

THE STATE OF TEXAS

APRIL 12, 1971

COUNTY OF JOHNSON

BE IT REMEMBERED AT A REGULAR MEETING OF THE COMMISSIONERS' COURT in and for Johnson County, Texas, on the above mentioned date at the Courthouse at Cleburne, Texas, with the following members present: Thomas E. Ball, County Judge, C. W. Atwood, Commissioner of Precinct No. 1, O. B. Hadley, Commissioner of Precinct No. 2, W. I. Boteler, Commissioner of Precinct No. 3, B. B. Aldridge, Commissioner of Precinct No. 4 and Joe L. Townes, County Clerk.

Meeting was opened with a prayer by the Minister of the West Side Church of Christ, Paul E. McGaughey.

A motion was made by Commissioner Aldridge, Commissioner of Precinct No. 4, and seconded by Commissioner Atwood, Commissioner of Precinct No. 1, to approve the minutes of the April 1, 1971, meeting.

All voted aye.

A motion was made by Commissioner Aldridge and seconded by Commissioner Atwood that all bills against Johnson County be allowed and ordered paid, as submitted, examined in open court, and properly endorsed.

All voted aye.

A motion was made by Commissioner Boteler and seconded by Commissioner Aldridge to transfer funds to the County Treasurer from the County Auditor's Budget for Postage in the amount of \$150.00,

All voted aye.

A motion was made by Commissioner Boteler and seconded by Commissioner Atwood to purchase Liability Insurance Policy from Marshall Young & Associates to cover the Courthouse at \$405.00 per year and County Jail at \$23.00 per year.

All voted aye.

A motion was made by Commissioner Hadley and seconded by Commissioner Atwood that the following Resolution be accepted:

RESOLUTION

"Cancellation of all permits for the cutting of hard surfaced County roads. Must make application for, and tunnel under, any or all County hard surfaced roads, "using new approved application forms. All voted aye.

FOR MARSHALL

James B. Ward	43
Charles Corder	6

FOR ALDERMAN

W. W. Green	29
James L. Hair	42
Wilbur Hale	42
Grant D. Lewis	44
Clarence Redmon, Jr.	42
Arbid D. Smith	38
Lelland Scogins	2
Elmer Trimble	1

WHEREAS the said returns of said election were in all respects in conformity with the law, it was thereafter adjudged that the following candidates were elected to the respective offices:

Mayor	William R. Rowell
Marshall	James B. Ward
Alderman	James L. Hair Wilbur Hale Grant D. Lewis Clarence Redmon, Jr. Arbid D. Smith

NOW, THEREFORE, I, THOMAS E. BALL, County Judge of Johnson County, Texas, by virtue of the authority vested in me by law and in pursuance to Title 28, Chapter 11, Article 1142, Vernon's Annotated Civil Statutes of Texas, do hereby declare and make known to all persons that the following persons were elected to the respective offices of the town of Briaroaks, Texas:

Mayor	William R. Rowell
Marshall	James B. Ward
Alderman	James L. Hair Wilbur Hale Grant D. Lewis Clarence Redmon, Jr. Arbid D. Smith

which said persons are hereby declared elected to said respective offices subject to taking of their oaths and filing bonds as provided by the laws of the State of Texas.

This Order is made and entered by me in the record of the Commissioners' Court of Johnson County, Texas, this 12th day of April, 1971.

IN WITNESS WHEREOF my official hand this the 12 day of April, 1971.

/s/ Thomas E. Ball
Thomas E. Ball, County Judge of
Johnson County, Texas.

All voted aye.

A motion was made by Commissioner Aldridge and seconded by Commissioner Hadley to grant County Attorney authority to settle claim of Morgan Laird against Johnson County for Crop Damage in 1970, not to exceed \$450.00.

All voted aye.

A motion was made by Commissioner Atwood and seconded by Commissioner Hadley that the canvassing of the County School Trustee Election, Independent School District Trustee Elections and Liberty Chapel Common School Trustee Election, held April 3, 1971, be accepted and approved.

All voted aye.

ORDER DECLARING RESULTS OF
COUNTY SCHOOL TRUSTEE ELECTION
INDEPENDENT SCHOOL DISTRICT TRUSTEE ELECTIONS
LIBERTY CHAPEL COMMON SCHOOL TRUSTEE ELECTION

THE STATE OF TEXAS :
:
COUNTY OF JOHNSON :

On this 13th day of April, 1971, the Commissioners' Court of Johnson County, Texas, convened in regular session, open to the public, with the following members present, to-wit:

C. W. Atwood Commissioner Precinct No. 1	O. B. Hadley Commissioner Precinct No. 2
W.I. Boteler Commissioner Precinct No. 3	B. B. Aldridge Commissioner Precinct No. 4

Joe L. Townes
County Clerk

and the following absent: None, constituting a quorum, and among other proceedings, passed the following order:

There came on to be considered the returns of elections held on the 3rd day of April, 1971, in the following Independent School Districts (with less than 500 scholastics) and Liberty Chapel Common School District No. 33, for the purpose of electing trustees to the Boards of Trustees of the respective School Districts, and for the purpose of electing one County School Trustee in each of the Commissioners' Precincts Nos. 1 and 4, and for the County School Trustee at Large; and it appearing that said returns were duly and legally made and that there were cast at said elections the number of valid and legal

votes shown below for each School District, and that the candidates in said elections received the following votes:

GRANDVIEW INDEPENDENT SCHOOL DISTRICT (2 to be elected)

Total votes cast - 653

J. G. Dobbs	356 votes
Oscar T. Wilkirson	359 votes
Edwin (Ed) Swain	2 votes
Carlton Kennard	287 votes
G. Layton Young	290 votes

GODLEY INDEPENDENT SCHOOL DISTRICT (2 to be elected)

Total votes cast - 120

Rosemary H. Fuller	25 votes
Rodney Hardcastle	53 votes
John D. Grafa	70 votes
Frank Willingham	84 votes

KEENE INDEPENDENT SCHOOL DISTRICT (2 to be elected)

Total votes cast - 11

C. B. Clair	11 votes
Sidney Culpepper	11 votes

LILLIAN INDEPENDENT SCHOOL DISTRICT (2 to be elected)

Total votes cast - 11

Lynn B. Bullock	8 votes
Arthur Mears	11 votes

Write-In Votes

Lee Hunsucker	1 vote
Jim Noles	2 votes

RIO VISTA INDEPENDENT SCHOOL DISTRICT (2 to be elected)

Total Votes Cast - 282

Sam Bigham	216 votes
Jack Cobb	215 votes
Mrs. R. H. McLaurin	61 votes

Write-In Votes

Oscar Pogue	1 vote
R. E. Pogue	58 votes
B. G. Pogue	2 votes
G. H. Taack	1 vote
Troy Burnett	1 vote
Buford Stout	1 vote

VENUS INDEPENDENT SCHOOL DISTRICT (3 to be elected)

Total Votes Cast - 90

Sammy Fowler	40 votes
Robert L. Frederick	67 votes
Jerry James	77 votes

Write-In Votes

Bernice Clower	50 votes
Bennie Morris	4 votes
James Bishop	2 votes
H. F. Dean	1 vote
Earl Rayburn	1 vote
Clifford Holder	3 votes

LIBERTY CHAPEL COMMON SCHOOL DISTRICT NO. 33 (1 to be elected)

Total votes cast - 25

Dennis Thacker	15 votes
William E. Harwell	10 votes

COUNTY SCHOOL BOARD

For County School Trustee at Large: 1,304 votes

Joe T. Falkenbury

Write-In Votes

Mrs. Nell Harry	1 vote
W. C. Cottingame	1 vote

For County School Trustee from Precinct 1:

John T. Kennon 410 votes

For County School Trustee from Precinct 4:

John D. Harper 745 votes

Write-In Votes

John Doe	1 vote
Jim Jones	1 vote
N. P. Stephenson	3 votes
Mrs. Lytle Holloway	1 vote

It is, therefore, found, declared and so ordered that the above mentioned trustees elections were duly called, that notices of same were duly posted and published, and that said elections were held in accordance with law, and that at said election the following were elected to the respective Boards of Trustees, subject to their taking their oaths and qualifying as provided by the laws of the State of Texas:

GRANDVIEW INDEPENDENT SCHOOL DISTRICT

J. G. Dobbs with 356 votes, and
Oscar T. Wilkirson with 359 votes.

GODLEY INDEPENDENT SCHOOL DISTRICT

Frank Willingham with 84 votes, and
John D. Grafa with 70 votes.

LILLIAN INDEPENDENT SCHOOL DISTRICT

Lynn B. Bullock with 8 votes, and
Arthur Mears with 11 votes.

KEENE INDEPENDENT SCHOOL DISTRICT

C. B. Blair with 11 votes, and
Sidney Culpepper with 11 votes.

RIO VISTA INDEPENDENT SCHOOL DISTRICT

Sam Bigham with 216 votes, and
Jack Cobb with 215 votes.

VENUS INDEPENDENT SCHOOL DISTRICT

Robert L. Frederick with 67 votes,
Jerry James with 77 votes, and
Bernice Clower with 50 votes.

LIBERTY CHAPEL COMMON SCHOOL DISTRICT

Dennis Thacker with 15 votes.

COUNTY SCHOOL BOARD

Joe T. Falkenbury, Trustee at Large, with 1,304 votes
John T. Kennon, Trustee from Precinct No. 1 with 410 votes
John D. Harper, Trustee from Precinct No. 4 with 745 votes.

NOTE: The returns from Burleson Independent School District were not furnished.

It is further found and determined that written notice of the date, place and subject matter of this meeting was posted on the bulletin board located at a place convenient to the public in the County Courthouse of this county at least three days preceding the date of this meeting.

The above order being read, it was moved and seconded by that same do pass. Thereupon the question being called for the following members of the Court voted AYE: C. W. Atwood, O. B. Hadley, W. I. Boteler and B. B. Aldridge, and none voted NO.

PASSED, APPROVED AND ADOPTED this the 12th day of April, 1971.

C. W. Atwood
Commissioner Precinct No. 1

O. B. Hadley
Commissioner Precinct No. 2

W.I. Boteler
Commissioner Precinct No. 3

B. B. Aldridge
Commissioner Precinct No. 4

A motion was made by Commissioner Aldridge and seconded by Commissioner Boteler that each Commissioner, after conferring with the County Auditor, may purchase certificate of deposits out of their own particular Road & Bridge Fund - and the County Judge and Auditor will confer and make recommendations pertaining to purchase of Certificate of Deposit out of other County Funds.

All voted aye.

Written review of fire District activities for 1970 was received by the Court.

A motion was made by Commissioner Hadley and seconded by Commissioner Atwood to appoint T. R. Renick Presiding Judge, Precinct No. 25 for Democratic Primaries and in the General Election.

All voted aye.

A motion was made by Commissioner Hadley and seconded by Commissioner Aldridge that the Plat of Buffalo Acres be approved.

All voted aye.

STATE OF TEXAS :
 :
COUNTY OF JOHNSON :

On the 12th day of April, A. D. 1971, the Commissioners Court of Johnson County having met in regular session and having received bids on a Crawler Loader in accordance with an advertisement appearing in Cleburne Times Review, a daily newspaper published in Johnson County, Texas, which advertisement was published in two issues under dates of February 17 and February 24, 1971, and reading as follows:

TO: All Interested Parties. FROM: Gordon W. Parks, County Auditor, Johnson County, Texas. Pursuant to Article 1659, Vernons Civil Statutes, the County of Johnson will accept bids on the purchase of one latest model Crawler loader. The specifications for the above Crawler Loader may be obtained from the County Auditors office in Johnson County Courthouse at Cleburne, Texas.

All bids must be received at the said office no later than 5 p. m. Wednesday, March 3, 1971.

The Commissioners Court reserves the right to reject any or all bids.

Gordon W. Parks, County Auditor.

WHEREAS, on March 8, 1971 the Commissioners Court of Johnson County was in session examined all bids filed pursuant to said notice and found and determined that the bid filed by Browning-Ferris Machinery Company was the lowest and best bid submitted to the County for a Crawler Loader hereinafter described, and referred to as "equipment", and

WHEREAS, said equipment was delivered on the 8th day of March, 1971, and has been fully examined, tested and tired under the direction of the Commissioners Court, and said equipment is in all things satisfactory and well worth the amount to be paid therefore by the County, and

WHEREAS, a contract should be made between Johnson County and Browning-Ferris Machinery Company to consummate such a sale, and

WHEREAS, that amount to be paid for said equipment out of funds of Road & Bridge Precinct #1 for years 1971 and 1972, is properly included in budget for said fiscal years, payable out of any money received by or coming into Road & Bridge Precinct #1 of Johnson County for the years 1971 and 1972, by way of Advalorem taxes, automobile license taxes, fines, penalties and forfeitures or from any source whatsoever.

BE IT ORDERED, ADJUDGED AND DECREED BY THE COMMISSIONERS COURT OF JOHNSON COUNTY, TEXAS:

1. That a contract be entered into between Johnson County, Texas and Browning-Ferris Machinery Company and the County Treasurer authorized to make payment thereof in substantially the following form:

Browning-Ferris Machinery Company hereby sells and conveys to Johnson County, Texas:

1. - new International Model 175-B Power shift Crawler Loader.
4. - 1 bucket w/teeth, self-leveling devise, single lever control, counterweight, rear hyd hose guard, 3-spool valve, hydrospring, rain cap, instrument panel guard, Industrial enclosed cab, Serial #15863, Motor #51168.

Less trade in of used 150 P/S Loader, S/N 12182.

In consideration thereof Johnson County agrees to pay to Browning-Ferris Machinery Company or order, the sum of Twenty-three Thousand Seven Hundred Fifty and no/100 (\$23,750.00) as follows:

\$11,000.00 payable in 11 successive monthly installments beginning on April 15, 1971, and on the same date of each consecutive month thereafter, with the final (12th) installment for \$12,750.00 due and payable on March 1, 1972.

The twelve (12) installments aggregating \$23,750.00 shall bear interest at the rate of 10 per _____ annum, after maturity, but shall accrue no interest before maturity, computed on the entire balance Johnson County reserves the right to pay part of all of the unpaid balance at any time before said installments are due. Should Johnson County default in any installments and payment not be made within thirty days after due date thereof, Browning-Ferris Machinery Company, its successors or assigns reserve the right to take possession of the said equipment wherever it may be found (and the said Johnson County does hereby bind itself to surrender same) and remove said

equipment and sell, convey and deliver the said equipment, or cause the same to be done, at public sale to be held, after ten days notice thereof is given to the said County, at such place and on such terms as it may deem best; and the proceeds of such sale shall be applied, after deducting the cost and expense thereof, to the payments called for under this contract and then remaining due. The surplus, if any, shall be paid Johnson County, and if the proceeds of sale shall not be sufficient to make said payments, Johnson County agrees to be and remain liable for any deficiency. The said County shall have the right to purchase said equipment at such sale if it is the highest bidder, In the event of such a sale, the seller shall be empowered to transfer and deliver to the purchaser the legal title to and the possession of said equipment.

EXECUTED this the 12th day of April, A. D. 1971.

JOHNSON COUNTY, TEXAS

/s/ Thomas E. Ball
County Judge

/s/ C. W. Atwood
Commr. Prect. #1

/s/ O. B. Hadley
Commr. Prect. #2

/s/ W. I. Boteler
Commr. Prect. #3

/s/ B. B. Aldridge
Commr. Prect. #4

ATTEST: Joe L. Townes,
County Clerk Johnson County, Texas

THERE BEING NO FURTHER BUSINESS, COURT ADJOURNED.

COUNTY CLERK

COUNTY JUDGE

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