

THE STATE OF TEXAS

COUNTY OF SABINE

On this the 28th day of January, 1985, the Honorable Commissioners Court met in Regular Session with the following members present, to-wit:

Royce C. Smith, County Judge

R. E. Smith, Commissioner, Precinct No. 1

Billy Joe McGee, Commissioner, Precinct No. 2

Eldridge Ellison, Commissioner, Precinct No. 3

Chester D. Cox, Sr., Commissioner, Precinct No. 4

Minnie Gooch, Clerk of the Court

The monthly bills were examined and made ready for payment. Motion by Commissioner Billy Joe McGee, seconded by Commissioner R. E. Smith to pay monthly bills. Motion carried.

James Allen Payne appeared before the court and submitted a Plat of LAKE SAM RAYBURN ESTATES, SECTION 3 for approval. Motion by Commissioner Billy Joe McGee, seconded by Commissioner R. E. Smith to accept the plat but roads will not be accepted for maintenance by the County. Motion carried.

R. W. Anders, Justice of the Peace, Pct. No. 2 submitted his resignation to the court. Motion by Commissioner R. E. Smith seconded by Commissioner Billy Joe McGee to accept his resignation. Motion carried. Letter attached to minutes of this date and marked "Exhibit A".

Motion by Commissioner Billy Joe McGee, seconded by Commissioner R. E. Smith to contact a Law Firm in regards to answering the pending suit filed in Federal Court by Advance Construction, as well as considering filing a Counter Suit. Motion carried.

Motion by Commissioner R. E. Smith, seconded by Commissioner Billy Joe McGee to advertise for bids for a new Sheriff's car. Bids to be opened February 11, 1985 at 9:00 A. M.

1177

Motion by Commissioner Billy Joe McGee, seconded by Commissioner Eldridge Ellison to pass resolution to issue Time Warrant for balance in amount of \$35,000.00 due on Elevator. See Resolution marked "Exhibit B" and attached to minutes of this date.

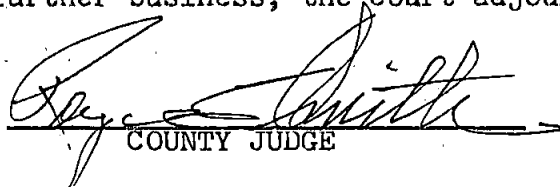
Motion by Commissioner Eldridge Ellison, seconded by Commissioner R. E. Smith to advertise for bids for New Wheel Loader for Commissioner Pct. #3 and also for Commissioner Pct. #4 with specifications marked "Exhibit C" attached to minutes of this date. Bids to be opened February 11, 1985 at 9:00 A. M.

Bids were opened for New Dump truck for Commissioner Pct. No. 1. Two bids were submitted as follows: Hemphill Motor Company, Hemphill, Texas in the amount of \$17,726.86 and McCoury Chevrolet, Hemphill, Texas in the amount of \$18,065.33. Motion by Commissioner R. E. Smith, seconded by Commissioner Eldridge Ellison to accept the bid from Ford Motor Company since it was the lowest bid. Motion carried. Bids marked "Exhibit D" and attached to minutes of this date.

Bids were called for Truck for Commissioner Pct. No. 2. There being one bid, Motion by Commissioner Billy Joe McGee, seconded by Commissioner Eldridge Ellison to accept the bid from Barrett Mack Sales & Service, 2502 Medford Drive, Loop 287, Lufkin, Texas. and to issue Time Warrant in the amount of \$57,500.00 to pay for this truck, the following Resolution was passed. Marked "Exhibit E" and attached to minutes of this date.

Bids were called for as advertised for County Depository. Lee Dutton appeared with bids from First State Bank, Hemphill. Motion by Commissioner Billy Joe McGee, seconded by Commissioner Eldridge Ellison to accept this bid from First State Bank, for 2 year contract. Motion carried. Bids marked "Exhibit F" and attached to minutes of this date.

There being no further business, the court adjourned.


COUNTY JUDGE

P. E. Smith
COMMISSIONER, PRECINCT NO. 1

E. Ellison
COMMISSIONER, PRECINCT NO. 3

Billy M. Mc
COMMISSIONER, PRECINCT NO. 2

Charles D. Cox Sr.
COMMISSIONER, PRECINCT NO. 4

Minnie Groch
CLERK OF THE COURT

See exhibits



THE STATE OF TEXAS
County of Sabine
P.O. BOX 716
HEMPHILL, TEXAS



January 22, 1985

To: The Commissioners Court of Sabine County

I, R.W. Anders submit my resignation of Justice of the Peace, Precinct #2 effective January 31, 1985.

I gave my resignation much thought before making an decision.

Due to failing health I feel that it is of the best interest of all concern.

Sincerely,

R. W. Anders
Justice of the Peace
Precinct #2

1-28-85

"Exhibit A"

119-6

SABINE COUNTY
COMMISSIONERS COURT RESOLUTION

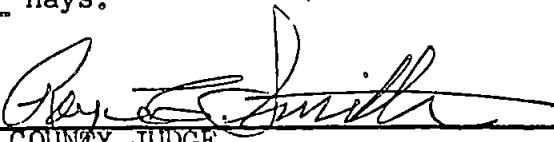
On January 28, 1985, a Regular Meeting of the Commissioner's Court of Sabine County, Texas, was held at 9:00 A. M. Among other business, the following resolution was presented:

That Sabine County, Texas borrow the sum of \$35,000.00 from First State Bank, Hemphill, Texas, for the installation and construction of an elevator in Sabine County Courthouse which construction and installation is mandated by the United States District Court in Cause No. B-80-318-CA DELMAR SHELLEY HILLIARD, ET AL vs. COUNTY OF SABINE, ET AL.


That such loan will be evidenced by the issuance of one Time Warrant described as follows:

One warrant in the amount of \$35,000.00 bearing interest at the rate of 6% per annum, payable to First State Bank, Hemphill, Texas, and to become due and payable on or before one year from the date of issuance thereof.

On motion by R. E. Smith, seconded by Eldridge Ellison, the foregoing resolution was duly adopted by a vote of four (4) ayes and 0 nays.


COUNTY JUDGE

ATTEST:


COUNTY CLERK

"Exhibit B"

MACHINE SPECIFICATIONS

NEW WHEEL LOADER

SABINE COUNTY PCT. #3

1. Machine operating weight at least 14,000 lbs.
2. Minimum 65 horsepower.
3. 1.25 cubic yard bucket.
4. Full power shift transmission.
5. Disc brakes.
6. Center point articulated.
7. ROPS enclosed cab with heater.
8. Sealed loader linkage.
9. Operators compartment mounted on rear frame.
10. Bucket positioner.
11. Hydraulic lift kickout.
12. Full hydraulic steering.

or equivalent

1-28-85 "Exhibit C"

opened 1-28-85

HEMPHILL MOTOR COMPANY, INC.
SALES AND SERVICE



HEMPHILL, TEXAS 75948

January 25, 1985

Sabine County Commissioner
Court, Pct. No. 1
Hemphill, Texas 75948

Gentlemen:

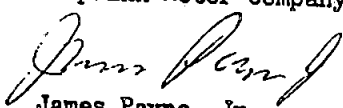
We would like to submit the following bid on a 1985 Ford 2 ton truck with specifications as follows:

F600 153 Wheelbase
370 V-8 Engine
15,000 2 Speed Rear Axle
Power Steering
4 Speed Transmission
6.5 Disc Wheels 6-825/20 10 Ply Tires
9300 Main Leaf Rear Springs
Overload Rear Springs
Galion 4 Yard water level bed with boards
Cab Rack.

Price	\$18,976.86
Less Trade in Allowance	
1974 Ford	1,250.00
Difference	<u>\$17,726.86</u>

Thank you.

Sincerely,
Hemphill Motor Company, Inc.


James Payne, Jr.

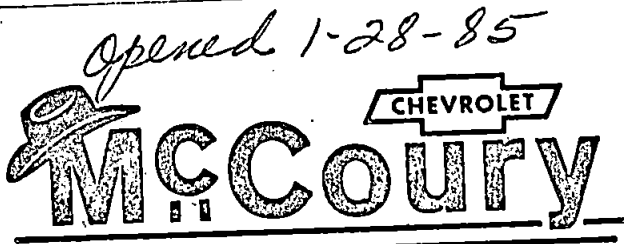
JP:lpw

Accepted

1-28-85

"Exhibit A"

page 1



Hwy. 87 North

409 - 787-3341
HEMPHILL, TEXAS 75948

P. O. Drawer 960

January 25, 1985

Sabine County Commissioners
Sabine County Courthouse
Hemphill, Texas 75948

Dear Sirs:

Please accept our bid on one 1985 Chevrolet 2 Ton Truck with the following options.

149" Wheelbase
84" cab to axle
366 V-8 Engine
20 gal. fuel tank
Single exhaust
4 speed transmission
15,000 lb. 2 speed rear axle
7.17 rear axle ratio
15,000 lb. rear suspension
7,000 lbs. front axle
7,000 lbs. front suspension
8 25X 20 tires Hwy
Bench Seat
Gauges
Tinted Glass
6" X 16" Painted Mirrors
Solid Paint
Heil 4 Yd. water level Dump Bed

Price	19,265.33
Trade	1,200.00

Drive Out Price: 18,065.33

Sincerely,

Gregg McCoury
Gregg McCoury

GM:mc

page 2



Opened 1-28-85
9:00 AM.

Pct # 2

Barrett Mack Sales & Service

2502 Medford Drive, Loop 287
Lufkin, Texas 75901
Phone (409) 634-8000

DATE: January 24, 1985

Sabine County
Judge Royce C. Smith
P.O. Box 716
Hemphill, TX 75948

Dear Sir:

I am pleased to quote to you the following specifications and pricing information on a new dump truck for Precinct 2.

MAKE Mack	FRONT AXLE 12,000 lb. - H.D. Multileaf	EXHAUST SYSTEM Vertical
YEAR 1985	FRONT WHEELS Steel Disc	WEST COAST MIRRORS Bright Finish
MODEL R686ST	FRONT TIRES .11R24.5 Goodyear Unisteel II	BUMPER Steel
CAB TYPE & COLOR CA49 Red or White	REAR AXLE & RATIO SS38C - 4.17	HORN Dual Mack Rectangular
WHEEL BASE 200"	SUSPENSION Mack Anti - Sway	ELECTRIC SYSTEM 12V 90 Amp
FRAME Double Frame	REAR WHEELS Steel Disc	BRAKES Air
ENGINE EM6-300	REAR TIRES .11R24.5 Goodyear Unisteel IITD	APPLICATION Dump Truck
TRANSMISSION TRXL-107 (6 speed)	FUEL TANK Dual 75 gallon steel	QUANTITY One
CLUTCH CL 751	SEAT Bostrom 715 Air Driver	PRICE PER UNIT \$57,500.00
ADDITIONAL SPECIFICATIONS 120V Engine Heater Padded Doors Power Steering Air Conditioner AM/FM Radio Radial Tires w/traction tread on rear 15' Ox dump body w/console controls, Bac-Alert, mud flaps, clearance lights, and choice of color. Sincerely, <i>Nick Miller</i> Nick Miller		LESS TRADE(S) None
		NET PRICE \$57,500.00
		FEDERAL RETAIL EXCISE TAX None
		STATE SALES TAX None
		REGISTRATION None
		TITLE FEES None
		TOTAL SALES PRICE \$57,500.00
		F.O.B. Hemphill, Texas
		EST. DELIVERY Two Weeks

22" tires & wheels of like kind if desired
at no additional charge.

1-28-85

Exhibit E




Barrett Mack Sales & Service

2502 Medford Drive, Loop 287
Lufkin, Texas 75901
Phone (409) 634-3000

DATE: January 24, 1985

Dump Truck Bid --- Precinct 2

MAKE Mack	FRONT AXLE 14,000 lb.	EXHAUST SYSTEM Single Vertical
YEAR 1980 (Used)	FRONT WHEELS Steel Disc	WEST COAST MIRRORS Dual 6" x 16"
MODEL RD686S	FRONT TIRES 10:00x22 Goodyear SHM	BUMPER Steel
CAB TYPE & COLOR CA49 Red	REAR AXLE & RATIO SS441C 4.17	HORN Air
WHEEL BASE 201"	SUSPENSION Mack	ELECTRIC SYSTEM 12V 90 Amp
FRAME 1/4" Reinforced	REAR WHEELS Steel Disc	BRAKES Air
ENGINE EM6-285	REAR TIRES 10:00x22 Goodyear SHM	APPLICATION Dump Truck
TRANSMISSION TRXL-107 (6 speed)	FUEL TANK Steel 95 & 45	QUANTITY One
CLUTCH CL 751	SEAT Air Driver Seat	PRICE PER UNIT \$42,000.00
ADDITIONAL SPECIFICATIONS AM Radio New Red paint Factory Air Conditioner New 16' Ox dump bed with console controls, Bac-Alert, mud flaps, and clearance lights. Sold "As Is" Sincerely,  Nick Miller		LESS TRADE(S) None
		NET PRICE \$42,000.00
		FEDERAL RETAIL EXCISE TAX None
		STATE SALES TAX None
		REGISTRATION None
		TITLE FEES None
		TOTAL SALES PRICE \$42,000.00
		F.O.B. Hemphill, Texas
		EST. DELIVERY Two Weeks from Order

179-1

First State Bank

P. O. Drawer 610
Hemphill, Texas 75948

MEMBER FDIC

TELEPHONE 409 787-3381

LEE M. DUTTON, JR.
PRESIDENT

County Depository

January 25, 1985

BID DATE: JANUARY 28, 1985

The Honorable
The Commissioners Court
Sabine County
Hemphill, Texas

*Opened in Court
1-28-85 - 9:30 AM
Minnie Joach*

Gentlemen:

Please accept this letter as our formal application to serve as the County Depository for the ensuing two years.

The capital stock of this bank is in the amount of \$600,000.00 and the certified surplus is \$800,000.00. We enclose a statement of financial condition of the bank as of December 31, 1985.

In accordance with Article 2545 of the Texas Revised Civil Statutes, we attach a certified check in an amount equal to one half of one percent (1/2 of 1%) of the county revenues for the preceding year as a guarantee of the good faith on the part of the bank that if the latter is accepted as County Depository it will comply with the provisions of Article 2547 of the statutes.

In meeting the requirement of Article 2547 the bank will pledge securities of the type and in the amount required by Section (C) fo the cited article.

1. The bank will charge a rate of 6% per annum (simple interest) from date on the valid warrants and overdrafts of the County.
2. All funds of the County will be deposited in non-interest bearing checking accounts at the bank and drawn on by checks or vouchers from time to time free of service charges.

1-28-85 "Exhibit I" page 1

The Honorable

page two

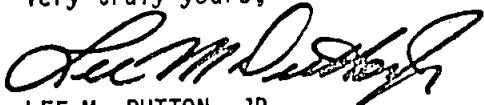
January 25, 1985

3. The bank will charge interest on overdrafts from the date of payment; however, the County will pay such overdrafts with proceeds from warrants or from other sources within three business days from payment of the overdraft.
4. Refunding warrants (renewals) will bear the 6% simple rate from date.
5. The arrangement on undisbursed "Jail House" funds from the sale of the County Jail Bonds remains intact and undisturbed.

We propose to serve as your depository bank during the next two years in the same manner that we have served you in the past two years. We are grateful for the privilege of handling the funds and carrying the obligations of the County which is so dear to the personnel of the bank.

Our first and foremost aim is to provide the finest in banking for the County and its citizenry.

Very truly yours,



LEE M. DUTTON, JR.
PRESIDENT

LMD:twc

Enclosure: Statement of Condition

page 2

MEMBER FDIC

LEE M. DUTTON, JR.
PRESIDENT

County Depository for
Trust Funds

January 25, 1985

BID DATE: JANUARY 28, 1985

The Honorable
The Commissioners Court
Sabine County
Hemphill, Texas

Gentlemen:

Please accept this letter as our formal application to serve as the County Depository for Trust Funds for the ensuing two (2) years. This application is made under provisions of Article 2558-A of the Texas Revised Civil Statutes.

The capital stock of the bank is in the amount of \$600,000.00 and the certified surplus in \$800,000.00. We enclose a statement of condition of the bank as of December 31, 1984.

In accordance with Section 1 of Article 2558-A of the Texas Revised Civil Statutes, we attach a certified check in an amount equal to one half of one per cent of the average daily balance of the amount of Trust Funds in the possession of the District and County Clerk during the preceding year; this certified check is a guarantee of the good faith on the part of the applicant that if this application is accepted the bank will comply with the provisions of Article 2558-A and qualify by pledging securities as required by Section 3 of Article 2558-A and Article 2547, of the Texas Revised Civil Statutes.

In meeting the requirements of Section 3 of Article 2558-A and the requirements of Article 2547, the bank will pledge securities of the type and in the amount required by Section (c) of Article 2547.

Page 3

First State Bank
P.O. Drawer 610
Hemphill, Texas 75948

1798

The Honorable

page two

January 25, 1985

1. The bank will charge a rate of 6% per annum (simple interest) from date on the balid warrants and overdrafts of the County.
2. All funds of the County will be deposited in non-interest bearing accounts at the bank and drawn on by checks or vouchers from time to time free of service charges.
3. The bank will charge interest on overdrafts from the date of payment; however, the County will pay such overdrafts with proceeds from warrants or from other sources within three business days from payment of the overdraft.
4. Refunding warrants (renewals) will bear the 6% simple rate from date.
5. The arrangement on undisputed "Jail House" funds from the sale of the County Jail Bonds remains intact and undisturbed.

We propose to serve as your depository bank during the next two years in the same manner that we have served you in the past two years. We are grateful for the privilege of handling the funds and carrying the obligations of the County which is so dear to the personnel of the bank.

Our first and foremost aim is to provide the finest in banking for the County and its citizenry.

Very truly yours,



LEE M. DUTTON, JR.
PRESIDENT

LMD:twc

Enclosure: Statement of Condition

I, Minnie Gooch, County Clerk of Sabine County, Texas do hereby certify that the foregoing instrument was filed _____ 1985 at

_____ O'Clock _____ M. and duly recorded 1-31
1985 at 9:00 O'Clock A M.

Minnie Gooch

CLERK



DEPUTY

Page 4

179A