

THE STATE OF TEXAS

COUNTY OF SABINE

On this the 6th day of August, 1981, the Honorable Commissioners Court met in Special Session with the following members present, to-wit:

Royce C. Smith	County Judge
R. E. Smith	Commissioner, Precinct No. 1
Eldridge Ellison	Commissioner, Precinct No. 3
Jimmy Vickers	Commissioner, Precinct No. 4
Minnie Gooch	Clerk of the Court

Motion by Commissioner Jimmy Vickers, seconded by Commissioner Eldridge Ellison that the value of minerals for Absentee Mineral right owners be raised to \$150.00 per acre. All voted in favor of the motion.

Motion by Commissioner R.E. Smith, seconded by Commissioner Jimmy Vickers to rescind prior action by the court on June 26, 1981 concerning tax exemptions for 65 year olds and over and to change the exemption from \$5000.00 to \$15000.00. All voted in favor of the motion.

Motion by Commissioner R. E. Smith, seconded by Commissioner Jimmy Vickers to pass a resolution authorizing and providing for the incurrence of indebtedness for the purpose of providing a portion of the cost of acquiring, constructing, enlarging, improving, and/or extending its construction of new jail facility to serve an area lawfully within its jurisdiction to serve. All voted in favor and the resolution is marked "Exhibit A" and attached to minutes of this date.

The Court then met with the State Department of Highways and Public Transportation and due to the fact that 74 petitioners were present the court moved to meet in the District Court room. Present from the State Highway Department were: James R. Crowe, Lynn Hill and J. L. Beard. Mr. E. H. Mayfield was spokesman for a committee that was present with a petition signed by 305 people. Speaking in favor of the road was Douglas R. Butler, Superintendent of Hemphill School and landowners: Freddie Keel, James Payne, Jr., Mrs. O. G. Powledge, and D, N. Beasley.

Mr. Beard explained to the group about the right of way how it was obtained by the county at no cost to the state and if Federal Funds are used to build the road the right of way is to be 100 ft. and if State funded 80 ft. and 50 ft. if county or landowner would have it curb and guttered.

There being no further business the court adjourned.

*Royce Smith*  
COUNTY JUDGE

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

*E. Ellison*  
COMMISSIONER, PRECINCT NO. 3

*W. Gibson*  
COMMISSIONER, PRECINCT NO. 4

*Minnie Grach*  
CLERK OF THE COURT

See Exhibit attached



U.S. DEPARTMENT OF AGRICULTURE  
NOTICE OF PREAPPLICATION REVIEW ACTION

From: USDA, FARMERS HOME ADMINISTRATION  
(Department, bureau, or establishment)

To: Judge Royce Smith  
Sabine County  
P. O. Box 507  
Hemphill, Tx 75948

Agency Number: 07  
Reference Your Preapplication Number: \_\_\_\_\_  
Dated: 05/04/81

1. We have reviewed your preapplication for Federal assistance under Cat. #10.423 and have determined that your proposal is:
  - eligible for funding by this agency and can compete with similar applications from other grantees.
  - eligible but does not have the priority necessary for further consideration at this time.
  - not eligible for funding by this agency.
2. Therefore, we suggest that you:
  - file a formal application with us by (date) October 1, 1981.
  - file an application with \_\_\_\_\_ (Suggested Federal agency).
  - find other means of funding this project.
3. Based upon the funds available for this program over the last two fiscal years and the number of applications reviewed, or pending, we anticipate that funds for which you are competing will be available after (month, year) October, 1981.
4. You requested \$ 500,000.00 Federal funding in your preapplication form, and we:
  - are agreeable to consideration of approximately this amount in the formal application.
  - will need to analyze the amount requested in more detail.
5. A preapplication conference will be  necessary  not necessary. We are recommending that it be held at Co. Judge Office, on Aug. 12, 1981, at 1:30 p.m. a.m./p.m. Please contact the undersigned for confirmation.
6. Enclosures: \_\_\_\_\_ Forms  Instructions \_\_\_\_\_ Other (Specify) \_\_\_\_\_
7. Other Remarks: Your architect, fiscal agent and attorney should be advised of this conference.

Signature <i>John W. Huntsinger, Jr.</i>	Title District Director	Date 7/31/81
Organizational Unit FmHA	Administrative Office District Office	Telephone Number 713-639-1209
Address: P. O. Box 1924 Lufkin, Tx 75901		

NOTE: This form will be used by Federal agencies to inform applicants of the results of a review of their preapplication request for Federal assistance. When the review cannot be performed within 45 days, the applicant shall be informed by letter as to when the review will be completed. When Federal agencies determine that the proposal is not eligible for Federal assistance, specific reasons should be provided in Item 7 Other Remarks.

FORM AD 622 (12-72)

*"Exhibit A"*

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LOAN RESOLUTION  
(Public Bodies)

A RESOLUTION OF THE County Commissioners Court  
OF THE Sabine County  
AUTHORIZING AND PROVIDING FOR THE INCURRENCE OF INDEBTEDNESS FOR THE PURPOSE OF  
PROVIDING A PORTION OF THE COST OF ACQUIRING, CONSTRUCTING, ENLARGING, IMPROVING, AND/OR  
EXTENDING ITS construction of new jail  
FACILITY TO SERVE AN AREA LAWFULLY WITHIN ITS JURIDICTION TO SERVE.

WHEREAS, it is necessary for the Sabine County  
(Public Body)  
(herein after called association) to raise a portion of the cost of such undertaking by issuance of its bonds in the principal  
amount of \$500,000.00 (Five Hundred Thousand and No/100)

pursuant to the provisions of General Law

WHEREAS, the association intends to obtain assistance from the Farmers Home Administration, United States Department of Agriculture, (herein called the Government) acting under the provisions of the Consolidated Farm and Rural Development Act (7 U.S.C. 1921 et seq.) in the planning, financing, and supervision of such undertaking and to purchasing of bonds lawfully issued, in the event that no other acceptable purchaser for such bonds is found by the association:

NOW THEREFORE, in consideration of the premises the association hereby resolves:

1. To have prepared on its behalf and to adopt an ordinance or resolution for the issuance of its bonds and containing such items and in such forms as are required by STATE statutes and as are agreeable and acceptable to the Government.
2. To refinance the unpaid balance, in whole or in part, of its bonds upon the request of the Government if at any time it shall appear to the Government that the association is able to refinance its bonds by obtaining a loan for such purposes from responsible cooperative or private sources at reasonable rates and terms for loans for similar purposes and periods of time as required by section 333(c) of said Consolidated Farm and Rural Development Act (7 U.S.C. 1983(c)).
3. To provide for, execute, and comply with Form FmHA 400-4, "Nondiscrimination Agreement"; and Form FmHA 400-1, "Equal Opportunity Agreement", including an "Equal Opportunity Clause", which clause is to be incorporated in, or attached as a rider to, each construction contract and subcontract involving in excess of \$10,000.
4. To indemnify the Government for any payments made or losses suffered by the Government on behalf of the association. Such indemnification shall be payable from the same source of funds pledged to pay the bonds or any other legally permissible source.
5. That upon default in the payments of any principal and accrued interest on the bonds or in the performance of any covenant or agreement contained herein or in the instruments incident to making or insuring the loan, the Government, at its option may (a) declare the entire principal amount then outstanding and accrued interest immediately due and payable, (b) for the account of the association (payable from the source of funds pledged to pay the bonds or any other legally permissible source) incur and pay reasonable expenses for repair, maintenance, and operation of the facility and such other reasonable expenses as may be necessary to cure the cause of default, and/or (c) take possession of the facility, repair, maintain, and operate or rent it. Default under the provisions of this Resolution or any instrument incident to the making or insuring of the loan may be construed by the Government to constitute default under any other instrument held by the Government and executed or assumed by the association, and default under any such instrument may be construed by the Government to constitute default hereunder.
6. Not to sell, transfer, lease, or otherwise encumber the facility or any portion thereof, or interest therein; not permit others to do so, without the prior written consent of the Government.
7. Not to borrow any money from any source, enter into any contract or agreement, or incur any other liabilities in connection with making enlargements, improvements or extensions to, or for any other purpose in connection with the facility (exclusive of normal maintenance) without the prior written consent of the Government if such undertaking would involve the source of funds pledged to pay the bonds.
8. To place the proceeds of the bonds on deposit in an account, in a bank, and in a manner approved by the Government.

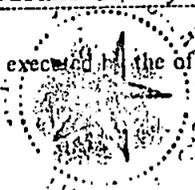
9. To comply with all applicable State and Federal laws and regulations and to continually operate and maintain the facility in good condition.
10. To provide for the receipt of adequate revenues to meet the requirements of debt service, operation and maintenance, and the establishment of adequate reserves. No free service or use of the facility will be permitted.
11. To acquire and maintain such insurance coverage including fidelity bonds as may be required by the Government.
12. To establish and maintain such books and records relating to the operation of the facility and its financial affairs and to provide for required audit thereof in such a manner as may be required by the Government, to provide the Government without its request, a copy of each such audit, and to make and forward to the Government such additional information and reports as it may from time to time require.
13. To provide the Government at all reasonable times access to all books and records relating to the facility and access to the property of the system so that the Government may ascertain that the association is complying with the provisions hereof and of the instruments incident to the making or insuring of the loan.
14. To serve any applicant within the service area who desires service and can be feasibly and legally served, and to obtain the concurrence of the Farmers Home Administration prior to refusing service to such applicant. Upon the failure to provide such service which is feasible and legal such applicant shall have a direct right of action against the association under this agreement.

The provisions hereof and the provisions of all instruments incident to the making or the insuring of the loan, unless otherwise specifically provided by the terms of such instruments, shall be binding upon the association as long as the bonds are held or insured by the Government. The provisions of sections 6 through 13 hereof may be provided for in more specific detail in the bond resolution or ordinance; to the extent that the provisions contained in such bond resolution or ordinance should be found to be inconsistent with the provisions hereof, these provisions shall be construed as controlling as between the association and the Government.

The vote was: Yeas 3; Nays 0; Absent 1.

IN WITNESS WHEREOF, the County Commissioners Court of the Sabine County

has duly adopted this Resolution and caused it to be executed by the officers below in duplicate on this 6th day of August, 19 81.



(SEAL)

Sabine County  
By [Signature]  
Title County Judge

Attest:  
[Signature]  
Title County Clerk

CERTIFICATION

I, the undersigned, as County Clerk of the Sabine County hereby certify that the Commissioners of such Association is composed of 4 members, of whom 3, constituting a quorum, were present at a meeting thereof duly called and held on the 6th day of August, 19 81; that the foregoing resolution was adopted at such meeting by the vote shown above; and that said resolution has not been rescinded or amended in any way.

Dated, this 6th day of August, 19 81.



U. S. GPO: 1974 O-664-2243

[Signature]  
Title County Clerk, Sabine County, Texas