

THE STATE OF TEXAS

COUNTY OF SABINE

On this the 11th day of March, 1974, the Honorable Commissioners' Court met in regular session with the following members present, to-wit:

Charlie Forse	County Judge
R. E. Smith	Commissioner, Precinct No. 1
G. W. Russell, Jr.	Commissioner, Precinct No. 2
Paul Lout	Commissioner, Precinct No. 3
H. E. Wilburn	Commissioner, Precinct No. 4
W. W. Cavender	Clerk of the Court

The following letter was presented to the Court by the County Attorney:

Law Offices  
Joe D. Milner, Jr.  
Westgate Building, Suite 1004  
1122 Colorado Street  
Austin, Texas 78701

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February 27, 1974

Mr. James A. Payne  
County Attorney  
Sabine County Courthouse  
Hemphill, Texas 75948

Re: Statutory Obligations of County Commissioner's Court

Dear Mr. Payne:

I am sure I do not need to enumerate the statutory obligations imposed upon the County Commissioners relative to financial reporting and publication of such reports in a newspaper of general circulation in the County.

It is my understanding that the Sabine County Commissioners Court has never complied with its statutory obligations. That was my understanding as a child and I don't believe the situation has changed.

I have been retained by Phillip Pierce to bring this fact to your attention as County Attorney so that you might bring it to the attention of the Commissioners Court. I have also been authorized to file suits against the Commissioners and the Court if I have not been given reasonable assurance that the Commissioners Court is making a bona fide effort to comply with its obligations.

I have been instructed not to file suits for a period of fourteen days to give you time to respond. Thank you for your attention to this matter.

Sincerely,

/s/ Joe Milner

Joe D. Milner, Jr.

cc: Phillip Pierce  
Sabine County Reporter  
P. O. Box 700  
Hemphill, Texas 75948

JDM:r

The County Attorney was directed to reply to the letter including a statement that the Court had already passed a motion to this effect on November 12, 1973, and further, that the Court intended to carry out its obligation of reporting and publication of such reports according to regulations. The First report and publication would be for the first quarter of 1974.

On motion by G. W. Russell, seconded by Paul Lout, the following resolution was adopted pertaining to the County's acceptance and maintenance of the roads in TOLEDO BEACH Subdivision in Sabine County, Texas, to-wit:

That the roads in said subdivision have been constructed for the requisite length of time as required for County Acceptance and Maintenance;

However, the ditches along said roads need to be cleaned out and holes in some of the roads need to be filled and two roads must be reworked, which work would amount to approximately \$2,000.00 in material and labor;

The developer of said subdivision, SID JOHNSON, shall be responsible for doing the above work and to guarantee the performance of said work by SID JOHNSON, he has posted a \$2,000.00 cash bond for the benefit of Sabine County, Texas, which bond shall be forfeited and the proceeds used by the County to do the above work if the said SID JOHNSON has not performed said reworking and repairs to the satisfaction of the Commissioners Court of Sabine County, Texas, within 180 days from this date. Upon the said Sid Johnson satisfactorily completing said repairs and reworking within said length of time, said cash bond shall be returned to the said SID JOHNSON;

That effective upon the posting of said bond the County of Sabine does hereby accept for maintenance all streets in TOLEDO BEACH Subdivision in Sabine County, Texas.

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Harris H. Minton addressed the Court questioning the constitutionality of a proposed election to abolish the office of the County School Superintendent.

Carl Foster presented eleven petitions to call election for abolition of office of County School Superintendent containing the names of J. B. McGee and 476 others.

The County Attorney was directed to contact the Attorney General concerning the legality and constitutionality of such an election.

The County Clerk was directed to check the petitions and make a report on them at the next regular meeting of the Court.

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Motion by Commissioner H. E. Wilburn, seconded by Commissioner G. W. Russell, Jr. and all voting "AYE", the Commissioner of Precinct #1 was authorized to advertise for bids on the following:

- 2 Only 2 Ton Trucks
- 158" Wheel Base
- 330 h/p V-8 Engine
- 6 Only 8:25 x 20 10 ply tires
- 6 Only 6 x 5 disc wheels
- 4 Speed transmission
- 15000 2 speed rear axle
- 9300 Main leaf rear
- 2250 Auxillary rear

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Include in the bids a trade-in of 2 only 1970 Chevrolet trucks, less dump beds. The Court agreed to continue its group policy with The Bankers Life, Des Moines, Iowa.

All accounts were allowed and made payable.

There being no further business, the Court adjourned.

*Charlie Foster*  
COUNTY JUDGE

*R. E. Smith*  
COMMISSIONER, PRECINCT NO. 1

*Paul Lout*  
COMMISSIONER, PRECINCT NO. 3

*G. W. Russell*  
COMMISSIONER, PRECINCT NO. 2

*H. E. Wilburn*  
COMMISSIONER, PRECINCT NO. 4

*[Signature]*  
CLERK OF THE COURT