

*Sue Grafton*

VOL 39 PAGE 487

FILED FOR RECORD  
IN MY OFFICE

9:35 A.M.

MAR 21 2002

COUNTY CLERK, PANOLA COUNTY, TEXAS

BY *Clara Jones* DEPUTY

**MEETING OF COMMISSIONERS' COURT  
OF PANOLA COUNTY**

TO WHOM IT MAY CONCERN:

PURSUANT TO THE TEXAS OPEN MEETINGS ACT, NOTICE IS HEREBY GIVEN THAT A SPECIAL MEETING OF THE COMMISSIONERS' COURT OF PANOLA COUNTY, TEXAS WILL BE HELD ON THE 26<sup>TH</sup> DAY OF MARCH, 2002, IN THE COMMISSIONERS' COURTROOM IN THE PANOLA COUNTY COURTHOUSE IN CARTHAGE, TEXAS AT 1:00 O'CLOCK P.M. AT WHICH MEETING THE FOLLOWING SUBJECTS WILL BE DISCUSSED AND THE FOLLOWING MATTERS ACTED UPON:

**OPEN MEETING:**

1. To hear a presentation concerning Groundwater Districts.

**ADJOURNMENT**

WITNESS THE HAND OF THE UNDERSIGNED CLERK ON THIS THE 21<sup>ST</sup> DAY OF MARCH, 2002 AT 9:35 O'CLOCK A.M.

*Sue Grafton*  
\_\_\_\_\_  
SUE GRAFTON, COUNTY CLERK  
PANOLA COUNTY, TEXAS  
By: *Clara Jones*, Deputy

I, SUE GRAFTON, CLERK OF THE COMMISSIONERS' COURT OF PANOLA COUNTY, TEXAS DO HEREBY CERTIFY THAT THE ABOVE NOTICE WAS POSTED ON THE OFFICIAL BULLETIN BOARD IN THE PANOLA COUNTY COURTHOUSE IN THE CITY OF CARTHAGE, TEXAS AND IN A PUBLIC PLACE VISIBLE AT ALL TIMES ON THE 21<sup>ST</sup> DAY OF MARCH, 2002 AT 9:35 O'CLOCK A.M.

*Sue Grafton*  
\_\_\_\_\_  
SUE GRAFTON, COUNTY CLERK  
PANOLA COUNTY, TEXAS  
By: *Clara Jones*, Deputy

APR 8 2002

The State of Texas  
County of PanolaSUE GRAFTON  
COUNTY CLERK, PANOLA COUNTY, TEXASBY Sue Grafton DEPUTY

On this the 26th day of March A.D. 2002, the Commissioners' Court of Panola County, Texas met in a Special Meeting of the Court at 1:00 o'clock p.m. in the Commissioners' Courtroom of said County with the following members of the Court present:

John Cordray	County Judge
Ronnie LaGrone	Commissioner, Precinct No. 1
Douglas M. Cotton	Commissioner, Precinct No. 2
Herron E. Reed, Jr.	Commissioner, Precinct No. 3
Jimmy Davis	Commissioner, Precinct No. 4

with none absent, constituting a quorum of the Court. Also attending was Mickey Dorman, Deputy County Clerk. Attached to and made a part of these Minutes is a list of other attendees and the office or organization that each represents. The following proceedings were held at this meeting:

## OPEN MEETING:

1. There was a presentation by Mr. Kelly Mills, Senior Staff Geologist with TNRCC, and Mr. Bruce Lesiker of the Texas Agricultural Extension Service regarding the question of Groundwater Districts. After their presentation the floor was opened for questions from the members of the public in attendance. No action was taken as a result of the discussions.

The meeting was then adjourned.

Dated this the 26th day of March, 2002.

John Cordray  
John Cordray, County Judge, Panola County, Texas

ATTEST:

Sue Grafton  
Sue Grafton, County Clerk, Panola County, Texas



3-26-02

1:00 P.M.

Harry Down

TRAVIS WALL

WE Smith and

Floyd A. Nelson

Andy Neff

Yannou Roum

Jerry Snow

Ray L. Telford

Bob Miller

David Anderson

Johnston Z. Stone

James D. Adams

Margaret Caldwell

Kelly Mills, TNRC Austin

Bruce Leskar, Texas Cooperative Extension

Bill Archibald

J. Paul Leggett

Malta Cooke

Jim Payne

Mike Heath

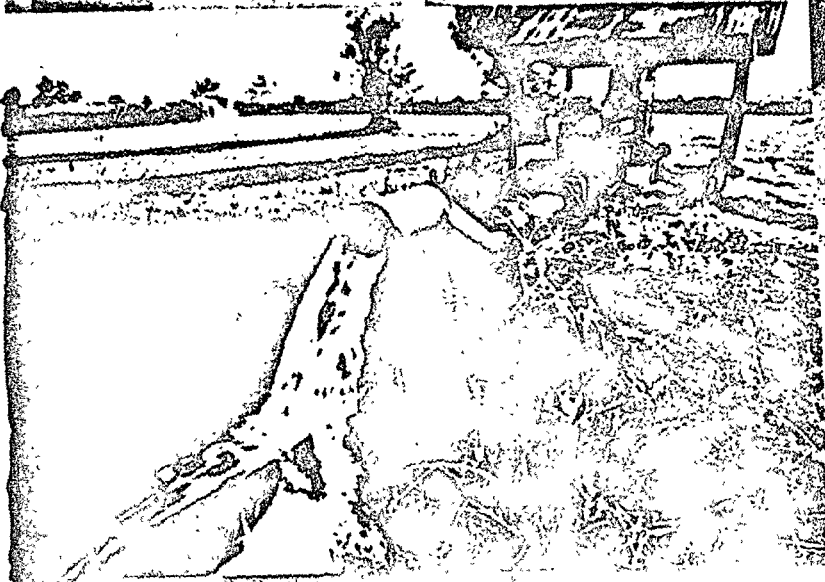
Cliff Todd

Sr STAFF

Kelly Mills - TNRC geologist

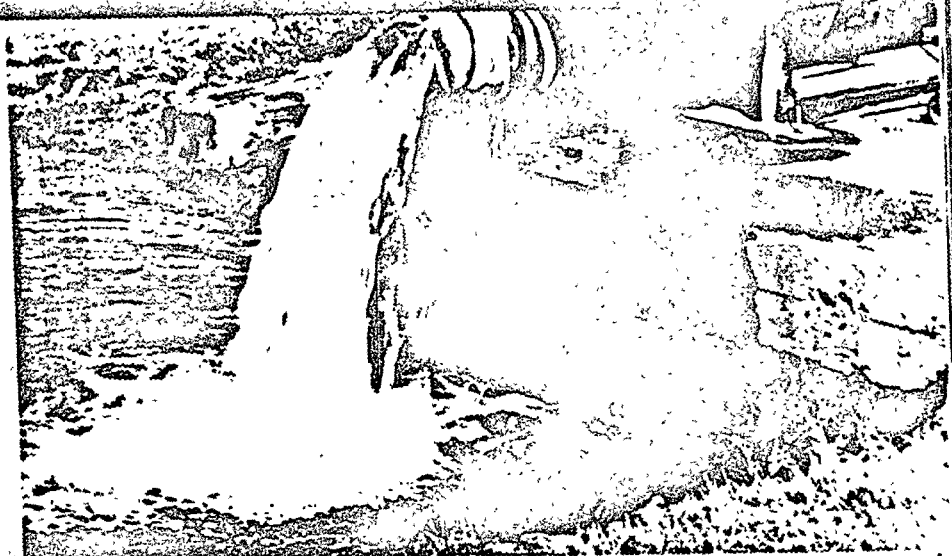
Bruce Leskar - TX Cooperative Extension

276 Wood C. Mgmt Area



# Texas Managing Groundwater Resources

Through Groundwater Conservation Districts



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### Acknowledgments

Kelly Mills and Steve Musick, Groundwater Planning and Assessment Team, Texas Natural Resource Conservation Commission  
Mark Hagus, Mapping Coordinator, Texas Water Development Board  
Texas Alliance of Groundwater Districts

## Groundwater Conservation Districts

## Managing Texas' Groundwater Resources

Guy Fipps\*

Texas is fortunate to have extensive groundwater resources. Most areas of the state are underlain by one or more of nine major aquifers and 20 minor aquifers (Figures 1 and 2). Groundwater supplies provide about 60 percent of the fresh water and nearly 76 percent of the agricultural water used in Texas.

It is widely recognized that proper management and protection of our groundwater resources is vital to Texas' economy and growth, human health and well being, and preservation of ecosystems.

The Texas Legislature has established locally controlled groundwater conservation districts as the primary means of managing groundwater. These districts have the authority and significant powers that, if they choose to use them, can provide for effective management and preservation of our groundwater resources.

This publication provides an overview of Texas water law, a summary of the powers and responsibilities of groundwater conservation districts, a review of the processes involved in creating districts, and an overview of issues related to groundwater conservation districts.

### Texas Water Law

Texas law distinguishes between surface water and groundwater. All surface water—including streams, rivers, and lakes—is considered state water. The only exception is diffused water, which is defined as "water on the surface of the land in places other than a water course" (such as overland storm water runoff). Diffused water belongs to the landowner. Surface waters are "held in trust" by the state and appropriated to users through permits or "water rights."

Water rights applications are reviewed and processed by the Water Supply Division of the Texas Natural Resource Conservation Commission (TNRCC) in Austin. A water right specifies the amount of water that can be taken, usually in terms of acre-feet per year, and the specific stream segment or water body from which the water can be taken. These permits may contain restrictions designed to protect senior water rights and flows for the environmental preservation of streams, bays and estuaries.

Applications for consumptive use of water, such as for municipal, industrial and irrigation uses,

must include water conservation plans. Water rights are subject to cancellation if use is not reported or if no use is reported for a 10-year consecutive period.

Groundwater law, on the other hand, is based on the English common law doctrine which associates groundwater with the landowner. Since 1904, Texas courts have applied the "rule of capture" to determine liability for damages relating to the withdrawal and use of groundwater. This doctrine and its interpretation through case law essentially provides that groundwater, once it has been captured by a well and delivered to the surface, belongs to the landowner. As such, landowners may use or sell all of the water they can capture from below their land.

State courts, including the Supreme Court as recently as 1999, have consistently ruled that landowners may pump as much water as they wish from beneath their land, regardless of the effects of such pumpage on adjacent landowners' wells. Over the years, the courts have placed only a few limitations on the rule of capture:

- Groundwater cannot be captured or used maliciously with the purpose of injuring a

\*Professor and Extension Agricultural Engineer, The Texas A&M University System.



neighbor or amount to a willful waste of the resource.

- Landowners are liable for damages if their negligent pumping of groundwater results in the subsidence of neighboring land.
- A landowner may not drill a well on someone else's property or drill a "slant" well on adjoining property that crosses the property line.

Waste is defined narrowly in Chapter 36 of the Texas Water Code as the nonbeneficial use of groundwater, and includes:

- Allowing groundwater to escape from one geological formation to another that does not contain groundwater.
- Polluting a groundwater reservoir by salt water or other substances.
- Willfully or through negligence causing or allowing groundwater to escape into surface waters or other land features unless authorized.
- Allowing groundwater to become irrigation tailwater on someone else's land without permission.

- Withdrawing groundwater at a rate and in an amount that allows poorer quality water to encroach into the groundwater reservoir.
- Allowing the flow or use of groundwater for a nonbeneficial purpose.
- Willfully causing or knowingly permitting the water from an artesian well to run off the owner's land or to percolate through the stratum above which the water is found.

Texas groundwater law was once known as the "law of the biggest pump." Texas has established local groundwater conservation districts (GCDs) to protect, preserve, conserve and prevent the waste of groundwater resources within their boundaries.

Although no state agency has the authority to regulate the production or use of groundwater, GCDs have a number of powers they can invoke to provide some control over groundwater use. Landowners outside of conservation districts have little recourse in protecting local groundwater or in limiting groundwater pumping impacts by neighbors or others.

## Groundwater Conservation Districts

In 1949, the Texas Legislature first provided for the voluntary creation of groundwater conservation districts (GCDs). These conservation districts could be created over any groundwater reservoir designated by the state and were subject to a confirmation election.

The Texas Legislature, while continuing to acknowledge the "rule of capture" of groundwater by landowners, passed additional legislation in 1985 and 1997 to encourage the establishment of groundwater conservation districts and, in limited cases, to allow for the creation of districts by state initiative.

This legislation stated that locally controlled GCDs are the state's preferred method of managing groundwater resources. It also stressed the importance and responsibility of GCDs in developing and implementing comprehensive management plans to conserve and protect groundwater resources.

Senate Bill 2, passed by the Texas Legislature in 2001, significantly amended GCD law. While

acknowledging the "rule of capture," the legislation also stated that this doctrine may be limited or altered by rules promulgated by a GCD. Senate Bill 2 clarified GCD authority over the regulation of spacing and production of water wells, the types of wells subject to GCD permitting and oversight, transfer of groundwater out of a district, and the enforcement of rules. The legislation also simplified and streamlined the process for state creation of GCDs in priority groundwater management areas (PGMAs).

Groundwater conservation districts are created in "groundwater management areas," which simply are areas found to be suitable for management of groundwater resources. Senate Bill 2 directed the Texas Water Development Board (TWDB) to designate groundwater management areas (GMA) over all major and minor aquifers in the state by September 1, 2003. The TWDB can also alter the boundaries of a GMA as future conditions warrant and as better data becomes available.



To the extent possible, GMAs are to coincide with the boundaries of groundwater formations. However, the TWDB may consider other factors in determining the most suitable boundaries to accom-

plish groundwater management, such as the boundaries of political subdivisions. As of October 2001, there were 24 groundwater management areas delineated and/or designated within the state.

## Priority Groundwater Management Areas

The 1985 legislation, House Bill 2, contained provisions for the Texas Water Commission (TWC, the predecessor to the TNRCC) to identify areas of the state with critical groundwater problems such as aquifer depletion, water quality contamination, land subsidence or shortage of water supply. Accordingly, the TWC and the TWDB identified possible critical areas and conducted further studies.

In 1997, the Texas Legislature enacted Senate Bill 1, a major water planning and management bill that, among other provisions, required regional water planning and the development of a state plan. The bill also reconfirmed and strengthened the provisions for the creation of groundwater conservation districts by state initiative in "priority groundwater management areas" (PGMAs). (State law regarding the designation of a PGMA is contained in Chapter 35 of the Texas Water Code.)

As with critical areas, PGMAs may be designated by the TNRCC in regions experiencing, or expected to experience in the next 25 years, critical groundwater problems such as shortages of surface water or groundwater, land subsidence and contamination of groundwater. A detailed study and an evidentiary hearing is conducted before a "study area" is designated a PGMA.

To date, 17 PGMA studies have been completed and six study areas have been designated as

PGMAs (Figure 3). The Northern Bexar County study area was added to the previously designated Hill County PGMA. As of December 2001, five of the previous study areas were being reevaluated by the TNRCC (Figure 3, areas 1, 5, 6, 8 and 11).

In 2001, the Texas Legislature passed Senate Bill 2, which streamlined and clarified the PGMA process. Under this legislation, the TNRCC is to complete the initial designation of PGMAs by Sept. 5, 2005.

The PGMA designation order must recommend that an area be covered by a district. This may be accomplished through creation of a new district, addition of the area to an existing district, or a combination of both. District creation and/or annexation may be through local or legislative initiative and must be done within 2 years of the order.

Each new GCD created in a PGMA must hold an election to determine the district's board of directors and to approve or reject taxing authority by the district. If taxing authority is rejected, the district will be funded through production fees.

Voters also must approve the annexation of an area into an existing district. (Additional details on district creation or annexation in a PGMA is provided in the Appendix.)

## Special Districts

The Texas Legislature can give special powers or responsibilities to groundwater conservation districts through the legislation that creates them. To effectively deal with specific and difficult groundwater problems, the Legislature has created three special districts that have unusual responsibilities and powers as compared to other groundwater conservation districts.

In 1975, the Texas Legislature created the Harris-Galveston Coastal Subsidence District to regulate groundwater withdrawals for the purpose of ending

land subsidence. This district has the authority to regulate well drilling and to restrict pumping and groundwater use.

Similarly, in 1989, the Fort Bend Subsidence District was created to control land subsidence in Fort Bend County.

In 1993, the Legislature approved Senate Bill 1477 authorizing the abolition of the Edwards Underground Water District and the creation of the Edwards Aquifer Authority. The bill declared the Edwards Aquifer to be a "distinctive natural



resource and aquifer" that required a "special regional management district for the effective control of the resource."

The authority has the power to manage and control groundwater withdrawals through permitting, metering, fees and fines. It is directed by law to

reduce total withdrawals from the aquifer to statutory limits established in the legislation.

The bill survived court challenges, and the authority began operation in 1996. In 1997, the authority began efforts to issue water permits for groundwater withdrawal, assess fees and install flow meters on pumps.

## Current Extent of Groundwater Districts

As of January 2002, 65 groundwater districts have been created and confirmed by law or election in Texas (Figure 4). An additional 22 districts created during the 2001 Legislative session were still awaiting confirmation through local elections which must be completed by specific dates (see Appendix D).

To date, of all the districts created, only 10 districts have failed confirmation elections, and two districts had been abolished and replaced by the Legislature.

Most existing districts were created by acts of the Texas Legislature. Seven districts were created

in the 1950s and 1960s by the Texas Board of Water Engineers and county commissioners courts under statutory provisions that have since been repealed. Six of these seven districts were validated at a later date by the Texas Legislature (the seventh district failed confirmation).

Five districts have been created by the TNRCC or its predecessor agencies through the landowner petition process as provided in Chapter 36 of the Texas Water Code. To date, no districts have been created by direct TNRCC-initiated action under the PGMA process provided in Chapter 35 of the Texas Water Code.

## Powers and Responsibilities of GCDs

Groundwater conservation districts are charged to manage groundwater by providing for the conservation, preservation, protection, recharging and prevention of waste of groundwater resources within their jurisdictions.

Most GCDs are managed by a locally elected board of directors, although a few recently created districts have locally appointed board members. The size of the board generally ranges from five to 11 members who serve staggered 4-year terms. The board of directors is responsible for managing the district including the adoption of the district policies, rules and procedures.

Groundwater conservation districts have required duties that must be performed, as well as a number of authorized powers that may be invoked.

Groundwater conservation districts are required to:

- Develop and adopt a comprehensive management plan and coordinate planning with

regional planning groups, state agencies and other districts (see below).

- Adopt necessary rules to implement the management plan.
- Require permits for drilling, equipping and completing wells, and for alterations to well size or well pumps (see below).
- Require records to be kept of the drilling, equipping and completion of water wells, and on the production and use of groundwater: Water well drillers' logs and electric use logs must be kept and filed with the district.
- Make information on groundwater resources available to the TNRCC and the TWDB upon request.

A groundwater conservation district also has requirements for organization and operation.

It must:

- Operate on the basis of a fiscal year, prepare and approve an annual budget, audit financial



accounts annually, name one or more banks to serve as a depository for district funds, and adopt certain district policies in writing.

- Hold regular board meetings at least quarterly, keep a complete account of all meetings and proceedings, and preserve minutes, contracts, records, notices, accounts, receipts and other records. All GCD meetings and records are subject to Texas' open meeting and open record requirements.
- Submit bonds and notes issued by the district to the attorney general for examination, and file confirmation election results and register board members with the TNRCC.

Unless limited by the Texas Legislature, GCDs are granted the following authorized powers and optional duties that they may choose to invoke or use:

- Adopt rules to conserve, preserve, protect, recharge and prevent waste of groundwater and control land subsidence.
- Adopt rules to regulate the spacing of water wells and the production of groundwater (see below).
- Enforce rules by injunction, mandatory injunction or other appropriate remedy in a court of competent jurisdiction. GCDs may adopt rules to set reasonable civil penalties for breach of district's rules.
- Acquire land to erect dams or to drain lakes, draws and depressions; construct dams; drain lakes, depressions, draws and creeks; install pumps and other equipment necessary to recharge aquifers; and provide facilities for buying, selling, transporting and distributing water.
- Make surveys of aquifers and facilities for development, production, transportation, distribution and use of groundwater.
- Buy, sell, transport and distribute surface water or groundwater for any purpose.
- Exercise the power of eminent domain to acquire by condemnation a fee simple (property of which the district has unqualified ownership and power of disposition) or other interest in property located inside the district. The property interest must be necessary to the exercise of the authorized duties of the district as conferred by Chapter 36 of the Texas Water Code.

- Carry out research projects and collect information regarding the use of groundwater, water conservation and the practicability of recharging aquifers.
- Promulgate rules to require permits for transferring groundwater out of the district.
- Require the owner or lease holder of land on which an open or uncovered well is located to keep the well permanently closed or capped.

### Planning requirements

The state's policy is that water resource management, water conservation and drought planning be ongoing. GCDs must formulate plans that identify and address management goals for the most efficient use of groundwater, and to control and prevent waste of groundwater and land subsidence.

These plans must specify the acts, procedures, performance and avoidance measures necessary for their implementation. They also must address conjunctive surface water management and issues related to natural resources, drought and conservation.

Plans may be amended as necessary and must be readopted at least every 5 years. GCD management plans and amendments must be administratively certified by the TWDB and filed with other districts in a common groundwater management area.

After January 5, 2002, plans prepared by GCDs must be developed using the best available data and be submitted to the regional water planning group for consideration in their planning process. Conflict resolution between GCD and regional water plans is the responsibility of the TWDB as detailed in Section 36.1072 of the Texas Water Code.

GCDs within the same groundwater management area must, at a minimum, share their plans with each other and review the plans individually. By resolution, GCDs in a management area may call for joint planning with other districts. Districts are to consider the goals of each others' plans and their effectiveness for conserving and protecting groundwater in the management area.

If a GCD believes that this process has not resulted in adequate planning or management within a groundwater management area, the district may petition the TNRCC to request an inquiry. The GCD's petition is to provide evidence of one or more of the following:



- Another district in the management area failed to adopt rules to protect groundwater resources;
- The groundwater is not adequately protected by the rules adopted by another district;
- The groundwater in the management area is not adequately protected because another district has failed to enforce its rules.

Details of joint planning, petition and the resolution requirements and process are provided in Section 36.108 of the Texas Water Code.

### Permitting of wells

All GCDs must permit and register the water wells within their boundaries. GCDs are authorized to exempt wells from the requirements of obtaining a drilling, operating or any other permit required under Chapter 36 of the Texas Water Code or the district's rules.

However, all wells in a district must be registered with the GCD. Unless specifically exempted by a GCD, all wells must obtain a permit from the district, except for:

- Wells used solely for domestic use or for providing water for livestock or poultry purposes on a tract of land larger than 10 acres that are either drilled, completed or equipped so that they cannot produce more than 25,000 gallons per day.
- The drilling of a water well used solely to supply water for a rig actively engaged in drilling or exploration operations for an oil or gas well permitted by the Railroad Commission of Texas. These exempt wells must be on the same lease of field as the oil drilling rig.
- The drilling of a water well authorized for mining activities under a permit issued by the Railroad Commission of Texas, or the production from such a well. However, a GCD may require permits for these wells if production is in excess of what is needed for mining purposes.

(Details about wells that are exempt from GCD permitting authority and on permitting of wells under the jurisdiction of the Texas Railroad Commission are included in Section 36.117 of the Texas Water Code.)

Before granting a well permit, the GCD must consider whether:

- The application is complete and includes the prescribed fees;
- The proposed use of water unreasonably affects the groundwater and surface resources or existing permit holders;
- The proposed use of water is for a beneficial purpose that is consistent with the district's management plan; and
- The applicant has agreed to avoid waste, achieve water conservation, protect water quality and properly plug the well at the time of well closure.

In certain cases, GCDs may impose more restrictive permit requirements on new applications if the same requirements apply to all subsequent permit applications and are necessary to protect existing groundwater use.

### Regulation of well spacing and production

GCDs may regulate well spacing and production in order to minimize groundwater depletion, control subsidence, prevent interference between wells, protect water quality or prevent waste. These rules may specify the spacing of wells, production capacity, pump size or other related characteristics.

Production limits may be set on the basis of acreage or tract size, a designated number of acres assigned to a well site, a specific amount in terms of acre-feet of water per acre, a pumping rate in gallons per minute, or any combination.

When limiting groundwater production, the district may consider historic water use and preserve these levels to the extent practicable and consistent with the district's management plan. Districts may also consider the service needs of a retail water utility when regulating production based on tract size or acreage.

### Financing of districts

GCDs operate under an annual budget, with spending limited to budgeted items. They must generate revenue to pay for their operations, management services and other activities.

The two primary means of financing districts is through a property tax (also referred to as "ad valorem" or "maintenance" tax) or production fees. Often the legislation that creates the district specifies how the district is to be financed and sets or limits the tax rate and/or production fees.



If not specified in the legislation, state law caps GCD taxes at a rate of 50 cents per \$100 valuation to pay operation and maintenance expenses. The use of ad valorem taxes by a district must be authorized by the voters before the tax may be levied.

Currently, only two tax-based GCDs levy taxes at rates above 10 cents per \$100 valuation. Unless otherwise addressed by a district's legislation, the production fees are capped by state law at \$1 per acre-foot/year for agricultural use and \$10 per acre-foot/year for other uses.

To a lesser extent, GCDs may also generate revenue by assessing fees for administrative services such as processing permit or groundwater transport applications, performing water quality analysis, providing services outside of the district, and capping or plugging abandoned wells. These fees must not unreasonably exceed the cost of providing these services.

GCDs can also impose export fees (see below) and apply for and receive grants, loans and donations from governmental agencies, individuals, companies or corporations for specific conservation projects or research.

In addition, GCDs can issue and sell tax bonds for capital improvements such as building dams, draining lakes and depressions, installing pumps and equipment, and providing facilities for the recharge of aquifers. Such tax bonds are subject to voter authorization, TNRCC review, and the State attorney general's approval.

### Transferring groundwater out of districts

GCDs have the authority to require permits for the transfer of groundwater outside of the district. When granting transfer permits, the district must consider:

- The availability of water in the district and in the proposed receiving area,
- The expected effects of the proposed transfer on groundwater depletion, subsidence, and existing permit holders and users in the district, and
- Implications to the area's regional water plan and the district's management plan.

Transfer permits may not be denied solely based on the fact that the applicant seeks to transfer water out of the district and must not be more restrictive than the requirements for in-district users.

Districts may impose an export fee on water transferred out of the district. Unless specified in the legislation creating the district, the export fee is based on the district's existing tax or production fee rates or is negotiated with the transporter. GCDs are allowed to charge a 50 percent export surcharge in addition to the production fee charged for in-district use.

Additional exemptions and conditions apply to transfer agreements made before September 1, 1997 (Section 36.122 of the Texas Water Code).

## Creation of Groundwater Conservation Districts

Groundwater conservation districts can be created by any one of four procedures as discussed below. However, most districts are created by action of the Legislature. Often the local senator or representative introduces and carries the bill on the district.

Except as noted below, GCD creation is subject to a confirmation election by registered voters within the proposed district. Voters also elect directors and vote up or down the tax rate proposition for financing the district.

**Action of the Legislature:** New GCDs can be established through special legislation. While the specifics may vary in each case, the legislation generally authorizes district powers and duties,

appoints or provides procedures for the appointment of temporary directors and for the election or appointment of subsequent directors, and establishes procedures for the elections and voter approval.

Such legislation commonly addresses district financing by setting the tax rate limits or production fee caps for the district. The legislation may give the district additional authority or responsibilities above those provided in Chapter 36 of the Texas Water Code or alternatively limit the district's powers.

After being created, the district's temporary directors are responsible for ordering and conducting the district's confirmation election.



**Petition by property owners:** A GCD can be created through a landowner petition to the TNRCC (Subchapter B, Chapter 36 of the Texas Water Code). If all statutory requirements are met, the TNRCC certifies the petition, issues an agency order creating the district and appoints the temporary directors named in the petition.

The temporary directors are responsible for calling and conducting the district's confirmation election. (Appendix A contains more detail on the landowner petition process.)

**Initiation by the TNRCC:** If no local district-creation action is taken within a set time of a PGMA designation, the TNRCC may create a GCD in the designated PGMA.

An election is held to determine the directors and to vote up or down on taxing authority for the district. If the tax proposition is not approved by the voters, the district is financed through production fees revenue. (Details on the process for

TNRCC creation of district are provided in Appendix B.)

**Addition of territory to an existing district:** An alternative to creating a new GCD is to add territory to an existing district, if an existing district is near enough to be practical and is willing to accept the new territory.

One form of annexation begins with a petition from an individual landowner directly to the GCD's board of directors. In this case, the board's decision is sufficient to include the property.

For larger areas, groups of landowners or entire counties can petition a GCD's board for inclusion. After hearings and the board's acceptance of the petition, a confirmation election is held.

Annexation of territory to an existing groundwater conservation district is governed by the Texas Water Code, Chapter 36, Subchapter J. (More details on the annexation process are given in Appendix C.)

## Issues

The 1949 Texas Groundwater Districts Act and succeeding laws and regulations give groundwater conservation districts the responsibility to conserve and preserve groundwater supplies and to achieve more efficient water use. The size of districts varies widely, as do the level of responsibility each district has chosen to accept.

Single-county districts are common, with over half of the established districts encompassing the territory of a single county or less. Single-county districts are sometimes viewed as too small in size to effectively manage an aquifer that extends beyond its boundaries, to have a sufficient tax base that allows tax rates low enough so that they are not considered burdensome by the taxpayers, or to have sufficient groundwater pumpage to finance district expenses through production fees.

It is not clear yet if the requirements of Senate Bill 2 (77th Legislature, 2001) for coordination of district planning within a groundwater management area and with regional water planning groups will help resolve the challenges facing single-county districts.

On the other hand, this type of district allows groundwater management decisions to be made at

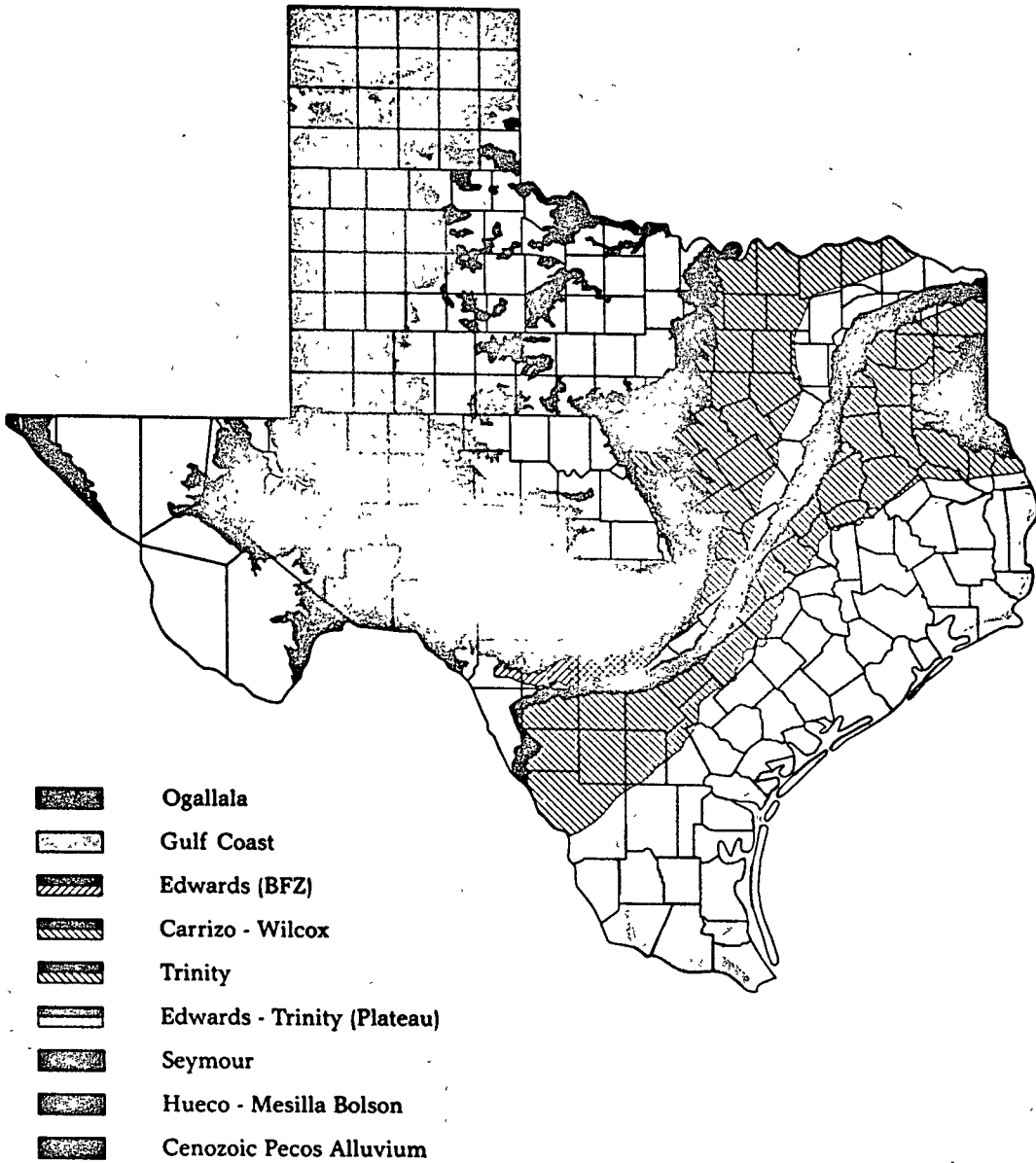
the most local level. Single-county districts may be able to deal more effectively with specific groundwater management and use issues, particularly in areas where most groundwater withdrawals support a common industry or activity.

Some GCDs have established successful and well-funded conservation programs that have helped preserve groundwater resources while providing valuable technical assistance and educational programs for groundwater users in the districts. Other districts have limited their regulatory strategies primarily to that of well spacing requirements. A few have chosen to perform only the minimum requirements under state law.

The rationale supporting the local creation and control of groundwater districts is related to the large diversity of climatic conditions, water use patterns, growth projections and aquifer characteristics across the state. This diversity would make it difficult to formulate and administer uniform laws and regulations to govern the development and use of groundwater statewide. State law governing GCDs provides the flexibility for local decision making to address local and regional groundwater concerns.



### Major Aquifers of Texas



**Figure 1. Nine major aquifers account for 96.3 percent of all groundwater withdrawals in Texas.**

Minor Aquifers of Texas

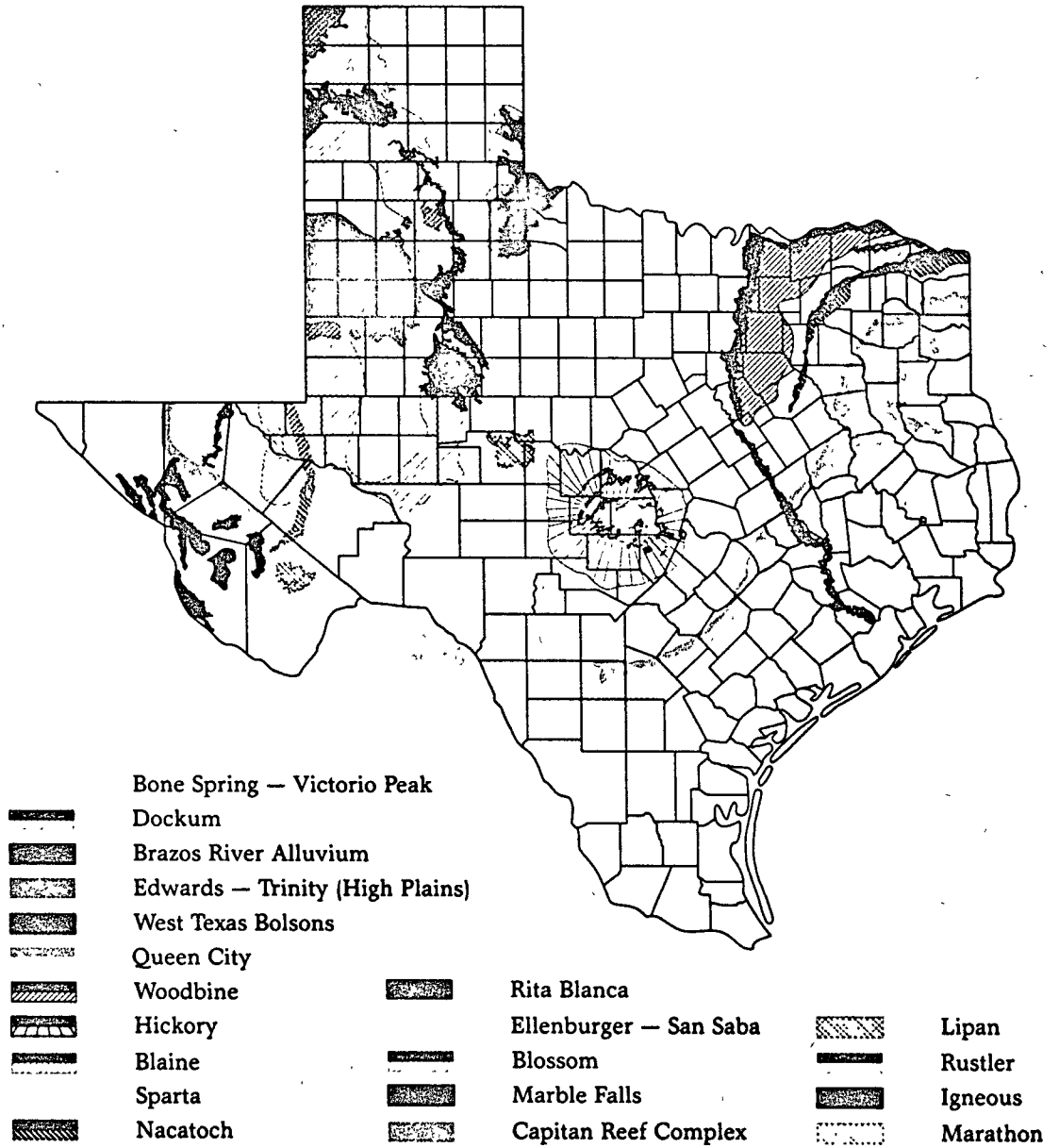


Figure 2. The 20 minor aquifers of Texas account for 3.7 percent of all groundwater withdrawals.

Managine Texas' Groundwater Resources Through Groundwater  
 Texas Cooperative Extension • Chester P. Fehlis, Deputy Director

Priority Groundwater Management Area Studies

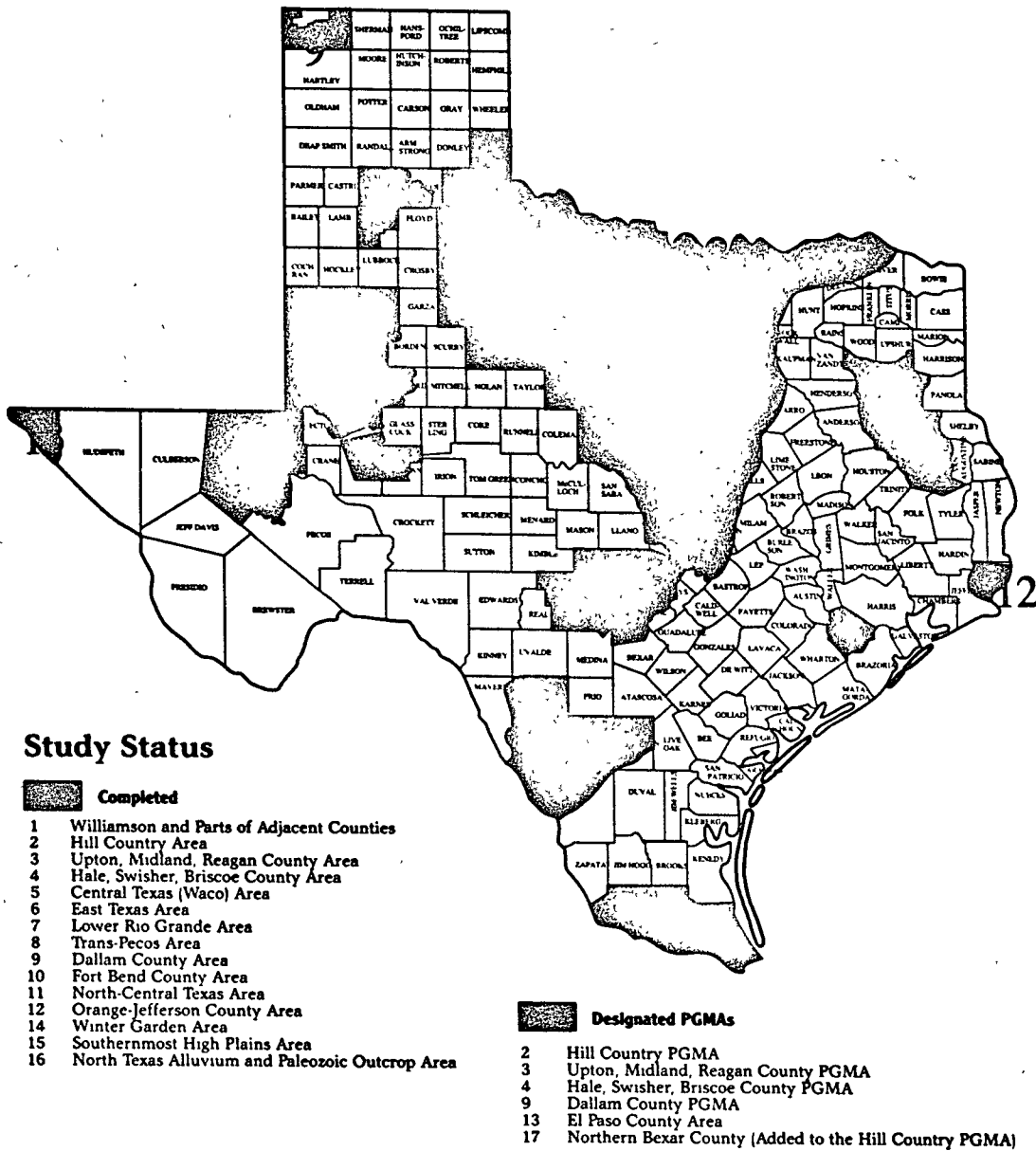



Figure 3. Studies have been conducted in these areas because of existing or potential groundwater supply or quality problems.

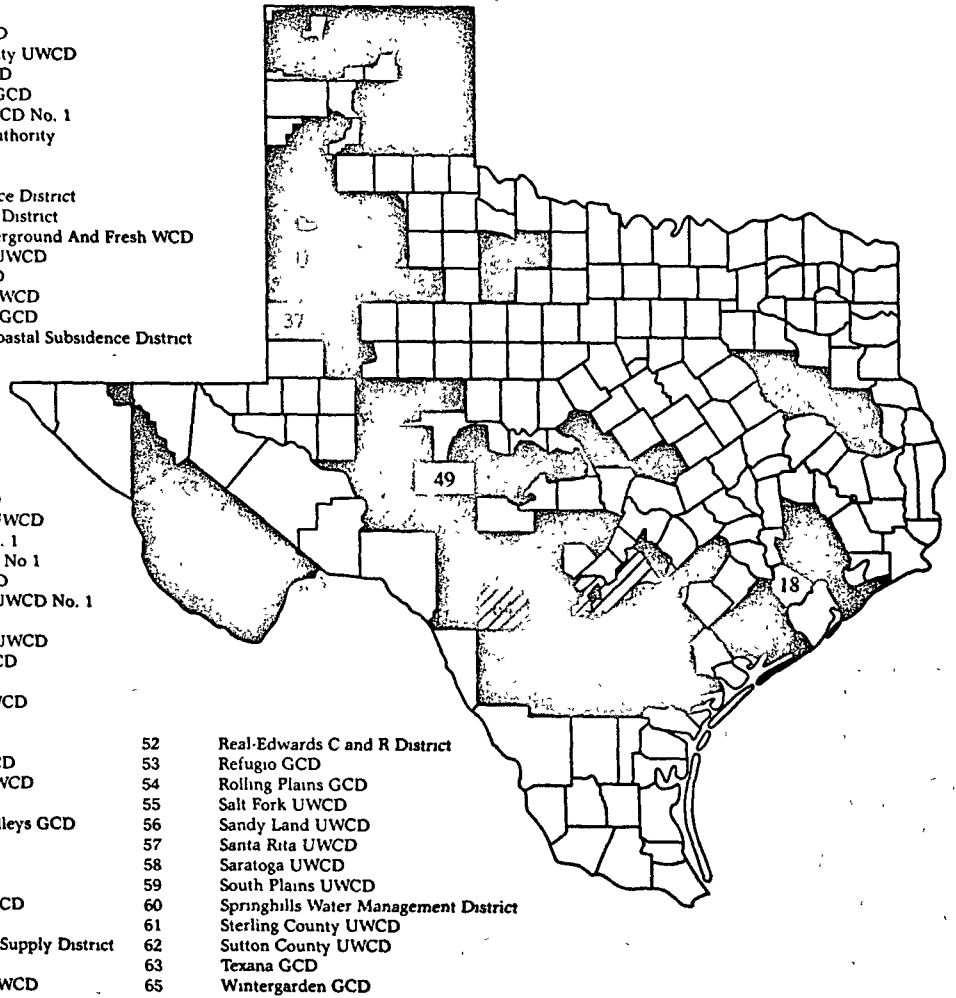
Water Conservation Districts, Publication B-1612 (02-02).  
 or • The Texas A&M University System • College Station, Texas

Groundwater Districts

Conservation Districts

- 1 Anderson County UWCD
- 2 Barton Springs/edwards Aquifer CD
- 3 Bee GCD
- 4 Bexar Metropolitan Water District
- 5 Blanco-Pedernales GCD
- 6 Brewster County GCD
- 7 Clearwater UWCD
- 8 Coastal Bend GCD
- 9 Coastal Plains GCD
- 10 Coke County UWCD
- 11 Collingsworth County UWCD
- 12 Colorado Valley GCD
- 13 Culberson County GCD
- 14 Dallam County UWCD No. 1
- 15 Edwards Aquifer Authority
- 16 Emerald UWCD
- 17 Evergreen UWCD
- 18 Fort Bend Subsidence District
- 19 Fox Crossing Water District
- 20 Garza County Underground And Fresh WCD
- 21 Glasscock County UWCD
- 22 Goliad County GCD
- 23 Gonzales County UWCD
- 24 Guadalupe County GCD
- 25 Harris-Galveston Coastal Subsidence District

-  Edwards Aquifer Authority
- 34 Kinney County GCD
- 64 Uvalde County UWCD



- 26 Headwaters UWCD
- 27 Hemphill County UWCD
- 28 Hickory UWCD No. 1
- 29 High Plains UWCD No 1
- 30 Hill Country UWCD
- 31 Hudspeth County UWCD No. 1
- 32 Irion County WCD
- 33 Jeff Davis County UWCD
- 35 Lipan-kickapoo WCD
- 36 Live Oak UWCD
- 37 Llano Estacado UWCD
- 38 Lone Star GCD
- 39 McMullen GCD
- 40 Medina County GCD
- 41 Menard County UWCD
- 42 Mesa UWCD
- 43 Neches&Trinity Valleys GCD
- 44 North Plains GCD
- 45 Panhandle GCD
- 46 Pecan Valley GCD
- 47 Permian Basin UWCD
- 48 Pineywoods GCD
- 49 Plateau UWC And Supply District
- 50 Plum Creek CD
- 51 Presidio County UWCD

- 52 Real-Edwards C and R District
- 53 Refugio GCD
- 54 Rolling Plains GCD
- 55 Salt Fork UWCD
- 56 Sandy Land UWCD
- 57 Santa Rita UWCD
- 58 Saratoga UWCD
- 59 South Plains UWCD
- 60 Springhills Water Management District
- 61 Sterling County UWCD
- 62 Sutton County UWCD
- 63 Texana GCD
- 65 Wintergarden GCD

**Figure 4. There are 65 confirmed groundwater conservation and special districts in Texas as of January 2002. The Edwards Aquifer Authority contains 3 conservation districts within its territory.**

Locally controlled groundwater conservation districts, with rules, programs and activities specifically addressing local problems and opportunities, have worked well in some portions of the state. However, in the Edwards Aquifer region, the GCD was ineffective in managing and conserving the resource for a number of reasons, including the

complexity of the water issues and competing interests. The result was that the Texas Legislature replaced the district with a regulatory authority with strict statutory groundwater management mandates.

## References

Kaiser, R. A. 1986. Handbook of Texas Water Law: Problems and Needs. Texas Water Resources Institute, Texas Agricultural Experiment Station, The Texas A&M University System, College Station, Texas.

Sweeten, John M. 1990. B-1612 "Managing Private Groundwater Through Underground Water Conservation Districts." Texas Cooperative Extension, The Texas A&M University System, College Station, Texas.

Texas Natural Resource Conservation Commission and Texas Water Development Board. 2001. Priority Groundwater Management Areas and Groundwater Conservation Districts, Report to the 77th Legislature. TNRCC Publication No. SFR-053/01, Austin, January 2001.



## Appendix A

### Petition Process for Creation of Groundwater Conservation Districts

The landowner petition process for the administrative creation of a groundwater conservation district (GCD) is governed by Subchapter B, Chapter 36 of the Water Code. This statute provides TNRCC with the authority to create GCDs in response to landowner petitions in designated groundwater management areas. The 77th Legislature (2001) directed the TWDB to designate groundwater management areas for all the state's major and minor aquifers by September 1, 2003.

Landowner GCD creation petitions are filed with the chief clerk of the TNRCC for review and certification. The petition must be accompanied by a \$700 nonrefundable filing fee and be signed by the majority of the landowners in the proposed district, or by at least 50 landowners if there are more than 50 landowners in the proposed district. The petition must contain the following information:

- The name of the proposed district
- The area and boundaries, including a map of the general boundaries of the proposed district
- The purpose or purposes of the proposed district
- A statement of the general nature, need for and feasibility of any projects being proposed for the district to undertake, and the petitioners' estimated cost of these projects if they are to be funded through the issuance of bonds or notes
- The names of at least five people qualified to serve as temporary directors
- Financial information including the projected tax rate or production fees, and a proposed budget of revenues and expenses for the district

At a minimum, the petition should include justification for the creation of the district and evidence that the district is feasible, practical and necessary. It should also contain a summary of how the proposed district projects will address issues that have been identified in the groundwater management area.

The financial information should demonstrate that the proposed revenues (from either ad valorem taxes or production fees) would be adequate to fund the district's activities. The petition must

include the certification of petition signatures by the county tax assessor, affidavits of qualifications for temporary directors and any other information as required by the TNRCC.

Information required to accompany landowner petitions for the creation of a GCD are found in TNRCC rules [Title 30, 293.11 (a) and (b), Texas Administrative Code]. Amendments to these rules should be completed by the end of 2002 to reflect changes in state law approved by the 77th Legislature (2001). The TNRCC uses these rules to determine if a petition is in compliance with statutory requirements.

The TNRCC reviews the petition for statutory compliance and issues a "notice" of the petition. Within 60 days of issuing the notice, the TNRCC holds a public meeting within the area of the proposed district. Within 90 days of the public meeting, the TNRCC must certify the petition as administratively complete if signatures and petition contents meets the statutory requirements.

The TNRCC may not certify a petition if it finds that the proposed GCD cannot be adequately funded, the proposed GCD boundaries do not provide for effective management of groundwater resources, or the proposed GCD is not in a designated groundwater management area.

If the TNRCC does not certify a petition, it must provide the reasons in writing to the petitioners. The petitioners may resubmit the petition within 90 days without additional fees. If the proposed GCD is not in a groundwater management area, then the TNRCC notifies the TWDB, which in turn must initiate a groundwater management area designation proceeding.

If the TNRCC certifies the petition as administratively complete, it issues an order to create the district, notifies the petitioners and appoints the temporary directors named in the petition.

Within 120 days of being appointed, the temporary directors must meet and order an election to be held in the district. Voters approve or deny district creation ("confirm the district"), elect permanent directors and approve the maintenance tax. If the voters confirm creation of the district but the maintenance tax is defeated, then the district finances are provided through production fees.



**Appendix B**  
**Priority Groundwater Management Area Process**  
**and Groundwater Conservation District Creation Process in a PGMA**

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**Identification phase**

The executives of the TNRCC and TWDB meet periodically to identify areas of the state that face, or are expected to face within the next 25 years, critical groundwater problems, including shortage of surface water or groundwater, land subsidence resulting from groundwater withdrawal, and contamination of groundwater. They discuss the need for studies and actions to be initiated in these areas.

Under provisions of Senate Bill 2 passed by the 2001 Texas Legislature, the TNRCC must complete the initial designation of PGMA's by September 1, 2005, for all areas that meet the criteria listed above. After September 1, 2005, the TNRCC and the TWDB will annually review the need for additional PGMA designations.

**Public participation phase**

The executive director of the TNRCC determines when to initiate a specific PGMA evaluation. Before initiating the process, the TNRCC must provide notice to "water stakeholders." These stakeholders include county governments, municipalities, river authorities, adjacent GCDs, regional water planning groups, water districts and other entities that supply public drinking water.

The notice is provided to solicit comments, data, existing studies and any pertinent information about water supply, groundwater availability, aquifer water level trends and groundwater quality. The recipients of the notice are allowed 45 days to provide comments.

**Study Phase**

After the water stakeholder notification, the executive director requests detailed studies from the TWDB and the Texas Parks and Wildlife Department (TPWD) to evaluate issues within their respective areas of expertise. The PGMA process time line begins with the request for the studies, and the two agencies are given 180 days to submit their studies. The executive director may also solicit input from the Texas Department of Agriculture.

**Report and recommendation phase**

After the time frame for the study phase, the executive director has 90 days to prepare a report based on the information and comments solicited from the study area's water stakeholders, data and information provided from the TWDB and TPWD studies, and independent research.

The executive director's report must include recommendations for:

- The boundaries for a possible PGMA
- The reasons and supporting information for or against designating the study area as a PGMA
- The decision on whether one or more districts should be created within the PGMA or if the area should be added to an existing district (or any combination of the two)
- Actions that should be considered to conserve the natural resources.

The executive director's final report must be supplied to at least one public library in the area, each county clerk in the area, adjacent GCDs and applicable TNRCC regional offices.

**Designation phase**

If the executive director recommends that the study area be designated a PGMA, the TNRCC will publish a notice in at least one newspaper in the affected area that an evidentiary hearing will be held.

The evidentiary hearing is called and held within the PGMA study area to consider whether a PGMA should be designated, whether a GCD should be created over all or part of a PGMA, whether all or part of the land in the PGMA should be added to an existing GCD, or a combination of the GCD creation actions. Consideration of GCD issues must include a determination of whether a district is feasible and practicable.

The hearing must take place within 75 days after the hearing announcement and within the affected area unless adequate meeting facilities are not available. At the hearing, affected persons such as land and well owners can present testimony and evidence for the TNRCC to consider.



The evidentiary hearing is conducted by an administrative law judge from the State Office of Hearings Examiners (SOAH). The administrative law judge names parties to the hearing, makes rulings on evidence and testimony during the hearing, considers the evidence and testimony during and after the hearing, and prepares a proposal for decision for the TNRCC.

The SOAH administrative law judge places the proposal for decision on the TNRCC's public meeting agenda in Austin. The TNRCC may request more information from any source if it considers that further information is necessary.

At the public meeting in Austin, the TNRCC considers the SOAH proposal for decision, the executive director's report and all other testimony and evidence admitted during the evidentiary hearing.

After the hearing and considerations, the TNRCC issues an order stating its findings and conclusions. The order must state the TNRCC findings and conclusions, including whether the area should be designated as a PGMA and recommendations on district creation.

The TNRCC order designating a new PGMA must recommend that the area be covered by a GCD either by creation of one or more new districts, by adding the PGMA to one or more existing districts, or by a combination of these actions.

Alternatively, if the TNRCC determines that a GCD is inappropriate for or unable to protect the groundwater resources of the PGMA, it may recommend to the Legislature that a special district be created or that an existing district's authority be amended.

#### Education phase

After the TNRCC has designated a new PGMA, Texas Cooperative Extension will begin an educational program in the area to inform residents of the status of the area's water resources and management options, including possible formation of a GCD.

The county commissioners courts of each county in the PGMA will form a steering committee to provide assistance to Texas Cooperative Extension to accomplish the goals of the educational program.

#### GCD creation phase; local initiative

After the TNRCC designates a new PGMA (which includes specific GCD creation recommendations), landowners in the area have at least 120

days or up to 2 years to create a district on their own initiative. Landowners may have a district created through the petition or legislative processes, or petition to have the area added to an existing district.

The GCD creation process through a landowner petition is outlined in Appendix A and the processes to add an area to an existing GCD are summarized in Appendix C. A voter confirmation election is required in both processes.

If the TNRCC order recommends that the PGMA or part of the PGMA be added to an existing GCD, the TNRCC must submit a copy of the order to the recommended GCD's board of directors. The responsibilities of that GCD's board of directors and the voter confirmation process are outlined in Appendix C.

#### GCD creation phase; TNRCC initiative

State law requires the TNRCC to create a GCD by direct action if in a designated PGMA:

- Local action is unsuccessful or not undertaken to establish a GCD (or GCDs) in the PGMA within the 2-year local initiative period.
- The TNRCC recommends that the PGMA be added to an existing GCD, and the GCD's board of directors tried to add it, but it was defeated.
- The TNRCC recommends that the PGMA be added to an existing GCD and the GCD's board of directors voted not to pursue addition of the territory.

If any of these situations apply, the TNRCC, without conducting an evidentiary hearing, must issue an order that would create a GCD, specifically task county commissioner's courts to appoint a set number of temporary directors for the GCD, and require the temporary directors to call and hold an election to authorize the GCD to collect taxes.

Within 120 days of being qualified, the temporary directors must meet and order an election to be held in the district. The election is conducted for the registered voters to approve authority for the GCD to levy a maintenance tax and to elect permanent directors who will serve set terms. If the voters defeat the maintenance tax proposition, the GCD will be financed through production fees.



## Appendix C

Adding Territory to an Existing Groundwater Conservation District

There are three ways to add territory to an existing GCD:

**Individual landowners:** Landowners within territory adjoining a district may petition directly to the district's board of directors to consider including their land in the district. In this case, all landowners involved must sign the petition to specifically include their property.

The board's decision to annex is sufficient and no further action is necessary. This process is provided for in Subchapter J, Sections 36.321 through 36.324 of the Texas Water Code.

**Multiple landowners:** Landowners within a defined area of territory may file a petition with an existing GCD board of directors requesting inclusion into the district. If the proposed territory is not contiguous to the district, it must be within the same groundwater management area.

The petition must be signed by a majority of the landowners in the territory, at least 50 landowners if the number of landowners is more than 50, or the commissioners court of a county in which the area is located if the area is within a designated priority groundwater management area or includes the entire county.

Public hearings must be held both within the existing district and within the territory proposed for annexation. Next, if the board of the existing GCD finds that the addition would benefit both the territory and the district, it may add the territory described in the petition. The board may change the boundaries of the territory to be added if it finds that the change is necessary or desirable.

After approving the petition to add the territory, the board calls an election within the proposed area to confirm the addition of the territory. The process of adding territory to a GCD is described in Subchapter J, Sections 36.325 through 36.331, Texas Water Code.

**In a Priority Groundwater Management Area (PGMA):** The TNRCC order designating a PGMA may recommend that the PGMA or part of the PGMA be added to an existing GCD if there is a benefit to land and other property in both the PGMA and the existing district, and there is a "public need for the annexation that would further the public welfare."

If such is the case, the TNRCC submits a copy of the order to the recommended GCD's board of directors, and the directors vote on whether they want to pursue the addition of the area. The board must advise the TNRCC of the outcome of this decision (Section 35.013 of the Texas Water Code).

If the GCD's board of directors vote to pursue addition of the recommended PGMA territory, the board may request educational programming from Texas Conservation Extension and will call an election within the proposed area to confirm the addition of the territory.

If the addition of the territory is approved by a majority of those voting, the board will declare that the PGMA be added to the district, provide the added area with reasonable representation on the board of directors, and file election results with the TNRCC.

The newly added area must assume its pro rata share of the GCD's indebtedness and agree to the ad valorem tax if the district has one. Another election to add the proposed territory may not be held for a 1-year period.

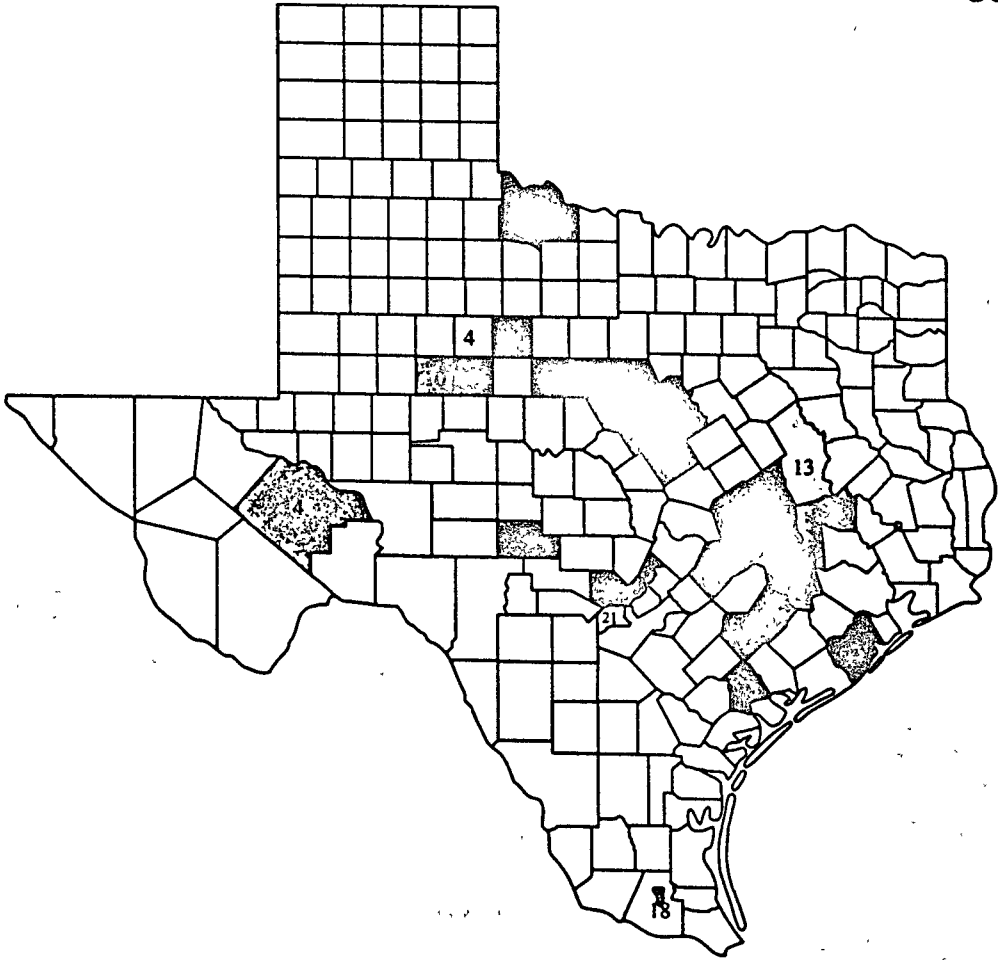
If the recommended GCD's board originally votes not to pursue addition of the territory or if the voters do not approve the addition, then within 1 year, the TNRCC is required to create one or more GCDs in the PGMA or to issue alternative recommendations to the Texas Legislature for future management of the PGMA.



Appendix D  
Unconfirmed Groundwater Conservation Districts Created/Ratified  
by 77<sup>th</sup> Legislature, 2001

Groundwater Conservation District	Counties	Expiration Date (if not confirmed)
1. Bluebonnet GCD	Walker, Grimes, Washington, Austin, Waller	09/01/03
2. Brazoria Co. GCD	Brazoria	09/01/03
3. Brazos Valley GCD	Robertson, Brazos	08/31/03
4. Clear Fork GCD	Fisher	06/17/05
5. Cow Creek GCD	Kendall	09/01/03
6. Crossroads GCD	Victoria	09/01/06
7. Hays Trinity GCD	Hays	09/01/03
8. Kimble Co. GCD	Kimble	09/01/03
9. Lavaca Co. GCD	Lavaca	09/01/06
10. Lone Wolf GCD	Mitchell	09/01/03
11. Lost Pines GCD	Bastrop, Lee	08/31/03
12. Lower Seymour GCD	Jones	06/17/05
13. Mid-East Tex GCD	Freestone, Leon, Madison	08/31/03
14. Middle Pecos GCD	Pecos	09/01/03
15. Middle Trinity GCD	Callahan, Eastland, Erath, Comanche, Hamilton, Bosque, Coryell, Somervell	09/01/03
16. Post Oak GCD	Colorado	09/01/03
17. Post Oak Savannah GCD	Milam, Burleson	08/31/03
18. Red Sand GCD	Hidalgo	09/01/03
19. Southeast Trinity GCD	Comal	09/01/05
20. Tri-County GCD	Hardeman, Foard, Wilbarger	09/01/03
21. Trinity-Glen Rose GCD	Bexar	09/01/04
22. Wes-Tex GCD	Nolan	09/01/03





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 Issued in furtherance of Cooperative Extension Work in Agriculture and Home Economics, Acts of Congress of May 8, 1914, as amended, and June 30, 1914, in cooperation with the United States Department of Agriculture. Chester P. Fehlis, Deputy Director, Texas Cooperative Extension, The Texas A&M University System.

10M Revised

RECORDED \_\_\_\_\_ O' CLOCK \_\_\_\_\_ M. ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_ 2002

SUE GRAFTON, COUNTY CLERK, P. C. T. *Sue Grafton*

FILED FOR RECORD  
IN MY OFFICE

9:25 A.M.

APR 4 - 2002

COUNTY CLERK, PANOLA COUNTY, TEXAS

BY Clara Jones DEPUTY**MEETING OF COMMISSIONERS' COURT  
OF PANOLA COUNTY****TO WHOM IT MAY CONCERN:**

PURSUANT TO THE TEXAS OPEN MEETINGS ACT, NOTICE IS HEREBY GIVEN THAT A REGULAR MEETING OF THE COMMISSIONERS' COURT OF PANOLA COUNTY, TEXAS WILL BE HELD ON THE 8<sup>TH</sup> DAY OF APRIL, 2002, IN THE COMMISSIONERS' COURTROOM IN THE PANOLA COUNTY COURTHOUSE IN CARTHAGE, TEXAS AT 9:00 O'CLOCK A.M. AT WHICH MEETING THE FOLLOWING SUBJECTS WILL BE DISCUSSED AND THE FOLLOWING MATTERS ACTED UPON:

**OPEN MEETING:**

1. **CITIZEN COMMENTS:** This is for citizens to comment on any subject not on the current agenda concerning county business. Members of the Court may answer direct questions, but any action from this item must be scheduled on a future agenda.
2. **COMMISSIONERS' REPORT:** These are for informational purposes only. Any action that needs to be taken on the basis of these reports will be placed on a future agenda for action.
3. **COUNTY JUDGE'S REPORT:** This is for informational purposes only. Any action that needs to be taken on the basis of this report will be placed on a future agenda for action.
4. **CONSENT ITEMS:**

**PERSONNEL**

- a. To record the employment of John Pennywell as a Truck Driver with the Panola County Road and Bridge Department effective April 1, 2002 at the rate of \$8.53 per hour.
- b. To record an increase in salary for Jerry Coxen, an Operator with the Panola County Road and Bridge Department, to \$11.24 per hour effective April 8, 2002.
- c. To record the promotion of Douglas Graves from Truck Driver to Operator with the Panola County Road and Bridge Department effective April 8, 2002 at the rate of \$10.72 per hour.
- d. To record the promotion of Tim Porter from Truck Driver to Operator with the Panola County Road and Bridge Department effective April 8, 2002 at the rate of \$10.72 per hour.

**ROAD & BRIDGE**

- a. To approve and record a request by Eastex Telephone Co-op to cross under Panola County Road #335 with a buried cable.

MISCELLANEOUS

- ✓
- a. To approve minutes of Commissioners' Court meetings held during the month of March, 2002.
  - b. To record Panola County's 2001 claim for Tobacco Settlement Funds.
  - c. To approve and record the County Treasurer's Panola County Investments Report for the 1<sup>st</sup> Quarter 2002.
  - d. To approve and record 2002 Budget Amendment No. 2.
  - e. To record V. G. Young Institute of County Government Continuing Education Certificates for 44<sup>th</sup> Annual Conference for County Judges and Commissioners for Panola County Commissioners Ronnie LaGrone, Doug Cotton, Hermon Reed, Jr. and Jimmy E. Davis.
  - f. To record V. G. Young Institute of County Government Continuing Education Certificates for 30<sup>th</sup> Annual Seminar for County and District Clerks for Panola County Clerk Sue Grafton and Panola County District Clerk Sandra King.

101  
39 APR 5 11

REQUESTS FOR CONFERENCE ATTENDANCE

- a. To approve and record a Request for Attendance at a Conference form(s) for the following Panola County elected official(s)/employee(s): Emergency Management Coordinator Byron McMillen; Panola County Road and Bridge Superintendent John DePresca; and County Extension Agent - FCS Margaret Caldwell.
5. To approve Road & Bridge requisitions and to approve payment of current Panola County bills as presented on vouchers prepared and submitted by the County Auditor.
6. To discuss and act upon employment of Leah Adams as head Librarian at the Sammy Brown Library effective April 15, 2002 at the rate of \$13.13 per hour.
7. To consider and act upon granting an easement to Southwestern Electric Power Company on the Probation Office grounds along W. Panola Street.
8. To discuss and act upon adopting Order #2002-03 to replace Orders #2001-06 and #2001-07.
9. To discuss and act upon a request for funding by Sheriff Jack Ellett for a new Fire Radio and Paging system.
10. To receive, examine, and record the Panola County Road Superintendent's Monthly Report for March, 2002.

ADJOURNMENT

WITNESS THE HAND OF THE UNDERSIGNED CLERK ON THIS THE 4<sup>TH</sup> DAY OF APRIL, 2002 AT 9:25 O'CLOCK A.M.

Sue Grafton  
SUE GRAFTON, COUNTY CLERK  
PANOLA COUNTY, TEXAS  
By: Clara Jones, Deputy

I, SUE GRAFTON, CLERK OF THE COMMISSIONERS' COURT OF PANOLA COUNTY, TEXAS DO HEREBY CERTIFY THAT THE ABOVE NOTICE WAS POSTED ON THE OFFICIAL BULLETIN BOARD IN THE PANOLA COUNTY COURTHOUSE IN THE CITY OF CARTHAGE, TEXAS AND IN A PUBLIC PLACE VISIBLE AT ALL TIMES ON THE 4<sup>TH</sup> DAY OF APRIL, 2002 AT 9:25 O'CLOCK A.M.

Sue Grafton  
SUE GRAFTON, COUNTY CLERK  
PANOLA COUNTY, TEXAS  
By: Clara Jones, Deputy

MAY 13 2002

The State of Texas  
County of Panola

SUE GRAFTON  
COUNTY CLERK, PANOLA COUNTY, TEXAS  
BY *Sue Grafton* DEPUTY

On this the 8th day of April A.D. 2002, the Commissioners' Court of Panola County, Texas met in a Regular Meeting of the Court at 9.00 o'clock a.m. in the Commissioners' Courtroom of said County with the following members of the Court present:

John Cordray	County Judge
Ronnie LaGrone	Commissioner, Precinct No. 1
Douglas M. Cotton	Commissioner, Precinct No. 2
Hermon E. Reed, Jr.	Commissioner, Precinct No. 3
Jimmy Davis	Commissioner, Precinct No. 4

with none absent, constituting a quorum of the Court. Also attending were Sue Grafton, County Clerk and Lee Ann Jones, Administrative Assistant to the County Judge. Attached to and made a part of these Minutes is a list of other attendees and the office or organization that each represents. The following proceedings were held at this meeting:

**OPEN MEETING:**

6. In order to allow Mrs. Suzanne Stevens to leave for another meeting, Item 6 was moved to the beginning item of business to be dealt with. Commissioner LaGrone moved and Commissioner Reed seconded the motion to employ Leah Adams as head Librarian at the Sammy Brown Library effective April 15, 2002 at the rate of \$13.13 per hour as recommended by the Library Board. The motion passed unanimously. SEE COPY OF RECOMMENDATION LETTER ATTACHED.

**1. CITIZEN COMMENTS:**

There were no comments from the citizens.

**2. COMMISSIONERS' REPORT:**

Commissioner LaGrone reported that he had just attended an ETCOG meeting in Emery where the activities of the year were discussed. There was nothing of any significance to be handled there.

**3. COUNTY JUDGE'S REPORT:**

Judge Cordray reported that he would be attending a meeting tomorrow in Kilgore with the Public Health Director and the other County Judges of East Texas to hear plans regarding the expenditure of the funds to be provided for bioterrorism preparedness in our area.

There will be a pre-construction conference on Friday with the successful bidder on the Airport Project as well as the engineer from KSA and the Texas Department of Transportation.

For the April 9 run-off election there will be posting of the results on the big board on the Courthouse lawn if the weather permits. If not, a smaller board will be used in the District Courtroom.

**4. CONSENT ITEMS:**

**PERSONNEL**

- 1 a. To record the employment of John Pennywell as a Truck Driver with the Panola County Road and Bridge Department effective April 1, 2002 at the rate of \$8 53 per hour.

- ✓ b. To record an increase in salary for Jerry Coxen, an Operator with the Panola County Road and Bridge Department, to \$11.24 per hour effective April 8, 2002.
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ROAD & BRIDGE

- ✓ a. To approve and record a request by Eastex Telephone Co-op to cross under Panola County Road #335 with a buried cable.

MISCELLANEOUS

- ✓ a. To approve minutes of Commissioners' Court meetings held during the month of March, 2002
- ✓ b. To record Panola County's 2001 claim for Tobacco Settlement Funds.
- ✓ c. To approve and record the County Treasurer's Panola County Investments Report for the 1st Quarter 2002
- ✓ d. To approve and record 2002 Budget Amendment No. 2.
- ✓ e. To record V.G. Young Institute of County Government Continuing Education Certificates for 44th Annual Conference for County Judges and Commissioners for Panola County Commissioners Ronnie LaGrone, Doug Cotton, Hermon Reed, Jr. and Jimmy E. Davis.
- ✓ f. To record V.G. Young Institute of County Government Continuing Education Certificates for 30th Annual Seminar for County and District Clerks for Panola County Clerk Sue Grafton and Panola County District Clerk Sandra King

REQUESTS FOR CONFERENCE ATTENDANCE

- ✓ a. To approve and record a Request for Attendance at a Conference form(s) for the following Panola County elected official(s)/employee(s): Emergency Management Coordinator Byron McMillen; Panola County Road and Bridge Superintendent John DePrecca; and County Extension Agent - FCS Margaret Caldwell.

Commissioner Cotton moved and Commissioner Davis seconded the motion to approve all the Consent Items. The motion passed unanimously.

A COPY OF EACH AMENDMENT REQUEST AND/OR BOND IS ATTACHED TO AND MADE A PART OF THE MINUTES.

- ✓ 5. Commissioner Davis moved and Commissioner LaGrone seconded the motion to approve the Road & Bridge requisitions and to approve the payment of the current Panola County bills as presented on vouchers prepared and submitted by the County Auditor. The motion passed unanimously. SEE LIST OF BILLS ATTACHED.

- ✓ 7. After some discussion Commissioner LaGrone moved and Commissioner Davis seconded the motion to grant an easement to Southwestern Electric Power Company on the Probation Office grounds along W. Panola Street pending approval by either the District Attorney or Mr. Robert Underwood, the attorney who represents the County. Commissioner LaGrone will represent the Court in negotiations of the terms. The motion passed unanimously.
- ✓ 8. After some discussion Commissioner Cotton moved and Commissioner Reed seconded the motion to adopt Order #2002-03 to replace Orders #2001-06 and #2001-07. The motion passed unanimously. SEE COPY OF ORDER ATTACHED.
- ✓ 9. After some discussion and a short presentation by Sgt Byron McMillen, Commissioner Cotton moved and Commissioner Davis seconded the motion to approve a request for funding by Sheriff Jack Ellett for a new Fire Radio and Paging System at a cost of approximately \$10,000.00. The motion passed unanimously. SEE COPY OF REQUEST ATTACHED.
- ✓ 10. Commissioner Reed moved and Commissioner LaGrone seconded the motion to receive, examine, and record the Panola County Road Superintendent's Monthly Report for March, 2002. The motion passed by a vote of 4-0-1 with Judge Cordray abstaining. SEE COPY OF REPORT ATTACHED.


The meeting was then adjourned.

Dated this the 8th day of April, 2002

*John Cordray*  
 \_\_\_\_\_  
 John Cordray, County Judge, Panola County, Texas

ATTEST:

*Sue Grafton*  
 \_\_\_\_\_  
 Sue Grafton, County Clerk, Panola County, Texas



4-8-02

*RALPH KATIMERLOON, JR.*  
*Byn Z M. Miller*  
*Suzanne Stevens*  
*Sue Haynes - SWEPIC*  
*Lennis Lopez - SWEPIC*  
*David Anderson*  
*John*  
*Mye Lyne*

# Sammy Brown Library

VOL 39 PAGE 515

Operated by Carthage Service League

522 W. College

Carthage, Texas 75633

April 1, 2002

Honorable Judge John Cordray  
Members of the Commissioners Court  
Panola County Courthouse  
Carthage, Texas 75633

Dear Judge Cordray and Commissioners:

As you know, the Sammy Brown Library has been without a librarian for the past several weeks. We have been advertising for someone to fill this position and have interviewed applicants and had narrowed the list down to three possible candidates. The Library Board met April 1, 2002 and after having reviewed these three, it is our unanimous decision that Leah Adams, 4426 FM 10, Gary, Texas 75643 is the best qualified to fill the position of librarian.

We respectfully submit this name to you for your Consideration and approval.

Sincerely,

*Suzanne Stevens*  
Suzanne Stevens, Chairman  
Sammy Brown Library Board

# CONSENT

# ITEMS

NOTICE OF PROPOSED INSTALLATION  
PIPE AND/OR UTILITY LINES

DATE 03-12-02

TO: THE PANOLA COUNTY COMMISSIONERS COURT

c/o

PANOLA COUNTY ROAD & BRIDGE DEPARTMENT CARTHAGE TEXAS

Formal notice is hereby given that:

EASTEX TELEPHONE CO-OP  
(COMPANY NAME) proposes to place a

BURIED CABLE  
(PIPE SIZE) line within the Right-of-Way

of County Road: CR335  
(NUMBER OF ROAD) as follows:

The proposed pipeline will cross under the indicated roads on the attached sheet. Installation shall be made by boring total length of line in Panola County is \_\_\_\_\_.

The location and description of the proposed line and appurtenances is more fully shown by the copies of drawings attached to this notice. The line will be constructed and maintained on the County Right-of-Way as directed by the County Commissioners in accordance with current Panola County Specifications.

Construction of this line will begin on or after the  
18TH day of MARCH, 2002.

FIRM: EASTEX TELEPHONE CO-OP  
BY: Benny Wells  
TITLE: STAKING REPRESENTATIVE  
ADDRESS: P.O. BOX 1691  
WASKOM, TEXAS 75692  
PHONE: ( 903 ) 687-3600

# EASTEX TELEPHONE CO-OP., INC.

*"A PHONE FOR EVERY FARM"*

TO WHOM IT MAY CONCERN

From the intersection of FM 9 South and CR 335, proceed West on CR 335 for 0.6 miles (3,297 ft).

Construction will begin here on the South side of CR 335. A cable will be buried 1639 ft. going West on CR 335. This is marked with white flags.

BRANCH OFFICE:  
P. O. BOX 1510  
1704 US 59 N BYPASS  
LIVINGSTON, TEXAS 77351-1510  
936-327-5224 ☎ 1-800-732-7839

P. O. BOX 150  
3675 US HIGHWAY 78 S  
HENDERSON, TEXAS 75653-0150  
903-854-1000  
☎  
1-800-232-7839

BRANCH OFFICE:  
P. O. BOX 1691  
HWY 80  
WASKOM, TEXAS 75682-1691  
903-687-3600





# APPROVAL

April 8, 2002

39 PAGE 520

TO: Eastex Telephone Co-op  
P. O. Box 1691  
Waskom, Texas 75692

RE: CR #335

The Panola County Commissioners' Court offers no objection to the location on the right-of-way of your proposed buried cable as shown by accompanying drawings and notice except as noted below:

It is expressly understood that the County Commissioners' Court does not purpose hereby, to grant any right, claim, title or easement in or upon this county road. It is further understood that in the future should for any reason the county need to work, improve, relocate, widen, increase, add to, or in any manner change the structure of this right-of-way, any required relocation of said lines shall be at the sole expense of owner.

All work on the county right-of-way shall be performed in accordance with the county instructions. The installations shall not damage any part of the road and adequate provisions must be made to cause minimum inconvenience to traffic and adjacent owners. Special specifications for placing this line are as follows:

1. All lines are to be installed a minimum of 36 inches below the flow line of the adjacent drainage or barrow ditch.
2. All excavation within the right-of-way and not under surfacing shall be backfilled by tamping in 6 inch horizontal layers. All surplus material shall be removed from the right-of-way and the excavation finished flush with surrounding natural ground.
3. Lines crossing under surfaced roads and under surfacing cross roads within the right-of-way shall be placed by boring. Boring shall extend from crown line to crown line. Gravity from sewer lines under roadways shall be cast iron pipe.
4. All lines, where practicable, shall be located to cross roadbed at approximately right angles thereto. No lines are to be installed under or within 50 feet of either end of any bridge. No lines shall be placed in any culvert or within 10 feet of the closest point of same.
5. Parallel line will be installed as near the right-of-way lines as is possible and no parallel line will be installed in the roadbed or between the drainage ditch and the roadbed without special permission of the Panola County Commissioners' Court.
6. Operations along roadbeds shall be performed in such manner that all excavated material be kept off the pavement at all times, as well as all operating equipment and materials. No equipment or installation procedures will be used which will damage any road surface or structures. The cost of any repairs to road surface, roadbed, structures or other right-of-way features as a direct result of this installation will be borne by the owner of this line.
7. Barricades, warning signs, lights, and flag man(men) when necessary shall be provided by the contractor or owner. One-half (1/2) of the traveled portion of the road must be open at all times.

Approved: John Cordray

COUNTY JUDGE

## COMMISSIONERS:

Precinct #1 Ronnie LaGrone  
Precinct #2 Doug Cotton  
Precinct #3 Hermon E. Reed, Jr.  
Precinct #4 Jimmy E. Davis

PRO RATA TOBACCO SETTLEMENT DISTRIBUTION  
COUNTY EXPENDITURE STATEMENT - 2002

Name of County: PANOLA COUNTY

Provide the calendar year 2001 unreimbursed health care expenditures for your county within the categories designated below. The Agreement Regarding Disposition of Settlement Proceeds states that these expenditures shall be calculated as follows:

"The total annual unreimbursed health care expenditures for a county not wholly located within a hospital district are defined as all unreimbursed amounts, including unreimbursed jail health care, expended by such county for health care services to the general public during that year plus 15% of the total."

Allowable Expenditure Categories

A. County indigent health care services: \$ 139,810.60

B. <sup>1</sup>Unreimbursed jail health care: \$ 116,349.03

C. <sup>2</sup>Additional unreimbursed personal health care services provided to the general public: \$ 6,000.00

D. <sup>3</sup>Other allowable expenditures:  
(If applicable, include total from Page 1 of Non-Hospital District Public Hospital Expenditure Statement in this category.) \$ 679,430.56

Total allowable expenditures:  
(Expenditure categories A + B + C + D) \$ 941,590.19

X 1.15 = \$ 1,082,828.72  
(Amount claimed by county for pro rata distribution in 2002)

**Pro Rata Tobacco Settlement Distribution  
County Expenditure Statement - 2002**

<sup>1</sup>Unreimbursed jail health care expenditures may be calculated using either of the following two methods. The total may include unreimbursed health care expenditures for juveniles held under court commitment at county expense. Indirect costs must be excluded from the calculation.

(1) determine the total expenditures based on itemized health care expenses for prisoners over the entire year, subtracting any reimbursement received from entities outside your political subdivision to cover health care expenses for individual prisoners; or

(2) determine the total expenditures based on itemized health care expenses for the entire year and apply the following formula:

$$\text{Total Prisoner Health Care} \times \frac{\text{Unreimbursed Jail Population}}{\text{Total Jail Population}} = \text{Unreimbursed Health Care Expenses}$$

*Attach a worksheet indicating which of the above methods you used to calculate unreimbursed jail health care expenditures, as well as the base numbers for your calculation.*

<sup>2</sup>Expenditures in category C. must be for services such as a hospital district may provide. These are typically diagnostic and treatment services for individuals. Health care education, outreach, screening, laboratory services, counseling, and case management may also be counted. Environmental services, such as mosquito control, water testing, and septic tank inspection may not be counted. Expenditures for population-based services not involving direct contact with an individual health care recipient, such as restaurant inspection, must also be excluded.

*Also complete the ATTACHMENT - COUNTY EXPENDITURE STATEMENT - 2002, indicating the base numbers for your calculation of category C. expenditures.*

<sup>3</sup>Note the following additional provision in the tobacco settlement agreement, Section 5.B(4):

"To the extent not already included, a political subdivision shall be eligible to include expenditures from the political subdivision reserve funds and other expenditures, to the extent they are verifiable, which are attributable to proceeds from the sale or lease of public health care facilities. To the extent that proceeds from the sale or lease of public health care facilities are represented by contractually obligated health care services for indigent residents of the political subdivision performed by the purchaser or lessee, such services shall be valued as if they had been reimbursed at Medicaid rates."

*Attach a worksheet indicating the base numbers for your calculation of category D expenditures.*

**Pro Rata Tobacco Settlement Distribution  
County Expenditure Statement - 2002**

The deadline for submission of this form to the Texas Department of Health is March 31, 2002. The target date for payment by the Comptroller of Public Accounts to the political subdivisions, based on this information, is April 30, 2002.

The information submitted on this form is subject to audit by the State of Texas. If ineligible expenditures are identified through an audit following payment to a subdivision, the ineligible amount may be deducted from the subsequent year's payment to that subdivision, in addition to a penalty assessment.

This is to certify that the above expenditures are eligible for pro rata payment in accordance with the Agreement Regarding Disposition of Settlement Proceeds between the State of Texas and American Tobacco Company, et al.

Name of County: PANOLA COUNTY

Name of Certifying Officer: JOHN CORDRAY

Certifying Officer's Title: COUNTY JUDGE

Certifying Officer's Signature: *John Cordray*

Signature Date: 3-22-02

Telephone Number: (903) 693-0391

**TDH must receive your completed expenditure statement by mail, personal delivery, fax, or electronic mail by 5:00 p.m., March 31, 2002. No later than 5:00 p.m., April 7, 2002, TDH must receive your original expenditure statement, even if you have previously submitted a copy of the statement by fax or electronic mail. To be considered valid, any copy of the statement submitted by fax or electronic mail must be an exact facsimile of the original statement. Submit your expenditure statement to the following address:**

Texas Department of Health  
Office of Policy and Planning  
Attn: Joe Walton  
1100 W. 49th Street  
Austin, Texas 78756-3199

You may direct any questions to Mr. Walton at the above address or by telephone, fax, or e-mail as follows:  
Tel.: (512) 458-7261 Fax: (512) 458-7344 E-mail: [joe.walton@tdh.state.tx.us](mailto:joe.walton@tdh.state.tx.us)

**ATTACHMENT - COUNTY EXPENDITURE STATEMENT - 2002**  
**(Base numbers for expenditure category C. on page 1)**

On the appropriate line below, enter the base numbers for your county's unreimbursed category C. expenditures during calendar year 2001. The total amount that you enter on this attachment should equal the amount that you entered for category C. on page one (1) of the expenditure statement. Any unreimbursed expenditures that you made from a trust fund or reserve account for the provision of health care services may also be included below.

(1) Health care clinic, laboratory, and case management services.	\$
(2) Dental care services	\$
(3) Outreach and prevention efforts related to tobacco use, including but not limited to media campaigns, education, counseling, and production and distribution of promotional literature.	\$
(4) Other health care outreach and prevention efforts, including but not limited to media campaigns, education, counseling, and production and distribution of promotional literature. Typical target areas for these efforts include health hazards affecting the general public.	\$  6,000.00
(5) Medical transportation	\$
(6) Behavioral or psychiatric health care services	\$
(7) Capital expenditures for health care services	\$
(8) Overhead costs for a health care facility	\$
(9) Emergency medical services	\$
(10) Medical supplies or equipment used for the provision of health care services to the general public.	\$

ATTACHMENT - COUNTY EXPENDITURE STATEMENT - 2002 (continued)

(11) Other services provided by the county which are also within the scope of services that hospital districts are authorized by law to provide. These will typically be diagnostic and treatment services. (Describe below)	\$
	\$
	\$
	\$
	\$
	\$
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	\$

**PANOLA COUNTY INDIGENT HEALTH CARE SERVICES WORKSHEET**

Panola County owns a hospital, formerly known as Panola General Hospital. This facility has been leased to East Texas Medical Center, and it is now known as ETMC-Carthage. A part of the financial arrangement was that ETMC would provide Indigent Care each year to Panola County residents equal to 4% of the Carthage facility's Net Patient Revenue. Total Charges for 2001 were \$1,447,019.40

**2001 MEDICAID REIMBURSEMENT RATE; \$679,430.56**

Panola County also reimburses physicians for their Inpatient and Outpatient Care for indigents at Medicaid rates.

**2001 TOTAL PHYSICIAN REIMBURSEMENT: \$137,977.50**

**RECAP****COUNTY INDIGENT HEALTH CARE SERVICES**

Physician reimbursements	\$137,977.50
Travel to M.D. Anderson, etc.	270.00
Indigent Software Purchase & Training Seminars	<u>1,563.10</u>
<b>TOTAL (Category "A")</b>	<b>\$139,810.60</b>

**UNREIMBURSED JAIL HEALTH CARE WORKSHEET**

Panola County's calculations are based on method (1): total expenditures less any reimbursement from entities outside our political subdivision.

Expenditures on Inmates	\$116,349.03
Reimbursements	<u>-0-</u>
<b>TOTAL (Category "B")</b>	<b>\$116,349.03</b>

**ADDITIONAL UNREIMBURSED PERSONAL HEALTH CARE**

Panola County has a County Health Officer that is paid on a monthly basis.

Expenditures for County Health Officer	<u>\$6,000.00</u>
<b>TOTAL (Category "C")</b>	<b>\$6,000.00</b>

**OTHER ALLOWABLE EXPENDITURES**

Contractually obligated health services provided for indigent residents of Panola County by lessee of hospital as described above.

2001 Allowable amount based on Medicaid reimbursement rates	<u>\$679,430.56</u>
<b>TOTAL (Category "D")</b>	<b>\$679,430.56</b>

PANOLA COUNTY INVESTMENTS REPORT  
MARCH 31, 2002

VOL 39 PAGE 527

INVESTMENTS AS OF DECEMBER 31, 2001	26,450,000.00		
	Investments	Maturity Date	Interest Rate
Beginning Balance 12-31-01	26,450,000.00		
Maturing 1-2-02 (Purchased 10-30-01)	(1,000,000.00)		3.50%
Maturing 1-2-02 (Purchased 11-6-01)	(1,400,000.00)		3.50%
Purchase of CD No. 44348 on 1-2-02	1,200,000.00	2/12/02	3.50%
General - 578,000.00			
Special Fees - 29,000.00			
Special Fees - 5,000.00			
Road & Bridge - 200,000.00			
F M & Lateral Road - 45,000.00			
Road Bond 1971 - 54,142.85			
Payroll Taxes & Benefits - 2,540.99			
Old Probation - 3,000.00			
Permanent Improvement - 40,167.88			
Health Fund - 243,148.27			
Maturing 1-8-02 (Purchased 11-5-01)	(3,850,000.00)		3.50%
Maturing 1-8-02 (Purchased 10-9-01)	(4,900,000.00)		3.50%
Purchase of CD No. 44360 on 1-8-02	7,000,000.00	4/9/02	3.50%
General Fund - 3,400,000.00			
Special Fees - 31,000.00			
Special Fees - 18,000.00			
Road & Bridge - 700,000.00			
F M & Lateral Road - 129,000.00			
Road Bond 1971 - 77,336.26			
Payroll Taxes & Benefits - 1,938.36			
Old Probation - 3,000.00			
Permanent Improvement - 27,011.13			
Panola County Airport - 25,000.00			
Health Fund - 2,587,714.25			
Maturing 1-23-02 (Purchased 9-25-01)	(7,200,000.00)		3.50%
Purchase of CD No. 44390 on 1-23-02	5,800,000.00	5/23/02	3.50%
General - 4,118,000.00			
Special Fees - 19,000.00			
Special Fees - 15,000.00			
Road & Bridge - 1,300,000.00			
F M & Lateral Road - 240,000.00			
Road Bond 1971 - 41,423.13			
Payroll Taxes & Benefits - 1,605.66			
Juvenile Probation - 10,000.00			
Juvenile Probation - 5,000.00			
Old Probation - 2,000.00			
Permanent Improvement - 37,971.21			
Panola County Airport - 10,000.00			
Maturing 2-12-02 (Purchased 1-2-02)	(1,200,000.00)		3.50%
Purchase of CD No. 44422 on 2-12-02	2,500,000.00	5/14/02	3.50%
General - 1,400,000.00			
Special Fees - 28,000.00			
Special Fees - 4,000.00			
Road & Bridge - 600,000.00			
FM & Lateral Road - 70,000.00			
Road Bond 1971 - 54,355.71			
Payroll Taxes & Benefits - 56,214.27			
Old Probation - 3,000.00			
Permanent Improvement - 40,325.81			
Health Fund - 244,104.21			
Maturing 3-13-02 (Purchased 12-20-01)	(2,800,000.00)		3.50%
Maturing 3-13-02 (Purchased 12-31-01)	(5,600,000.00)		3.50%
Purchase of CD No. 44480 on 3-13-02	8,000,000.00	6/11/02	3.50%
General - 5,500,000.00			
Special Fees - 34,000.00			
Special Fees - 39,000.00			
Road & Bridge - 1,500,000.00			
FM & Lateral Road - 400,000.00			
Road Bond 1971 - 52,292.34			
Payroll Taxes & Benefits - 307,248.86			
Old Probation - 3,878.37			
Permanent Improvement - 56,481.43			
Juvenile Probation - 18,000.00			
Juvenile Probation - 21,000.00			
Adult Probation - 30,000.00			
Panola County Airport - 40,000.00			

INVESTMENTS AS OF MARCH 31, 2002 23,300,000.00

THE MARKET VALUE OF ALL INVESTMENTS IS THE SAME AS CARRYING VALUE.

To the best of our knowledge and belief, the transactions reflected in this investment report are in compliance with the investment policy of PANOLA COUNTY and conform to the requirements of the PUBLIC FUNDS INVESTMENT ACT.

*John Cordray*  
Panola County Judge

*Sidney Burns*  
Panola County Auditor

*Stacia Holman*  
Panola County Treasurer

4-8-02

4-8-02

04-08-02

Date

Date

Date

FILED FOR RECORD  
IN MY OFFICE

AT 10:45 O'CLOCK a.m. \_\_\_\_\_

APR 8 - 2002

SUBSTITUTION  
COUNTY CLERK, PANOLA COUNTY, TEXAS

BY *Sam Houston* DEPUTY

Panola County  
Budget Amendment  
2002 #2

© WILSON JONES 07604 ColumnWrite ©

# GENERAL FUND

1	Additional Revenue				
2	Cash Balance- Beginning of Year	36245-			
3	Total			36245-	
4	Additional Expenditures:				
5	District Clerk				
6	Office Supplies & Repairs	1000-			
7	Capital Outlay-Furniture & Equip	(1000-)	Reduction		
8	Total			0-	
9	Airport				
10	Grant Match	6083-			
11	Total			6083-	
12	Miscellaneous & Non-Departmental				
13	East Texas Regional Water Planning	2787-			
14	Historical Commission	4318-	(Rollover from 2001 for census data)		
15	Miscellaneous	5441-	(County Maps & Heart Defibrillator)		
16	Professional Services	11500-			
17	Total			27546-	
18	Constable Pct. #1 & 4				
19	Miscellaneous	116-	(Rollover from 2001)		
20	Total			116-	
21	Youth Programs				
22	Exposition Building Maintenance	2500-	(New Shavings)		
23	Total			2500-	
24	GRAND TOTAL GENERAL FUND AMENDMENT				36245-

# ROAD & BRIDGE FUND

25	Additional Revenue				
26	Cash Balance- Beginning of Year	17056-			
27	Total			17056-	
28	Additional Expenditures				
29	Maintenance & Capital Outlay				
30	Capital Outlay-Land Purchase	17056-			
31	Contractor Services	(25000-)	Reduction		
32	Furniture & Equipment	(24000-)	Reduction		
33	Rentals & Leases	47000-			
34	Physicals and Drug Screen Testing	2000-			
35	Total			17056-	

	Initials	Date
Prepared By		
Approved By		

Panola County  
Budget Amendment  
2002 #2

WILSON JONES

G7504 ColumnWrite 5

	1	2	3	4
<b>OLD PROBATION FUND</b>				
Additional Revenue				1
Cash Balance Beginning of Year		242-		2
Interest Earnings		(80-)		3
Total			162-	4
Additional Expenditures				5
CSCD- Adult Probation				6
Miscellaneous		162-	(Vest chair)	7
Total			162-	8
				9
				10
				11
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				45

We hereby amend the Panola County Budget for the Fiscal Year 2002 as set forth above according to the procedures outlined under Vernons Texas Codes Annotated Local Government Code, Chapter 111, Subchapter A Section 111.010. The 2002 Panola County Budget is hereby so amended and we find and declare that a grave emergency and public necessity exists to meet unusual and unforeseen conditions which could not, by reasonably diligent thought and attention, have been included in the original 2002 budget as adopted. A copy of this Order is to be filed with the County Clerk and Attached to the Budget originally adopted for 2002.

Signed on this 8<sup>th</sup> day of April, 2002.

*John Cordray*  
County Judge

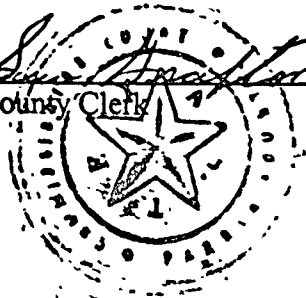
*Ronnie LaHue*  
Commissioner Precinct # 1

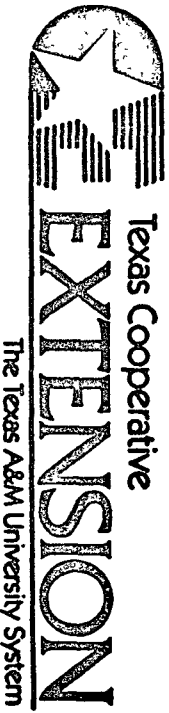
*D.M. [Signature]*  
Commissioner Precinct # 2

*Harmon S. Reed*  
Commissioner Precinct # 3

*Jimmy E. [Signature]*  
Commissioner Precinct # 4

Passed and approved by the Commissioners Court of Panola County on the 8th day of April, 2002 as the same appears on file in the office of the County Clerk of Panola County.

*[Signature]*  
County Clerk  




V. G. Young Institute of County Government

certifies that

# RONNIE LAGRONE

participated in the

## 44th Annual Conference for County Judges and Commissioners

*Sponsored in cooperation with  
The County Judges and Commissioners Association of Texas  
and The Office of Continuing Education, Texas A&M University*

College Station, Texas  
February 5-7, 2002

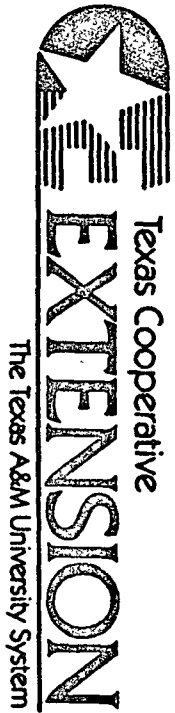
*Robert A. Fisk*  
Conference Chairman

Associate Vice Chancellor and Deputy Director  
Texas Cooperative Extension

*Robert P. Bell*  
Program Chair

*Paul T. Wood*  
Coordinator, Office of Continuing Education  
Texas A&M University

*Skipp Whicker*  
President, County Judges and  
Commissioners Association of Texas



V. G. Young Institute of County Government  
*certifies that*

# DOUG COTTON

*participated in the*

## 44th Annual Conference for County Judges and Commissioners

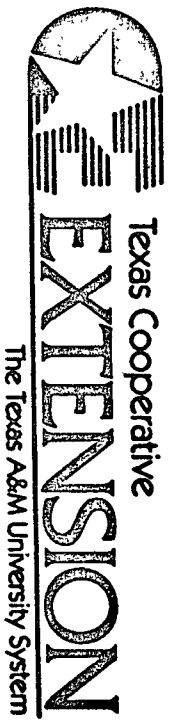
*Sponsored in cooperation with*  
*The County Judges and Commissioners Association of Texas*  
*and The Office of Continuing Education, Texas A&M University*

*Justin P. Stahl*  
Associate Vice Chancellor and Deputy Director  
Texas Cooperative Extension

*Richard O. S.*  
Program Chair

*Paul T. Wood*  
College Station, Texas  
February 5-7, 2002  
Coordinator, Office of Continuing Education  
Texas A&M University

*Mark A. F. ...*  
Conference Chairman  
*Skipp ...*  
President, County Judges and  
Commissioners Association of Texas



V. G. Young Institute of County Government  
*certifies that*

# Herman Reed, Jr.

*participated in the*  
**44th Annual Conference for  
 County Judges and Commissioners**

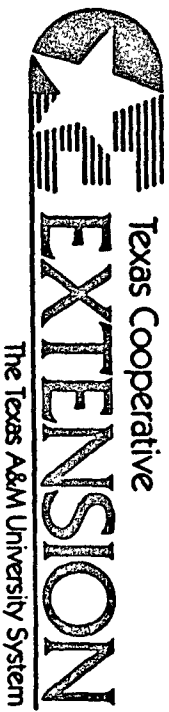
*Sponsored in cooperation with*  
 The County Judges and Commissioners Association of Texas  
 and The Office of Continuing Education, Texas A&M University

College Station, Texas  
 February 5-7, 2002

*Christ P. Stahl*  
 Associate Vice Chancellor and Deputy Director  
 Texas Cooperative Extension  
 Program Chair

*Paul T. Wood*  
 Coordinator, Office of Continuing Education  
 Texas A&M University

*Mark A. Reinhardt*  
 Conference Chairman  
 President, County Judges and  
 Commissioners Association of Texas



V. G. Young Institute of County Government  
certifies that

**Jimmy E. Davis**

*participated in the*

**44th Annual Conference for  
County Judges and Commissioners**

*Sponsored in cooperation with  
The County Judges and Commissioners Association of Texas  
and The Office of Continuing Education, Texas A&M University*

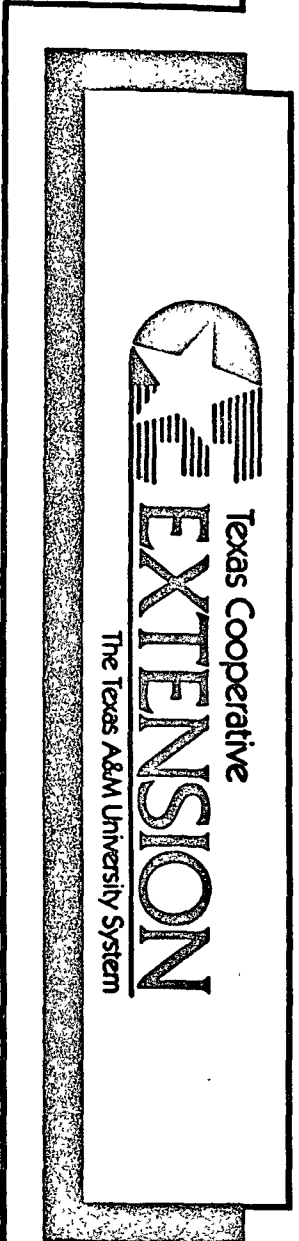
*Clayton P. Stahl*  
Associate Vice Chancellor and Deputy Director  
Texas Cooperative Extension

*Richard O. S.*  
Program Chair

*College Station, Texas  
February 5-7, 2002*

*Paul T. Wood*  
Coordinator, Office of Continuing Education  
Texas A&M University

*Mark A. Reinhardt*  
Conference Chairman  
*Skippow W. Hubler*  
President, County Judges and  
Commissioners Association of Texas



V. G. Young Institute of County Government  
certifies that

**Sue Grafton**

participated in the

**30th Annual Seminar  
for County and District Clerks**

*sponsored in cooperation with*  
The County and District Clerks' Association of Texas, The Texas Center for the Judiciary, Inc.,  
and The Office of Continuing Education, Texas A&M University

*Just P. Smith*  
Associate Vice Chancellor and Deputy Director  
Texas Cooperative Extension

*Will O. S*  
Program Chair

College Station, Texas  
January 14-17, 2002

*Paul T. Wood*  
Coordinator, Office of Continuing Education  
Texas A&M University

*David R. Fittman*  
Conference Chairman

*David M. Purley*  
President, County and District Clerks  
Association of Texas

# Texas A&M University

Office of Continuing Education  
certifies that

**Sue Grafton**

has earned **1.6** Continuing Education Unit(s)  
for satisfactory completion of **16** hours  
of organized instruction in

**30th Annual County and District Clerks  
Continuing Education Seminar**

**January 14, 2002 - January 17, 2002**

**V.G. Young Institute of County Government**

*John A. Ailmartin*

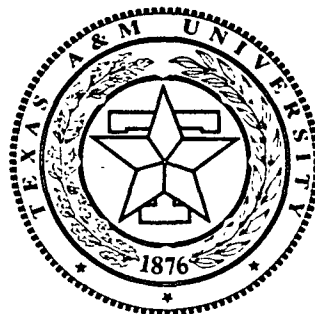
Activity Director

*John T. Wood*

Office of Continuing Education

February 26, 2002

Date





V. G. Young Institute of County Government

certifies that

# Sandra King

participated in the

## 30th Annual Seminar for County and District Clerks

*sponsored in cooperation with*  
The County and District Clerks' Association of Texas, The Texas Center for the Judiciary, Inc.,  
and The Office of Continuing Education, Texas A&M University

College Station, Texas  
January 14-17, 2002

Associate Vice Chancellor and Deputy Director  
Texas Cooperative Extension

Coordinator, Office of Continuing Education  
Texas A&M University

Conference Chairman  
President, County and District Clerks  
Association of Texas

Program Chair

# Texas A&M University

Office of Continuing Education  
certifies that

***Sandra King***

has earned **13** Continuing Education Unit(s)  
for satisfactory completion of **13** hours  
of organized instruction in

***30th Annual County and District Clerks  
Continuing Education Seminar***

***January 14, 2002 - January 17, 2002***

***V.G. Young Institute of County Government***

*Oliver A. Ailmartin*

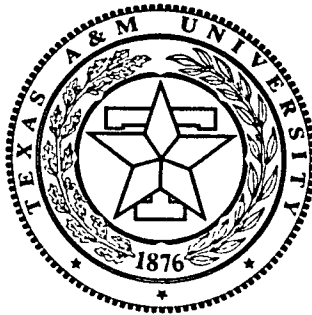
Activity Director

*Dele T. Wood*

Office of Continuing Education

February 26, 2002

Date



PANOLA COUNTY OFFICIAL/EMPLOYEE  
REQUEST FOR ATTENDANCE AT A CONFERENCE

APPROVED  
04-08-02  
*John Cordray*  
John Cordray,  
County Judge

NAME: Byron McMillen

POSITION: EMC

DEPARTMENT: Emergency Management

DATE: 3-28-02

CONFERENCE: Fundamentals Course for Radiological Monitors

LOCATION: Austin, Tx

DATES: 4/17/02 to \_\_\_\_\_

NUMBER OF DAYS OUT OF OFFICE FOR THIS CONFERENCE: 1

Does the conference meet your educational requirements for the year? no

If not, how much of your requirements will be met by this conference? 8 hours

How much of your requirements have been met already, not counting this conference?

None

How many days have you been away from your job this year for conferences, not counting this conference? None

Do you have sufficient funds in your budget for this conference? Yes

Write a short statement explaining the public purpose that will be met by your attendance at this conference: (continue on the back if necessary.)

Training to operate the Monitor that the Dept. of Health provide the County.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

PANOLA COUNTY OFFICIAL/EMPLOYEE  
REQUEST FOR ATTENDANCE AT A CONFERENCE

APPROVED  
04-08-02  
*John Cordray*  
John Cordray,  
County Judge

NAME: John DePresca

POSITION: Road & Bridge Superintendent

DEPARTMENT: Road & Bridge

DATE: April 2, 2002

CONFERENCE: See Explanation

LOCATION: Various

DATES: \_\_\_\_\_ to \_\_\_\_\_

NUMBER OF DAYS OUT OF OFFICE FOR THIS CONFERENCE: \_\_\_\_\_

Does the conference meet your educational requirements for the year? \_\_\_\_\_

If not, how much of your requirements will be met by this conference? \_\_\_\_\_

How much of your requirements have been met already, not counting this conference?  
\_\_\_\_\_

How many days have you been away from your job this year for conferences, not counting this conference? \_\_\_\_\_

Do you have sufficient funds in your budget for this conference? \_\_\_\_\_

Write a short statement explaining the public purpose that will be met by your attendance at this conference: (continue on the back if necessary.)

At various times throughout the year it would be an advantage to the Department for me to be given permission to travel to different locations. This could include meeting with other agencies, equipment searches, product evaluation and the like. While working, under no circumstances will I make a trip unless it pertains to county business. Furthermore, trips will be scheduled to minimize time away from the office and no trip will be made without sufficient funds in the appropriate budget line item.

PANOLA COUNTY OFFICIAL/EMPLOYEE  
REQUEST FOR ATTENDANCE AT A CONFERENCE

APPROVED  
04-08-02  
*John Cordray*  
John Cordray,  
County Judge

NAME: Margaret Caldwell

POSITION: County Extension Agent-FCS

DEPARTMENT: Texas Cooperative Extension

DATE: April 2, 2002

CONFERENCE: Extension FCS In-Service Training - District 5

LOCATION: Nacogdoches

DATES: April 16, 2002 to April 17, 2002

NUMBER OF DAYS OUT OF OFFICE FOR THIS CONFERENCE: 2

Does the conference meet your educational requirements for the year? No

If not, how much of your requirements will be met by this conference? 17%

How much of your requirements have been met already, not counting this conference?

2 days

How many days have you been away from your job this year for conferences, not counting this conference? 2 days

Do you have sufficient funds in your budget for this conference? Yes

Write a short statement explaining the public purpose that will be met by your attendance at this conference: (continue on the back if necessary.)

This is required in-service by TCE. It will include Nutrition & Diabetes training. The only other conference requiring overnight lodging is one trip July 30- August 2, 2002. All other conferences out of town are one day and don't require reimbursement.

# ACTION

# ITEMS

anola County  
 8 Apr 2002  
 RE SOFTWARE GROUP, INC.

ACCOUNTS PAYABLE SYSTEM

08:11:09am

Open Invoices thru 04/08/02

PAGE 1

Gross Amount. Req. Req. Discount Req. Req. Net Amt.....

	Gross Amount	Req.	Req.	Discount	Req.	Req.	Net Amt
* Due 2703-A T & T WIRELESS SERVICES	\$44.00			\$0.00			\$ 44.00
* Due 1301-ADAMS OIL COMPANY	\$6832.66			\$0.00			\$ 6832.66
* Due 135-ALLTEL	\$93.31			\$0.00			\$ 93.31
* Due 910-AMERICAN INSTITUTIONAL S	\$1450.81			\$0.00			\$ 1450.81
* Due 229-ANDERSON TRACTOR SALES	\$553.61			\$0.00			\$ 553.61
* Due 32-ARCH	\$11.63			\$0.00			\$ 11.63
* Due 2161-AUTO GLASS EXPRESS	\$905.00			\$0.00			\$ 905.00
* Due 423-B & B LOCKSMITH	\$241.45			\$0.00			\$ 241.45
* Due 3241-BAILEY BARK MATERIAL	\$2500.00			\$0.00			\$ 2500.00
* Due 1686-BASKIN'S MARSHALL	\$74.85			\$0.00			\$ 74.85
* Due 3250-BETTY HECHT	\$300.00			\$0.00			\$ 300.00
* Due 2147-BUD GORER	\$3742.50			\$0.00			\$ 3742.50
* Due T.6707-BONNIE L. LYNN	\$120.00			\$0.00			\$ 120.00

Panola County  
THE SOFTWARE GROUP, INC.

ACCOUNTS PAYABLE SYSTEM  
Open Invoices thru 04/08/02

08 Apr 2002

PAGE 2

	Gross Amount.	Req.	Req.	Discount	Req.	Req.	Net Amt.....
* Due 319-BRYAN & BRYAN	\$8640.56			\$0.00			\$ 8640.56
* Due 6-CAIN HARDWARE AND LUMBER C	\$2061.33			\$0.00			\$ 2061.33
* Due 3005-CARON FINANCIAL SERVICES	\$184.00			\$0.00			\$ 184.00
* Due 8-CARTHAGE MACHINE AND WELDING	\$69.84			\$0.00			\$ 69.84
* Due 95-CARTHAGE OFFICE SUPPLY, I	\$1357.45			\$0.00			\$ 1357.45
* Due 150-CASSITY JONES HARDWARE	\$168.46			\$0.00			\$ 168.46
* Due 232-CENTRAL UNITED LIFE INSUR	\$684.52			\$0.00			\$ 684.52
* Due 1799-CERTIFIED LABORATORIES	\$100.00			\$0.00			\$ 100.00
* Due 753-CHEM-SERV INC.	\$130.00			\$0.00			\$ 130.00
* Due 128-CHEVRON USA, INC.	\$5.77			\$0.00			\$ 5.77
* Due 1932-CHIEF SUPPLY INC	\$165.89			\$0.00			\$ 165.89
* Due 37-CITY OF CARTHAGE	\$23350.00			\$0.00			\$ 23350.00
* Due 1139-CITY OF CARTHAGE WATER	\$727.03	P	E	\$0.00			\$ 727.03

Panola County  
THE SOFTWARE GROUP, INC.

ACCOUNTS PAYABLE SYSTEM  
Open Invoices thru 04/08/02

08 Apr 2002  
PAGE 3

	Gross Amount.	Req.	Req.	Discount	Req.	Req.	Net Amt.....
* Due 2377-CITY OF HENDERSON	\$5000.00			\$0.00			\$ 5000.00
* Due 3021-CONSECO HEALTH INSURANCE	\$1600.60			\$0.00			\$ 1600.60
* Due 195-COREY BARKHEAD	\$700.00			\$0.00			\$ 700.00
* Due 2769-COX COMMUNICATIONS INC	\$39.90			\$0.00			\$ 39.90
* Due 43-D & C CLEANING CONTRACTORS	\$570.00			\$0.00			\$ 570.00
* Due 4-BARR EQUIPMENT CO.	\$1478.36			\$0.00			\$ 1478.36
* Due 775-DAVID BROOKS	\$100.00			\$0.00			\$ 100.00
* Due 94-DIXIE PAPER CO.	\$52.00			\$0.00			\$ 52.00
* Due 2030-DR. DENNIS D. GOLDEN D.D.	\$135.00			\$0.00			\$ 135.00
* Due 2791-EARTHGRAINS BAKING COS I	\$177.25			\$0.00			\$ 177.25
* Due 1475-EAST TEXAS POULTRY SUPPLY	\$75.94			\$0.00			\$ 75.94
* Due 100-ECKERDS DRUG	\$21.18			\$0.00			\$ 21.18
* Due 2045-ELDER RANDALL AUTOPLEX	\$35.69			\$0.00			\$ 35.69
* Due 2070-ENER RESOURCE PA ETNC C	\$2137.00			\$0.00			\$ 2137.00

Panola County  
THE SOFTWARE GROUP, INC.ACCOUNTS PAYABLE SYSTEM  
Open Invoices thru 04/08/02

00 Apr 2002

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	Gross Amount.	Req. Req.	Discount Req. Req.	Net Amt.....
* Due 1451-ERGM	\$216.32	_____	\$0.00 _____	\$ 216.32
* Due 2066-ETNC CARTHAGE	\$2393.05	_____	\$0.00 _____	\$ 2393.05
* Due 3026-ETOX	\$742.14	_____	\$0.00 _____	\$ 742.14
* Due 93-EXCEL FORD LINCOLN MERCUR\$1285.01	\$1285.01	_____	\$0.00 _____	\$ 1285.01
* Due 2047-EXXON/GECC-CSI	\$25.17	_____	\$0.00 _____	\$ 25.17
* Due 127-EXXONMOBIL	\$47.92	_____	\$0.00 _____	\$ 47.92
* Due 1815-FAITH COMMUNICATIONS	\$302.00	_____	\$0.00 _____	\$ 302.00
* Due 1962-FARM PLAN	\$182.89	_____	\$0.00 _____	\$ 182.89
* Due 1601-FIRE & SAFETY EQUIPMENT	\$42.00	_____	\$0.00 _____	\$ 42.00
* Due 14-FIRMIN'S OFFICE CITY	\$242.49	_____	\$0.00 _____	\$ 242.49
* Due 2911-FISH & STILL EQUIPMENT	\$2990.00	_____	\$0.00 _____	\$ 2990.00
* Due 320-GALL'S INC	\$244.95	_____	\$0.00 _____	\$ 244.95
* Due 3195-BARY SINGLETON	\$145.00	_____	\$0.00 _____	\$ 145.00

Penola County  
THE SOFTWARE GROUP, INC.

ACCOUNTS PAYABLE SYSTEM  
Open Invoices thru 04/02/02

02 Apr 2002  
PAGE 5

Gross Amount. Req. Req. Discount Req. Req. Net Amt.....

* Due 1507-GRAY'S WHOLESALE TIRE	\$1714.42		\$0.00		\$ 1714.42
* Due 205-HAYES-HILLER ROOFING INC	\$261.50		\$0.00		\$ 261.50
* Due 370-HIGH POINT COMMUNICATIONS	\$144.61		\$0.00		\$ 144.61
* Due 2066-IOS CAPITAL	\$233.00		\$0.00		\$ 233.00
* Due 1973-J & P SALES INC	\$32.50		\$0.00		\$ 32.50
* Due 2054-JACO INDUSTRIAL SUPPLY	\$2750.00		\$0.00		\$ 2750.00
* Due 3245-JANES R. CROOK	\$75.00		\$0.00		\$ 75.00
* Due 3249-JESSIE G. DRAPER, III	\$103.00		\$0.00		\$ 103.00
* Due 716-JINERSON FUNERAL HOME	\$367.00		\$0.00		\$ 367.00
* Due 2520-JOHN F. NIELSEN, H.D.	\$65.00		\$0.00		\$ 65.00
* Due 3247-JOHN RAY	\$54.00		\$0.00		\$ 54.00
* Due 1200-KEITH KEELING H.D.	\$130.00		\$0.00		\$ 130.00
* Due 400-KELLY-DOORE PAINT COMPANY	\$49.02		\$0.00		\$ 49.02

Panola County  
THE SOFTWARE GROUP, INC.

ACCOUNTS PAYABLE SYSTEM  
Open Invoices thru 04/08/02

08 Apr 2002

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	Gross Amount.	Req.	Req.	Discount	Req.	Req.	Net Amt.....
* Due 181-LAGROME AIR CONDITIONING	\$78.50	C		\$0.00			\$ 78.50
* Due 1580-LANNY KIPER	\$75.00			\$0.00			\$ 75.00
* Due 3196-LAVENIA MOORE	\$130.00			\$0.00			\$ 130.00
* Due 1659-LAW OFFICES OF MIKE PARK	\$290.25			\$0.00			\$ 290.25
* Due 3252-LEONARD SAFETY EQUIPMENT	\$662.00			\$0.00			\$ 662.00
* Due 552-LEROY CRANFORD	\$32.00			\$0.00			\$ 32.00
* Due 1313-LONGVIEW ASPHALT INC	\$7661.64			\$0.00			\$ 7661.64
* Due 754-NASSEY'S	\$59.96			\$0.00			\$ 59.96
* Due 425-NORRIS SANFORD JR.	\$1030.00			\$0.00			\$ 1030.00
* Due 2148-NORRISON SUPPLY COMPANY	\$5264.80			\$0.00			\$ 5264.80
* Due 3056-NACOGDOCHES HEART CLINIC	\$428.00			\$0.00			\$ 428.00
* Due 3254-NENA, TEXAS CHAPTER	\$115.00			\$0.00			\$ 115.00
* Due 3030-O'REILLY AUTO PARTS	\$809.87			\$0.00			\$ 809.87
* Due 1606-OEC CORPORATION	\$135.71			\$0.00			\$ 135.71

panola County  
THE SOFTWARE GROUP, INC.

ACCOUNTS PAYABLE SYSTEM  
Open Invoices thro 04/00/02

00 Apr 2002  
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Gross Amount. Req. Req. -Discount Req. Req. Net Amt.....

	Gross Amount	Req.	Req.	-Discount	Req.	Req.	Net Amt
* Due 047-OFFICE DEPOT INC.	\$629.96			\$0.00			\$ 629.96
* Due 3202-OLNSTED-KIRK PAPER COMP	\$297.15			\$0.00			\$ 297.15
* Due 512-PANOLA COUNTY GENERAL FUN	\$249.84			\$0.00			\$ 249.84
* Due 69-PITNEY BOWES	\$358.02			\$0.00			\$ 358.02
* Due 3197-PRINCESS WILLIAMS	\$120.00			\$0.00			\$ 120.00
* Due 233-PRITCHARD & ABBOTT, INC	\$1925.00			\$0.00			\$ 1925.00
* Due 373-PROSIGNS	\$702.50			\$0.00			\$ 702.50
* Due 3062-QUALITY FOODS INC	\$4208.98			\$0.00			\$ 4208.98
* Due 412-QUILL CORPORATION	\$504.43			\$0.00			\$ 504.43
* Due 60-R & J'S CUSTOM EXHAUST & NU	\$12.50			\$0.00			\$ 12.50
* Due 129-RANCLAND	\$151.32			\$0.00			\$ 151.32
* Due 41-RAYMOND C. SCHIEFFER CPA	\$425.00			\$0.00			\$ 425.00
* Due 20-REG MAN SUPPLY	\$100.37			\$0.00			\$ 100.37

Panela County  
THE SOFTWARE GROUP, INC.

ACCOUNTS PAYABLE SYSTEM  
Open Invoices thru 04/08/02

08 Apr 2002  
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	Gross Amount.	Req.	Req.	Discount	Req.	Req.	Net Amt.....
* Due 3059-RELIABLE OFFICE SUPPLIES	\$12.88			\$0.00			\$ 12.88
* Due 63-RELIANT ENERGY(ENTEX)	\$319.99			\$0.00			\$ 319.99
* Due 2786-ROBERT SHINPOCK	\$71.46			\$0.00			\$ 71.46
* Due 86-RUSK COUNTY ELECTRIC COOP.	\$494.91			\$0.00			\$ 494.91
* Due 121-SANNY BROWN LIBRARY	\$4282.06			\$0.00			\$ 4282.06
* Due 136-SHELBY LP GAS COMPANY	\$106.50			\$0.00			\$ 106.50
* Due 198-SHERANDOAH LIFE INSURANCE	\$841.75			\$0.00			\$ 841.75
* Due 576-SHERRY JONES	\$150.00			\$0.00			\$ 150.00
* Due 1830-SOLID ROCK WHOLESALERS	\$26.99			\$0.00			\$ 26.99
* Due 2823-SOUTHWESTERN BELL	\$3418.23			\$0.00			\$ 3418.23
* Due 474-STEEL BUILDING SUPPLY INC	\$24.40			\$0.00			\$ 24.40
* Due 646-STEPHANIE JOHNSON	\$213.43			\$0.00			\$ 213.43
* Due 2711-STEPHEN C. MAHAFFEY	\$750.00			\$0.00			\$ 750.00

Panola County  
THE SOFTWARE GROUP, INC.ACCOUNTS PAYABLE SYSTEM  
Open Invoices thru 04/08/0208 Apr 2002  
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Gross Amount. Req. Req. Discount Req. Req. Net Amt.....

* Due 1384-STREICHER'S	\$24.00	_____	\$0.00	_____	\$ 24.00
* Due 3216-SUE PRUITT	\$250.00	_____	\$0.00	_____	\$ 250.00
* Due 65-SWEPCO	\$3349.00	_____	\$0.00	_____	\$ 3349.00
* Due 90-TELEPHONY, INC.	\$399.95	_____	\$0.00	_____	\$ 399.95
* Due 2960-TERRY W. BLAKE PA-C	\$707.00	_____	\$0.00	_____	\$ 707.00
* Due 130-TEXACO REFINING AND MARKET	\$11.77	_____	\$0.00	_____	\$ 11.77
* Due 169-TEXAS BUILDING & PROCUREM	\$210.00	_____	\$0.00	_____	\$ 210.00
* Due 1119-TEXAS DEPARTMENT OF LICEN	\$25.00	_____	\$0.00	_____	\$ 25.00
* Due 261-TEXAS DEPARTMENT OF PUBL	\$1000.00	_____	\$0.00	_____	\$ 1000.00
* Due 3009-TEXAS PARKS & WILDLIFE	\$610.50	_____	\$0.00	_____	\$ 610.50
* Due 3002-TEXAS PARKS & WILDLIFE	\$332.94	_____	\$0.00	_____	\$ 332.94
* Due 3251-TEXAS TINDERJACK INC	\$331.06	_____	\$0.00	_____	\$ 331.06
* Due 600-THE CINA COMPANIES INC.	\$2505.00	_____	\$0.00	_____	\$ 2505.00
* Due 2060-THE NETT.COM	\$19.95	_____	\$0.00	_____	\$ 19.95

VOI  
39 PAGE 551

Gross Amount. Req. Req. Discount Req. Req. Net Amt.....

	Gross Amount	Req.	Req.	Discount	Req.	Req.	Net Amt
* Due 1776-THE UNIVERSITY OF TEXAS	\$195.00			\$0.00			\$ 195.00
* Due 1-TOLEDO AUTONOTIVE	\$1547.33			\$0.00			\$ 1547.33
* Due 515-TONI NORSE	\$150.00			\$0.00			\$ 150.00
* Due 1990-TRI-STATE FASTENERS & SUP	\$44.75			\$0.00			\$ 44.75
* Due 1896-UNIFIRST	\$248.76			\$0.00			\$ 248.76
* Due 91-VIKING OFFICE PRODUCTS	\$129.86			\$0.00			\$ 129.86
* Due 477-VULCAN SIGNS	\$1473.92			\$0.00			\$ 1473.92
* Due 607-WALLACE TIRES	\$252.90			\$0.00			\$ 252.90
* Due 2971-WALMART COMMUNITY BRC	\$135.71			\$0.00			\$ 135.71
* Due 1512-WASHCO INC	\$120.00			\$0.00			\$ 120.00
* Due 2533-WEST GROUP	\$216.91			\$0.00			\$ 216.91
* Due 149-WHOLESALE SUPPLY INC	\$265.00			\$0.00			\$ 265.00
* Due 2484-WINGFOOT COMMERCIAL TIRE	\$275.64			\$0.00			\$ 275.64

Gross Amount. Req. Req. Discount Req. Req. Net Amt.....

	Gross Amount	Req.	Req.	Discount	Req.	Req.	Net Amt
* Due 1291-WORTHINGTON PLUMBING CO	\$858.00			\$0.00			\$ 858.00
* Due 64-XEROX CORPORATION	\$929.86			\$0.00			\$ 929.86
* Due 3253-YOUNGBLOOD REPAIR SERVICE	\$62.50			\$0.00			\$ 62.50
<b>Totals</b>	<b>\$153587.73</b>			<b>\$0.00</b>			<b>\$ 153587.73</b>

381 records listed.

### ORDER #2002-03

WHEREAS, Panola County adopted Orders #2001-06 and #2001-07 on May 14, 2001 concerning Tobacco Settlement Funds and annual lease payments from ETMC capped at \$100,000 per year, respectively; and

WHEREAS, it seems that it would be in the county's best interest to place both Tobacco Settlement Funds and annual hospital lease payments into the County Health Fund;

NOW, THEREFORE, IT IS ORDERED by the Commissioners' Court of Panola County, Texas, meeting in Regular Session at a properly scheduled meeting of the said Court, that all Tobacco Settlement Funds received by Panola County and all annual hospital lease payments received by Panola County shall be placed in the County Health Fund.

PASSED, APPROVED, and ADOPTED this 8<sup>th</sup> day of April, 2002.

*John Cordray*  
County Judge John Cordray

*Ronnie LaGrone*  
Honorable Ronnie LaGrone  
Commissioner, Precinct One

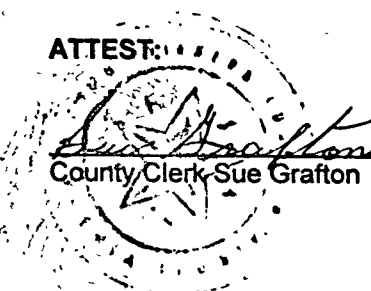
*Hermon E. Reed, Jr.*  
Honorable Hermon E. Reed, Jr.  
Commissioner, Precinct Three

*D. M. Cotton*  
Honorable Douglas M. Cotton  
Commissioner, Precinct Two

*Jimmy E. Davis*  
Honorable Jimmy E. Davis  
Commissioner, Precinct Four

ATTEST:

*Sue Grafton*  
County Clerk Sue Grafton



JACK ELLET  
SHERIFF



314 W. WELLINGTON  
CARTHAGE, TX 75633  
(903) 693-0333  
FAX (903) 693-9366

## PANOLA COUNTY SHERIFF'S DEPARTMENT

4-3-02

Panola County Commissioner's Court  
Panola County Courthouse

Dear Sirs:

I request the funding of a new Fire Radio and Paging system. The current system has become extremely unreliable and costly to maintain. Attached you will find a proposal from Faith Communication. They have quoted a new system for a cost not to exceed \$10,000. Your consideration in this matter is greatly appreciated.

Yours truly,

  
Jack Ellett  
Sheriff

HONESTY - INTEGRITY - DEDICATION

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Faith Communications  
607 East Grand Ave.  
Marshall, TX 75670

# EQUIPMENT PROPOSAL

PROPOSAL FOR: <b>PCSO</b>			SUBMITTED BY: <b>DAVID HARRIS</b>		
<b>BYRON McMILLAN</b>			<b>FAITHCOMM</b>		
<b>#693-0333</b>			<b>F694-09289025</b>		
ITEM	QUANTITY	MODEL NUMBER	DESCRIPTION	UNIT PRICE	TOTAL
			<b>PROPOSED PROJECT</b>		
			<b>REPLACEMENT OF FIRE</b>		
			<b>SYSTEM,</b>		
			<b>AS STATED, I BELIEVE</b>		
			<b>THAT A COMMUNICATIONS</b>		
			<b>UPGRADE CAN BE</b>		
			<b>TURNKEYED FOR UNDER</b>		
			<b>\$10,000. WE ARE</b>		
			<b>PRESENTLY TESTING THIS</b>		
			<b>SYSTEM INSIDE OUR</b>		
			<b>OFFICE TO MAKE SURE</b>		
			<b>IT IS USER-FRIENDLY</b>		
			<b>&amp; RELIABLE. WHEN</b>		
			<b>THIS IS PROVED, WE CAN</b>		
			<b>QUOTE GOES TO THE LINK</b>		
			<b>THANK YOU FOR THE</b>		
			<b>CHANCE TO SERVICE</b>		
			<i>[Signature]</i>		

TERMS: \_\_\_% down Net \_\_\_ days

Total equipment cost \$ \_\_\_\_\_

Lease or installment purchase contract:

Labor, installation and test \$ \_\_\_\_\_

\$ \_\_\_\_\_ per mo. for \_\_\_\_\_ years

Tax \$ \_\_\_\_\_

Other \_\_\_\_\_

Total Purchase \$ \_\_\_\_\_

Proposal valid for: \_\_\_\_\_ days.

Frequency Coord./License \$ \_\_\_\_\_

Prepared by: \_\_\_\_\_

Total \$ \_\_\_\_\_

Date: \_\_\_\_\_

Less Down Payment \$ \_\_\_\_\_

Accepted by: \_\_\_\_\_

Amount Due \$ \_\_\_\_\_

1211 E. SABINE  
CARTHAGE, TX 75633  
(903) 693-3763  
FAX. (903) 693-5368  
E-mail: panolarb@sat.net



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JOHN DePRESCA  
SUPERINTENDENT

## Panola County Road & Bridge Department

### REPORT OF ROAD SUPERINTENDENT

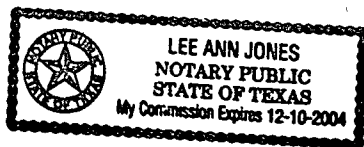
MARCH, 2002

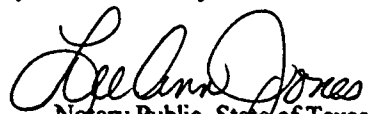
April 2, 2002

1. No money has been taken into the road fund by the undersigned.
2. During the month the department received 14 calls for service with 12 requests completed. The remainder will be completed as time and weather permits.
3. In accordance with the agreement between the County and the City of Beckville, Monroe St and Landfill Rd. were paved with asphalt by County equipment and personnel. A total of approximately 5/10 mile was completed.
4. Overlay of County roads began with 8/10 mile completed with asphalt on CR 207 and 7/10 mile of plant mix was placed on CR 480. A reclaimer and road oil was used for 3/10 mile on CR 169. As the weather warms, additional roads scheduled for reclaiming or paving will be conducted.
5. Additional safety training on the use of the chipper was given to the entire Department. As time permits, the chipper will be assigned to roads containing downed tree limbs.
6. The majority of Panola County roads remain in good condition with precinct crews conducting maintenance, drainage and patching operations.
7. Nothing further to report.

  
John DePresca  
Panola County Road and Bridge

Sworn and subscribed to this 2nd day of April, 2002



  
Lee Ann Jones  
Notary Public, State of Texas  
My Commission expires 12-10-2004

RECORDED \_\_\_\_\_ O'CLOCK \_\_\_\_\_ M. ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_ 2002

SUE GRAFTON, COUNTY CLERK, P. C. T. 