

AT 10:05 O'CLOCK A. M.

APR 18 2002

SUE GRAFTON
COUNTY CLERK, PANOLA COUNTY, TEXAS

BY Marky Damm 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 22ND 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 resignation of James Crooks, a Truck Driver with the Panola County Road and Bridge Department, effective April 18, 2002.

ROAD & BRIDGE

- a. To approve and record a request by Fairplay Water Supply to cross under Panola County Road #235 with a one inch (1") line.

MISCELLANEOUS

- a. To accept and record the 2001 Audit of Panola County Appraisal District.

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): Captain Byron McMillen with the Panola County Sheriff's Department; Secretary Linda Etheredge with the Panola County Sheriff's Department; County Auditor Sidney Burns; and 1st Assistant County Auditor William R. Duke..
- 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 adopting Order #2002-04 exempting certain travel trailers from ad valorem taxes.
- 7. To discuss and act upon employing KSA Engineers, Inc. to prepare a Stormwater Pollution Prevention Plan (SW3P) and a Notice of Intent (NOI) as required by TNRCC for Panola County Airport - Sharpe Field.
- 8. To discuss and act upon appointing David Anderson as volunteer Assistant Emergency Management Coordinator effective April 22, 2002.
- 9. To consider and act upon authorizing the Road Superintendent to give 30 day notification to Pierce Construction Company of the termination of the Fly Ash and Bottom Ash contract.
- 10. To authorize the County Auditor to advertise for sealed bids for the purchase of Fly Ash and Bottom Ash on a per cubic yard basis. Bid specifications available at the Panola County Warehouse, 1211 E. Sabine, Carthage, Texas 75633. Bids to be opened at 9:00 o'clock a.m. on May 28, 2002 at a Special Session of the Panola County Commissioners' Court.
- 11. To discuss and act upon authorizing the Criminal District Attorney Danny Buck Davidson to employ outside counsel for the purpose of handling an appeal(s).
- 12. To discuss and act upon a grant application to the Task Force on Indigent Defense and to adopt Resolution #2002-01 supporting same.

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ADJOURNMENT

WITNESS THE HAND OF THE UNDERSIGNED CLERK ON THIS THE 18TH DAY OF APRIL, 2002 AT 10:05 O'CLOCK A.M.

Sue Grafton
 SUE GRAFTON, COUNTY CLERK
 PANOLA COUNTY, TEXAS
 By: Lukey Dorman, 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 18TH DAY OF APRIL, 2002 AT 10:05 O'CLOCK A.M.

Sue Grafton
 SUE GRAFTON, COUNTY CLERK
 PANOLA COUNTY, TEXAS
 By: Lukey Dorman, Deputy

MAY 13 2002

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

On this the 22nd day of April A.D. 2002, the Commissioners' Court of Panola County, Texas met in a Special 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:

1. CITIZEN COMMENTS:

There were no comments from the citizens.

2. COMMISSIONERS' REPORTS:

Commissioner LaGrone reported that the first round of hepatitis shots will be offered at no expense to Road and Bridge Department employees on Wednesday, April 24.

Last week he attended a meeting in Nacogdoches on behalf of the Court regarding the extension office

The work to patch the roof of the Exposition Building was completed for \$650.00. It was not the original roofing company that was retained to do the work.

3. COUNTY JUDGE'S REPORT.

Judge Cordray reported that there will be a candlelight service on Thursday at 6 o'clock p.m. in commemoration of Child Abuse Awareness Month in Panola County.

The check for our portion of the tobacco settlement money for this year has been received. It is for approximately \$13,000 00.

The Judge will meet with Mr. Gary Hudson, Administrator of East Texas Medical Center-Carthage on April 30 at 9 o'clock a m regarding the reimbursement to the hospital for indigent care

Budget letters will go out early in May and be due back by the end of the month. The first hearing on the budget will take place after the regular Court meeting in June. He expects it to be a difficult process this year due to declining valuations in the oil and gas industry

Judge Cordray and Mr David Anderson, County Judge-elect, attended an airport meeting. The contractor has received a notice of right to proceed. The project kicks off today and allots 100 calendar days for completion unless there are extenuating circumstances delaying the same. If not completed in that time frame and there are no extenuating circumstances, the penalty to the contractor will be \$500 00 per day

Judge Cordray mentioned that he expected to hear from Mr. Burl Richardson on the final plans for the new judicial building. Mr. J. E. Kingham, construction manager at risk, will then give a price at which he guarantees to bring the job in under.

Judge Cordray announced that he will not have to go to the next judicial meeting in November for schooling. He recommended that Mr David Anderson not attend until the full 30 hour school which is scheduled for next January.

4. CONSENT ITEMS:

PERSONNEL

- ✓ a. To record the resignation of James Crooks, a Truck Driver with the Panola County Road and Bridge Department, effective April 18, 2002.

ROAD & BRIDGE

- ✓ a. To approve and record a request by Fairplay Water Supply to cross under Panola County Road #235 with a one inch (1") line.

MISCELLANEOUS

- ✓ a. To accept and record the 2001 Audit of Panola County Appraisal District.

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): Captain Byron McMillen with the Panola County Sheriff's Department; Secretary Linda Etheredge with the Panola County Sheriff's Department; County Auditor Sidney Burns, and 1st Assistant County Auditor William R. Duke.

Commissioner Cotton moved and Commissioner LaGrone 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 Reed seconded the motion to approve the Road & Bridge requisitions and to approve the payment of the current Panola County bills as prepared on vouchers prepared and submitted by the County Auditor. The motion passed unanimously. SEE LIST OF BILLS ATTACHED.
- ✓ 6. After some discussion Commissioner Davis moved and Commissioner Cotton seconded the motion to adopt Order #2002-04 exempting certain travel trailers from ad valorem taxes. The motion passed unanimously SEE COPY OF ORDER ATTACHED.
- ✓ 7. After some discussion Commissioner LaGrone moved and Commissioner Davis seconded the motion to employ KSA Engineers, Inc. to prepare a Stormwater Pollution Prevention Plan (SW3P) and a Notice of Intent (NOI) as required by TNRCC for Panola County Airport - Sharpe Field. The motion passed unanimously. SEE NOI ATTACHED.
- ✓ 8. After some discussion Commissioner LaGrone moved and Commissioner Reed seconded the motion to appoint David Anderson as volunteer Assistant Emergency Management Coordinator effective April 22, 2002. The motion passed unanimously. SE COPY OF LETTER ATTACHED.
- ✓ 9. After some discussion Commissioner Reed moved and Commissioner Davis seconded the motion to authorize the Road Superintendent to give 30 day notification to Pierce Construction Company of the termination of the Fly Ash and Bottom Ash contract because it would be a more economical method for the taxpayers. Judge Cordray stressed that this is no indication of any problem with the supplier, and Mr. John DePresca mentioned that Mr. Pierce agreed with the advisability of the change because he is also a taxpayer. This would prevent the County from being shortchanged due to added weight from rainfall in the product. The motion passed unanimously. SEE COPY OF LETTER ATTACHED.

10. Commissioner Cotton moved and Commissioner LaGrone seconded the motion to authorize the County Auditor to advertise for sealed bids for the purchase of Fly Ash and Bottom Ash on a per cubic yard basis. Bid specifications are available at the Panola County Warehouse, 1211 E. Sabine, Carthage, Texas 75633. Bids are to be opened at 9:00 o'clock a.m. on May 28, 2002 at a Special Session of the Panola County Commissioners' Court. The motion passed unanimously.

11. After some discussion Commissioner Davis moved and Commissioner Reed seconded the motion to authorize Criminal District Attorney Danny Buck Davidson to employ outside counsel for the purpose of handling an appeal(s). The motion passed unanimously. SEE REQUEST LETTER ATTACHED.

12. After some discussion Commissioner LaGrone moved and Commissioner Cotton seconded the motion to approve a grant application to the Task Force on Indigent Defense and to adopt Resolution #2002-01 supporting the same. The motion passed unanimously. SEE COPY OF APPLICATION AND RESOLUTION ATTACHED.

The meeting was then adjourned.

Dated this the 22nd day of April, 2002.

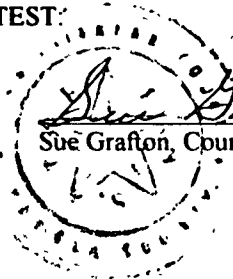
John Cordray

John Cordray, County Judge, Panola County, Texas

ATTEST:

Sue Grafton

Sue Grafton, County Clerk, Panola County, Texas



9:00 A.M.

4-22-02

George J. King
David Anderson
Ben Z. Miller
John
Paul Whitfield

CONSENT

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ITEMS

NOTICE OF PROPOSED INSTALLATION PIPE AND /OR UTILITY LINES

TO: THE PANOLA COUNTY COMMISSIONERS COURT

c/o

PANOLA COUNTY ROAD & BRIDGE DEPARTMENT CARTHAGE, TEXAS

Formal notice is hereby give that:

Fair Play Water Supply Proposes to place a
(COMPANY NAME)

One inch (1") Line within the Right-of-Way
(PIPE SIZE)

of County Road: 235 as follows:
(NUMBER OF ROAD)

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 the 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.

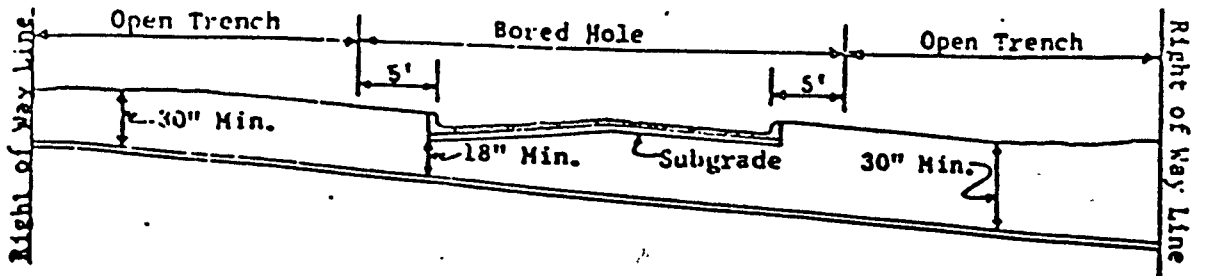
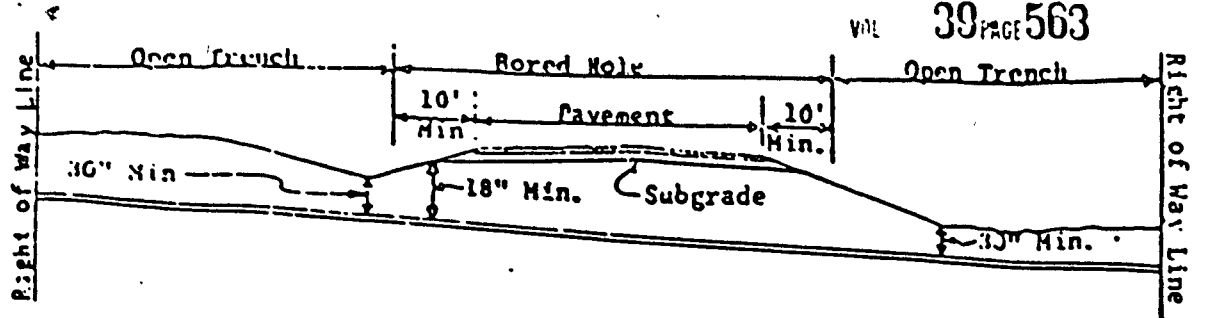
Construction of this line will begin on or after the 22 day of
April 2002

FIRM: _____
BY: James Melan
TITLE: _____
ADDRESS: 147 CR 235
Beeville Tx
PHONE: (903) 889-7441

**SPECIAL SPECIFICATIONS
FOR PIPE LINES CROSSING IN BORED HOLES
AND PLACED PARALLEL TO COUNTY ROADS**

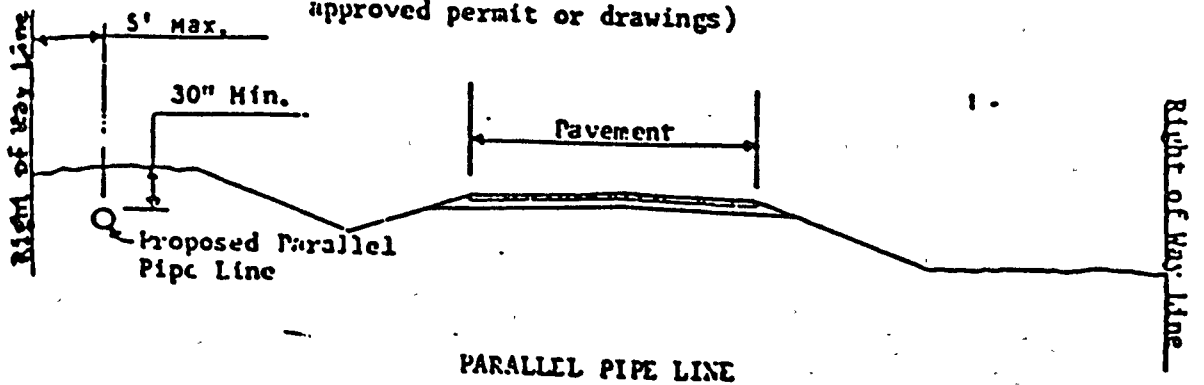
GENERAL NOTE: The construction of this project shall follow "The Panola County Road and Bridge Department Standard Specifications" with respect To barricades, flagmen, flares, warning signs, and all responsibility for complaints or damage suits by traveling public and adjacent property owners.

1. Exaction material shall not be placed on road shoulders or traffic lanes or in ditches where drainage would be impaired. When excavation is permitted near the roadway where, in the opinion of the County, the support of the oil road structure is endangered, sheeting, cribbing, other measures shall be taken to prevent damage to the roadway or the creation of traffic hazard.
2. All excavations shall be backfilled in a neat and workmanlike manner and all disturbed areas shall be restored to a condition comparable to the original condition. Backfill material shall be consolidated to a density comparable to that of the adjacent undisturbed material, replacing all of the excavated material except that displaced by pipe. The degree of compaction shall be such as to prevent future settlement. Excess material displaced by the pipe shall be remove from the right-of-way or otherwise disposed of to the satisfaction of the county's representative. Pipe laying operation shall not be carried on when soil conditions are such that construction equipment will cause rutting. Backfill operations shall be kept within one mile of trenching and/or pipe laying operations.
3. Sod and/or other erosion control measures removed or disturbed by the installation shall be replaced. This shall include keeping separate and replacing existing topsoil, importing sod or seeding or a combination of these methods together with fertilizer and water as necessary to re-establish vegetative cover in a healthy and growing condition.
4. The pipe or, if encased, the encasement pipe shall completely fit the bored hole.
5. All private and commercial access driveways disturbed by pipe laying shall be restored to a condition comparable to that which existed prior to these operation. Special care shall be taken to compact backfill and base material to prevent future settlement. All work shall be completed to the owners satisfaction. All public access driveways with paved surfaces shall be crossed by the bored hole method. Crossings of dirt or gravel public access driveways may be made as specified for private and commercial access driveways except that provisions shall be made for uninterrupted flow of traffic.
6. No trees or shrubbery shall be cut or trimmed with the approval of the Panola County Road and Bridge Department.
7. Regulations and ordinances of incorporated cities shall be complied with if with the city limits.

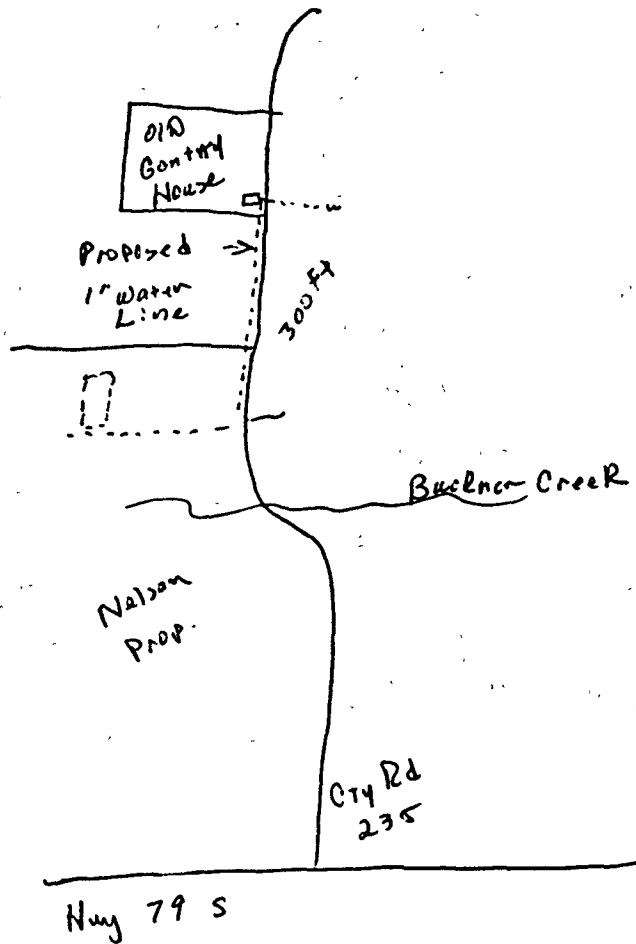


PIPE LINE CROSSING

(Unless otherwise shown on approved permit or drawings)



PARALLEL PIPE LINE



APPROVAL

April 22, 2002

TO: Fairplay Water Supply
147 CR 235
Beckville, Texas 75631

RE: CR #235

The Panola County Commissioners' Court offers no objection to the location on the right-of-way of your proposed one inch (1") line 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.

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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

**PANOLA COUNTY APPRAISAL DISTRICT**

2 BALL PARK ROAD CARTHAGE, TEXAS 75633 (903) 693-2891 FAX (903) 693-8229

April 5, 2002

Panola County
Attn: Judge John Cordray
Courthouse, Room 216-A
Carthage TX 75633

Dear Judge Cordray:

In accordance with Section 6.063 of the Texas Property Tax Code, enclosed find the 2001 audit of the Panola County Appraisal District.

The audit, which was conducted by Robinson & Williams, indicated the District has conformed to generally accepted accounting principles. Mr. Steve Williams, CPA, presented the audit report to the Board of Directors on Thursday, March 21, 2002. We can now calculate the exact amount, which will be credited to each entity. We ended the 2001-year with a budget surplus of \$ 51,052, which will be refunded proportionately to the taxing entities. According to our records, as shown by the enclosed table, your refund is \$ 9,701.19 Section 6.06 (j) of the Texas Property Tax Code directs the Appraisal District to credit this amount to the next payment due from the jurisdiction to the Appraisal District. The third quarter statement that you receive will reflect this credit.

Thank you for your support and for allowing us to serve you. Should you have any questions or comments feel free to call our office.

Sincerely,

A handwritten signature in cursive script that reads "Louis J. Wall".

Louis J. Wall
Chief Appraiser

LJW/cc

Enclosure

Panola County Appraisal District
2001 Refunds to Taxing Entities

Taxing Unit	Surplus	Levy %	2001 Refund
Carthage I.S.D.	\$51,052	51.14%	\$26,108.89
Panola County	\$51,052	18.38%	\$9,381.21
Panola County Special	\$51,052	0.63%	\$319.98
Beckville I.S.D.	\$51,052	11.63%	\$5,934.92
Panola College	\$51,052	6.70%	\$3,420.05
Elysian Fields I.S.D.	\$51,052	4.61%	\$2,351.79
City of Carthage	\$51,052	2.94%	\$1,499.74
Gary I.S.D.	\$51,052	2.74%	\$1,398.47
City of Beckville	\$51,052	0.13%	\$67.80
Panola Co Fire Dist #1	\$51,052	1.11%	\$569.16
		=====	=====
		100.00%	\$51,052.00

ROBINSON & WILLIAMS, P.L.L.C.
Certified Public Accountants

Panola County Appraisal District
General Purpose Financial Statements
December 31, 2001

**PANOLA COUNTY APPRAISAL DISTRICT
GENERAL PURPOSE FINANCIAL STATEMENTS**

DECEMBER 31, 2001

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GENERAL PURPOSE FINANCIAL STATEMENTS	
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ROBINSON & WILLIAMS, P.L.L.C.
CERTIFIED PUBLIC ACCOUNTANTS
410 WEST PANOLA
CARTHAGE, TEXAS 75633

MEMBERS OF
AMERICAN INSTITUTE OF CERTIFIED PUBLIC ACCOUNTANTS
TEXAS SOCIETY OF CERTIFIED PUBLIC ACCOUNTANTS
TELEPHONE
(903) 693-8522

INDEPENDENT AUDITOR'S REPORT

Board Of Directors
Panola County Appraisal District
Carthage, Texas 75633

Members of the Board:

We have audited the accompanying general purpose financial statements of the Panola County Appraisal District as of and for the year ended December 31, 2001, as listed in the table of contents. The financial statements are the responsibility of the Panola County Appraisal District's administration. Our responsibility is to express an opinion on these financial statements based on our audit.

We conducted our audit in accordance with auditing standards generally accepted in the United States of America, and the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the financial statements are free of material misstatement. An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements. An audit also includes assessing the accounting principles used and significant estimates made by management, as well as evaluating the overall financial statement presentation. We believe that our audit provides a reasonable basis for our opinion.

In accordance with *Government Auditing Standards*, we have also issued a report dated February 15, 2002 on our consideration of the District's compliance and internal control over financial reporting. That report is an integral part of an audit performed in accordance with *Government Auditing Standards* and should be read in conjunction with this report in considering the results of our audit.

In our opinion, the general purpose financial statements referred to above present fairly, in all material respects, the financial position of the Panola County Appraisal District as of December 31, 2001, and the results of its operations for the year then ended, in conformity with accounting principles generally accepted in the United States of America.

Robinson & Williams

Robinson & Williams, P.L.L.C.
Certified Public Accountants

February 15, 2002

**PANOLA COUNTY APPRAISAL DISTRICT
COMBINED BALANCE SHEET - ALL FUND TYPES AND ACCOUNT GROUPS
DECEMBER 31, 2001
(WITH COMPARATIVE TOTALS FOR DECEMBER 31, 2000)**

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	Governmental	Account Groups		Totals	
	Fund Types	General	General	(Memorandum Only)	
	General Fund	Fixed Assets	Long-Term Debt	2001	2000
ASSETS:					
Cash in Bank					
Operating	\$ 74,888			\$ 74,888	\$ 40,168
Money Market	133,116			133,116	129,468
Accounts Receivable	0				0
Furniture & Equipment		\$ 261,214		261,214	257,382
Building		121,028		121,028	121,028
OTHER DEBITS:					
Resources to be provided In future Years For Retirement of General Long-Term Debt Obligations			\$ 14,378	14,378	20,965
TOTAL ASSETS	\$ 208,004	\$ 382,242	\$ 14,378	\$ 604,624	\$ 569,011

The accompanying notes are an integral part
of these financial statements.
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**PANOLA COUNTY APPRAISAL DISTRICT
COMBINED BALANCE SHEET - ALL FUND TYPES AND ACCOUNT GROUPS
DECEMBER 31, 2001
(WITH COMPARATIVE TOTALS FOR DECEMBER 31, 2000)**

VOL 39 PAGE 570

	Governmental	Account Groups		Totals	
	Fund Types	General	General	(Memorandum Only)	
	General Fund	Fixed Assets	Long-Term Debt	2001	2000
LIABILITIES, EQUITY AND OTHER CREDITS					
LIABILITIES:					
Accounts Payable	\$ 1,959			\$ 1,959	\$ 467
Accrued Expenses	3,324			3,324	3,688
Deferred Revenue	127,028			127,028	116,251
Due to Taxing Entities	51,052			51,052	33,102
Accrued Vacation & Sick Leave			\$ 11,516	11,516	11,516
Note Payable			2,862	2,862	9,449
TOTAL LIABILITIES	183,363	0	14,378	197,741	174,473
EQUITY AND OTHER CREDITS					
Investment in General Fixed Assets		382,242		382,242	378,410
Fund Balance: Undesignated	24,641			24,641	16,128
TOTAL EQUITY AND OTHER CREDITS	24,641	382,242	0	406,883	394,538
TOTAL LIABILITIES, EQUITY AND OTHER CREDITS	\$ 208,004	\$ 382,242	\$ 14,378	\$ 604,624	\$ 569,011

The accompanying notes are an integral part
of these financial statements.
-3-

**PANOLA COUNTY APPRAISAL DISTRICT
 COMBINED STATEMENT OF REVENUES, EXPENDITURES,
 AND CHANGES IN FUND BALANCES - ALL GOVERNMENTAL FUND TYPES
 FOR THE YEAR ENDED DECEMBER 31, 2001
 (WITH COMPARATIVE TOTALS FOR THE YEAR ENDED DECEMBER 31, 2000)**

VOL 30 PAGE 571

	Governmental Fund Types	Totals (Memorandum Only)	
	General Fund	2001	2000
REVENUES:			
District Assessments	\$ 531,059	\$ 531,059	\$ 510,151
Entity Penalties and Interest	4,096	4,096	0
Interest	4,814	4,814	4,602
Miscellaneous	776	776	513
TOTAL REVENUES	540,745	540,745	515,266
EXPENDITURES:			
Current:			
General Government	521,429	521,429	496,469
Capital Outlay:			
Furniture & Fixtures	2,767	2,767	0
Office Equipment	1,064	1,064	4,447
Debt Service:			
Principal	6,587	6,587	6,208
Interest	385	385	764
TOTAL EXPENDITURES	532,232	532,232	507,888
EXCESS (DEFICIENCY) OF REVENUES OVER (UNDER) EXPENDITURES	8,513	8,513	7,378
FUND BALANCE - JANUARY 1, 2001	16,128	16,128	8,750
FUND BALANCE - DECEMBER 31, 2001	\$ 24,641	\$ 24,641	\$ 16,128

The accompanying notes are an integral part
of these financial statements.

**PANOLA COUNTY APPRAISAL DISTRICT
 COMBINED STATEMENT OF REVENUES, EXPENDITURES,
 AND CHANGES IN FUND BALANCES, BUDGET AND ACTUAL -
 ALL GOVERNMENTAL FUND TYPES
 FOR THE YEAR ENDED DECEMBER 31, 2001**

	Budget	Actual	Variance Favorable (Unfavorable)
REVENUES.			
District Assessments	\$ 582,111	\$ 531,059	\$ (51,052)
Entity Penalties & Interest	0	4,096	4,096
Interest Income	0	4,814	4,814
Miscellaneous	0	776	776
TOTAL REVENUES	582,111	540,745	(41,366)
EXPENDITURES:			
Current:			
General Government (Schedule)	578,046	521,429	56,617
Capital Outlay:			
Furniture & Fixtures	1,064	1,064	0
Office Equipment	3,000	2,767	233
Debt Service:			
Principal	6,587	6,587	0
Interest	385	385	0
TOTAL EXPENDITURES	589,082	532,232	56,850
EXCESS (DEFICIENCY) OF REVENUES OVER (UNDER) EXPENDITURES	(6,971)	8,513	15,484
FUND BALANCE - JANUARY 1, 2001	16,128	16,128	0
FUND BALANCE - DECEMBER 31, 2001	\$ 9,157	\$ 24,641	\$ 15,484

The accompanying notes are an integral part
of these financial statements.

**PANOLA COUNTY APPRAISAL DISTRICT
SCHEDULE OF GENERAL GOVERNMENTAL EXPENDITURES
BUDGET AND ACTUAL GENERAL FUND
FOR THE YEAR ENDED DECEMBER 31, 2001**

EXPENDITURE CLASSIFICATION	Budget	Actual	Variance Favorable (Unfavorable)
Salaries	\$ 211,928	\$ 211,928	\$ 0
Benefits	50,647	49,482	1,165
Unemployment Insurance	1,300	216	1,084
Insurance	4,035	3,444	591
Workers Compensation Insurance	1,500	953	547
Office Supplies	6,068	3,913	2,155
Postage	13,000	11,628	1,372
Utilities	7,278	6,985	293
Auto Allowances	21,200	21,021	179
Computer Supplies	1,800	1,784	16
Mapping Supplies and Deeds	5,333	4,235	1,098
Printing and Advertising	1,700	0	1,700
Travel and Education	6,600	3,409	3,191
Subscriptions and Dues	5,214	5,191	23
Microfilm Expense	140	110	30
Computer Service	19,697	18,797	900
Equipment Leases and Maintenance	12,200	2,586	9,614
Board of Review Expense	7,000	4,330	2,670
Board of Directors Expense	3,633	3,633	0
Janitorial Services	3,000	3,000	0
Appraisal Services	160,650	160,650	0
Attorney and Consulting Fees	3,125	2,461	664
Building Maintenance	3,600	1,673	1,927
Contingencies	27,398	0	27,398
TOTAL	\$ 578,046	\$ 521,429	\$ 56,617

The accompanying notes are an integral part
of these financial statements.

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**PANOLA COUNTY APPRAISAL DISTRICT
NOTES TO THE FINANCIAL STATEMENTS
DECEMBER 31, 2001**

NOTE A. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

Panola County Appraisal District was created by the 66th Texas Legislature in 1979 and began operations on January 1, 1981. The District is responsible for appraising property in the District for ad valorem tax purposes for each taxing unit that imposes ad valorem taxes on property in the District. The District is governed by a board of five directors. Members of the board are appointed by the governing body of the incorporated cities and towns and the school districts that have taxable properties located in Panola County. The appointment of board members by the taxing entities is determined by a formula based on the ratio of a particular taxing entity's tax assessment compared to total assessment in the County.

The accounting policies of the District conform to generally accepted accounting principles. The following is a summary of such significant policies.

1. The Reporting Entity

The District, for financial purposes, includes all of the funds and account groups relevant to the operations of the District. The Board of Directors are empowered to appoint the chief appraiser, make decisions and significantly influence operations; and have the primary responsibility for fiscal matters. The District is not included in any other governmental "reporting entity" as defined in Section 2100, Codification of Governmental Accounting and Financial Reporting Standards.

✓

2. Fund Accounting

The accounts of the District are organized on the basis of funds or account groups, each of which is considered to be a separate accounting entity. The operations of each fund are accounted for by providing a separate set of self-balancing accounts which are comprised of each fund's assets, liabilities, fund equity, revenues and expenditures, as appropriate. Government resources are allocated to and for individual funds based upon the purposes for which they are to be spent and the means by which spending activities are controlled. During the current fiscal year, the District accounted for its transactions only in the general fund.

W01
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PANOLA COUNTY APPRAISAL DISTRICT NOTES TO THE FINANCIAL STATEMENTS DECEMBER 31, 2001

3. Fixed Assets and Long-Term Liabilities

The accounting and reporting treatment applied to fixed assets and long-term liabilities associated with a fund are determined by its measurement focus. All governmental fund types are accounted for on a spending "financial flow" measurement focus. This means that only current assets and current liabilities are generally included on their balance sheets. Their reported fund balance (net current assets) is considered a measure of "available spendable resources." Governmental fund operating statements represent increases (revenue and other financing sources) and decreases (expenditures and other financing uses) in net current assets. Accordingly, they are said to present a summary of sources and uses of "available spendable resources" during a period.

Fixed assets used in governmental fund type operations are accounted for in the General Fixed Assets Account Group, rather than in governmental funds. No depreciation has been provided on general fixed assets.

All fixed assets are valued at historical cost or estimated historical cost if actual historical cost is not available

Long-term liabilities expected to be financed from governmental fund types are accounted for in the General Long-Term Debt Account Group, not in the governmental funds.

The two account groups are not "funds." They are concerned only with the measurement of financial position. They are not involved with measurement of results of operations.

Because of their spending measurement focus, expenditure recognition for governmental fund types is limited to exclude amounts represented by non-current liabilities. Since they do not affect net current assets, such long-term amounts are not recognized as governmental fund type expenditures or fund liabilities. They are instead reported as liabilities in the General Long-Term Debt Account Group.

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PANOLA COUNTY APPRAISAL DISTRICT
NOTES TO THE FINANCIAL STATEMENTS
DECEMBER 31, 2001

4. Basis of Accounting

Basis of accounting refers to when revenues and expenditures are recognized in the accounts and reported in the financial statements. Basis of accounting relates to the timing of the measurements made, regardless of the measurement focus applied.

The financial statements are presented on the modified accrual basis of accounting. Their revenues are recognized when they are earned and become measurable.

Expenditures are generally recognized in the period in which they are incurred. An exception to this general rule includes accumulated unpaid vacation and sick pay (Note F).

5. Budgets and Budgetary Accounting

The Appraisal District operates on an approved operating budget which includes proposed expenditures and assessments to member taxing entities as a means of financing the expenditures.

6. Reserved and Designated Fund Balance

None of the District's fund balance was designated for a particular purpose at December 31, 2001.

7. Total Columns and Combined Balance Sheet

Total columns on the combined balance sheet are captioned "Memorandum Only" to indicate that they are presented only to facilitate financial analysis. Data in these columns do not present financial position in conformity with generally accepted accounting principles.

NOTE B. PENSION PLAN

All eligible permanent employees of the Panola County Appraisal District are mandatory members of the Appraisal District's Money Purchase Pension Plan. Each member contributes an amount equal to six percent of his or her earnings. The District contributes an amount equal to eight and one-half percent of the member's earnings. The total pension expense for the year ended December 31, 2001 amounted to \$17,896.

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PANOLA COUNTY APPRAISAL DISTRICT
NOTES TO THE FINANCIAL STATEMENTS
DECEMBER 31, 2001

NOTE C. GENERAL FIXED ASSETS

General fixed asset changes for the year are as follows:

	Balance 1/1/01	Additions	Deletions	Balance 12/31/01
Building	\$ 121,028	\$ 0	\$ 0	\$ 121,028
Furniture and Equipment	257,382	3,831	0	261,213
TOTAL	\$ 378,410	\$ 3,831	\$ 0	\$ 382,241

NOTE D. FUND BALANCE/DUE TO TAXING ENTITIES

In 1989, the Texas Legislature amended the Texas Property Tax Code to enact a provision that requires the Appraisal District to credit its budget surplus each year against payments to be received from taxing units in the following year. This provision was effective September 1, 1989. The surplus is to be credited in proportion to the contributions of the taxing units in the year for which there is a surplus.

This provision does not apply to fund balances accumulated before 1989 or to non-budgeted revenues.

Prior to giving recognition to the credit due to the taxing entities resulting from the budget surplus, revenues and expenditures totaled the following amounts.

District Assessments	\$ 582,111
Expenditures	532,232
Budget Surplus	49,879
Expenditures from Non Budgeted Revenues	1,173
Total Surplus	\$ 51,052

The District's current policy is to refund the total surplus to the taxing entities. Each taxing entity's share of the refund will be in proportion to its share of district assessments for 2001. The undesignated fund balance represents excess revenues over costs to operate the appraisal activities since the District's inception. The balance is attributable to residual non-budgeted revenue.

**PANOLA COUNTY APPRAISAL DISTRICT
NOTES TO THE FINANCIAL STATEMENTS
DECEMBER 31, 2001**

NOTE E. CHANGES IN GENERAL LONG-TERM DEBT ACCOUNT GROUP

At December 31, 2001, the Appraisal District's General Long-Term Debt consists of accrued vacation and sick pay and notes payable to IBM. Changes in General Long-Term Debt for the year ended December 31, 2001 are as follows:

	Balance 1/1/01	Increases	Decreases	Balance 12/31/01
Notes Payable to IBM	\$ 9,449	\$ -0-	6,587	\$ 2,862
Accrued Vacation and Sick Pay	11,516	-0-	-0-	11,516
Total General Long-Term Debt	\$ 20,965	\$ -0-	\$ 6,587	\$ 14,378

In May 1999, the District entered into a contract with IBM for the purchase of a computer system and related hardware and software. The total cost of the system amounted to \$19,112. The purchase was financed over a three year period with monthly payments totaling \$581 a month with an average interest rate of 5.95%.

The notes will mature as follows:

	Principal	Interest	Total
2002	2,862	43	2,905

NOTE F. COMPENSATED ABSENCES

All regular full-time employees shall be entitled to 5/6 of one day of vacation at their regular rate of pay, for each month of their first five years of continuous service. Upon completions of five years of service, each regular employee shall accrue one and one-fourth days of vacation at their regular rate of pay, for each month of continuous service. Upon completion of fifteen years of service, each employee will accrue one and one-half days of vacation at their regular rate of pay for each month of continuous service. Vacation leave is not accumulative. Employees are required to take their vacation each year as they are eligible. However, the Chief Appraiser may approve a temporary delay in vacation leave. Employees who have completed six full months service shall be paid for any earned but unused vacation upon termination. All regular full-time employees are also eligible for sick leave benefits. Employees accrue sick leave at the rate of one day per month with a maximum accumulation of ninety days. Upon termination of employment, employees are paid up to twenty days for unused sick leave.

**PANOLA COUNTY APPRAISAL DISTRICT
NOTES TO THE FINANCIAL STATEMENTS
DECEMBER 31, 2001**

The District has accrued a liability for earned but unused vacation and sick leave pay in the amount of \$11,516. For governmental funds, the liability for compensated absences is recorded in the general long-term debt account group since it is anticipated that none of the liability will be liquidated with available financial resources.

NOTE G. LEASE PAYABLE

The Panola County Appraisal District entered into an agreement with the City of Carthage, Texas to lease the designated area necessary for the construction of an office building. The lease is \$1.00 per year for ninety-nine years. Construction was begun in 1990 and was completed in 1991.

NOTE H. DEPOSITS WITH FINANCIAL INSTITUTIONS

The District invested its funds during the year into a demand deposit checking account, and a money market account. The investments are on deposit with First State Bank and Trust Company, Carthage, Texas. These monies are insured by the FDIC in the amount of \$100,000. The bank has also pledged as collateral securities toward the District's uninsured deposits.

A summary of the composition of the deposit balances as of December 31, 2001 is shown below.

	Demand Deposits Account	Money Market Account	Total
First State Bank	\$ 33,043	\$ 83,061	\$ 116,104
Farmers State Bank	50,055	50,055	100,110
	83,098	133,116	\$ 216,214
Classified as to risk:			
Insured by FDIC			216,214
Uncollateralized (but pledged with Securities)			0
			\$ 0
Classified on balance sheet:			
Operating			\$ 74,788
Money Market			133,116
			\$ 207,904

NOTE I. CONTINGENCIES

During the course of the District's responsibility for tax appraisals, lawsuits are sometimes brought against the District representing appeals to appraisal valuations. No liability is provided for as of December 31, 2001.

ROBINSON & WILLIAMS, P.L.L.C.
CERTIFIED PUBLIC ACCOUNTANTS
410 WEST PANOLA
CARTHAGE, TEXAS 75633

MEMBERS OF
AMERICAN INSTITUTE OF CERTIFIED PUBLIC ACCOUNTANTS
TEXAS SOCIETY OF CERTIFIED PUBLIC ACCOUNTANTS
TELEPHONE
(903) 693-8522

**REPORT ON COMPLIANCE AND ON INTERNAL CONTROL
OVER FINANCIAL REPORTING BASED
ON AN AUDIT OF FINANCIAL STATEMENTS
PERFORMED IN ACCORDANCE WITH GOVERNMENTAL AUDITING STANDARDS**

Independent Auditor's Report

Board of Directors
Panola County Appraisal District
Carthage, TX 75633

We have audited the financial statements of the Panola County Appraisal District as of and for the year ended December 31, 2001, and have issued our report thereon dated February 15, 2002.

We conducted our audit in accordance with auditing standards generally accepted in the United States of America, and the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States.

Compliance

As part of obtaining reasonable assurance about whether the Panola County Appraisal District's financial statements are free of material misstatement, we performed tests of its compliance with certain provisions of laws, regulations, contracts and grants, noncompliance with which could have a direct and material effect on the determination of financial statement amounts. However, providing an opinion on compliance with those provisions was not an objective of our audit and, accordingly, we do not express such an opinion.

The results of our test disclosed no instances of noncompliance that are required to be reported under *Government Auditing Standards*.

Internal Control Over Financial Reporting

In planning and performing our audit, we considered the Panola County Appraisal District's internal control over financial reporting in order to determine our auditing procedures for the purpose of expressing our opinion on the financial statements and not to provide assurance on the internal control over financial reporting.

Our consideration of the internal control over financial reporting would not necessarily disclose all matters in the internal control over financial reporting that might be material weaknesses. A material weakness is a condition in which the design or operation of one or more of the internal control components does not reduce to a relatively low level the risk that misstatements in amount that would be material in relation to the financial statements being audited may occur and not be detected within a timely period by employees in the normal course of performing their assigned function. We noted no matters involving the internal control over financial reporting and its operation that we consider to be material weaknesses.

This report is intended for the information of the Board. However, this report is a matter of public record and its distribution is not limited.

Robinson & Williams
Robinson & Williams, P.L.L.C.
Certified Public Accountants

February 15, 2002

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PANOLA COUNTY OFFICIAL/EMPLOYEE
REQUEST FOR ATTENDANCE AT A CONFERENCE

APPROVED
04-22-02

John Cordray
John Cordray,
County Judge

NAME: Byron McMillen

POSITION: Captain

DEPARTMENT: Sheriff

DATE: 4-5-02

CONFERENCE: Law Enforcement Driver Trainers Seminar

LOCATION: Oklahoma City, Ok.

DATES: 4/29/02 to 5/1/02

NUMBER OF DAYS OUT OF OFFICE FOR THIS CONFERENCE: 4

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

If not, how much of your requirements will be met by this conference? 24 Hrs

How much of your requirements have been met already, not counting this conference?
None 8 hours

How many days have you been away from your job this year for conferences, not counting this conference? None 1

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.)

National Highway Safety Administration is providing this training free of charge.
Seminar will address legal and operational vehicular pursuit training issues.

PANOLA COUNTY OFFICIAL/EMPLOYEE
REQUEST FOR ATTENDANCE AT A CONFERENCE

APPROVED
04-22-02

John Cordray
John Cordray,
County Judge

NAME: Linda Etheredge

POSITION: Secretary

DEPARTMENT: Sheriff

DATE: 4/12/01

CONFERENCE: Texas Victim Services Conference

LOCATION: S Padre Island, TX

DATES: May 1, 2002 to May 3, 2002

NUMBER OF DAYS OUT OF OFFICE FOR THIS CONFERENCE: 4

Does the conference meet your educational requirements for the year? YES

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?

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 For The Texas Crime Victim assistance.

PANOLA COUNTY OFFICIAL/EMPLOYEE
REQUEST FOR ATTENDANCE AT A CONFERENCE

APPROVED
04-22-02
John Cordray
John Cordray,
County Judge

NAME: Sidney Burns
POSITION: County Auditor
DEPARTMENT: County Auditor
DATE: 4-15-02

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PAGE 581

CONFERENCE: Oasys Training and
The 44th County Auditors' Institute
LOCATION: Austin, Texas
DATES: May 7, 2002 to May 10, 2002

NUMBER OF DAYS OUT OF OFFICE FOR THIS CONFERENCE: 4

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

If not, how much of your requirements will be met by this conference? 20 hours

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

How many days have you been away from your job this year for conferences, not counting this conference? 1/2 day

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.)

Oasys training will provide introduction to new
on line group medical data set up by Texas Association of Counties
The County Auditors Institute provides educational
updates on all aspects of county government
as it relates to the duties of the County Auditor.

PANOLA COUNTY OFFICIAL/EMPLOYEE
REQUEST FOR ATTENDANCE AT A CONFERENCE

APPROVED
04-22-02
John Cordray
John Cordray,
County Judge

NAME: WILLIAM R. DUKE

POSITION: 1st Ass't County Auditor

DEPARTMENT: AUDITORS OFFICE

DATE: 4-15-02

CONFERENCE: OASYS TRAINING +
THE 24TH COUNTY AUDITORS' INSTITUTE

LOCATION: AUSTIN

DATES: MAY 7TH ^{THRU} MAY 10TH

NUMBER OF DAYS OUT OF OFFICE FOR THIS CONFERENCE: 4

Does the conference meet your educational requirements for the year? YES

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? 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.)

THE INTERNAL AUDITING PARTS OF OUR CONFERENCE
WILL ENHANCE THE AUDIT PROCESS THAT I AM
DOING WITH OFFICES THAT COLLECT MONEY.
OASYS IS THE ONLINE TAC HAS FOR EMPLOYEE
BENEFITS AND SHOULD HELP IN ADMINISTERING THE
BENEFITS FOR EMPLOYEES

ACTION

ITEMS

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Penola County
19 Apr 2002
THE SOFTWARE GROUP, INC.

ACCOUNTS PAYABLE SYSTEM

Open Invoices thru 04/22/02

04:03:04pm

PAGE 1

	Gross Amount	Req.	Req.	Discount	Req.	Req.	Net Amt
* Due 2681-A T & T ONAHA	\$639.30			\$0.00			\$ 639.30
* Due 3259-A-1 ROOFING CONTRACTORS	\$4205.00			\$0.00			\$ 4205.00
* Due 1301-ADAMS OIL COMPANY	\$1710.70			\$0.00			\$ 1710.70
* Due 673-ALLAN D. CAIN	\$161.29			\$0.00			\$ 161.29
* Due 135-ALLTEL	\$129.94			\$0.00			\$ 129.94
* Due 779-AMERICAN CORRECTIONAL ASSO	\$61.50			\$0.00			\$ 61.50
* Due 1444-AMERICAN FIDELITY ASSUR	\$320.50			\$0.00			\$ 320.50
* Due 229-ANDERSON TRACTOR SALES	\$416.25			\$0.00			\$ 416.25
* Due 1762-ANDY FAVORS	\$17.56			\$0.00			\$ 17.56
* Due 8861-ANTI PEST CO INC	\$120.00			\$0.00			\$ 120.00
* Due 3135-ARF ENGINEERING INC	\$9100.00			\$0.00			\$ 9100.00
* Due 2036-ATCO	\$436.87			\$0.00			\$ 436.87
* Due 8491-AUTOMATED RECORDS SERVICE	\$22.20			\$0.00			\$ 22.20

Panola County
THE SOFTWARE GROUP, INC.

ACCOUNTS PAYABLE SYSTEM
Open Invoices thru 04/22/02

19 Apr 2002

PAGE 2

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

	Gross Amount	Req.	Req.	Discount	Req.	Req.	Net Amt.....
* Due 562-BAXTER SALES CO INC.	\$1009.47			\$0.00			\$ 1009.47
* Due 1337-BETTY ATKERSON	\$16.25			\$0.00			\$ 16.25
* Due 2406-BLUE RIDGE ROCK	\$2202.48			\$0.00			\$ 2202.48
* Due 209-CAR-TEX TRAILER COMPAN, I	\$219.00			\$0.00			\$ 219.00
* Due 124-CARTHAGE AG & VET SUPPLY	\$69.90			\$0.00			\$ 69.90
* Due 2560-CARTHAGE DISCOUNT TIRE	\$517.25			\$0.00			\$ 517.25
* Due 8-CARTHAGE MACHINE AND WELDING	\$161.65			\$0.00			\$ 161.65
* Due 545-CHARLES C. BICKERSON	\$800.00			\$0.00			\$ 800.00
* Due 42-CHEROKEE COUNTY	\$650.00			\$0.00			\$ 650.00
* Due 128-CHEVRON USA, INC.	\$38.56			\$0.00			\$ 38.56
* Due 1932-CHIEF SUPPLY INC	\$117.92			\$0.00			\$ 117.92
* Due 2793-CLIFF CARPENTER JR CLI	\$1200.00			\$0.00			\$ 1200.00
* Due 256-CONLEY LOTT NICHOLS	\$19800.92			\$0.00			\$ 19800.92

Panola County
THE SOFTWARE GROUP, INC.

ACCOUNTS-PAYABLE SYSTEM
Open Invoices thru 04/22/02

19 Apr 2002

PAGE 3

	Gross Amount.	Req.	Req.	Discount	Req.	Req.	Net Amt.....
*-Due 3021-CONSECO HEALTH INSURANC	\$1600.60			\$0.00			\$ 1600.60
*-Due 195-COREY BANKHEAD	\$350.00			\$0.00			\$ 350.00
*-Due 2769-COX COMMUNICATIONS INC	\$239.40			\$0.00			\$ 239.40
*-Due 452-BALLAS COUNTY TREASURER	\$2300.00			\$0.00			\$ 2300.00
*-Due 4-DARR EQUIPMENT CO.	\$3069.00			\$0.00			\$ 3069.00
*-Due 2160-DELUXE BUSINESS FORMS	\$99.69			\$0.00			\$ 99.69
*-Due 201-DR.KEITH KEELING	\$500.00			\$0.00			\$ 500.00
*-Due 909-EAST TEXAS HACK SALES INC	\$207.76			\$0.00			\$ 207.76
*-Due 3200-ELITE ROCK	\$640.00			\$0.00			\$ 640.00
*-Due 1451-ERGON	\$4005.29			\$0.00			\$ 4005.29
*-Due 2066-ETNC CARTHAGE	\$1296.05			\$0.00			\$ 1296.05
*-Due 3026-ETOX	\$182.43			\$0.00			\$ 182.43
*-Due 93-EXCEL FORD LINCOLN MERCURY	\$167.95			\$0.00			\$ 167.95
*-Due 1015-FAITH COMMUNICATIONS	\$210.95			\$0.00			\$ 210.95

Whole County
THE SOFTWARE GROUP, INC.

ACCOUNTS PAYABLE SYSTEM
Open Invoices thru 04/22/02

19 Apr 2002

PAGE 4

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

* Due 1601-FIRE & SAFETY EQUIPMENT	\$142.53		\$0.00	\$	142.53
* Due 69-FUTURE EQUIPMENT CO INC	\$959.03		\$0.00	\$	959.03
* Due 320-GALL'S INC	\$78.97		\$0.00	\$	78.97
* Due 298-GOVERNMENT FINANCE OFFICE	\$190.00		\$0.00	\$	190.00
* Due 87-GOVERNMENT RECORDS SERVICE	\$8492.79		\$0.00	\$	8492.79
* Due 197-GREGG COUNTY JUVENILE PR	\$1400.00		\$0.00	\$	1400.00
* Due 2850-HARRISON COUNTY JUVENIL	\$3420.00		\$0.00	\$	3420.00
* Due 370-HIGH POINT COMMUNICATIONS	\$44.00		\$0.00	\$	44.00
* Due 1167-HOUSTON GALVESTON ARE	\$105000.97		\$0.00	\$	105000.97
* Due 3210-INDIGENT HEALTHCARE SOLU	\$945.00		\$0.00	\$	945.00
* Due 1605-INDUSTRIAL OILS UNLIMITE	\$195.00		\$0.00	\$	195.00
* Due 3051-JEFF LAGROHE AIR CONDIT	\$148.00		\$0.00	\$	148.00
* Due 716-JIMERSON FUNERAL HOME	\$367.00		\$0.00	\$	367.00

Amelia County
THE SOFTWARE GROUP, INC.

ACCOUNTS - PAYABLE - SYSTEM
Open Invoices thru 04/22/02

49-Apr-2002

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	Gross Amount.	Req.	Req.	Discount	Req.	Req.	Net Amt.....
* Due 906-JOE WINS	\$7.33			\$0.00			\$ 7.33
* Due 516-KAREN S. CLARK CSR	\$99.86			\$0.00			\$ 99.86
* Due 5-KEN TURNER PHARMACY	\$773.33			\$0.00			\$ 773.33
* Due 217-KILGORE COLLEGE	\$95.00			\$0.00			\$ 95.00
* Due 84-KIRBY RESTAURANT SUPPLY	\$177.44			\$0.00			\$ 177.44
* Due 434-L. ROYCE HILL N.D.	\$225.00			\$0.00			\$ 225.00
* Due 3209-LANDS'END	\$52.95			\$0.00			\$ 52.95
* Due 1244-LINDA ETHEREDGE	\$660.00			\$0.00			\$ 660.00
* Due 1913-LONGVIEW ASPHALT INC	\$34139.76			\$0.00			\$ 34139.76
* Due 2409-LONGVIEW GEAR & AXLE	\$142.88			\$0.00			\$ 142.88
* Due 1240-N. G. CLEANERS	\$241.98			\$0.00			\$ 241.98
* Due 500-MARGARET CALDWELL	\$103.00			\$0.00			\$ 103.00
* Due 3260-NAS MODERN MARKETING	\$275.33			\$0.00			\$ 275.33

panola County
 WE SOFTWARE GROUP, INC.

ACCOUNTS PAYABLE SYSTEM
 Open Invoices thru 04/22/02

19 Apr 2002
 PAGE 6

	Gross Amount	Req.	Req.	Discount	Req.	Req.	Net Amt.....
* Due 3111-MATTHEW BENDER & CO., IN	137.75			\$0.00			\$ 137.75
* Due 2086-NICKEY BORNAN	\$641.27			\$0.00			\$ 641.27
* Due 740-MOORE'S TRUCK TIRE CENTER	\$495.52			\$0.00			\$ 495.52
* Due 2013-MUSIC MOUNTAIN WATER CORP	\$78.50			\$0.00			\$ 78.50
* Due 683-NATIONAL SHERIFFS' ASSOCI	\$100.00			\$0.00			\$ 100.00
* Due 3202-OLNSTED-KIRK PAPER CORP	\$676.90			\$0.00			\$ 676.90
* Due 3039-ONNIBASE SERVICES INC	\$192.00			\$0.00			\$ 192.00
* Due 777-OVERHEAD DOOR COMPANY OF	\$3475.00			\$0.00			\$ 3475.00
* Due 512-PANOLA COUNTY GENERAL FUND	\$0.06			\$0.00			\$ 0.06
* Due 771-PANOLA COUNTY ROAD & BRIDGE	\$1.17			\$0.00			\$ 1.17
* Due 1342-PANOLA SOIL & WATER CON	\$1000.00			\$0.00			\$ 1000.00
* Due 71-POWERPLAN	\$195.00			\$0.00			\$ 195.00
* Due 2631-PROTELL SYSTEMS INTERNAT	\$155.00			\$0.00			\$ 155.00
* Due 412-QUILL CORPORATION	\$230.32			\$0.00			\$ 230.32

Penola County
THE SOFTWARE GROUP, INC.

ACCOUNTS PAYABLE SYSTEM
Open Invoices thru 04/22/02

19 Apr 2002

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	Grass Amount.	Req.	Req.	Discount	Req.	Req.	Net Amt.....
* Due 9-ROSS CITGO	\$363.50			\$0.00			\$ 363.50
* Due 160-SABINE VALLEY CENTER	\$6050.00			\$0.00			\$ 6050.00
* Due 463-SANDRA KING	\$52.84			\$0.00			\$ 52.84
* Due 189-SBC SOUTHWESTERN BELL TEL	\$241.76	N		\$0.00			\$ 241.76
* Due 136-SHELBY LP GAS COMPANY	\$136.20			\$0.00			\$ 136.20
* Due 730-SIDNEY BURNS	\$28.00			\$0.00			\$ 28.00
* Due 1830-SOLID ROCK WHOLESALERS	\$76.00			\$0.00			\$ 76.00
* Due 1674-STAT INC	\$175.00			\$0.00			\$ 175.00
* Due 2711-STEPHEN C. MAHAFFEY	\$1050.00			\$0.00			\$ 1050.00
* Due 3219-STUDIO 23	\$15.75			\$0.00			\$ 15.75
* Due 2800-SYDCOM COMMUNICATIONS	\$108.00			\$0.00			\$ 108.00
* Due 130-TEXACO REFINING AND MARKET	\$10.94			\$0.00			\$ 10.94
* Due 487-TEXAS ASSOCIATION OF COUN	\$175.00			\$0.00			\$ 175.00

Panola County
THE SOFTWARE GROUP, INC.

ACCOUNTS PAYABLE SYSTEM
Open Invoices thru 04/22/02

19 Apr 2002
PAGE 8

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

	Gross Amount	Req.	Req.	Discount	Req.	Req.	Net Amt
* Due 1998-TEXAS DEPARTMENT OF PUBL	\$275.00			\$0.00			\$ 275.00
* Due 1998-TEXAS FILTER SERVICE INC	\$265.00			\$0.00			\$ 265.00
* Due 2500-TEXAS WILDLIFE DAMAGE H	\$1800.00			\$0.00			\$ 1800.00
* Due 1904-THE COMPUTER SHOP	\$69.00			\$0.00			\$ 69.00
* Due 2068-THE NETT.COM	\$39.90			\$0.00			\$ 39.90
* Due 3098-THE PRODUCTIVITY CENTER	\$545.00			\$0.00			\$ 545.00
* Due 161-THE SOFTWARE GROUP	\$34933.84			\$0.00			\$ 34933.84
* Due 3258-THE ST PAUL	\$198056.00			\$0.00			\$ 198056.00
* Due 199-THE UNIVERSITY OF TEXAS A	\$450.00			\$0.00			\$ 450.00
* Due 33-THYSSENKRUPP ELEVATOR	\$135.00			\$0.00			\$ 135.00
* Due 1626-TINA ANDERS CAMPBELL CSR	\$75.00			\$0.00			\$ 75.00
* Due 668-TOM H. JONES, ODS	\$40.00			\$0.00			\$ 40.00
* Due 1715-TRANSCOR AMERICA INC	\$645.90			\$0.00			\$ 645.90

Panela County
THE SOFTWARE GROUP, INC.

ACCOUNTS PAYABLE SYSTEM
Open Invoices thru 04/22/02

19 Apr 2002

PAGE 9

	Gross Amount.	Req. Req.	Discount Req.	Req. Req.	Net Amt.....
* Due 1349-TRUCK PARTS WORLD	\$188.66	_____	\$0.00	_____	\$ 188.66
* Due 101-TWIN STATE TRUCKS INC	\$16.68	_____	\$0.00	_____	\$ 16.68
* Due 973-TYLER UNIFORM	\$358.16	_____	\$0.00	_____	\$ 358.16
* Due 123-TYSON FOODS, INC.	\$120.00	_____	\$0.00	_____	\$ 120.00
* Due 1896-UNIFIRST	\$1313.00	_____	\$0.00	_____	\$ 1313.00
* Due 607-WALLACE TIRES	\$649.90	_____	\$0.00	_____	\$ 649.90
* Due 1512-WASHCO INC	\$130.00	_____	\$0.00	_____	\$ 130.00
* Due 2533-WEST GROUP	\$1371.00	_____	\$0.00	_____	\$ 1371.00
* Due 1291-WORTHINGTON PLUMBING CO	\$150.00	_____	\$0.00	_____	\$ 150.00
* Due 64-XEROX CORPORATION	\$129.06	_____	\$0.00	_____	\$ 129.06
Totals	\$469107.64	_____	\$0.00	_____	\$ 469107.64

224 records listed.

ORDER #2002-04

WHEREAS, Section 1, Article VIII, Texas Constitution and recently enacted HB 2076 authorizes counties to exempt certain travel trailers from ad valorem taxation; and

WHEREAS, Panola County Commissioners' Court finds that it is in the best interest of the county and its citizens to exempt from taxation those travel trailers to which HB 2076 applies;

NOW, THEREFORE, IT IS ORDERED by the Commissioners' Court of Panola County, Texas, meeting in Special Session at a properly scheduled meeting of the said Court, that effective April 22, 2002, Panola County exempts from taxation a travel trailer that was registered in the State of Texas on January 1st of the tax year and is not held or used for the production of income if the trailer is:

1. Less than 400 square feet in area; and
2. Designed primarily for use as a temporary living quarters and not as a permanent dwelling.

PASSED, APPROVED, and ADOPTED this 22nd day of April, 2002.

John Cordray

 County Judge John Cordray

Ronnie LaGrone

 Honorable Ronnie LaGrone
 Commissioner, Precinct One

Herman E. Reed, Jr.

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

D.M. Cotton

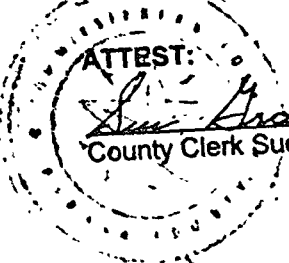
 Honorable Douglas M. Cotton
 Commissioner, Precinct Two

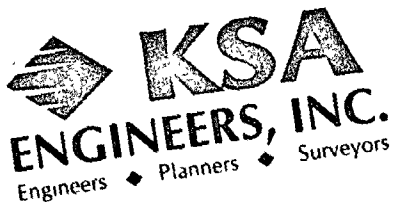
Jimmy E. Davis

 Honorable Jimmy E. Davis
 Commissioner, Precinct Four

ATTEST:
Sue Grafton

 County Clerk Sue Grafton





Longview
Tyler
Lufkin
Austin
Dallas

April 9, 2002

via fax & regular mail

The Honorable John Cordray
County Judge of Panola County
110 Sycamore
Carthage, TX 75633

Re: **Panola County Airport
Stormwater Pollution Prevention Plan**

Dear Judge Cordray:

As you requested, this will address the Panola County Airport's need to comply with the TNRCC administered TPDES Multi-sector General Permit for Storm Water Discharges Associated with Industrial Activity (TPDES General Permit No. TXR050000). This permit was issued by the TNRCC under the provisions of Section 402 of the Clean Water Act and Chapter 26 of the Texas Water Code.

All airports in Texas (regardless of size) are specifically listed and required to comply with the permit if the airport or any airport tenants perform activities such as the following: fueling, maintenance, painting, vehicle or equipment washing, or anti-icing and deicing. A no-exposure certification may be submitted in some cases, but due to the fueling operations at the Panola County Airport, this is not an option.

In addition to the Airport (County), each tenant performing the activities listed above must comply with the regulations.

The requirement for compliance has been in place since November 20, 2001 and there are substantial penalties that may be assessed by the TNRCC for non-compliance.

In order to bring the Airport into compliance, a Stormwater Pollution Prevention Plan (SW3P) must be prepared and a Notice of Intent (NOI) must be submitted to the TNRCC along with a fee. The County will be required to visually monitor the stormwater from each of the stormwater outfalls from the airport once per quarter and to complete and maintain various inspection reports.

We have prepared similar SW3P's for numerous industries as well as the East Texas Regional Airport (Gregg County Airport), Tyler Pounds Field, Mount Pleasant Municipal Airport, and the Brady Municipal Airport. We would be pleased to prepare the plan for the Panola County Airport. For budgeting purposes, we estimate that KSA's fee required to prepare the SW3P and NOI would be approximately \$2,500

140 E Tyler St
Suite 600
PO Box 1552
Longview, TX
75606-1552
903-236-7700
903-236-7779 fax
E-Mail: www.ksaeng.com

Judge John Cordray
 April 9, 2002
 Page 2 of 2


to \$3,000. The fee required by the TNRCC will be \$100. Our fee would include preparing no exposure certifications for applicable airport tenants, but would not include preparing a full SW3P for any of the airport tenants. Depending upon tenant activities at the airport, this may or may not be required.

As an option, we would be happy to run a copy of the regulations for the County and to provide an example of a SW3P and NOI that we have prepared. An engineer's seal is not required on the plan, although the preparation of the plan is time consuming.

If you have any questions, please do not hesitate to call me.

Sincerely,

KSA Engineers, Inc.


 Mitchell L. Fortner, P.E.
 Vice President

MLF/ab

Enclosures (Schedule of Fees)

M:\user\aleeda\JC 04-09-02 SW3P.doc

SCHEDULE OF HOURLY FEES*

Principal	\$95.00/hour
Registered Engineer	\$85.00/hour
Engineer-In-Training	\$65.00/hour
CADD Technician	\$45.00/hour
Secretary	\$35.00/hour
Project Representative	\$45.00/hour
Registered Surveyor	\$60.00/hour
Field Party (2-Man)	\$85.00/hour
Field Party (3-Man)	\$95.00/hour
Field Party (4-Man)	\$105.00/hour
GPS Crew (2-Man)	\$125.00/hour
GPS Crew (3-Man)	\$135.00/hour
Travel	\$0.38/mile
Reimbursable Expenses	At Cost
Outside Consultants	Cost + 10%

*Subject to adjustments on annual basis for inflation or deflation.
 Any changes must be approved in writing by Owner and Engineer.

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EMERGENCY MANAGEMENT COORDINATOR

APPOINTMENT

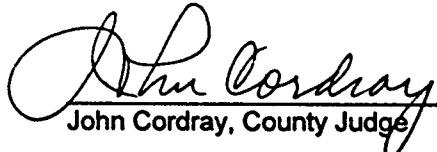
Vol: 39 April 5 95

We, the Commissioners' Court of Panola County, Texas meeting in Special Session this 22nd day of April, 2002 do hereby approve the appointment of the following person as volunteer **ASSISTANT EMERGENCY MANAGEMENT COORDINATOR** for Panola County, Texas:

David Anderson

Said appointment is effective April 22, 2002.

PASSED UNANIMOUSLY this 22nd day of April, 2002 in Open Court.


John Cordray, County Judge

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



JOHN DePRESCA
SUPERINTENDENT

Panola County Road & Bridge Department

April 16, 2002

To The Honorable Commissioners' Court:

In a regular meeting of the Panola County Commissioners' Court in December, 2001 a number of bids were awarded for various material used by the Panola County Road and Bridge Department for the year 2002. Among those bids was an award for Fly Ash/ Bottom Ash granted to Pierce Construction, Beckville, Tx. The specifications of this product called for purchase by the ton. On April 4, 2002, Doug Cotton, Commissioner Precinct #2, asked me to look into the possibility that it may be in the best interest of the County this material be purchased by the cubic yard rather than the ton, as the product's weight is affected by the amount of moisture contained at the time it is loaded on our trucks.

A number of people and organizations that deal in the sale or use of fly ash were contacted concerning their procedures of purchase, sale and use of the product. (See Appendix A). All of the information received indicate that when fly ash is purchased from a stockpile, as is done in our case, the moisture content should certainly be considered when purchasing buy the ton. Powdered fly ash, however, is best purchased by the ton. As we do not purchase this product in the powdered form, I have included a summary of a study conducted in 1997 and re-published in April, 2001 by the Fly Ash Resource Center and Duke Energy Corporation, Charlotte, N.C. (See Appendix B) that summarizes the opinions of the people and organizations contacted. All of the reports and studies gathered in my research are on file at my office and are available for your inspection. As you can see in this summary, the moisture content for stockpiled fly ash can be from five percent to forty percent of the weight. In other terms, if we buy a ton of material, upwards of forty percent of that weight may be water.

After becoming aware of these issues I feel it would be in the best interest of the County to purchase fly ash and bottom ash by the cubic yard rather than the ton. I would respectfully request the Court consider terminating the contract by authorizing a letter of notification to Pierce Construction of its intent to terminate, as prescribed on page three of the legal specifications of Panola County's Invitation To Bid, and re-bid the product to be purchased by the cubic yard.

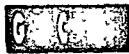
I appreciate Commissioner Cotton bringing this matter to my attention and apologize to the Court for not being aware of these studies when the bid was originally opened.

Respectfully,
John DePresca
John DePresca
Panola County
Road and Bridge

APPENDIX A

- UNIVERSITY OF KENTUCKY, Center for Applied Energy Research, Louisville, Ky.
- IOWA STATE UNIVERSITY, Ames, Ia.
- NORTHWESTERN UNIVERSITY, Evanston, Ill.
- UNIVERSITY OF CALIFORNIA, Civil Engineering Department, Berkeley, Ca.
- PURDUE UNIVERSITY, West Lafayette, In.
- TEXAS DEPARTMENT OF TRANSPORTATION, Atlanta, Tx
- PIERCE CONSTRUCTION, Beckville, Tx
- FLY ASH RESOURCE CENTER, Charlotte, N.C.
- TEXAS UTILITIES MINING CORPORATION, Dallas, Tx
- SOUTHEASTERN FLY ASH COMPANY, Greenville, Tn.

Fly Ash in Soil Stabilization and As An Engineered Construction Material



SOIL STABILIZATION

Class F Fly Ash (from bituminous coal)

This fly ash may be a suitable filler for poorly graded sandy soils where it would aid in compaction and would increase density.

For silts, lime is required 24 hours prior to fly ash addition to reduce soil plasticity and improve its workability. Lime is required to promote the pozzolanic reaction (which produces cementitious products.) Lime reacts with clay minerals and the fly ash.

Class C Fly Ash (self-cementing ash from subbituminous or lignite coal)

Class C fly ash is used to control the swell potential of expansive soils and is used to stabilize coarse-grained soils.

Class C fly ash contains 15-35% total CaO. Most of this CaO, as measured by elemental analysis, exists in the glassy phase. Some of the CaO is present as free lime (0-7 %) which might provide some cation exchange and ion crowding to fine-grained soils (if calcium exists in crystalline phase, it can react with clay minerals) when used in amounts exceeding 20 % by dry weight of soil. Class C fly ash may contain calcium aluminosilicate glass, tricalcium aluminate, free CaO, MgO, CaSO4, alkali sulfates, carbon and magnetite/hematite.

✓ However many class C fly ashes are poor sources of free lime (since most of the CaO is combined in the glassy phase), and thus would do little to reduce soil plasticity. If cementation is a desired attribute, especially for coarse-grained soils, this fly ash may be appropriate since it is self-cementing. To bind the soil particles, it is important not to delay compaction to take full advantage of its self-cementing properties (otherwise one will observe a decrease in density.) Retarders such as sodium borate and sodium citrate have been used to retard the set in order to allow for a delay in compaction. Treatment rates of 10-16 % by oven-dry weight of soil have been used.

See ASTM D 5239, Standard Practice for Characterizing Fly Ash for Use in Soil Stabilization. Class C fly ash should be carefully evaluated for its potential to form expansive compounds within the subgrade resulting in heaving of the pavement. Free CaO that is retained on a 45 um sieve may react after soil compaction. Also expansion might result from delayed formation of ettringite due to the presence of aluminates and sulfates in the soil (fly ash also contributes CaO and sulfates.) Evaluate the soil for its sulfate content and evaluate the fly ash for its free CaO and sulfate content. Evaluate the combination. The SO3 in fly ash should not exceed 10 %. Most of the SO3 in the fly ash is present as calcium sulfate or alkali sulfate. The fly ash supplier must be able to provide a uniform product and should have at least six months of testing history.

Determine the moisture density relationship and immediate bearing value for the untreated soil and for <http://www.geotitles.com/CapeCanaveral/Launcipaw/2093/soilstab.htm> 4/10/02

increasing additions of fly ash. The Engineer will determine the optimal and economical fly ash content. The swell potential of the treated soil is often of great importance for modified subgrades.

ENGINEERED CONSTRUCTION MATERIAL

Engineering and Physical Properties of Fly Ash (Class F)



Moisture Content	<1 % for dry ash
	5-40 % for stockpiled ash
	50-110 % for ponded ash
Optimum moisture	13-30% modified proctor
Maximum dry density	75-105 % modified proctor
Specific Gravity	2.2-2.6
Particle size/shape	0.5 to 250 micrometers/spheroidal

← PLEASE
← NOTE

Fly ash particles, carried out of the boiler by the exhaust gases, are extremely variable but have some characteristics of interest. The particles are generally less than 250 micrometres in size, spheroidal, have a high mechanical strength, a range of densities from about 3 to less than 0.6, a melting point above 1000°C, low thermal conductivity and are mostly chemically inert.

Density of a soil is important because it determines the load which a structural fill will apply to itself and to its foundation and because it influences the permeability, stiffness and strength of the fill, thus affecting the settlement and ultimate stability. Increased density means increased strength and stiffness and decreased permeability. At a specified density, the soil should have the strength values used in the design of the fill. Each soil is represented by a bell-shaped curve of dry density vs. moisture. Peak of the curve represents the maximum dry density. Particle size of soils vary from gravel size to sand size to silts to clays. Fly ash is in the silt category. Fly ash is rated as *non-plastic* as defined by liquid and plastic limits.

The strength of fly ash when used as a fill material will determine the steepness of fill slopes which can safely be constructed and the magnitude of foundation loads it will support. For retaining walls, the *shear strength* of the backfill will determine the load the wall must support. Shear strength is the primary strength parameter used in the design of fly ash embankments and backfills. Shear strength is related to cohesion and the angle of internal friction. *Cohesion* of non self-cementing fly ash is only apparent as cohesion is easily destroyed by complete drying or saturation. *Angle of internal friction* is reported to be 25-40 degrees. For fly ash, the *compression index* is rated as 0.1-0.25 and the *coefficient of permeability* is reported to be 4×10^{-4} to 5×10^{-7} cm/sec.

Engineered Ash Fill Projects:

Title: Ash Recovery Project Manager Company: Duke Energy Corporation BusStr: 400 S. Tryon St. BusCt: CharlotteBusSt BusZip: NC 28201 BusPhone: (704) 382-8991

Email: jwnewell@dpcmail.dukepower.com

URL: <http://www.duke-energy.com>

Interest: Duke Energy's most successful engineered ash fill project to date was completed in Nov 97.

Written by Richard M. Majko . Fly Ash Resource Center

COUNTY OF PANOLA
CARTHAGE, TEXAS

NOTICE TO BIDDERS

In accordance with Vernons Texas Codes Annotated, Local Government Code, Chapter 262, Subchapter C, the Commissioners Court of Panola County, Texas will receive sealed bids on Fly Ash for use by the Road & Bridge Department. Bids will be received at the Office of County Judge John Cordray, Room 216-A Panola County Courthouse, Carthage, Texas 75633 until May 28, 2002, at 9:00 a.m. at which time bids will be opened in the Commissioners Courtroom, Carthage, Texas during a Special Session of the Panola County Commissioners' Court. Bids are to be on the unit price basis and no bond is required. Specifications and bid forms may be obtained at the Road & Bridge Warehouse, 1211 E. Sabine, Carthage, Texas 75633. Contracts will be awarded to the successful bidders in accordance with the above mentioned chapter of the Local Government Code. Payment will be made by checks after receiving the product and upon approval of the invoice or statement by the Commissioners Court.

The estimated annual quantity is 3,500 cubic yards of product. The County will not be obligated to purchase the estimated quantity or any particular quantity during the year. The Court reserves the right to accept or reject any and/or all bids.

Sidney Burns
Sidney Burns, County Auditor
Panola County, Texas

PANOLA COUNTY, TEXAS

INVITATION TO BID

RETURN BID TO:

COUNTY JUDGE
PANOLA COUNTY COURTHOUSE, ROOM 216A
CARTHAGE, TEXAS 75633

The enclosed INVITATION TO BID (ITB) and accompanying SPECIFICATIONS AND BID SHEET are for your convenience in bidding the enclosed referenced service/products for Panola County.

Sealed bids shall be received no later than:

9:00 A.M., TUESDAY, MAY 28, 2002

MARK ENVELOPE

"FLY ASH / BOTTOM ASH"

Bidder shall sign and date the bid. Bids which are not signed and dated can be rejected. Bids must be submitted on the enclosed bid sheets and must be in ink or typewritten.

Panola County appreciates your time and effort in preparing this bid. Please note that all bids must be received at the designated location by the deadline shown. Bids received after the deadline will not be considered for the award of the contract, and shall be considered void and unacceptable. Opening is scheduled to be held in Commissioners Courtroom, Panola County Courthouse, Carthage, Texas. You are invited to attend.

SIGNATURE OF BIDDER

**PANOLA COUNTY
INVITATION TO BID**

INSTRUCTIONS/TERMS OF CONTRACT

By order of the Commissioners Court of Panola County, Texas sealed bids will be received for:

FLY ASH / BOTTOM ASH

TO PROVIDE for an annual contract commencing May 28, 2002 and continuing to December 31, 2002.

IT IS UNDERSTOOD that the Commissioners Court of Panola County, Texas reserves the right to reject any or all bids for any or all products and/or services covered in this bid request and to waive informalities or defects in bids or to accept such bids as it shall deem to be in the best interests of Panola County.

BIDS MUST BE submitted on the bid forms included for that purpose in this packet. Bids shall be placed in separate sealed envelopes, with each page manually signed by a person having the authority to bind the firm in a contract and marked clearly on the outside as shown below.

SUBMISSION OF BIDS: Sealed bids shall be submitted to:

**COUNTY JUDGE
PANOLA COUNTY COURTHOUSE, ROOM 216A
CARTHAGE, TEXAS 75633**

Not later than 9:00 A.M., May 28, 2002

MARK ENVELOPES:

"FLY ASH / BOTTOM ASH"

**ALL BIDS MUST BE RECEIVED IN THE COUNTY JUDGE'S OFFICE
BEFORE OPENING DATE AND TIME**

SIGNATURE OF BIDDER

**INVITATION TO BID
INSTRUCTIONS/TERMS OF CONTRACT**

FUNDING: Funds for payment have been provided through the Panola County Budget adopted by the Commissioners' Court for Fiscal Year 2002.

LATE BIDS: Bids received in the County Judge's Office after submission deadline will be considered void and unacceptable. Panola County is not responsible for lateness or non-delivery of mail, carrier, etc.

ALTERING BIDS: Bids cannot be altered or amended after submission deadline. Any interlineation, alteration or erasure made before opening time must be initialed by the signer of the bid, guaranteeing authenticity.

WITHDRAWAL OF BID: A bid may not be withdrawn or canceled by the bidder without the permission of Panola County for a period of ninety (90) days following the date designated for the receipt of bids, and bidder so agrees upon submittal of their bid.

SALES TAX: Panola County is exempt by law from payment of Texas Sales Tax and Federal Excise Tax, therefore, the bid shall not include sales tax.

BID AWARD: Panola County reserves the right to award bids on the lump sum or unit price basis, whichever is in the best interest of Panola County.

CONTRACT: This bid, when properly accepted by Panola County, shall constitute a contract equally binding between the successful bidder and Panola County. No different or additional terms will become a part of this contract with the exception of Change Orders.

CHANGE ORDERS: No oral statement of any person shall modify or otherwise change, or affect the terms, conditions or specifications stated in the resulting contract. All change orders to the contract will be made in writing by the Panola County Judge.

IF DURING THE life of the contract, the successful bidder's net prices to other customers for items awarded herein are reduced below the contracted price, it is understood and agreed that the benefits of such reduction shall be extended to Panola County.

DELIVERY: All delivery fees and freight or handling charges shall be as stated on the bid and contract forms section and if not so stated no such costs, fees or charges will be paid.

CONFLICT OF INTEREST: No public official shall have interest in this contract, in accordance with V.T.C.A., Local Government Code Title 5, Subtitle C, Chapter 171.

Signature of Bidder

ETHICS: The bidder shall not offer or accept gifts or anything of value nor enter into any business arrangement with any employee, official or agent of Panola County.

EXCEPTIONS/SUBSTITUTIONS: All bids meeting the intent of this invitation to bid will be considered for award. Bidders taking exception to the specifications, or offering substitutions, shall state these exceptions in the section provided or by attachment as part of the bid. The absence of such a list shall indicate that the bidder has not taken exceptions and shall hold the bidder responsible to perform in strict accordance with the specifications of the invitation. Panola County Commissioners' Court reserves the right to accept any and all or none of the exception(s)/substitution(s) deemed to be in the best interest of the county.

DESCRIPTIONS: Any reference to model and/or make/manufacturer used in bid specifications is descriptive, not restrictive. It is used to indicate the type and quality desired. Bids on items of like quality will be considered.

ADDENDA: Any interpretations, corrections or changes in this "Invitation To Bid and Specifications" will be made by addenda. Sole issuing authority of addenda shall be vested in Panola County. Addenda will be mailed to all who are known to have received a copy of this Invitation To Bid. Bidders shall acknowledge receipt of all addenda.

BIDS MUST COMPLY with all federal, state, county and local laws concerning these types of service.

DESIGN, STRENGTH, QUALITY of materials must conform to the highest standards of manufacturing practice.

MINIMUM STANDARDS FOR RESPONSIBLE PROSPECTIVE BIDDERS: A prospective bidder must affirmatively demonstrate bidder's responsibility. A prospective bidder must meet the following requirements:

1. have adequate financial resources, or the ability to obtain such resources as required;
2. be able to comply with the required or proposed delivery schedule;
3. have a satisfactory record of performance;
4. have a satisfactory record of integrity and ethics;
5. be otherwise qualified and eligible to receive an award.

Panola County may request representation and other information sufficient to determine bidder's ability to meet these minimum standards listed above.

REFERENCES: Panola County may request bidder to supply a list of at least three (3) references where like services/products have been supplied by their firm.

Signature of Bidder

BIDDER SHALL PROVIDE with this bid response, all documentation required by this ITB. Failure to provide this information may result in rejection of bid.

SUCCESSFUL BIDDER SHALL defend, indemnify, and save harmless Panola County and all its officers, agents and employees from all suits, actions, or other claims of any character, name and description brought for or on account of any injuries or damages received or sustained by any person, persons or property on account of any negligent act or fault of the successful bidder, or of any agent, employee, subcontractor or supplier in the execution of, or performance under, any contract which may result from bid award. Successful bidder indemnifies and will indemnify and save harmless Panola County from liability, claim or demand on their part, agents, servants, customers, and/or employees whether such liability, claim or demand arise from event or casualty happening or within the occupied premises themselves or happening upon or in any of the halls, elevators, entrances, stairways or approaches of or to the facilities within which the occupied premises are located. Successful bidder shall pay any judgment costs which may be obtained against Panola County growing out of such injury or damages.

WAGES: Successful bidder shall pay or cause to be paid, without cost or expense to Panola County, all Social Security, Unemployment and Federal Income Withholding Taxes of all such employees and all such employees shall be paid wages and benefits as required by Federal and/or State law.

TERMINATION OF CONTRACT: This contract shall remain in effect until contract expires, delivery and acceptance of products and/or performance of services ordered or terminated by either party with a thirty (30) days written notice prior to any cancellation. The successful bidder must state therein the reasons for such cancellation. Panola County reserves the right to award canceled contract to the next lowest and best bidder as it deems to be in the best interest of the county.

TERMINATION FOR DEFAULT: Panola County reserves the right to enforce the performance of this contract in any manner prescribed by law or deemed to be in the best interest of the county in the event of breach or default of this contract. Panola County reserves the right to terminate the contract immediately in the event the successful bidder fails to:

1. meet schedules;
2. defaults in the payment of any fees; or
3. otherwise perform in accordance with these specifications.

Breach of contract or default authorizes the county to exercise any or all of the following rights:

1. Panola County may take possession of the assigned premises and any fees accrued or becoming due to date;

Signature of Bidder

- 2. Panola County may take possession of all goods, fixtures and materials of successful bidder therein and may foreclose its lien against such personal property, applying the proceeds toward fees due or thereafter becoming due.

In the event the successful bidder shall fail to perform, keep or observe any of the terms and conditions to be performed, kept or observed, Panola County shall give the successful bidder written notice of such default; and in the event said default is not remedied to the satisfaction and approval of the county within two (2) working days of receipt of such notice by the successful bidder, default will be declared and all the successful bidder's rights shall terminate.

Bidder, in submitting this bid, agrees Panola County shall not be liable to prosecution for damages in the event that the county declares the bidder in default.

NOTICE: Any notices provided by this bid (or required by law) to be given to the successful bidder by Panola County shall be conclusively deemed to have been given and received on the next day after such written notice has been deposited in the mail in Carthage, Texas, by Registered or Certified Mail with sufficient postage affixed thereto, addressed to the successful bidder at the address so provided; provided this shall not prevent the giving of actual notice in any other manner.

PATENTS/COPYRIGHTS: The successful bidder agrees to protect Panola County from claims involving infringement of patents and/or copyrights.

CONTRACT ADMINISTRATION: Panola County may appoint a contract administrator with designated responsibility to ensure compliance with contract requirements. The contract administrator will serve as liaison between Panola County and the successful bidder.

PURCHASE ORDER: A purchase order(s) shall be generated by Panola County to the successful bidder. The purchase order number must appear on all itemized invoices and packing slips. Panola County will not be held responsible for any orders placed/delivered without a valid current purchase order number.

INVOICES shall show (a) name and address of successful bidder; (b) Panola County purchase order number; and (c) descriptive information as to the item(s) delivered.

PAYMENT will be made upon receipt and acceptance by the county of item(s) ordered and receipt of a valid invoice, in accordance with State of Texas Prompt Payment Act, Article 601f, V.T.C.S. Successful bidder is required to pay subcontractors within ten (10) days.

Signature of Bidder

ITEMS supplied under this contract shall be subject to Panola County's approval. Items found defective or not meeting specifications shall be picked up and replaced by the successful bidder at no expense to the county. If item is not picked up within one (1) week after notification, the item will become a donation to the county for disposition.

SAMPLES: When requested, samples shall be furnished free of expense to Panola County.

WARRANTY: Successful bidder shall warrant that all items/services shall conform to the proposed specifications and/or all warranties as stated in the Uniform Commercial Code and be free from all defects in material, workmanship and title.

REMEDIES: The successful bidder and Panola County agree that both parties have all rights, duties, and remedies available as stated in the Uniform Commercial Code.

VENUE: This agreement will be governed and construed according to the laws of the State of Texas. This agreement is performable in Panola County, Texas.

✓ **ASSIGNMENT:** The successful bidder shall not sell, assign, transfer or convey this contract, in whole or in part, without the prior written consent of Panola County.

SILENCE OF SPECIFICATIONS: The apparent silence of these specifications as to any detail or to the apparent omission from it of a detailed description concerning any point, shall be regarded as meaning that only the best commercial practices are to prevail. All interpretations of these specifications shall be made on the basis of this statement.

Each insurance policy to be furnished by successful bidder shall include, by endorsement to the policy, a statement that a notice shall be given to Panola County by certified mail thirty (30) days prior to cancellation or upon any material change in coverage.

ANY QUESTIONS concerning this **INVITATION TO BID AND SPECIFICATIONS** should be directed to John DePresca, Superintendent at (903) 693-3763.

Signature of Bidder

FLY ASH / BOTTOM ASH SPECIFICATIONS

1. Fly Ash Class C

Class C Fly Ash _____ cubic yards delivered

Class C Fly Ash (Crushed 2" to 4") _____ cubic yards FOB.

Class C Fly Ash _____ cubic yards FOB.

Class C Fly Ash (Crushed 2" to 4") _____ cubic yards FOB.

2. Fly Ash Class F

Class F Fly Ash _____ cubic yards delivered

Class F Fly Ash (Crushed 2" to 4") _____ cubic yards FOB.

Class F Fly Ash _____ cubic yards FOB.

Class F Fly Ash (Crushed 2" to 4") _____ cubic yards FOB.

3. Bottom Ash must be derived from a sub-bituminous coal source.

Bottom Ash _____ cubic yards delivered

Bottom Ash _____ cubic yards FOB

- 4. Samples of the material may be taken as delivered at any time and submitted to a commercial testing laboratory for compliance. Materials not meeting the above specifications must be removed by the supplier and will not be paid for.
- 5. Materials must be available for delivery within 72 hours of order by Panola County. Materials will be ordered on an as needed basis and deliveries of any amount other than that ordered will not be accepted.
- 6. Reasonable effort will be made to work with vendor on delivery quantities and scheduling. In the event a compromise cannot be reached, item #3 will prevail.
- 7. The estimated quantity to be purchased in 2002 is 3500 cubic yards. However, the County is not obligated to purchase this quantity or any other particular quantity during the year.
- 8. Delivery will be to jobsite locations within twenty-five (25) miles of the Panola County

Warehouse, Carthage, Texas. Also, the County may elect to haul some of the material itself. The supplier will still have to provide the loading equipment and operator at no charge. The County will work with the supplier as much as possible in scheduling the hauling.

- 9. Bids should be submitted on the attached bid form.
- 10. The term of the contract shall be from May 28, 2002 to December 31, 2002.
- 11. A ticket indicating the number of cubic yards will be supplied with each load.

EXCEPTIONS TO SPECIFICATIONS:

_____ SIGNATURE	_____ COMPANY NAME
_____ ADDRESS	_____ CITY STATE ZIP
_____ TELEPHONE NUMBER	_____ DATE
_____ ACCEPTED:	_____ DATE
_____ COUNTY JUDGE	

PAMALA J. WORTHINGTON
Assistant District Attorney

KEVIN JONES
Court Coordinator



123rd JUDICIAL DISTRICT
PANOLA COUNTY, TEXAS
COUNTY COURT AT LAW
PANOLA COUNTY, TEXAS

DANNY BUCK DAVIDSON
Criminal District Attorney

April 18, 2002

Judge John Cordray
Panola County Judge
Panola County Courthouse
Carthage, Texas 75633

RE: State vs. Kaiwanis R. Hicks
Cause #2001-C-211
123rd Judicial District Court

Dear Judge Cordray:

Based on current work load and existing staff I am requesting that the Honorable Commissioner's Court authorize me to employ an attorney to do the appellate work required in this case and possibly others.

As you may recall a Panola County Jury convicted Kaiwanis R. Hicks of Aggravated Robbery and sentenced him to life in the Texas Department of Criminal Justice - Institutional Division. Since Mr. Hicks has nothing to lose, and a Court appointed attorney he is appealing the verdict and sentence.

I will discuss with you and the Court the specifics of any employment prior to beginning same if the commissioner's court approves this request.

Please advise if you have any questions in this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Danny Buck Davidson".

Danny Buck Davidson

DBD:je



TEXAS TASK FORCE ON INDIGENT DEFENSE

205 WEST 14TH STREET, SUITE 600 • TOM C. CLARK BUILDING • (512) 463-1625 • FAX (512) 463-1648
P. O. BOX 12066 • AUSTIN, TEXAS 78711-2066

CHAIR:
THE HONORABLE SHARON KELLER
Presiding Judge, Court of Criminal Appeals

DIRECTOR
MR. JAMES D. BETHKE

VICE CHAIR:
THE HONORABLE OLEN UNDERWOOD
Presiding Judge, Court of Criminal Appeals

April 5, 2002

Dear Judge Griffin,

The Task Force on Indigent Defense (Task Force) is pleased to announce that your county may be eligible for an indigent defense grant in the amount of see attached page. This amount was determined by a formula that sets a \$5,000 floor, with the remainder based on your county's population according to the 2000 Census.

As you are aware, the *Texas Fair Defense Act* became law on January 1, 2002. Among other things, this law created the Task Force, which is a permanent Standing Committee of the Texas Judicial Council. The 77th Texas Legislature authorized the Task Force to direct the Comptroller to distribute Fair Defense Account funds, including grants, to counties for indigent defense services. It further authorized the Task Force to monitor grants and enforce compliance with grant terms. As part of this process, the Task Force adopted §§ 173.1 – 173.402 of the Texas Administrative Code on an emergency basis in order to implement this grant authority established by the Texas Legislature. These administrative rules are available at the Texas Judiciary Online at: http://www.courts.state.tx.us/fair_defense/index.htm

These rules, combined with the grant application kit that is provided with this letter, establish the guidelines for the administration and submission process for grant funds for this grant year. The Task Force is most appreciative of the input that it received from the Texas Association of Counties, the Conference of Urban Counties, and Mr. Jim Allison in preparing these rules and the grant application kit.

The purpose of these grants is to aid counties in improving and enhancing the delivery of indigent defense services, and to promote compliance by counties with the requirements of state law and Task Force policies and standards relating to indigent defense.

The new rules and grant application kit were adopted on an emergency basis to ensure that grant funding could be awarded to the state's counties with the least delay and inefficiency. Without the adoption of the new rules and grant application kit on an emergency basis, many counties would likely not be able to expend the grant funds fully, efficiently, or effectively and the Task Force would be unable to distribute these grant funds in a fiscally responsible and fair manner.

This grant funding cycle - the time during which expenses may be incurred and during which funds must be obligated - is for the period of October 1, 2001 through August 31, 2002. The Task Force will continue to consult with state and county officials to determine how best these grants can be processed and distributed to counties for the continued improvement of indigent defense services.

The rules and grant application kit prepared for this year's grants are intended to provide fiscal assistance to the counties without creating undue expense and reporting burdens in preparing the grant application. I hope you find the rules and grant application kit straightforward, but flexible enough that your community can get what it needs in regard to indigent defense services.

Sincerely,



Sharon Keller
Chair, Task Force on Indigent Defense

cc:

Task Force on Indigent Defense
Governor Rick Perry
Representative Rob Junell, Appropriations Committee
Lt. Governor Bill Ratliff
Speaker Pete Laney
Senator Rodney Ellis
John Keel, Legislative Budget Board
Tina Beck, Legislative Budget Board
Mr. Jim Allison
Mr. John Dahill
Mr. Don Lee
Mr. Rex Hall

TASK FORCE ON INDIGENT DEFENSE

Hon. Guy William Griffin

Because you are the local administrative judge for more than one county, the \$ amount for each of those counties is listed here.

Panola County-	\$11,573
Shelby County-	\$12,286

Task Force on Indigent Defense Application Package for Indigent Defense Grants Program

Pursuant to Texas Government Code Section 71, the Texas Legislature has delegated authority to the Task Force on Indigent Defense (TFID) to direct the Comptroller of Public Accounts to distribute funds, including grants, to counties for indigent defense services and to monitor counties to ensure compliance with the conditions of the grant. The purpose of these grants is to provide indigent defense systems in Texas.

General Information

- Total Grant Appropriation – FY 2002: \$7,239,400
- Grant Period – FY 2002: October 1, 2001 to March 31, 2002
- Funding – Funds will be distributed in one disbursement for this fiscal year.
- Funding Amounts – Determined by a formula based on \$5,000 base with remainder based on population (2000 Census).
- Application deadline – Completed applications must be received at the Task Force or postmarked by May 31, 2002. Submit applications to:

Task Force on Indigent Defense
c/o Texas Judicial Council
P.O. Box 12066
Austin, Texas 78711-2066

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Page 609

Application Process

There are a variety of steps in the grant application process. This application kit is designed to guide the applicant through the process. If, at any time, you wish to speak to a TFID staff member, you may do so by calling at (512) 463-1625.

STEPS IN APPLYING FOR A GRANT

Determine Eligibility – See pages 1-2

Complete the Grant Application Form – See pages 3-4

Sign the Certification – See pages 5

Complete the Grant Expenditure Report and Funding Worksheet Pages – See pages 6-9

Submit the County Commissioners Resolution – See page 10

1

Indigent Defense Grants Program Eligibility and Reporting

Eligibility Requirements

In general, applicants are eligible for grant funding for Fiscal Year 2002 if they comply with all of the statements in the following checklist:

- Only counties are eligible to apply for grant funds.
- The County Commissioners' Court must issue a resolution that authorizes the grant request and takes responsibility for the appropriate expenditure of the funds. (See sample resolution, page 12).
- Funds are to be used to pay for the increased cost of providing indigent defense for the county and the cost of implementing and reporting under the Fair Defense Act.
- A county may not reduce the amount of funds expended for indigent defense services in the county because of funds provided by this grant.
- Any grant awarded under this program must be administered in accordance with rules for the Fair Defense Act (FDA) in Chapter 173 of the Texas Administrative Code and the general grant rules found in the Uniform Grant Management Standards.

Reporting Requirements

- Counties must report expenditures on or before May 31, 2002.
- The official designated as Program Director by the grantee county is responsible for the reporting requirements of the grant.
- The grantee may not report funds expended before October 1, 2001 or after March 31, 2002. If using the period beginning January 1, 2002 and ending March 31, 2002, the grantee may not report funds expended before January 1, 2002 or after March 31, 2002.

2

Detailed Guide to the Grant Application Form

Box 1—Name of County

Name of the county applying for the grant.

Box 2—State Payee ID#

All entities that receive funds from the state have been issued a state payee identification number. If unknown, first check with the chief financial officer for your county. If still unknown, use your employer identification number as assigned by the Internal Revenue Service.

Box 3—Division or Unit

Identify the division or unit within the county to administer the grant.

Box 4—Official Mailing Address

General mailing address of the county.

Box 5 — Contact Person

Choose a person who is responsible to coordinate with the Task Force or its staff as the contact person and enter that person's name, title, address, telephone number, fax number, and e-mail address, if available. This will be the person Task Force staff members will contact with questions about the application.

Box 6—Program Director

Name, title, address, telephone number, fax number, and e-mail address (if available) for the program director. The program director should be the official or employee of the county that will be responsible for program operation or monitoring and who will serve as the point-of-contact regarding the program's day-to-day operations.

Box 7 — Financial Officer

The county auditor or county treasurer, if the county does not have an auditor. Include the name, title, phone number, and fax number for the county financial officer.

INDIGENT DEFENSE GRANT PROGRAM (IDGP)

Application Form

APPLICATION FOR THE GRANT PERIOD: OCTOBER 1, 2002 TO MARCH 31, 2002		Date Received: (for Task Force use only)	
1. NAME OF COUNTY:		2. State payee identification number:	
3. Division or unit within the county to administer the grant.		Grant Officials	
4. Official county mailing address.		6. Program Director	
		Title:	
		Address:	
5. Person who can answer specific questions about this application:		Telephone:	
Contact:		Fax:	
Title:		E-mail:	
Address:		7. Financial Officer	
		Title:	
		Address:	
Telephone:		Telephone:	
Fax:		Fax:	
E-mail:		E-mail:	
To the best of my knowledge, all information in this application is true and correct. The application has been duly authorized by the governing body of the grantee county and county agrees to comply with all Task Force rules, including the attached assurances, if awarded.			
Signature of Authorized Official:		Date:	
Printed Name:		Title:	

INDIGENT DEFENSE GRANTS PROGRAM CERTIFICATION

The undersigned have reviewed the current indigent defense plan(s), pursuant to Texas Government Code Section 71, covering adult and juvenile defendants in the district and county court of _____ County. We hereby certify that the plan(s) comply with each of the following requirements of the Fair Defense Act, Texas Government Code Section 71.0351.

- The plan(s) specify that each accused person will be brought before a magistrate within 48 hours of arrest for proceedings under Article 15.17 of the Code of Criminal Procedure.
- The plan(s) specify that when an eligible defendant submits the required documents for the appointment of counsel, the request and documents required will be transmitted to the appointing authority within 24 hours of the request.
- The plan(s) specify that the appointing authority will appoint counsel for eligible defendants within one working day of receiving the request (counties with population of 250,000 and above) or within three working days of receiving the request (counties with population under 250,000).*
- The applicant county also acknowledges compliance with all relevant state statutes, regulations, policies, guidelines, and requirements including the Title 1, Chapter 173, of the Texas Administrative Code, and the Uniform Grant Management Standards (UGMS), as they relate to the application, acceptance and use of funds for this program.

[Attach any amended interim indigent defense plan as necessary]

We propose to use the grant to pay for the following improvements in this county's indigent defense services:

Certified and Approved:

_____	<u>Indigent Defense Grant Program</u>	
Applicant's County	Program Title	
_____	_____	_____
Printed Name and Title of Authorized Official	Signature of Authorized Official	Date

* This requirement does not necessarily need to apply to defendants who are released on bond prior to appointment of counsel so long as the plan appoints counsel at least by the first court appearance or the initiation of adversarial judicial proceedings, whichever occurs first.

**Indigent Defense Grant Program
Grant Expenditure Report**

Please refer to grant reporting definitions.

EXPENDITURE CATEGORY	BASELINE YEAR	EXPENDITURE REPORTING PERIOD ¹ (SELECT ONE)	
		10/1/01 - 3/31/02	1/1/02 - 3/31/02
Litigation Expenditures:	10/1/00 - 9/30/01	10/1/01 - 3/31/02	1/1/02 - 3/31/02
Attorney Fees			
Other Litigation Expenditures (i.e. investigation, expert witnesses, other litigation expenditures).			
Total Litigation Expenditures			
Administrative/Indirect Expenditures:			
Personnel			
Travel and Training			
Equipment ²			
Other Direct Expenditures			
Indirect Expenditures			
Total Administrative/Indirect Expenditures			
Public Defender Overhead			
Grand Total			

¹ Some counties began implementation efforts prior to January 1, 2002. A county may include expenditures, and encumbrances, for implementing the indigent defense system for either the period of October 1, 2001 to March 31, 2002 or the period of January 1, 2002 to March 31, 2002. The amounts reported will be annualized for comparison to the baseline year expenditures.

² Include list of equipment purchased, including the description and cost for each item.

Note: Please complete the Funding Worksheet after you have completed the Grant Expenditure Report to make a preliminary determination concerning your county's eligibility for Fair Defense Act grant funds.

**Funding Worksheet
Indigent Defense Grant Program**

Complete this worksheet after you have completed the Grant Expenditure Report to make a preliminary determination concerning your county's eligibility for Fair Defense Act grant funds.

	EXPENDITURE REPORTING PERIOD	
	10/1/01 - 3/31/02 (6-month period)	1/1/01 - 3/31/02 (3-month period)
EXPENDITURE REPORTING PERIOD		
(a) Grand Total		
If reporting 6-month period, multiply by 2		
(b) If reporting 3-month period, multiply by 4	x 2	x 4
(c) Annualized Expenditures (a) * (b)	\$ -	\$ -
BASELINE YEAR		
(d) Grand Total		
(e) DIFFERENCE (c) - (d)	\$ -	\$ -

If the amount on line (e) is a negative number, you may still be eligible for grant funds. To assist in making this determination, please explain any circumstances that would have caused your expenditures for indigent defense to decrease during the grant reporting period. Also, please note any unusual items which may be reflected in your Baseline Year (i.e. SB 7 expenditures prior to October 1st, extraordinary items in base period, etc...). You may also detail expenditures made as a direct result of implementing the Fair Defense Act. THIS BOX SHOULD BE COMPLETED REGARDLESS OF WHETHER (e) IS POSITIVE OR NEGATIVE SINCE FUTURE GRANTS MAY USE THE BASELINE AMOUNT!
EXPLANATION:

INSTRUCTIONS FOR COMPLETING FORM:

This form should be completed using amounts recorded on the Grant Expenditure Report.

- (a) Enter the Grand Total amount from the last line of the EXPENDITURE REPORTING PERIOD column. You should only have amounts entered in one column or the other, not both.
- (b) No entry required.
- (c) Multiply the amount on line (a) by 2 or 4, as shown, to calculate expenditures on an annualized basis.
- (d) Enter the Grand Total amount from the last line of the BASELINE YEAR column.
- (e) Subtract the BASELINE YEAR amount (d) from the EXPENDITURE REPORTING PERIOD amount.

✓ **Other Direct Expenditures:** Costs directly related to the operation of the county's indigent defense program that are not included in other expenditure category. These costs may include office rent, utilities, office supplies, shared usage costs of office equipment, vehicle operating expenses, paper, printing, postage, and educational resource materials. This category may also include development costs for software and software upgrades to comply with the requirements of the Fair Defense Act.

Any professional or contractual service must be in direct support of the investigation and defense of an eligible offense or in meeting the requirements of the Fair Defense Act. Any contract or agreement entered into by a grantee that obligates grant funds must be in writing and consistent with Texas contract law.

Indirect Expenditures: Costs incurred for a common or joint purpose benefiting more than one cost objective and not readily assignable to the cost objectives specifically benefited. Examples would include financial services, human resources and other functions that support multiple county programs. The Task Force may approve indirect costs in an amount not to exceed ten percent of the approved direct costs in the grant award, unless the grantee has an approved cost-allocation plan. If the applicant has a cost-allocation plan, the applicant should indicate the indirect cost rate in the allocation plan as part of the application. The Task Force may request documentation to verify approval of the grantee's indirect cost rate and may reject any approved cost-allocation plan it believes is excessive.

Public Defender Overhead: Indirect expenditures allocated to the public defender's office. This section is not applicable if the county does not have a public defender's office.

**Sample Resolution
Indigent Defense Grant Program**

WHEREAS, under the provisions of the Fair Defense Act, 77th Regular Session, counties are eligible to receive financial assistance from the Task Force on Indigent Defense to provide indigent defense services in the county; and

WHEREAS, this grant program will assist the county in the implementation of the provisions of the Fair Defense Act and the improvement of the indigent criminal defense services in this county; and

WHEREAS, _____ County Commissioners Court has agreed that in the event of loss or misuse of the funds, _____ County Commissioners assures that the funds will be returned in full to the Task Force on Indigent Defense.

NOW THEREFORE, BE IT RESOLVED and ordered that the County Judge of this county is designated as the Authorized Official to execute the grant application for the Indigent Defense Expense Program and all other necessary documents to accept said grant; and

BE IT FURTHER RESOLVED that the County Judge is designated as the Program Director and Contact Person for this grant and the County Auditor/County Treasurer is designated as the Financial Officer for this grant.

Adopted this _____ day of _____, 2002.

County Judge

Attest:

County Clerk

RESOLUTION 2002-01

INDIGENT DEFENSE GRANT PROGRAM

WHEREAS, under the provisions of the Fair Defense Act, 77th Regular Session, counties are eligible to receive financial assistance from the Task Force on Indigent Defense to provide indigent defense services in the county; and

WHEREAS, this grant program will assist the county in the implementation of the provisions of the Fair Defense Act and the improvement of the indigent criminal defense services in this county; and

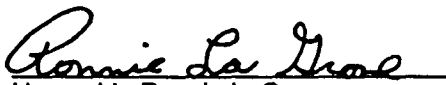
WHEREAS, Panola County Commissioners' Court has agreed that in the event of loss or misuse of the funds, Panola County Commissioners' Court assures that the funds will be returned in full to the Task Force on Indigent Defense.

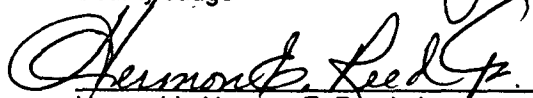
NOW, THEREFORE, BE IT RESOLVED and ordered that the County Judge of this county is designated as the Authorized Official to execute the grant application for the Indigent Defense Expense Program and all other necessary documents to accept said grant; and


BE IT FURTHER RESOLVED that the County Judge is designated as the Program Director and Contact Person for this grant and the County Auditor is designated as the Financial Officer for this grant.

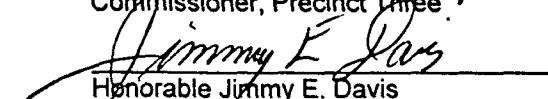
ADOPTED this 22nd day of April, 2002.


John Cordray
County Judge

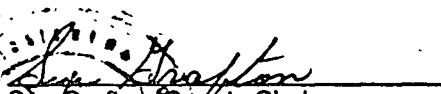

Honorable Ronnie LaGrone
Commissioner, Precinct One



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


Honorable Douglas M. Cotton
Commissioner, Precinct Two


Honorable Jimmy E. Davis
Commissioner, Precinct Four

ATTEST:


Sue Grafton, County Clerk



RECORDED _____ O' CLOCK _____ M. ON THE _____ DAY OF _____ 2002

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