
Sheriff	†\$5,000.- 30,000.	Governor	Commissioner's Court	6866	"That he will account for and pay over to the persons authorized by law to receive the same, all fines, forfeitures and penalties that he may collect for the use of the State or any county, and that he will well and truly execute and make due return of all process and precepts to him lawfully directed, and pay over all sums of money collected by him by virtue of any such process or precepts, to the persons to whom the same are due, or their lawful attorney, and that he will faithfully perform all such duties as may be required of him by law, and further conditioned that he will pay over to his county all moneys illegally paid to him out of county funds, as voluntary payments or otherwise."
Assessor and Collector of Taxes (State Bond)	10% of State Tax in County not to exceed \$50,000.	Governor	Commissioner's Court & Comptroller	7247	"For the faithful performance of the duties of his office as Assessor and Collector of taxes for and during the full term for which he was elected or appointed."
Assessor and Collector of Taxes (County Bond)	Not less than 10% of County tax as shown by the last preceding assessment not to exceed \$50,000.	County Judge	Commissioner's Court	7249	"Same as State Bond."
County Commissioners	\$3,000.	County Treasurer	County Judge	2340 and 5998	"For the faithful performance of the duties of his office, that he will pay over to his county all moneys illegally paid to him out of county funds, as voluntary payments or otherwise, and that he will not vote or give his consent to pay out county funds except for lawful purposes."
Justice of the Peace	\$1,000.	County Judge	Not Stated	2373 and 5998	"That he will faithfully and impartially discharge the duties required of him by law, and will promptly pay over to the party entitled to receive it, all moneys that may come into his hands during his term of office."
Constable	\$500.- 1,500.	Not Stated Governor	Commissioner's Court	6881	"For the faithful performance of all the duties required of him by law."
Public Weigher	*\$2,500.- 5,000.	County Judge	Commissioner's Court	5688 and 5998	"Upon the faithful and impartial performance of the duties of his office."

*Sum to be fixed by the Commissioners Court within the limits prescribed by law.
 †In counties where Sheriff performs the duties of the Assessor and Collector of Taxes he shall make the bond required of the Assessor and Collector of Taxes.
 3. If precinct insert the number.
 4. Conditions.

ACKNOWLEDGMENT OF SURETY
(Corporate Officer)

THE STATE OF SOUTH DAKOTA }
County of Minnehaha } ss

On this 27th day of December, 1978, before me, a Notary Public, personally appeared B. J. Mehlhaff, known to me to be the person whose name is subscribed to the foregoing instrument as the aforesaid officer of the WESTERN SURETY COMPANY, and that said instrument was signed in behalf of said corporation by authority of its By-Laws, or of a resolution of its Board of Directors, and that as such officer he acknowledged to me that he executed the same for the purposes and consideration therein expressed.

L. DAVIS
NOTARY PUBLIC
SOUTH DAKOTA
My Commission Expires 10-6-83

L. Davis
Notary Public, Minnehaha County, South Dakota

WESTERN SURETY COMPANY
One of America's Oldest Bonding Companies
CHICAGO, ILLINOIS
PAID UP CAPITAL \$1,000,000

OFFICIAL
BOND AND OATH

On Behalf of

Gary Gazaway Principal

Deputy Tax Assessor-Collector
Official Title

Chester, Texas

Filed the 8th day of

August, 19 83,

at 1:00 o'clock P.M.

Paul Beatek Clerk

County Court Tyler County, Texas

RESOLUTION

VOL 008 PAGE 385

WHEREAS, Tyler County has identified a need related to provide better street and drainage for the low to moderate income families in the Warren Community;

WHEREAS, The proposed street paving and bridge replacement will assist in meeting such need; and,

WHEREAS, The Texas Department of Community Affairs administers the Texas Community Development Program to assist community development activities in the State of Texas.

NOW, THEREFORE BE IT RESOLVED AS FOLLOWS:

1. THAT, Tyler County apply for a Texas Community Development Program grant under the terms and conditions of the State of Texas and shall enter into and agree to the understandings and assurances contained in said application.
2. THAT, Tyler County supports the proposed activity described above.
3. THAT, The Commissioners Court direct and designate Judge Allen Sturrock as the Chief Executive Officer and Authorized Representative to act in all matters in connection with this application and the Tyler County's participation in the Texas Community Development Program.

PASSED THIS 22ND DAY OF AUGUST, 1983.

ATTEST: Grace Bostick
Grace Bostick, County Clerk

Allen Sturrock
Allen Sturrock, Tyler County Judge

