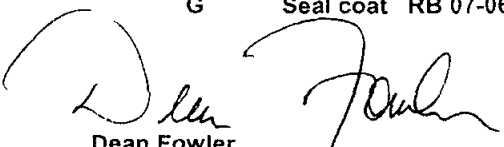


**NOTICE OF MEETING**  
**COMMISSIONERS COURT OF UPSHUR COUNTY, TEXAS**  
**FRIDAY, JANUARY 13, 2006, 9:00 AM, REGULAR SESSION**  
**3<sup>RD</sup> FLOOR, UPSHUR COUNTY COURTHOUSE, COURTHOUSE SQUARE, GILMER, TEXAS**

**AGENDA**

- 1 Consider and take action on approval of:
  - A. Accept for recording all payroll changes;
  - B Payroll;
  - C. Budget amendments,
  - D. Accounts payable;
  - E Accept for recording various Commissioners' Court documents including but not limited to the following: Auditor's reports; Treasurer's monthly report; Treasurer's quarterly report, Certification from Secretary of State of Hart Intercivic's Voting System 5 0,
  - F Applications for use of Upshur County roads and rights-of-way, and
  - G. Accept for recording any and all Bonds, Oaths, Deputations and Certificates.
2. Consider bids on property foreclosed for delinquent taxes and take action
- 3 Discuss and take action concerning authorization required to spend monies from budgets of appointed officials
- 4 Discuss and take action to approve and accept for recording Interlocal Agreement between Upshur County and the City of Ore City concerning use of County voting machines during City elections.
- 5 Discuss and take action to accept for filing a plat for Magnolia Ridge Subdivision
6. Discuss and take action to accept for filing a plat for Azalea Estates Subdivision
- 7 Discuss and take action for appointment of county representative to East Texas Regional Service Planning Steering Committee
- 8 Hear from Karmen Kelley concerning Tx DPS grant awarded to the Justices of the Peace Discuss and take action.
- 9 Discuss and take action to approve request from the District Clerk to pay for the purchase Delinquent Tax Docket Book out of the Upshur County Records Management Fund
- 10 Discuss and take action to advertise for bids for road and bridge materials
  - A. Oil and grease supply RB 01-06
  - B Plant mixed asphalt, oil dirt, hot mix asphalt, and hot oil sand RB 02-06
  - C Rental of various types of equipment. RB 03-06
  - D Emulsified asphalt and refined road oil RB 04-06
  - E Reinforced concrete, corrugated polyethylene and steel pipe culverts RB 05-06
  - F Gasoline and diesel fuel RB 06-06
  - G Seal coat RB 07-06

  
Dean Fowler,  
Upshur County Judge

06 JAN 10 AM 9:30  
CLERK OF COUNTY CLERK  
BY -  
DEPUTY  
**COPY**

UPSHUR COUNTY COMMISSIONER'S COURT

JANUARY 13, 2006

COMMISSIONER'S COURT MET IN REGULAR SESSION. ALL MEMBERS PRESENT.

1. A. MOTION BY GARY DRENNAN SECONDED BY BUDDY FERGUSON TO ACCEPT FOR RECORDING ALL PAYROLL CHANGES. MOTION CARRIED. COPIES OF PAYROLL CHANGES ATTACHED.

B. MOTION BY LLOYD CRABTREE SECONDED BY GARY DRENNAN TO APPROVE PAYROLL AS PRESENTED BY COUNTY TREASURER. MOTION CARRIED. COPY OF PAYROLL ATTACHED.

C. MOTION BY LLOYD CRABTREE SECONDED BY GARY DRENNAN TO APPROVE BUDGET AMENDMENTS AS PRESENTED BY COUNTY AUDITOR. MOTION CARRIED. COPY OF BUDGET AMENDMENTS ATTACHED.

D. MOTION BY BUDDY FERGUSON SECONDED BY JAMES CRITTENDEN TO APPROVE ACCOUNTS PAYABLE AS PRESENTED BY COUNTY TREASURER. MOTION CARRIED.

E. MOTION BY GARY DRENNAN SECONDED BY LLOYD CRABTREE TO ACCEPT FOR RECORDING THE FOLLOWING VARIOUS COMMISSIONER'S COURT DOCUMENTS; AUDITOR'S REPORTS; TREASURER'S MONTHLY REPORT; TREASURER'S QUARTERLY REPORT; CERTIFICATION FROM SECRETARY OF STATE OF HART INTERCIVIC'S VOTING SYSTEM 5.0. MOTION CARRIED. COPIES OF DOCUMENTS ATTACHED.

F. MOTION BY LLOYD CRABTREE SECONDED BY JAMES CRITTENDEN TO ACCEPT FOR RECORDING THE FOLLOWING APPLICATIONS FOR USE OF COUNTY ROADS AND RIGHTS-OF-WAY:

PERMIT APPLICATION SUBMITTED BY DEWAYNE AND DEE SPELL TO PLACE A CULVERT WITHIN THE ROW OF HAWK ROAD.

PERMIT APPLICATION SUBMITTED BY A.C. FLOYD TO PLACE A CULVERT WITHIN THE ROW OF GREEN HILLS ROAD.

PERMIT APPLICATION SUBMITTED BY CARL DAVIS TO PLACE A CULVERT WITHIN THE ROW OF SILK TREE ROAD.

PERMIT APPLICATION SUBMITTED BY ENBRIDGE PIPELINES TO PLACE A GAS LINE WITHIN THE ROW OF S. MONTGOMERY.

LETTER OF AGREEMENT BETWEEN UPSHUR COUNTY AND GEORGE HILL TO ENTER PROPERTY OWNER'S PROPERTY, HEREBY AUTHORIZING NECESSARY RIGHTS OR INGRESS, EGRESS AND REGRESS THEREFROM FOR THE PURPOSE OF DISPOSING OF CERTAIN DIRT, SILT OR OTHER BY PRODUCTS OF RIGHT-OF-WAY DREDGING.

LETTER OF AGREEMENT BETWEEN UPSHUR COUNTY AND ARTHUR ADAMS TO ENTER PROPERTY OWNER'S PROPERTY, HEREBY AUTHORIZING NECESSARY RIGHTS OR INGRESS, EGRESS AND REGRESS THEREFROM FOR THE PURPOSE OF DISPOSING OF CERTAIN DIRT, SILT OR OTHER BY PRODUCTS OF RIGHT-OF-WAY DREDGING.

LETTER OF AGREEMENT BETWEEN UPSHUR COUNTY AND DIANE STROTHER TO ENTER PROPERTY OWNER'S PROPERTY, HEREBY AUTHORIZING NECESSARY RIGHTS OR INGRESS, EGRESS AND REGRESS THEREFROM FOR THE PURPOSE OF DISPOSING OF CERTAIN DIRT, SILT OR OTHER BY PRODUCTS OF RIGHT-OF-WAY DREDGING.

MOTION CARRIED ON ALL THE ABOVE. COPIES OF ALL APPLICATIONS FOR USE OF COUNTY ROADS AND RIGHTS-OF-WAY.

G. MOTION BY JAMES CRITTENDEN SECONDED BY GARY DRENNAN TO ACCEPT FOR RECORDING BOND CONTINUATION CERTIFICATE FOR DOYCE DEWAYNE LAGRONE. MOTION CARRIED. COPY OF BOND LOCATED IN VOLUME 7 PAGE 998 OFFICIAL BOND BOOK.

2. MOTION BY LLOYD CRABTREE SECONDED BY GARY DRENNAN TO TABLE BID FOR PROPERTY STRUCK OFF FOR TAXES. AMOUNT OF BID \$1,200.00 FOR 9 ACRES IN THE BEASLEY SURVEY. MOTION CARRIED.

MOTION BY JAMES CRITTENDEN SECONDED BY BUDDY FERGUSON TO ACCEPT BID FOR PROPERTY STRUCK OFF FOR TAXES. AMOUNT OF BID \$2,750.00 FOR 2.675 ACRES IN THE DAVID FERGUSON SURVEY. MOTION CARRIED.

MOTION BY JAMES CRITTENDEN SECONDED BY BUDDY FERGUSON TO ACCEPT BID FOR PROPERTY STRUCK OFF FOR TAXES. AMOUNT OF BID \$1,400.00 FOR GLENWOOD ACRES M5 LOTS 603 & 604. MOTION CARRIED.

MOTION BY JAMES CRITTENDEN SECONDED BY GARY DRENNAN TO ACCEPT BID FOR PROPERTY STRUCK OFF FOR TAXES. AMOUNT OF BID \$1,000.00 FOR GLENWOOD ACRES M3 LOT 435. MOTION CARRIED.

MOTION BY JAMES CRITTENDEN SECONDED BY GARY DRENNAN TO ACCEPT BID FOR PROPERTY STRUCK OFF FOR TAXES. AMOUNT OF BID \$4,010.00 FOR 3 ACRES IN THE FLORES SURVEY. MOTION CARRIED.

3. NO FORMAL ACTION TAKEN ON AGENDA ITEM CONCERNING AUTHORIZATION REQUIRED TO SPEND MONIES FROM BUDGETS OF APPOINTED OFFICIALS.

4. MOTION BY BUDDY FERGUSON SECONDED BY GARY DRENNAN TO APPROVE AND ACCEPT FOR RECORDING INTERLOCAL AGREEMENT BETWEEN UPSHUR COUNTY AND THE CITY OF ORE CITY CONCERNING USE OF COUNTY VOTING MACHINES. INCLUDED IN THIS MOTION IS TO WAIVE THE \$100.00 FEE. MOTION CARRIED. COPY OF INTERLOCAL AGREEMENT ATTACHED.

5. MOTION BY BUDDY FERGUSON SECONDED BY GARY DRENNAN TO APPROVE PLAT FOR MAGNOLIA RIDGE SUBDIVISION. MOTION CARRIED. COPY OF PLAT LOCATED IN VOL 5 PAGE 148 PLAT RECORDS.

7. MOTION BY BUDDY FERGUSON SECONDED BY GARY DRENNAN TO APPOINT COMMISSIONER CRABTREE AS COUNTY REPRESENTATIVE TO EAST TEXAS REGIONAL SERVICE PLANNING STEERING COMMITTEE. MOTION CARRIED.

8. MOTION BY LLOYD CRABTREE SECONDED BY GARY DRENNAN TO ACCEPT TX DPS GRANT AWARDED TO THE JUSTICES OF THE PEACE. MOTION CARRIED. NO DOCUMENTATION SUBMITTED TO COURT.

9. MOTION BY GARY DRENNAN SECONDED BY JAMES CRITTENDEN TO APPROVE REQUEST FROM THE DISTRICT CLERK TO PAY FOR THE PURCHASE DELINQUENT TAX DOCKET BOOK OUT OF THE UPSHUR COUNTY RECORDS MANAGEMENT FUND. MOTION CARRIED.

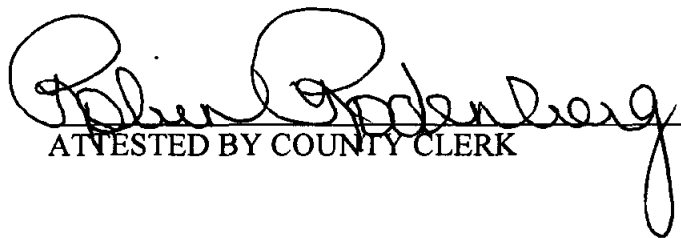
10. A-G. MOTION BY LLOYD CRABTREE SECONDED BY GARY DRENNAN TO ADVERTISE FOR BIDS FOR ROAD AND BRIDGE MATERIALS. BIDS TO BE DUE BACK TO JUDGE'S OFFICE BY 5:00 PM ON FEBRUARY 27, 2006 AND TO BE OPENED FEBRUARY 28, 2006. MOTION CARRIED.

6. MOTION BY LLOYD CRABTREE SECONDED BY GARY DRENNAN TO APPROVE PLAT FOR AZALEA ESTATES SUBDIVISION. MOTION CARRIED. PLAT LOCATED IN VOLUME 5 PAGE 149 PLAT RECORDS.

MOTION BY LLOYD CRABTREE SECONDED BY GARY DRENNAN TO ADJOURN. MOTION CARRIED.

BILLS PREVIOUSLY APPROVED ON DECEMBER 30, 2005 PLACED INTO  
MINUTES FOR RECORDING PURPOSES ONLY.

ATTENDANCE SHEET PLACED INTO MINUTES FOR RECORDING PURPOSES  
ONLY.

  
ATTESTED BY COUNTY CLERK

# The State of Texas



Elections Division  
P O Box 12060  
Austin, Texas 78711-2060  
www.sos.state.tx.us

Phone 512-463-5650  
Fax 512-475-2811  
Dial 7-1-1 For Relay Services  
(800) 252-VOTE (8683)

Roger Williams  
Secretary of State

December 15, 2005

The Honorable Robin Rodenberg  
Upshur County Clerk  
P O. Box 730  
Gilmer, Texas 75644

Dear Ms. Rodenberg:

We are in receipt of a copy of the proposed contract between Upshur County and Hart InterCivic, Inc. ("Hart"), which you have submitted to the Secretary of State pursuant to Section 123.035 of the Texas Election Code. Tex. Elec. Code Ann. § 123.035 (Vernon Supp 2005)

The contract indicates the county plans to acquire components of Hart's Voting System 5.0. The components being acquired include JBC version 3.1.3, eScan v 1.0.10, BOSS version 4.1.9, Tally version 4.1.4, Ballot Now version 3.1.10, Servo 4.0.13, eCM version 1.0.7, and multiple eSlates with version 3.1.3. Some of the eSlates include the Disabled Access Unit (DAU) upgrade.

This letter will serve as confirmation from our office that these systems are currently certified for use in Texas. Enclosed is a copy of the certification for Hart's Voting System 5.0. We therefore, officially, approve the submitted contract for the purchase of these systems.

If you need additional information, please contact the Elections Division toll-free at 1-800-252-2216.

Sincerely,

A handwritten signature in black ink, reading "Ann McGeehan".

Ann McGeehan  
Director of Elections

AM:ID

Enclosure: System 5.0 Certification

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TX  
JUN 16 2006

DEP	Check Date	Check Number	GROSS PAY	GROSS PAY	Issued to
401	01/13/06	20535-PCA	1,645 43	1,645 43	DRENNAN, GARY L
401	01/13/06	20536-PCA	1,645 43	1,645 43	FERGUSON, JOE E
401	01/13/06	138911002-PC	2,053 77	2,053 77	FOWLER, JERALD DEAN
		A			
401	01/13/06	138911000-PC	1,645 43	1,645 43	CRABTREE, LLOYD A
		A			
401	01/13/06	138911001-PC	1,645 43	1,645 43	CRITTENDEN, JAMES L
		A			
401	01/13/06	20537-PCA	947 55	947 55	WHITESIDE, RUTH TYSON
***				9,583 04	
403	01/13/06	138911004-PC	1,077 64	1,077 64	CAIN, DERONDA KAYE
		A			
403	01/13/06	138911005-PC	841 46	841 46	COX, GLENDA M
		A			
403	01/13/06	138911008-PC	932 29	932 29	SEAHORN, LORY D
		A			
403	01/13/06	20539-PCA	332 10	332 10	HALL, LAURA
403	01/13/06	20542-PCA	502 20	502 20	STARNES, HADDEN S
403	01/13/06	20538-PCA	782 42	782 42	GIPSON, SANDEE TERESA
403	01/13/06	20540-PCA	755 90	755 90	HARRIS, JERRY LINN
403	01/13/06	138911006-PC	449 55	449 55	RATCLIFFE, HEATHER
		A			ANN
403	01/13/06	20543-PCA	348 30	348 30	SUSTAIRE, MARGE E
403	01/13/06	138911003-PC	384 75	384 75	BRADLEY, KEISHA N
		A			
403	01/13/06	20544-PCA	22 95	22 95	THARP, JENNIFER J
403	01/13/06	138911009-PC	958 29	958 29	WINCHESTER, BARBARA
		A			L
403	01/13/06	138911007-PC	1,545 52	1,545 52	RODENBERG, ROBIN D.
		A			
403	01/13/06	20541-PCA	742 63	742 63	JACKSON, STACY K
***				9,676 00	
405	01/13/06	20545-PCA	1,245 72	1,245 72	LOYD, DANNY MICHAEL
***				1,245 72	
411	01/13/06	138911010-PC	1,155 21	1,155 21	KELLEY, KARMEN CITA
		A			
***				1,155 21	
426	01/13/06	138911011-PC	1,324 40	1,324 40	CULBERSON, KRISTIN E
		A			
***				1,324 40	
435	01/13/06	20546-PCA	259 56	259 56	BLASINGAME, ALICE P
435	01/13/06	138911012-PC	1,378 63	1,378 63	HENRY, KRISTI L
		A			
435	01/13/06	20547-PCA	1,994 40	1,994 40	DRENNAN, DEANNA R
***				3,632 59	

DEP	Check Date	Check Number	GROSS PAY	GROSS PAY	Issued to
450	01/13/06	138911015-PC A	898 51	898 51	MARSHALL, LORING F
450	01/13/06	138911016-PC A	885 24	885 24	SMITH, SUSAN K
450	01/13/06	138911013-PC A	1,545.52	1,545.52	BULLOCK, CAROLYN SUE
450	01/13/06	20549-PCA	862.72	862 72	RICHARDSON, MARGARET A
450	01/13/06	138911014-PC A	988 08	988 08	CHEVALIER, MELISSA K
450	01/13/06	20548-PCA	1,118 69	1,118 69	HENSON, TEENA
***				6,298.76	
451	01/13/06	138911019-PC A	835 46	835 46	NORRED, LAURA L
451	01/13/06	138911018-PC A	980 08	980 08	MANES, AMNA WYONE
451	01/13/06	138911017-PC A	1,133 00	1,133 00	GRIMES, ARNOLD
***				2,948 54	
452	01/13/06	138911020-PC A	881 24	881.24	GRIFFITH, MICHELE D
452	01/13/06	138911021-PC A	828 20	828 20	PEEL, KIMBERLY A
452	01/13/06	138911022-PC A	1,133 00	1,133 00	POTTER, LYLE M JR.
***				2,842 44	
453	01/13/06	138911024-PC A	1,133 00	1,133 00	PERRY, CAROLYN JO
453	01/13/06	138911023-PC A	877 24	877 24	LEE, BRANDY L
***				2,010 24	
454	01/13/06	20550-PCA	951 44	951 44	JEWKES, SHERYL L
454	01/13/06	20551-PCA	1,133.00	1,133.00	RAY, WILLIAM VALTON
***				2,084 44	
476	01/13/06	138911029-PC A	1,420 54	1,420 54	MCCRIVEN, TRACI LYN
476	01/13/06	138911027-PC A	1,592 28	1,592 28	JETER, DONALD R
476	01/13/06	138911025-PC A	2,213.53	2,213 53	CARIKER, TIMOTHY J
476	01/13/06	138911026-PC A	1,032 05	1,032 05	HARRIS, NANCY J
476	01/13/06	20553-PCA	770 03	770 03	JONES, STEPHANIE
476	01/13/06	138911030-PC A	1,666 67	1,666 67	WOOD, ROBYN K
476	01/13/06	20552-PCA	623 59	623 59	FROST, CYNTHIA JAN
476	01/13/06	138911028-PC A	1,281 73	1,281 73	JONES, EVELYN D



DEP..	Check Date	Check Number	GROSS PAY.	GROSS PAY .	Issued to
***				10,600 42	
495	01/13/06	138911031-PC A	1,131 56	1,131 56	HUTCHINS, WANDA L
495	01/13/06	20554-PCA	1,714 31	1,714 31	LANGE, PAMELA GAY
***				2,845 87	
497	01/13/06	138911035-PC A	824 20	824 20	VICK, BRANDY R
497	01/13/06	138911032-PC A	808 94	808 94	BROWN, NATALIE G
497	01/13/06	138911033-PC A	1,545 52	1,545 52	HARRIS, MYRA N.
497	01/13/06	138911034-PC A	1,077 64	1,077 64	TUEL, LINDA LOUISE
497	01/13/06	20555-PCA	196 16	196 16	EVANS, MINA LEE
***				4,452 46	
499	01/13/06	20559-PCA	938 29	938 29	LEONARD, FONDA K
499	01/13/06	138911038-PC A	649 63	649 63	GIBSON, CARLA R
499	01/13/06	20561-PCA	894 51	894 51	NEELEY, LISA D
499	01/13/06	138911036-PC A	890 51	890 51	DAVIS, BRANDY H
499	01/13/06	138911040-PC A	902 51	902 51	JENKINS, LATICIA ANN
499	01/13/06	138911041-PC A	1,545 52	1,545 52	SMITH, MICHEAL LOYD
499	01/13/06	138911042-PC A	903 01	903 01	WHITAKER, LADONNA LEE
499	01/13/06	138911037-PC A	1,014 60	1,014 60	GENTRY, PAULA A
499	01/13/06	20557-PCA	1,010 60	1,010 60	HOWELL, LUANA GAIL
499	01/13/06	138911039-PC A	942 29	942 29	HILL, BARBARA A.
499	01/13/06	20560-PCA	900 51	900 51	MCKINLEY, CHARLOTTE ELAINE
499	01/13/06	20556-PCA	900 51	900 51	HARRIS, JOANNA S
499	01/13/06	20558-PCA	1,109 64	1,109 64	LAMINACK, SHERRON H
***				12,602 13	
509	01/13/06	138911043-PC A	471 53	471 53	STILL, DORIS E
509	01/13/06	20562-PCA	1,048 38	1,048 38	RHODEN, STELLA GINA
***				1,519 91	
510	01/13/06	20565-PCA	937 46	937 46	HUDGINS, ROYCE L 2
510	01/13/06	138911044-PC A	822 20	822 20	BROWN, TIMOTHY C
510	01/13/06	20563-PCA	1,151 12	1,151 12	COOK, JOHN RUBIN
510	01/13/06	20564-PCA	1,323 60	1,323 60	DANIELS, CHARLES D
***				4,234 38	

DEP	Check Date	Check Number	GROSS PAY	GROSS PAY	Issued to
551	01/13/06	138911045-PC A	885 07	885 07	HARRIS, RUSSELL T
***				885 07	
552	01/13/06	138911046-PC A	885 07	885 07	ROGERS, WILLIAM A
***				885 07	
553	01/13/06	138911047-PC A	885 07	885 07	KUHN, JERRY LYNN
***				885 07	
554	01/13/06	20566-PCA	885 07	885 07	KUZA, HENRY MICHAEL II
***				885 07	
560	01/13/06	138911056-PC A	1,576 09	1,576 09	STANLEY, TIMOTHY S
560	01/13/06	20567-PCA	1,645 43	1,645 43	BETTERTON, ANTHONY S
560	01/13/06	20569-PCA	1,201 51	1,201 51	DAVIDSON, JUSTIN SCOTT
560	01/13/06	138911053-PC A	1,201 51	1,201 51	GROSS, DON LARRY
560	01/13/06	20581-PCA	1,201 51	1,201 51	TAYLOR, ANTHONY M
560	01/13/06	20580-PCA	1,182 26	1,182 26	STRACENER, CALEB L
560	01/13/06	138911052-PC A	1,422 96	1,422 96	DICKERSON, DAVID LEE
560	01/13/06	138911055-PC A	1,365 91	1,365 91	MULLINS, ANDREW CHASE
560	01/13/06	20576-PCA	1,193 51	1,193 51	MCCAULEY, CHRISTOPHER H
560	01/13/06	138911049-PC A	1,193 51	1,193 51	CARTER, TERRY G
560	01/13/06	138911057-PC A	1,180 26	1,180 26	THOMPSON, DAVID S
560	01/13/06	20571-PCA	1,180 26	1,180 26	ELLIOTT, RONNIE SCOTT
560	01/13/06	20568-PCA	1,180 26	1,180 26	COWAN, JOEL M
560	01/13/06	20573-PCA	1,146 39	1,146 39	JENKINS, STANLEY E
560	01/13/06	20572-PCA	1,303 08	1,303 08	FORTSON, LARRY WAYNE
560	01/13/06	20577-PCA	1,250 04	1,250 04	MURPHY, NADRA H.
560	01/13/06	138911048-PC A	1,371 91	1,371 91	ALFORD, JOHN MATTHEW
560	01/13/06	20570-PCA	1,299 08	1,299 08	DECUIR, JAMES A
560	01/13/06	20582-PCA	954 29	954 29	THOMPSON, NANCY K
560	01/13/06	20575-PCA	1,173 73	1,173 73	MATTHEWS, GENEVA NELL
560	01/13/06	20578-PCA	1,436 96	1,436 96	ROBERTS, GARY DALE
560	01/13/06	138911050-PC A	1,211 51	1,211 51	DANIELS, JOE NATHAN
560	01/13/06	20574-PCA	1,209 51	1,209 51	MARTIN, JOSHUA P
560	01/13/06	138911058-PC	1,314 87	1,314 87	TILLERY, HIRAM D

DEP	Check Date	Check Number	GROSS PAY	GROSS PAY	Issued to
		A			
560	01/13/06	138911054-PC	1,381 91	1,381 91	MASSOLETTI, MARTY
		A			
560	01/13/06	20579-PCA	1,326 87	1,326 87	STEELMAN, PAUL A
560	01/13/06	138911051-PC	1,326 87	1,326 87	DAVIS, SCOTT WAYDE
		A			II
560	01/13/06	138911059-PC	1,377 91	1,377 91	WARREN, ROXANNE
		A			
***				35,809 91	
565	01/15/06	20589-PCA	938 29	938 29	HUGHES, KAREN S
565	01/13/06	138911075-PC	1,322 87	1,322 87	MCCAULEY, JILL A
		A			
565	01/13/06	20599-PCA	1,068 90	1,068 90	YOUNGBLOOD, JOHN MICHAEL
565	01/13/06	20590-PCA	1,068 90	1,068 90	MONTS, DEBRA J
565	01/13/06	138911084-PC	1,066 90	1,066 90	WARREN, DENNIS C
		A			
565	01/13/06	20584-PCA	1,066 90	1,066 90	CHOYCE, LAWANA J
565	01/13/06	138911065-PC	1,148 39	1,148 39	BRASHER, WILLIAM A
		A			
565	01/13/06	20593-PCA	516 18	516 18	OLLER, TRACY E
565	01/13/06	138911064-PC	1,064 90	1,064 90	BASKERVILLE, MELANIE
		A			
565	01/13/06	138911073-PC	1,150 39	1,150 39	HUDSPETH, RONALD T
		A			
565	01/13/06	138911079-PC	1,146 39	1,146 39	PAGE, JAMES E
		A			
565	01/13/06	20587-PCA	1,049 64	1,049 64	GRISWOLD, JAMES B
565	01/13/06	138911061-PC	1,237 30	1,237 30	ANDREWS, TERESA L
		A			
565	01/13/06	138911086-PC	1,148 39	1,148 39	WOLOSZYN, RICHARD JOHN
565	01/13/06	138911069-PC	1,047 64	1,047 64	GAGE, GARY DON
		A			
565	01/13/06	138911060-PC	1,062 90	1,062 90	ALLEN, STELLA M
		A			
565	01/13/06	20595-PCA	1,062 90	1,062 90	SMITH, VIVIAN M
565	01/13/06	20585-PCA	692 66	692 66	DAVIS, JAMES RODNEY
565	01/13/06	138911076-PC	1,062 90	1,062 90	MCHENRY, ANNITA
		A			
565	01/13/06	138911072-PC	1,062 90	1,062 90	HUBBARD, STEVEN A
		A			
565	01/13/06	138911077-PC	1,049 64	1,049 64	MORRIS, REBEKAH A
		A			
565	01/13/06	138911083-PC	1,049 64	1,049 64	WADE, CHAD D
		A			
565	01/13/06	138911078-PC	1,060 90	1,060 90	NICHOLS, MARCUS ALLEN
		A			
565	01/13/06	138911067-PC	1,056 80	1,056 80	CLARK, CHRISTOPHER J
		A			
565	01/13/06	138911082-PC	986 16	986 16	TUEL, CODY JOE
		A			
565	01/13/06	138911074-PC	1,047 64	1,047 64	HUNTER, JONATHAN ELLIS
		A			
565	01/13/06	138911081-PC	690 00	690 00	SEWARD, JENNIFER DAWN
		A			

DEP	Check Date	Check Number	GROSS PAY	GROSS PAY	Issued to..
565	01/13/06	20596-PCA	1,047 64	1,047 64	TOWNSEND, DAVID L JR
565	01/13/06	138911062-PC A	1,047 64	1,047 64	AULD, H B
565	01/13/06	20591-PCA	1,146 39	1,146 39	MORRIS, TIMOTHY P
565	01/13/06	20586-PCA	1,047 64	1,047 64	DUNN, BRADY
565	01/13/06	138911085-PC A	1,113 95	1,113 95	WILSON, JARROD
565	01/13/06	138911071-PC A	1,047 64	1,047 64	HIGGINBOTHAM, JEREMY COLE
565	01/13/06	138911068-PC A	1,047 64	1,047 64	COOK, LAURIE A
565	01/13/06	138911068-PC A	-1,047 64	-1,047 64	COOK, LAURIE A
565	01/13/06	20637-PCA	1,047 64	1,047 64	COOK, LAURIE A
565	01/13/06	138911066-PC A	1,047 64	1,047 64	CARRINGTON, STUART LEE
565	01/13/06	20594-PCA	1,508 51	1,508 51	SANDERS, BOBBY NEAL
565	01/13/06	138911070-PC A	1,271 93	1,271 93	GRISWOLD, JAMES E
565	01/13/06	138911063-PC A	1,068 90	1,068 90	BARBER, BILLIE DARLENE
565	01/13/06	20583-PCA	407 70	407 70	BEAN, ELIZABETH M
565	01/13/06	20598-PCA	878 72	878 72	WALKER, DIANE
565	01/13/06	20588-PCA	1,088 90	1,088 90	HELLENSTILL, RAY B
565	01/13/06	20592-PCA	1,141 95	1,141 95	NIELL, SHERRY L
565	01/13/06	138911080-PC A	937 03	937 03	PATE, CASEY N
565	01/13/06	20597-PCA	1,162 39	1,162 39	WADE, ALAN M
***				45,939 23	
570	01/13/06	138911096-PC A	1,559 00	1,559 00	MCJIMSEY, BRUCE F
570	01/13/06	138911092-PC A	1,344 00	1,344 00	HODGES, RANDAL R
570	01/13/06	138911095-PC A	1,533 00	1,533 00	LOFTICE, MIKKI MICHELLE
570	01/13/06	138911089-PC A	800 00	800 00	DURRUM, JAMES
570	01/13/06	138911093-PC A	702 00	702 00	HORNBERGER, SANDRA K
570	01/13/06	138911094-PC A	1,301 40	1,301 40	HUDGINS, ROYCE L. 3RD
570	01/13/06	138911087-PC A	1,055 00	1,055 00	BERRY, DEBORAH DENISE
570	01/13/06	20600-PCA	2,567 50	2,567 50	RAY, JIMMY DARRELL
570	01/13/06	138911091-PC A	1,345 00	1,345 00	HANCOCK, KATHRYN B
570	01/13/06	138911088-PC A	1,790 00	1,790 00	BROWN, CHRISTOPHER E
570	01/13/06	138911098-PC A	3,007 50	3,007 50	SPIVEY, JOHN K
570	01/13/06	138911099-PC A	980 00	980 00	WARREN, SHERRY L.
570	01/13/06	138911090-PC A	1,559 00	1,559 00	GEE, LINDA H
570	01/13/06	138911097-PC	1,345 00	1,345 00	SMITH, TRACY B

DEP	Check Date	Check Number	GROSS PAY	GROSS PAY	Issued to
A					
***				20,888 40	
575	01/13/06	138911101-PC	1,334 41	1,334 41	HERNDON, LORIE A.
A					
575	01/13/06	20602-PCA	1,042 88	1,042 88	HILL, JESSICA L
575	01/13/06	20601-PCA	800 00	800 00	AVEY, RONNIE L
575	01/13/06	138911103-PC	2,020 00	2,020 00	WYLIE, MILTON J
A					
575	01/13/06	138911100-PC	1,421 00	1,421 00	EDWARDS, SANDRA D
A					
575	01/13/06	138911102-PC	1,556 00	1,556 00	SMITH, MELINDA L.
A					
***				8,174 29	
580	01/13/06	138911104-PC	1,065 64	1,065 64	EDGE, PAMELA S
A					
***				1,065 64	
611	01/13/06	20605-PCA	929 03	929 03	BECK, EARNEST EARL
611	01/13/06	20626-PCA	949 55	949 55	VALENTINE, MERLE WAYNE
611	01/13/06	20628-PCA	1,027 12	1,027 12	WRIGHT, JERRY D
611	01/13/06	138911107-PC	894 51	894 51	HOYE, EARNEST T
A					
611	01/13/06	20629-PCA	810 94	810 94	YINGLING, GARY D
611	01/13/06	20622-PCA	810 94	810 94	TACKETT, CLIFFORD A
611	01/13/06	20607-PCA	729 37	729 37	CAMPBELL, THOMAS M JR
611	01/13/06	20606-PCA	785 38	785 38	BROWN, MARCUS A
611	01/13/06	138911106-PC	729 37	729 37	COUTON, JAMES G
A					
611	01/13/06	20624-PCA	797 68	797 68	TENNISON, RICHARD EARL
611	01/13/06	20613-PCA	810 94	810 94	HOLEMAN, LUTHER LYNN
611	01/13/06	20620-PCA	787 38	787 38	STEGALL, TIMOTHY PHIL
611	01/13/06	20615-PCA	785 38	785 38	JONES, MITCHAEAL S
611	01/13/06	20612-PCA	785 38	785 38	GUNN, GORDON
611	01/13/06	20623-PCA	941 55	941 55	TEFTELLER, LISA ANN
611	01/13/06	20619-PCA	1,130 69	1,130 69	SMITH, EDDIE J
611	01/13/06	20618-PCA	1,666 67	1,666 67	PENDARVIS, ABBOTT LYNN
611	01/13/06	20621-PCA	1,329 60	1,329 60	STOKER, JAMES LOUIS
611	01/13/06	20614-PCA	1,051 12	1,051 12	JEFFERY, DONALD RAY
611	01/13/06	20608-PCA	1,035 86	1,035 86	CROCKETT, HARRY JAMES
611	01/13/06	20611-PCA	949 55	949 55	GLENN, BILLY E
611	01/13/06	20610-PCA	729 37	729 37	EDWARDS, GENERAL LEE
611	01/13/06	20630-PCA	976 08	976 08	YOUNG, JOEY A
611	01/13/06	20627-PCA	964 81	964 81	WALTON, LLOYD H
611	01/13/06	20616-PCA	808 94	808 94	MCCAULEY, JAMES L
611	01/13/06	20617-PCA	1,029 86	1,029 86	NELSON, WILLIAM B

DEP	Check Date	Check Number	GROSS PAY.	GROSS PAY	Issued to
611	01/13/06	138911108-PC	1,029 86	1,029 86	RITTER, DON L
		A			
611	01/13/06	138911105-PC	1,122 69	1,122 69	BLACKSTONE, WILLY PAT
		A			
611	01/13/06	20609-PCA	1,116 69	1,116 69	DAVIS, GARY W
611	01/13/06	20625-PCA	1,065 64	1,065 64	THOMPSON, DANNY R
611	01/13/06	20604-PCA	980 08	980 08	BARNES, MICHAEL H
611	01/13/06	20603-PCA	1,006 60	1,006 60	ALBRIGHT, GAYLE DAVID

\*\*\* 30,568 63

642	01/13/06	138911109-PC	1,462 22	1,462 22	JOHNSON, GERALD DON
		A			

\*\*\* 1,462 22

650	01/13/06	138911110-PC	697 59	697 59	DAVIDSON, TINA J
		A			

650	01/13/06	138911112-PC	1,381 83	1,381 83	SEMRAU, RUTH E
		A			

650	01/13/06	20633-PCA	154 50	154 50	WEATHERBY, STEVEN A
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650	01/13/06	20631-PCA	198 28	198 28	RHEA, LARA J
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650	01/13/06	20632-PCA	958 29	958 29	SMITH, EMMA JEAN
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650	01/13/06	20634-PCA	945 03	945 03	WILLIAMS, JANET C
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650	01/13/06	138911111-PC	853 46	853 46	GILES, PEGGY J
		A			

\*\*\* 5,188 98

665	01/13/06	138911113-PC	353 64	353 64	HILL, BRIAN K
		A			

665	01/13/06	20636-PCA	353 64	353 64	WIGGINS, PAMELA ROCHELLE
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665	01/13/06	20635-PCA	1,077 64	1,077 64	CAMPBELL, MARY ROSE
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\*\*\* 1,784 92

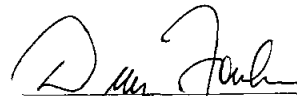
233,479 05


218 records selected. 218 values listed.

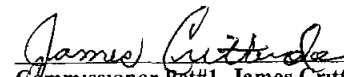
PAY COMPONENTS				EMPLOYER - PAID CONTRIBUTIONS					
EMPLOYEE ID & NAME	TYPE	CURR	YTD	TYPE	TXBL	AMOUNT	CURR	QTD	YTD
TOTALS - ALL DEPARTMENTS	411	0 00	0 00	FICA	13903.83	GROSS	233,479.05	233,479.05	233,479.05
	BAIL/H	0 00	0 00	MDCR	3251.74	125AH	82.23	82.23	82.23
Total # of Employees 216	CCP/DT	280 00	280 00	RET	20470.04	125CC	208 00	208 00	208 00
Total # of Checks 102	CTFEES	0 00	0 00			125CL	250 57	250 57	250 57
Total # of DD Stubs 114	DA/32	0 00	0 00			125CO	5,344.95	5,344.95	5,344.95
Total # of Prenotes 2	H	6,181.93	6,181.93			125FC	184.65	184.65	184.65
	J-IVE	2,399.74	2,399.74			125NF	285.93	285.93	285.93
	J-PSD	2,996.75	2,996.75			125TL	167.85	167.85	167.85
	J-PSP	813.05	813.05			125UN	1,793.35	1,793.35	1,793.35
	J-SA	593.75	593.75			CSCD/BENEF	905.82	905.82	905.82
	J-SAID	1,371.00	1,371.00			DEFCD	77.21	77.21	77.21
	JPJUV	70.20	70.20			INSPF	101.78	101.78	101.78
	JUV	200.00	200.00			RET	15,956.56	15,956.56	15,956.56
	JUV/SU	0 00	0 00			VALIC	455.00	455.00	455.00
	LAWLIB	66.64	66.64			NET TXBL	207,766.93	207,766.93	207,766.93
	LONG	1,598.00	1,598.00			FED W/H	16,656.07	16,656.07	16,656.07
	PROB	16,912.50	16,912.50			FICA TXBL	224,255.70	224,255.70	224,255.70
	PROB/H	2,803.40	2,803.40			FICA	13,903.83	13,903.83	13,903.83
	PROB/O	892.50	892.50			MEDICARE	3,251.74	3,251.74	3,251.74
	SAL	193,973.80	193,973.80			ETC	0 00	0 00	0 00
	SAL-M	481.45	481.45			1012	88.00	88.00	88.00
	SAL-TF	374.58	374.58			1096	181.13	181.13	181.13
	SAL/91	0 00	0 00			1231	300.00	300.00	300.00
	SIAI	62.50	62.50			1280	150.00	150.00	150.00
	STATE	1,198.92	1,198.92			1395	112.50	112.50	112.50
	SUPP	208.34	208.34			1395A	112.50	112.50	112.50
						1405	90.00	90.00	90.00
						CSCD/LIFE	25.54	25.54	25.54
	COMP	0 00	0 00			INSAH	8.10	8.10	8.10
	HOLIDA	0 00	0 00			INSCL	51.78	51.78	51.78
	SICK	0 00	0 00			INSCO	1,191.87	1,191.87	1,191.87
	VAC	0 00	0 00			INSFC	44.42	44.42	44.42
						INSNF	63.13	63.13	63.13
						OTH	149.00	149.00	149.00
						SUP10	0 00	0 00	0 00
						SUPP9	130.00	130.00	130.00
						TRUSTEE	115.00	115.00	115.00
						TRUSTEE/2	0.00	0 00	0.00
						TRUSTEE/3	152.50	152.50	152.50
						TRUSTEE/5	324.00	324.00	324.00
						TXGSLC	208.50	208.50	208.50
						NET PAY	170,355.54	170,355.54	170,355.54


CHECK #	CHECK DATE	VENDOR NAME	AMOUNT
138817-APC	01/13/06	UPSHUR CO CSCD BENEFITS ACCOUNT	905 82
138818-APC	01/13/06	UPSHUR CO CSCD BENEFITS ACCOUNT	25 54
138819-APC	01/13/06	NATIONWIDE RETIREMENT	77 21
138820-APC	01/13/06	FIRST NATIONAL BANK GILMER	34,311.14
138821-APC	01/13/06	FIRST NATIONAL BANK GILMER	16,656.07
138822-APC	01/13/06	GASA	1,793 35
138823-APC	01/13/06	GASA	208 00
138824-APC	01/13/06	UPSHUR COUNTY IRC/125	285 93
138825-APC	01/13/06	UPSHUR COUNTY IRC/125	184 65
138826-APC	01/13/06	UPSHUR COUNTY IRC/125	82 23
138827-APC	01/13/06	UPSHUR COUNTY IRC/125	167 85
138828-APC	01/13/06	UPSHUR COUNTY IRC/125	250 57
138829-APC	01/13/06	UPSHUR COUNTY IRC/125	5,344 95
138830-APC	01/13/06	ATTORNEY GENERAL OF TEXAS	149 00
138831-APC	01/13/06	UPSHUR COUNTY INSURANCE ACCOUNT	1,191 87
138832-APC	01/13/06	TXCSDU	88 00
138833-APC	01/13/06	TXCSDU	300 00
138834-APC	01/13/06	TXCSDU	181 13
138835-APC	01/13/06	OFFICE OF THE ATTORNEY GENERAL	112 50
138836-APC	01/13/06	TEXAS CHILD SUPPORT DISBURSEMENT UNIT	150 00
138837-APC	01/13/06	OFFICE OF THE ATTORNEY GENERAL	112 50
138838-APC	01/13/06	TCSDU	90 00
138839-APC	01/13/06	SHARON KEMP #0539655371	130 00
138840-APC	01/13/06	STANDING CHAPTER THIRTEEN TRUSTEE	115 00
138841-APC	01/13/06	STANDING CHAPTER THIRTEEN TRUSTEE	152 50
138842-APC	01/13/06	STANDING CHAPTER 13 TRUSTEE	324 00
138843-APC	01/13/06	TG	208 50
138844-APC	01/13/06	VALIC	455 00
Total for All Payments -			64,053 31

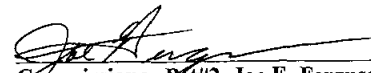
FILED  
ROBIN RODENBERG  
COUNTY CLERK  
66 JAN 13 AM 10:12  
UPSHUR COUNTY, TX.  
BY DEPUTY

  
County Judge, Dean Fowler

  
Commissioner Pct#3, Lloyd A. Crabtree

  
Commissioner Pct#1, James Crittenden

  
Commissioner Pct#4, Gary Drennan

  
Commissioner Pct#2, Joe E. Ferguson



# UPSHUR COUNTY STATUS/PAYROLL CHANGE REPORT

PLEASE NOTE THE FOLLOWING CHANGE(S).

Effective Date 01-05-06 Dept 560/Co Sheriff

Employee Marty Masseletti

Social Security No \_\_\_\_\_ Emp ID# 858

X	CHANGES(S)	FROM	TO
	Grade Step	<u>19,10</u>	<u>18,10</u>
	Rate	<u>#1365.914m</u>	<u>#1312.875m</u>
	Department		
	Position	<u>Investigator</u>	<u>Sgt.</u>

## REASON(S) FOR THE CHANGE(S)

<input type="checkbox"/>	Hired	<input type="checkbox"/>	Re-Hired
<input type="checkbox"/>	Introductory Period Ended	<input type="checkbox"/>	Merit Increase
<input type="checkbox"/>	Promotion	<input type="checkbox"/>	Transfer
<input type="checkbox"/>	Longevity Increase	<input type="checkbox"/>	Demotion
<input type="checkbox"/>	Re-evaluation of Job	<input type="checkbox"/>	Retirement
<input type="checkbox"/>	Layoff	<input type="checkbox"/>	Discharged
<input type="checkbox"/>	Leave-of-Absence	<input checked="" type="checkbox"/>	Other

Comments

Authorized by Daniel Decker 1-606

Approved by \_\_\_\_\_ Date \_\_\_\_\_

# UPSHUR COUNTY STATUS/PAYROLL CHANGE REPORT

PLEASE NOTE THE FOLLOWING CHANGE(S):

Effective Date 1/7/06 Dept 454 / GP #4

Employee Jerry Moore

Social Security No \_\_\_\_\_ Emp ID# 483

X	CHANGES(S)	FROM	TO
	Grade Step		
	Rate	117 35 $\frac{1}{2}$ m	
	Department		
	Position		
	<u>Fund 57</u>		

## REASON(S) FOR THE CHANGE(S)

<input checked="" type="checkbox"/>	Hired		Re-Hired
	Introductory Period Ended		Mert Increase
	Promotion		Transfer
	Longevity Increase		Demotion
	Re-evaluation of Job		Retirement
	Layoff		Discharged
	Leave-of-Absence		Other

Comments

Change in employee

Authorized by

Approved by W. Day

Date 1-6-2006

# UPSHUR COUNTY STATUS/PAYROLL CHANGE REPORT

PLEASE NOTE THE FOLLOWING CHANGE(S):

Effective Date 1/12/06 Dept 453/GPA#3

Employee Martha Goolsby

Social Security No \_\_\_\_\_ Emp ID# \_\_\_\_\_

X	CHANGES(S)	FROM	TO
	Grade Step		
	Rate		
	Department		
	Position		

## REASON(S) FOR THE CHANGE(S)

<input checked="" type="checkbox"/> Hired	<input type="checkbox"/> Re-Hired
<input type="checkbox"/> Introductory Period Ended	<input type="checkbox"/> Merit Increase
<input type="checkbox"/> Promotion	<input type="checkbox"/> Transfer
<input type="checkbox"/> Longevity Increase	<input type="checkbox"/> Demotion
<input type="checkbox"/> Re-evaluation of Job	<input type="checkbox"/> Retirement
<input type="checkbox"/> Layoff	<input type="checkbox"/> Discharged
<input type="checkbox"/> Leave-of-Absence	<input type="checkbox"/> Other

Comments

Temporary fill in while regular employee is on maternity leave.

Authorized by

Approved by

Date

Carolyn Perry

1/12/06

# UPSHUR COUNTY STATUS/PAYROLL CHANGE REPORT

PLEASE NOTE THE FOLLOWING CHANGE(S):

Effective Date 1/1/06 Dept 611

Employee Willy Pat Blackstone

Social Security No \_\_\_\_\_ Emp ID# 721

X	CHANGES(S)	FROM	TO
	Grade Step		
	Rate		
	Department		
	Position		

## REASON(S) FOR THE CHANGE(S) 3

<input type="checkbox"/>	Hired	<input type="checkbox"/>	Re-Hired
<input type="checkbox"/>	Introductory Period Ended	<input type="checkbox"/>	Merit Increase
<input type="checkbox"/>	Promotion	<input type="checkbox"/>	Transfer
<input checked="" type="checkbox"/>	Longevity Increase	<input type="checkbox"/>	Demotion
<input type="checkbox"/>	Re-evaluation of Job	<input type="checkbox"/>	Retirement
<input type="checkbox"/>	Layoff	<input type="checkbox"/>	Discharged
<input type="checkbox"/>	Leave-of-Absence	<input type="checkbox"/>	Other
<input type="checkbox"/>		<input type="checkbox"/>	

Comments 11 years Longevity \$22 s/m

1-1-06 anniversary date

Authorized by \_\_\_\_\_

Approved by Bubba Rand Date \_\_\_\_\_

# UPSHUR COUNTY STATUS/PAYROLL CHANGE REPORT

PLEASE NOTE THE FOLLOWING CHANGE(S):

Effective Date 1/1/06 Dept 411

Employee Karmen Kelley

Social Security No \_\_\_\_\_ Emp ID# 249

X	CHANGES(S)	FROM	TO
	Grade Step		
	Rate		
	Department		
	Position		
	<u>Longevity</u>	<u>#26 s/m</u>	<u>#28 s/m</u>

## REASON(S) FOR THE CHANGE(S)

<input type="checkbox"/>	Hired	<input type="checkbox"/>	Re-Hired
<input type="checkbox"/>	Introductory Period Ended	<input type="checkbox"/>	Merit Increase
<input type="checkbox"/>	Promotion	<input type="checkbox"/>	Transfer
<input checked="" type="checkbox"/>	Longevity Increase	<input type="checkbox"/>	Demotion
<input type="checkbox"/>	Re-evaluation of Job	<input type="checkbox"/>	Retirement
<input type="checkbox"/>	Layoff	<input type="checkbox"/>	Discharged
<input type="checkbox"/>	Leave-of-Absence	<input type="checkbox"/>	Other

Comments

14 years longevity #28 s/m

01/01/06 anniversary date

Authorized by \_\_\_\_\_

Approved by [Signature]

Date

1/4/05

# UPSHUR COUNTY STATUS/PAYROLL CHANGE REPORT

PLEASE NOTE THE FOLLOWING CHANGE(S):

Effective Date 1/1/06 Dept 401 / Comm Ct.

Employee Ruth Whiteside

Social Security No \_\_\_\_\_ Emp ID# 317

X	CHANGES(S)	FROM	TO
	Grade Step		
	Rate		
	Department		
	Position		

## REASON(S) FOR THE CHANGE(S)

	Hired		Re-Hired
	Introductory Period Ended		Merit Increase
	Promotion		Transfer
✓	Longevity Increase		Demotion
	Re-evaluation of Job		Retirement
	Layoff		Discharged
	Leave-of-Absence		Other

Comments

3 yrs. \$6.00 /m

anniv. date 1/1/06

Authorized by

[Signature]

Approved by

Date

# UPSHUR COUNTY STATUS/PAYROLL CHANGE REPORT

PLEASE NOTE THE FOLLOWING CHANGE(S):

Effective Date 1/1/06 Dept 435 DIST COURT

Employee KRISTI HENRY

Social Security No \_\_\_\_\_ Emp ID# 1226

X	CHANGES(S)	FROM	TO
	Grade Step		
	Rate		
	Department		
	Position		

## REASON(S) FOR THE CHANGE(S)

<input type="checkbox"/>	Hired	<input type="checkbox"/>	Re-Hired
<input type="checkbox"/>	Introductory Period Ended	<input type="checkbox"/>	Merit Increase
<input type="checkbox"/>	Promotion	<input type="checkbox"/>	Transfer
<input checked="" type="checkbox"/>	Longevity Increase	<input type="checkbox"/>	Demotion
<input type="checkbox"/>	Re-evaluation of Job	<input type="checkbox"/>	Retirement
<input type="checkbox"/>	Layoff	<input type="checkbox"/>	Discharged
<input type="checkbox"/>	Leave-of-Absence	<input type="checkbox"/>	Other
<input type="checkbox"/>		<input type="checkbox"/>	

Comments

3 YEARS LONGEVITY \$6<sup>00</sup> s/m

12-27-05 ANNIVERSARY DATE

Authorized by:

Approved by

Date

1/11/06

# UPSHUR COUNTY STATUS/PAYROLL CHANGE REPORT

PLEASE NOTE THE FOLLOWING CHANGE(S):

Effective Date 03-01-06 Dept 499

Employee Lisa Neeley

Social Security No. \_\_\_\_\_ Emp ID# 1142

X	CHANGES(S)	FROM	TO
	Grade Step		
	Rate		
	Department		
	Position		

## REASON(S) FOR THE CHANGE(S)

<input type="checkbox"/>	Hired	<input type="checkbox"/>	Re-Hired
<input type="checkbox"/>	Introductory Period Ended	<input type="checkbox"/>	Merit Increase
<input type="checkbox"/>	Promotion	<input type="checkbox"/>	Transfer
<input checked="" type="checkbox"/>	Longevity Increase	<input type="checkbox"/>	Demotion
<input type="checkbox"/>	Re-evaluation of Job	<input type="checkbox"/>	Retirement
<input type="checkbox"/>	Layoff	<input type="checkbox"/>	Discharged
<input type="checkbox"/>	Leave-of-Absence	<input type="checkbox"/>	Other
<input type="checkbox"/>		<input type="checkbox"/>	

Comments

4 years longevity

1-31-06 anniversary date

Authorized by

Mickie L. Smith

Approved by

Date

12/28/05



# UPSHUR COUNTY STATUS/PAYROLL CHANGE REPORT

PLEASE NOTE THE FOLLOWING CHANGE(S):

Effective Date 02-01-06 ~~1-27-06~~ Dept 499

Employee Yonda Leonard

Social Security No \_\_\_\_\_ Emp ID# 1001

X	CHANGES(S)	FROM	TO
	Grade Step		
	Rate		
	Department		
	Position		

REASON(S) FOR THE CHANGE(S)			
	Hired		Re-Hired
	Introductory Period Ended		Merit Increase
	Promotion		Transfer
<input checked="" type="checkbox"/>	Longevity Increase		Demotion
	Re-evaluation of Job		Retirement
	Layoff		Discharged
	Leave-of-Absence		Other

Comments 6 years longevity

1-27-05 anniversary date

Authorized by Michael J. Smith

Approved by \_\_\_\_\_ Date \_\_\_\_\_

FY 2006

January 13, 2005

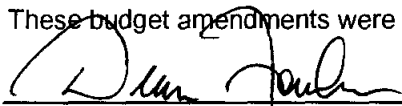
## LINE ITEM TRANSFER BUDGET AMENDMENTS

FROM

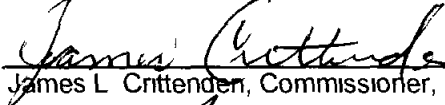
TO

COUNTY SHERIFF		COUNTY SHERIFF	
10-560-5350	Communications Equip	\$ 1,929 91	10-560-3420 Vehicle Repair \$ 1,929 91
COUNTY JAIL		COUNTY JAIL	
10-565-1200	Salary Regular	\$ 2,885 00	10-565-1300 Salary Parttime \$ 2,885 00

These budget amendments were approved on this the 13th day of January, 2006



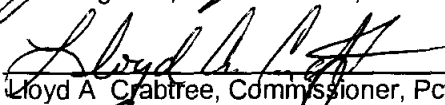
Dean Fowler, County Judge



James L. Crittenden, Commissioner, Pct #1



Joe Ferguson, Commissioner, Pct #2



Lloyd A. Crabtree, Commissioner, Pct #3



Gary Drennan, Commissioner, Pct #4

16 JAN 13 AM 10:13  
BY  
OFFICE

# TREASURER'S MONTHLY REPORT

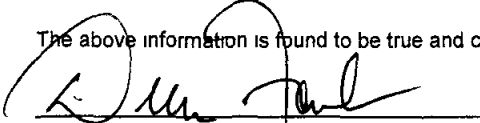
By Myra Harris, County Treasurer Dec 1 thru Dec 31, 2005

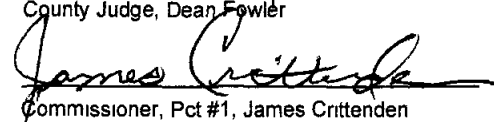
	Beginning Balance	Revenues	Disbursements	Transfer In	Transfer Out	Ending Balance	Investments Redeemed	Investments Purchased	Demand Balance	Investment Balance	Total Deposits
Operating Acct	\$ 3,639,544 78	\$ 2,111,407 06	\$ 561,899 88	\$ -	\$ 345,016 27	\$ 4,844,035 69	\$ 1,740,000 00	\$ 2,595,000 00	\$ 357,462 23	\$ 4,486,573 46	\$ 4,844,035 69
Insurance Acct	\$ 50,172 53	\$ 417,595 36	\$ 105,876 02	\$ -	\$ -	\$ 361,891 87	\$ 389,000 00	\$ 589,000 00	\$ 161,891 87	\$ 200,000 00	\$ 361,891 87
IRC125 Acct	\$ 4,467 96	\$ 12,929 45	\$ 12,929 45	\$ -		\$ 4,467 96	\$ -	\$ -	\$ 4,467 96	\$ -	\$ 4,467 96
Ins Clearing	\$ 1,408 61	\$ -		\$ -		\$ 1,408 61	\$ -	\$ -	\$ 1,408 61	\$ -	\$ 1,408 61
Payroll Clearing	\$ 1,000 00	\$ -	\$ 345,016 27	\$ 345,016 27	\$ -	\$ 1,000 00	\$ -	\$ -	\$ 1,000 00	\$ -	\$ 1,000 00
Sharon Water Grant	\$ -			\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Totals	\$ 3,696,593 88	\$ 2,541,931 87	\$ 1,025,721 62	\$ 345,016 27	\$ 345,016 27	\$ 5,212,804 13	\$ 2,129,000 00	\$ 3,184,000 00	\$ 526,230 67	\$ 4,686,573 46	\$ 5,212,804 13

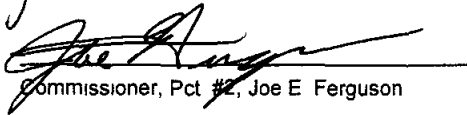
## TOTAL INDEBTEDNESS

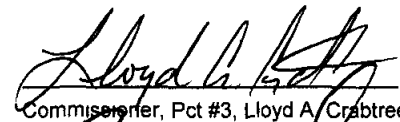
1997 Certificate of Obligations \$ 2,260,000 00

The above information is found to be true and correct

  
County Judge, Dean Fowler

  
Commissioner, Pct #1, James Crittenden

  
Commissioner, Pct #2, Joe E. Ferguson

  
Commissioner, Pct #3, Lloyd A. Crabtree

  
Commissioner, Pct #4, Gary Drennan

Investment Register on back

\_\_\_\_\_  
Myra Harris, County Treasurer

Submitted under the provision of the Local Government Code Section 114 026

RECEIVED  
JAN 13 2006  
COUNTY CLERK

Upshur County Investment Activity For DECEMBER 2005

CD#	Account	Amount	Purchased	% Rate	Maturity Date	Days	Earned Interest
36586	Operating	\$ 125,000 00	06/03/05	2 87%	12/01/05	181 Days	\$ 275 21
36655	Operating	\$ 190,000 00	06/17/05	2 96%	12/15/05	181 Days	\$ 431 43
36890	Available	\$ 45,823 39	10/31/05	3 59%	01/12/06	73 Days	\$ 139 72
36888	Tobacco	\$ 811,250 71	10/27/05	3 71%	02/16/06	112 Days	\$ 2,473 76
36919	Operating	\$ 450,000 00	11/15/05	3 71%	12/08/05	23 Days	\$ 1,052 01
36922	Permanent	\$ 1,134,499 36	11/17/05	3 64%	01/12/06	56 Days	\$ 3,507 31
36923	Operating	\$ 200,000 00	11/17/05	3 65%	12/30/05	43 Days	\$ 860 00
36929	Operating	\$ 325,000 00	11/23/05	3 67%	02/14/06	83 Days	\$ 1,013 02
36942	Operating	\$ 350,000 00	11/30/05	3 76%	12/30/05	30 Days	\$ 1,081 64
36946	Operating	\$ 500,000 00	12/02/05	3 86%	04/13/06	132 Days	\$ -
36947	Insurance	\$ 143,000 00	12/02/05	3 80%	12/15/05	13 Days	\$ 193 54
36954	Operating	\$ 475,000 00	12/08/05	3 67%	01/31/06	54 Days	\$ -
36959	Insurance	\$ 246,000 00	12/15/05	3 67%	12/30/05	15 Days	\$ 371 02
36960	Operating	\$ 425,000 00	12/15/05	3 67%	12/30/05	15 Days	\$ 640 99
36967	Operating	\$ 325,000 00	12/20/05	4 00%	05/31/06	162 Days	\$ -
36988	Operating	\$ 370,000 00	12/29/05	4 02%	06/30/06	183 Days	\$ -
36998	Operating	\$ 500,000 00	12/30/05	3 77%	03/31/06	91 Days	\$ -
36999	Insurance	\$ 200,000 00	12/30/05	3 75%	03/15/06	75 Days	\$ -
	<b>TOTALS</b>	\$ 6,815,573 46					\$ 12,039 65

# TREASURER'S QUARTERLY REPORT

By Myra Harris, County Treasurer

Oct 1 --Dec 31, 2005

	Beginning Balance	Revenues	Disbursements	Transfer In	Transfer Out	Ending Balance	Demand	Investments	Total
Operating Account	\$ 4,817,923 04	\$ 3,577,265 44	\$ 2,346,641 12	\$ -	\$ 1,204,511 67	\$ 4,844,035 69	\$ 357,462 23	\$ 4,486,573 46	\$ 4,844,035 69
Insurance Acct	\$ 3,634 48	\$ 590,321 91	\$ 386,127 93	\$ 154,063 41	\$ -	\$ 361,891 87	\$ 161,891 87	\$ 200,000 00	\$ 361,891 87
IRC/125 Account	\$ 4,467 96	\$ 38,643 68	\$ 38,643 68	\$ -	\$ -	\$ 4,467 96	\$ 4,467 96	\$ -	\$ 4,467 96
Insurance Clearing	\$ 1,408 61	\$ -	\$ -	\$ -	\$ -	\$ 1,408 61	\$ 1,408 61	\$ -	\$ 1,408 61
Payroll Clearing	\$ 1,000 00	\$ -	\$ 1,050,448 26	\$ 1,050,448 26	\$ -	\$ 1,000 00	\$ 1,000 00	\$ -	\$ 1,000 00
Sharon Water Grant	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Totals	\$ 4,828,434 09	\$ 4,206,231 03	\$ 3,821,860 99	\$ 1,204,511 67	\$ 1,204,511 67	\$ 5,212,804 13	\$ 526,230 67	\$ 4,686,573 46	\$ 5,212,804 13

## LIST OF SECURITIES

Investment	Amount	Date Purchased	% Rate	Maturity Date	Investment	Amount	Date Purchased	% Rate	Maturity Date
Operating CD# 36586	\$125,000 00	06/03/05	2 87%	12/01/05	Permanent CD# 36922	\$ 1,134,499 36	11/17/05	3 64%	01/12/06
Operating CD# 36655	\$190,000 00	06/17/05	2 96%	12/15/05	Operating CD# 36923	\$ 200,000 00	11/17/05	3 65%	12/30/05
Tobacco CD# 36715	\$803,826 45	07/07/05	3 01%	10/27/05	Operating CD# 36929	\$ 325,000 00	11/23/05	3 67%	02/14/06
Operating CD# 36716	\$200,000 00	07/07/05	3 01%	10/31/05	Operating CD# 36942	\$ 350,000 00	11/30/05	3 76%	12/30/05
Available CD# 36725	\$238,986 96	07/13/05	2 97%	10/13/05	Operating CD# 36946	\$ 500,000 00	12/02/05	3 86%	04/13/06
Permanent CD# 36756	\$1,134,499 36	07/28/05	3 23%	11/17/05	Insurance CD# 36947	\$ 143,000 00	12/02/05	3 80%	12/15/05
Operating CD# 36730	\$350,000 00	07/15/05	3 02%	10/31/05	Operating CD# 36954	\$ 475,000 00	12/08/05	3 67%	01/31/06
Operating CD# 36831	\$600,000 00	09/19/05	3 22%	11/15/05	Insurance CD# 36959	\$ 246,000 00	12/15/05	3 67%	12/30/05
Operating CD# 36855	\$1,150,000 00	09/30/05	2 57%	10/14/05	Operating CD# 36960	\$ 425,000 00	12/15/05	3 67%	12/30/05
Available CD# 36870	\$242,459 01	10/14/05	3 10%	10/31/05	Operating CD# 36967	\$ 325,000 00	12/20/05	4 00%	05/31/06
Operating CD# 36871	\$825,000 00	10/14/05	3 10%	10/31/05	Operating CD# 36988	\$ 370,000 00	12/29/05	4 02%	06/30/06
Available CD# 36890	\$45,823 39	10/31/05	3 59%	01/12/06	Operating CD# 36998	\$ 500,000 00	12/30/05	3 77%	03/31/06
Operating CD# 36891	\$850,000 00	10/31/05	3 44%	11/30/05	Insurance CD# 36999	\$ 200,000 00	12/30/05	3 75%	03/15/06
Tobacco CD# 36888	\$811,250 71	10/27/05	3 71%	02/16/06					
Operating CD# 36919	\$450,000 00	11/15/05	3 71%	12/08/05					

## TOTAL INDEBTEDNESS

1997 Certificates of Obligation

\$2,260,000 00

THE STATE OF TEXAS     )  
COUNTY OF UPSHUR     )

BEFORE ME, the undersigned authority, on this day personally appeared MYRA HARRIS, County Treasurer of Upshur County, who being by me duly sworn, upon oath, says that the within and foregoing report is true and correct.

Myra Harris, County Treasurer

SWORN TO AND SUBSCRIBED before me this 13<sup>th</sup> day of January, 2006.

Robin Rodenberg, Clerk  
County Court, Upshur County, Texas

BEFORE ME, ROBIN RODENBERG, County Clerk, Upshur County, Texas, on this day personally appeared DEAN FOWLER, County Judge; JAMES CRITTENDEN, Commissioner Precinct No. 1; JOE E. FERGUSON, Commissioner Precinct No. 2; LLOYD A. CRABTREE, Commissioner Precinct No. 3; and GARY DRENNAN, Commissioner Precinct No. 4, who, after being duly sworn by me under their oath, said they have examined the foregoing County Treasurer's Report of Upshur County, Texas, and find the same to be correct to the best of their knowledge and belief.

Dean Fowler  
County Judge

Lloyd A. Crabtree  
Commissioner, Precinct No. 3

James Crittenden  
Commissioner, Precinct No. 1

Gary Drennan  
Commissioner, Precinct No. 4

Joe E. Ferguson  
Commissioner, Precinct No. 2

SUBSCRIBED AND SWORN TO Before me, this 13<sup>th</sup> day of January, A.D. 2006.

\_\_\_\_\_  
County Clerk, Upshur County, Texas

Submitted under the provision of the Local Government Code Section 114.026.

06 JAN 13 AM 10:12  
CLERK  
COUNTY

# The State of Texas

Elections Division  
P O Box 12060  
Austin, Texas 78711-2060  
www.sos.state.tx.us



Roger Williams  
Secretary of State

Phone 512-463-5650  
Fax 512-475-2811  
Dial 7-1-1 For Relay Services  
(800) 252-VOTE (8683)

## REPORT OF REVIEW OF HART INTERCIVIC'S VOTING SYSTEM 5.0

### PRELIMINARY STATEMENT

On May 25, 2005, Hart Intercivic (the "Vendor") presented Voting System 5.0 for examination and certification. The examination was conducted in Austin, Texas. Pursuant to Sections 122.035(a) and (b) of the Texas Election Code, the Secretary of State appointed the following examiners:

1. Mr. Nick Osborn, an expert in software systems;
2. Mr. Tom Watson, an expert in electronic data communication systems;
3. Mr. Barney Knight, an expert in election law and procedure; and
4. Mr. Glenn Glover, an expert in electronic data communication systems

Pursuant to Section 122.035(a), the Texas Attorney General appointed Dr. Jim Sneeringer, an expert in electronic data communication systems

The Vendor first demonstrated the system; the examiners then examined its accuracy and security features. Examiner reports on the system are attached hereto and incorporated herein by this reference.

### BRIEF DESCRIPTION OF HART INTERCIVIC VOTING SYSTEM 5.0

Hart InterCivic's Voting System 5.0 supports both paper ballots and electronic voting. The systems applications execute on a standard PC configured with a Windows 2000 Professional Operating System. Below is a list of all certified components of the system:

Component	Version	Description
BOSS	4.1.9	Ballot Origination Software System used to define the election.
Ballot Now	3.1.10	Paper ballot management system
Rally	2.1.4	Application used to send election results from satellite locations
Tally	4.1.4	Application used to tabulate election results
eCM	1.0.7	Electronic Crypto Module Manager
Servo	4.0.13	Election-records and recount-management system
JBC	3.1.3	Judges Booth Controller. The controller unit for up to 12 eSlate/DAU units. The controller unit is used to generate access codes for the voter.
eSlate	3.1.3	Direct recording electronic voting system (DRE)
eScan	1.0.10	Precinct based scanner used for election day and absentee voting.

### NATIONAL ASSOCIATION OF STATE ELECTION DIRECTORS (NASED) QUALIFICATION NUMBER

Hart InterCivic's Voting System 5.0 was qualified by the NASED on October 18, 2005, under the designation N-1-04-22-22-003.

## FINDINGS

The following are the findings, based on oral evidence presented at the examination to our examiners, written evidence submitted by the Vendor in support of its application for certification, and the findings of our voting system examiners as set out in their written reports.

### Hart InterCivic Voting System 5.0

1. Preserves the secrecy of the ballot;
2. Is suitable for the purpose for which it is intended;
3. Operates safely, efficiently, and accurately;
4. Is safe from fraudulent or unauthorized manipulation;
5. Permits voting on all offices and measures to be voted on at the election;
6. Prevents counting votes on offices and measures on which the voter is not entitled to vote;
7. Prevents counting votes by the same voter for more than one candidate for the same office or, in elections in which a voter is entitled to vote for more than one candidate for the same office, prevents counting votes for more than the number of candidates for whom the voter is entitled to vote;
8. Prevents counting a vote on the same office or measure more than once;
9. Permits write-in voting;
10. Is capable of permitting straight-party voting;
11. Is capable of providing records from which the operation of the system may be audited; and
12. Is capable of reporting undervotes.

## CONCLUSION

Accordingly, based upon the foregoing, I hereby certify the Hart InterCivic Voting System 5.0 for use in elections in Texas.

Signed under my hand and seal of office, this 20 day of October 2005.



BUDDY GARCIA  
DEPUTY SECRETARY OF STATE

6 JAN 13 AM 10:10  
BY  
JULIA, TX  
DEPUTY



**Barney Knight  
& Associates**

**Attorneys at Law**

Executive Office Terrace  
223 West Anderson Lane, Suite A-105  
Austin, Texas 78752

RECEIVED

2005 MAY -3 PM 2:41

ELECTIONS DIVISION  
SECRETARY OF STATE

Tel (512) 323-5778  
Fax (512) 323-5773  
www.cityattorneytexas.com  
attorneys@cityattorneytexas.com

Attorneys  
Barney L. Knight  
Sheila I. Limon  
Paige H. Sáenz  
Charles K. Eldred

June 2, 2005

Ann McGeehan  
Deputy Assistant  
Secretary of State  
P.O. Box 12060  
Austin, Texas 78711-2060

Re: Hart Intercivic, Inc. ("Hart") Tally v4.1.1; Rally v2.1.1; Ballot Origination Software System v4.1.4; Ballot Now v3.1.0; eSlate v3.1.3; Judges Booth Controller v3.1.3; eCM Manager v1.07; eScan v1.03; and SERVO v4.0.2 (collectively the "Voting System" or "System").

Dear Ms. McGeehan:

Pursuant to my service as an examiner under §122.035, Texas Election Code, I examined the Voting System as it was presented by Hart for examination. The examination and testing with respect to Texas Election Law and procedure was conducted on May 25, 2005.

This report is concerned solely with the ability of the Voting System and each of the individual components to function in compliance with Texas Election Law. This report is based on the presentation and statements by Hart, and the testing completed by the examiners on May 25, 2005. Hart gave a presentation and overview, and the examiners then conducted an examination by observing the operation of the Ballot Origination Software, Ballot Now, and casting ballots and observing the functions of the voting devices, the Judges Booth Controller, eSlate, and the tabulation and reporting of votes. Hart stated that various upgrades, including multiple security upgrades, had been made to the software and the various components of the System.

More specifically, Hart represented that a systematic review and assessment of security had been made resulting in many security improvements, including both physical and software. At the precinct level voting can proceed via either, or both, the Ballot Now system or the eSlate and Judges Booth Controller. Both appeared to correctly accept, store and report votes cast. One example security enhancement, in addition to software encryption and password use, includes the use of a USB key. This key was represented to be required for any use with BOSS, Ballot Now, Tally

and Rally, and most of the examination of the Voting System was undertaken under that representation. However, it later appeared such representation was not accurate.

Hart represented that the election administrator must assign a PIN to the USB key, i.e. jurisdiction specific security; the election administrator may create a key for the Voting System or for the individual election, or both, and that use of such keys is required for use or operation of BOSS, Ballot Now, Tally and Rally. Generally stated, codes within the USB Key must match codes within the precinct controller, the administrator's PIN and password. These are transferred to eSlate, and the USB key functions between the application programs and the data base. These codes and PINs must match for the equipment/software to function,<sup>1</sup> and two keys may be required, i.e. one for the System and one for the election. The security begins with the building security, includes securing the USB keys, equipment and software, and continues with the matching codes, PINs, user IDs and passwords. The ability of the jurisdiction to keep the Voting System and the USB keys under physical security, create keys for both the system and the election, and to require both encrypted identification numbers and passwords, appeared to provide security given the representation the keys were required for any operation of BOSS, Ballot Now, Tally and Rally. However, the discovery that some functions did not require the use of a USB key<sup>2</sup> together with the discovery of a "utility" program that can modify election results without leaving a real audit trail, raised additional security issues.

For the purposes of my reports, this examiner generally assumes the presentations made and the final responses by vendor representatives to questions presented are truthful and correct. I recognize, however, that inadvertent misstatements may occur. Such representations of fact are essential to the validity of the examinations as conducted and are as important as the observation of the Voting System in operation. Here, it appears one or more misstatements by Hart (or misinterpretations by this examiner) may

---

<sup>1</sup> This was the representation by Hart. However, late in the examination a fact issue was presented when it appeared the USB key is only required for certain functions of these increments of the Voting System. The examination of BOSS, Ballot Now, Tally and Rally under an erroneous understanding of the facts results in this examiner not having confidence that all applicable security issues were resolved. Further, such components require examination as to their function when the USB key is not in use.

<sup>2</sup> In addition to the security issue, the operation of the functions of these components (that would operate without the USB key) were not tested without the key being in use. This results in portions of the System as presented for examination not being fully examined as available for use in an election, i.e. without the use of the USB key on all the functions of BOSS, Ballot Now, Tally and Rally.

have resulted in one or more security issues remaining unresolved. I was able to make observation and testing of one configuration of the Voting System in the conduct of an election. Based on the written materials, the presentations and representations of fact by Hart, the testing made by casting and tabulating votes, and efforts during such process to afford the Voting System (as configured when examined) the opportunity to function other than as represented by Hart, the function and accuracy of the Voting System as configured when examined appeared to be adequate and in compliance with the Texas Election Code subject to all security issues being satisfactorily resolved. Further, it appears that satisfactory resolution of the security issues and related facts will resolve remaining issues as to the entire System.

During the conduct of the examination and the operation of the Voting System as a whole, several unresolved questions regarding security functions were raised. These specific issues were unresolved because Hart indicated it could not respond appropriately in an open session because of security and proprietary issues. In addition to those issues, there are two additional material issues that should be resolved in the follow-up session, i.e. the existence of the "utility program" that is not part of the Voting System and the clear facts regarding required use of the USB key.

The major components of the Voting System are Tally v4.1.1; Rally v2.1.1; Ballot Origination Software System v4.1.4; Ballot Now v3.1.0; eSlate v3.1.3; Judges Booth Controller v3.1.3; eCM Manager v1.07; eScan v1.03; and SERVO v4.0.2. BOSS, eSlate, Ballot Now and the Controller. These appear to be configured and to function in substantially the same manner as previously certified. Subject to the resolution of the referenced fact and security issues in an executive or regular session with all increments of the Voting System present and available for confirmation of security issues, the Voting System may be in compliance with Chapt. 122, Subchapt. A, *Texas Election Code*, and suitable for use in an election.

#### Special Consideration

The examination may have been compromised somewhat by Hart's reticence, given the public presence during the examination. Some responses appeared to be worded, limited or influenced by concerns for security and proprietary issues. As a result, a follow-up session is warranted.

#### Recommendation

I do not recommend the Secretary certify the Voting System at this time. Rather, I recommend the Secretary continue the examination

Ann McGeehan  
Deputy Assistant  
Secretary of State  
Hart Intercivic


4

June 2, 2005

(that was commenced on May 25<sup>th</sup>) with a supplementary regular, or executive, session. It is recommended such session be held as an extension of the first session for the purpose of completing the examination of the Voting Systems as to certain security matters. During this subsequent session, I recommend the Secretary require Hart to present all parts and increments of the Voting System for an abbreviated additional examination and testing as to security. In addition, I recommend the Secretary require Hart to provide information on the "utility" software program and to demonstrate its use, propose safeguards against unauthorized and improper use, and, when used, to create a clear audit trail of that use.

If a supplementary session is held, I will be pleased to make a final recommendation promptly following that session. Absent a supplemental, follow-up session, and resolution of security issues, I recommend the Secretary not certify the Voting System.

Very truly yours,



Barney L. Knight

# Voting System Examination

## Hart InterCivic

Prepared for the  
Secretary of State of Texas

James Sneeringer, Ph.D.  
Designee of the Attorney General

This report conveys the findings of the Attorney General's designee from an examination of the equipment listed, pursuant to Title 9, Chapter 122 of the Texas Election Code, section 122.036(b).

<b>Examination Date</b>	May 25, 2005
<b>Report Date</b>	June 13, 2005

<b>Component</b>	<b>Version</b>	<b>NASED Number</b>
Ballot Origination Software System (BOSS)	4.1.4	Not yet approved
Ballot Now: Paper Ballots	3.10	Not yet approved
Tally (Vote Tabulation System)	4.1.1	Not yet approved
Rally (Vote Transfers to Tally)	2.1.1	Not yet approved
Servo (Warehouse Software)	4 0.2	Not yet approved
Electronic Crypto Module (eCM)	1.0.7	Not yet approved
eSlate Voting Station	3.1.3	Not yet approved
Judges Booth Controller (JBC)	3.1.3	Not yet approved
eScan Precinct Scanner	1.0.3	Not yet approved

### Improvements

- A security review has been performed by Symantec, and security updates have been added. These security updates are pervasive and touch every component listed above. An additional layer of security has been added, using a key that is generated by the jurisdiction and stored in an Electronic Crypto Module (or eCM), which is a USB security dongle. The security key in the eCM can be copied only by Hart's eCM Manager program, because each eCM has a serial number. The eCM must be present for Tally, BOSS, Rally, Ballot Now or Servo (warehouse software) to create or use a Mobile Ballot Box (MBB).
- The eScan precinct scanner has been added. See below for details.

## Notes

- The overall system is referred to as System 5.0, even though the version numbers of the individual components do not contain 5.0.
- The previous version, System 4.0 was never certified in Texas.
- Hart is ISO 9000 certified, so their engineering processes are certified by an external agency. This is a very positive factor

### **DRE System: eSlate Precinct Voting System (PVS), eScan Precinct Scanner, and Judges Booth Controller (JBC)**

Election Setup	PCMCIA card (Mobile Ballot Box, or MBB) created with BOSS election setup software
Zero-total report	On a thermal printer, which is found on both the Judge's Booth Controller (JBC) and on the eScan.
Authorization to vote / Ballot selection	For the eSlate, a four-digit authorization code is issued to each voter on a tape printed at the election judge's controller
Provisional Ballots	<p>The system allows ballots to be designated as provisional, automatically assigns a recall number to each one, and prints it out. Each eSlate provisional ballot can later be included in the tally or can remain excluded. Recall numbers are automatically assigned to provisional eSlate ballots and the recall numbers are printed, so transcription errors are avoided; this is preferable to manually assigning them, as some systems require.</p> <p>With the eScan, provisional ballots must be handled with a manual envelope system, where ballots are not scanned until they are accepted.</p>
View / Vote	For the eSlate, LCD display / selection wheel and keys
Vote Storage	Flash memory (called a Mobile Ballot Box, or MBB)
Precinct Consolidation	Not applicable when only eSlates are used, because precinct results are all accumulated together in the Judge's Booth Controller (JBC). If both eSlates and eScans are used in the same precinct, consolidation is done on one of the eScans, but only for the purpose of creating the precinct report. All the MBBs from both eSlates and eScans are carried to election central.
Transfer Results	Flash memory (MBB) used to send to Tally software. Protected by a hash on each vote record. The Electronic Crypto Module (or eCM, a USB dongle) must be present for Tally, BOSS, Rally, Ballot Now or Servo (warehouse software) to create or use a Mobile Ballot Box (MBB)
Print precinct results	On thermal printer. There is a thermal printer on the JBC and on the eScan. If both are used in the precinct, the precinct report is printed on the eScan.
Straight party / crossover	Yes. A warning is given if a straight party vote cancels a crossover vote that has already been selected. This prevents straight-party voting from having an effect the voter did not intend.
Precinct Scanning	The eScan precinct scanner integrates with the precinct system. Results from the JBC can be placed on an MBB and plugged into the eScan, which then produces the precinct report with totals from both the DREs connected to the

	JBC and the eSlate precinct scanner.
--	--------------------------------------

### **Tabulation and Transmission Software: Tally and Rally**

Results Storage	Sybase SQL Anywhere
OS access	Not permitted during tabulation. You can restart the system, but it is logged
Real-Time Audit Log	Yes.
Data Integrity	Sybase SQL Anywhere implements transaction protection (using a log file), so that either all the data in a transaction is posted, or none of it is.
Transmission	The Rally system can be placed in a regional center to collect results and forward them to the central counting location. No tabulation is done. It merely accepts precinct results and forwards them. All transactions are logged.

### **Ballot Printing Software & Ballot Scanning: Ballot Now & BOSS**

Election Setup	PCMCIA card (MBB) created with BOSS election setup software
Ballot Scanning	<ul style="list-style-type: none"> <li>• BOSS can scan ballots, allow manual interpretation of any undervotes or overvotes, and create Cast Vote Records (CVRs) that can be input into Tally.</li> <li>• A number of scanners are certified for use with BOSS.</li> </ul>
Notes	<ul style="list-style-type: none"> <li>• Ballots are produced on demand</li> <li>• Each ballot has a serial number and a bar code, which prevents ballots from being counted twice by the Tally software.</li> <li>• Especially good for absentee ballots</li> </ul>

### **Concerns**

1. Hart has a program called ResetPVS, which clears all the votes on a JBC, MBB and eSlates. This utility is intended for use by Hart personnel only, and they say it is not given to counties. Its purpose is to allow their employees to clear election data without loading the particular version of their software that is being used by the county.

This is not acceptable. One person working alone could obtain a copy of this program (for example by theft or bribery) and completely erase the data of entire polling locations quickly and without leaving a trace. Obviously, no data is ever 100% secure, but election systems should do everything possible to make it difficult to destroy or lose vote records.

Furthermore, since the tool already exists and there is no way to know how many copies there are, existing Hart systems are at risk until the JBC software is updated to a version that does not have this vulnerability.

**Recommendation:** Hart should be given a reasonable amount of time (I recommend nine months) to fix this problem and update all existing systems in Texas. At the end of the time, all Hart systems that have this vulnerability should be decertified.

- 2 The eScan is extremely sensitive to stray marks. If the voter allows even a very small part of a mark to stray into a neighboring box, an overvote can result. Fortunately, overvotes are caught in time for the voter to correct them, because this is a precinct scanner. If the voter can identify the stray mark, he can erase it. Otherwise, he must spoil the ballot and vote again. Although this is not a fatal problem, there can be significant inconvenience.

**Recommendation:** For now, we should simply be aware of this and see if it turns out to be a problem in practice. I recommend that Hart tune the software so that the scanner strikes a reasonable balance between ignoring marks that the user intended and recording marks he did not intend. Another possibility is to address this with voter instructions.

3. If the same ballot is scanned by an eScan and by Ballot Now, it will be counted twice. This is not a big enough problem to prevent certification, since many systems will count ballots twice if they are scanned twice. However, since the Hart system normally refuses to count the same ballot twice, election officials may become somewhat lax about enforcing procedures to prevent this.

**Recommendation:** Hart should warn counties of the importance of keeping eScan ballots separate from Ballot Now ballots, so they are not scanned twice.





## DEPARTMENT OF INFORMATION RESOURCES

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Tel (512) 475-4700 ♦ Fax (512) 475-4759

July 12, 2005

LARRY A OLSON  
*Chief Technology Officer*  
*State of Texas*

— ♦ —  
DIR BOARD OF  
DIRECTORS  
— ♦ —

WILLIAM TRANSIER  
*Chair*

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KEITH MORROW

CLIFF MOUNTAIN

BILL WACHEL

ROBERT L COOK  
*Ex Officio*

ADAM JONES  
*Ex Officio*

BRAD LIVINGSTON  
*Ex Officio*

Ms Ann McGeehan  
Deputy Assistant  
Office of the Secretary of State  
1019 Brazos Street  
Austin, TX 78701

RE Examination of Hart Intercivic voting systems

Dear Ms. McGeehan:

I attended a scheduled re-examination on May 25, 2005, at 8 30 am, for the purpose of examining the voting system from Hart Intercivic. This report summarizes my findings.

Hardware/Software Version	Date Previously Certified
Ballot Origination Software System v4 1.0	June 24, 2004
Ballot now: Paper Ballots v3 0 24	June 24, 2004
eSlate v3 1 0	June 24, 2004
Judges Booth Controller v3 1.0	June 24, 2004
Tally, version v4 1.0	June 24, 2004
Rally, version v2.1.0	June 24, 2004
eCM Manager v1 0 7	N/A
SERVO v3.0.17	N/A
eScan v1.0 0	N/A

Collectively all these components are referred to as System 5

### New Focus on Security

Hart commissioned a complete risk assessment by an industry leader in digital security. From this assessment they developed a security plan and implemented it, resulting in numerous changes to all system components. The changes also meet new customer requirements and requests that were generated through Hart's work with another state.

Hart's system is now compliant with BS7799, which implements ISO 17799 (see <http://iso-17799.safemode.org/> ). Hart is now audited quarterly to these standards. ISO 17799 is a code of practice for information security management. It contains 36 control objectives and suggests hundreds of specific controls, organized into 10 main sections. Each control objective contains advice on how to satisfy the objective, and includes a number of best practices for information security controls.

BS7799 is a specification for an Information Security Management System. The specification provides a system for monitoring, measuring and controlling information security as a whole. In effect it is a methodology for applying the controls contained in ISO 17799.

The vendor also noted that the audit log gets quite large for some jurisdictions. Thus in addition to the substantial changes to security methodology, they have provided a much improved searching and navigation engine with which to review the log. It is suggested that such facilities also be provided for the public to access and search the log.

### **eScan**

The eScan is new to the Hart product line. It is a system hardware and software that scans and creates a digital image of the entire ballot. The software looks for patterns such as check boxes that it expects to find in specific locations on the ballot. It then determines if the voter has made marks in any of the boxes.

This approach produces a somewhat more stable, robust process than previous optical scan systems that scan only specific, limited areas of the ballot. In addition, the new scanner is not as sensitive to the kind of paper or pens that are used, compared to earlier technologies. The unit used for the demonstration was able to detect even tiny marks made by various pens and pencils in the selection boxes.

Voters insert ballots into the scanner. The scanner evaluates the ballot and accepts it or rejects it with instructions to the voter about the problems it encountered. However, the system provides no way for the voter or election officials to resolve errors electronically. The voter must change the ballot itself, or spoil the ballot and vote with a new one. The machine records all valid ballots as Cast Vote Records (CVR) but not as images.

When the polls close, the eScan can read the MBB from any DREs at the polling place, accumulate the totals of the DREs with the scanned paper ballots, and produce a precinct report. Thus if necessary, a small jurisdiction can still use paper ballots along with DREs, or use paper ballots in only part of the jurisdiction.

Note that the MBB is just used to collect CVRs and produce a precinct report. The report is not stored on the scanner or MBB. After the polls close, no device makes changes to the CVRs in the MBBs. The audit log in the scanner does record in the MBB the fact that the close-polls report has been created.

The vendor noted that they plan to eliminate the need for the JBC to reduce the cost per polling location. This may also increase the flexibility of their system, especially in cases in which a voting device malfunctions during the day and needs to be replaced.

### **BOSS**

The most significant changes to BOSS revolve around Security. The MBB is now encrypted and uses SHA1 authentication. Boss now requires a hardware key to operate. This key is inserted in a USB port, and is unique for each jurisdiction. Further, each user must sign on using a user ID and password.

BOSS now provides enhanced support for separating party affiliation during primary elections. This feature improves reporting rather than voting, however, as the voters will see no changes to the way races are presented.

# HART Intercivic

The Hart InterCivic voting system was re-examined in Austin on May 25, 2005.  
The version number of the changed systems are as follows:

- BOSS - version 4.1.4 – ballot design and generation sub-system
- BallotNow - version 3.1.0 – scanner used for deposition of mail-in ballots
- eSlate – version 3.1.3 – DRE voting device
- JBC – version 3.1.3 -Judges Booth Controller used with eSlate to select voters' ballot
- Tally – version 4.1.1 – central-count accumulator and reporting sub-system
- Rally – version 2.1.1 – regional or central MBB uploading (throughput enhancement)
- SERVO – version 4.0.2 – used to extract audit data from eSlates and JBC's
- eScan – version 1.0.3 – scanner to read paper ballots
- eCM – version 1.0.7 – used to generate security keys

Collectively, the component pieces make up Hart's System 5 voting system

The entire system was reviewed since all components have been modified since the previous examination. The eScan is a new addition to the system. It provides an optical scan ballot alternative to the eSlate DRE for the majority of a precinct's voters. A jurisdiction using the Hart system will still need an eSlate in each polling location to meet the HAVA requirements, but the eScan is more economical and has the added benefit of the paper ballot which is the ultimate audit trail.

## Findings

### *VOTING*

The system recorded and accumulated the examiners ballots cast on the eSlates and eScan correctly

### *eSCAN*

The eScan device uses the same algorithms as the BallotNow system to determine a voters selection. The scanner first adjusts itself based on marks printed on the ballot before it reads the selections which will compensate for any printer skewing of the ballots. BallotNow is sold in conjunction with the eSlate so that it can be used to produce the blank ballot images used in the eSlate.

There is no need for a "resolution" screen with the eScan since the voter inserts the ballot into the device. The eScan can be programmed to return the ballot to the user when a race is overvoted or undervoted.

The vendor noted that the database is encrypted using the physical encryption key described earlier. There is no way to access the data without the physical key. Each major operation in the software requires user name and password. Such actions are recorded in the log, but not the serial number of the physical key that is used. The key is required only for Boss and Rally. More questions were asked of the vendor but were deferred to an executive session in which proprietary issues could be discussed.

### **Ballot Now**

Ballot Now (see [http://www.hartintercivic.com/files/ballot\\_now.pdf](http://www.hartintercivic.com/files/ballot_now.pdf)) prints ballots, scans cast ballots to record votes, notes anomalies such as overvotes and presents them to user for resolution. A few minor features were added to this product, as well as the security enhancements added to other products.

### **eScan**

The eScan device is an optical scanner for use as a precinct tabulator as well as an early voting tabulator (see <http://www.hartintercivic.com/files/eScan.pdf>). Users insert ballots into the eScan, and the system checks the ballot for errors. Users are given a chance to retrieve ballots to correct the errors before casting them.

There were some questions about the version of eScan that was demonstrated. At boot-up, the version is displayed as 1.03 even though the version number given above for certification is 1.0. The vendor said this is because of engineering changes that were made at behest of ITA. The vendor said that there may be more changes, but likely shipped version will be called 1.0.

The EScan generated some discussion about a small utility the vendor uses internally to clear votes off of voting machines for testing and for demonstrations such as this examination. The existence of this utility creates a small chance that an unauthorized person with access to the program could cause a significant amount of mischief in a local jurisdiction. One of the examiners made a convincing argument that such a utility should at least require a password to use it.

### **Rally**

Encrypted communication through Secure Socket Layer (SSL) has been added to remote data communication through Rally.

### **Servo**

Apparently there is no way to transfer data to SERVO from eSCAN yet.

**Results of the examination**

The voting test did not uncover any anomalies in counting votes and the user interface.

The vendor's new initiative focusing on security is timely and seems well designed. However, there are some concerns about the new security devices and utility programs that should be addressed as soon as possible.

DIR finds no objections to certifying the system itself as presented at this examination

Respectfully,

A handwritten signature in black ink, appearing to read "Nick Osborn", followed by a horizontal line extending to the right.

Nick Osborn  
Systems Analyst

The eScan creates a CVR (cast vote record) as well as accumulates totals. When the polls are closed the CVR's, which are loaded onto the MBB (mobile ballot box), are transferred to Tally. The aforementioned accumulated totals are consolidated with the eSlate(s) totals to produce the precinct totals report.

Tally will indicate how many votes were cast on the eScan versus the eSlate systems for a precinct. If the jurisdiction has only one voter use the eSlate in a precinct, the voters choices remain private because Tally does not indicate voter choice by device (eSlate vs. eScan).

### *SECURITY*

Unauthorized access to the sub-systems is thwarted by use of a SHA-1 encryption key. The key is loaded onto a USB key fob (dongle) which is required to gain access (along with passwords) to the BOSS and Tally sub-systems. The keyfob can only be copied with Hart software because it requires a secret PIN#. The other sub-systems (eSlate and eScan) do not require the fob, but the key is still used to verify the validity of the election setup.

The SHA-1 encryption has recently been cracked by academicians so it is not impossible to break. Hart should upgrade to the newly developed SHA-256 specification.

The Sybase database used by BOSS and TALLY is encrypted. Access is generally done through the Hart programs, but if the software key is known, a person could make changes to the database with a SQL utility. Once the election setup has been finalized and "locked" by BOSS, the CRC verification would detect that the database has been changed.

Access to the operating-system from TALLY was prevented so that unauthorized and unlogged operations are prevented.

The vendor representative used a utility to zero-out the eScan votes. The utility is not sold but rather used by Hart technicians as a "quick and dirty" way to clear votes. This action was not logged so the vendor must be diligent that it does not "get out". The utility requires a PC and cable so it is not likely that a malicious voter or corrupt election worker would be able to clear the votes without being noticed, even if they had the utility. The vendor stated that this utility can only clear the votes, not alter the votes. The existence of this utility does raise concern about what other utilities Hart possesses. Is there a utility that could be used to alter votes?

### *SERVO*

One use of SERVO is to extract the CVR's and audit-logs from the eSlates and JBC's. This was demonstrated by Hart. The printouts of the audit logs and CVR's were clear and sufficiently detailed.

## **Recommendations**

The MBB's do not include the eScan and eSlate serial numbers, and ballots cast on each device, used in the precinct. The vendor should include this information in the audit-logs and on the MBB's. This would facilitate finding the correct devices should an audit of a precinct be needed. The eSlate numbers could be written to the MBB when the polls are opened. The eScan

numbers can be written when the polls are closed. If an eSlate is taken off-line during the election day, that should be logged.

The key fobs have an internal serial number. The software should keep track of the serial numbers (key fobs) used and produced by a jurisdiction.

Hart should disclose all utility programs that are written for any of the sub-systems.

Because SERVO is required to extract the audit logs from the eSlates and JBC's it should be bundled with any purchase of eSlates. Otherwise, a jurisdiction will not be able to audit the precinct results without Hart's help

## **Conclusion**

The system meets the current requirements of the Texas Election Code. I recommend certification.

Tom Watson  
Examiner

# The State of Texas

Information Technology Division  
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Roger Williams  
Secretary of State

TO: Ann McGeehan  
Elections Division Director

FROM: Glenn Glover  
Voting System Examiner

DATE: May 27, 2005

A voting systems certification examination was held at the Office of the Secretary of State Elections Division on Wednesday, May 25, 2005

Hart InterCivic submitted the following election products for certification:

Ballot Origination Software System (BOSS)	v 4.1.0
Ballot Now: Paper Ballots	v 3.0.24
eSlate: Voting Device	v 3.1.0
JBC: Judge Booth Controller	v 3.1.0
Tally: Vote Tabulation System	v 4.1.0
Rally: Vote Transfers to Tally	v 2.1.0
eCM Manager	v 1.0.7
SERVO: Warehouse Management System	v 3.0.17
eScan: Precinct based paper ballot scanner	v 1.0.0

Hart collectively refers to the above components as System 5.0.

Hart began the examination with the announcement that Hart Intercivics and their election voting system products had attained BS7799 certification which they explained is the highest possible standard of information security awarded by the British Standards Institute.

All System 5.0 components have been previously reviewed by the examiners with the exception of the eScan and eCM products. Hart introduced the eScan and explained its role in the election process. The eScan accepts paper ballots, immediately scans and either accepts or rejects the ballot. If the ballot is rejected the device will present a message with an explanation as to why the ballot was rejected (overvote, undervote, etc.). If the ballot is accepted, then the eScan will count the vote and store it in the mobile ballot box (MBB) and create a "cast vote record" which is a representation of how a particular ballot's races were voted. In practical terms, after marking a ballot, a voter feeds the ballot directly into eScan at the precinct. Voters are immediately notified if their ballot was accepted or rejected with messages displayed on the eScan screen. If rejected, the ballot is kicked back to the voter. Absentee ballots can also be processed with the



eScan Hart stated that the eScan does not use optical scan but uses digital scan technology. They explained the differences between the two scanning methodologies and the superiority of digital over optical scanning

Hart presented to the examiners their new voting security infrastructure centered on the eSlate Cryptographic Module (eCM). The eCM is a USB security key that is required for access to secure functions in the BOSS, Tally, Rally, Ballot Now, and SERVO applications. eCM is setup with the eCM Manager, a software application that reads and writes a "key ID" and a "signing key" to an eCM. The eCM security data is used by the BOSS application to create the ballot formats that must also be present in the eCMs used in the Tally, Rally, Ballot Now, and SERVO applications. Several eCMs are created for an election with separate eCM used with each computer running an eSlate Electronic Voting System software application (BOSS, Tally, Rally, Ballot Now, and SERVO). Each copy of the eCM to be used must contain the same security data. The security data consists of a Key ID and a HASH. The Key ID is a user-supplied identification number for an eCM. The HASH is a SHA-1 hash value of the Key ID and Signing Key. The signing key is true 128-bit random number used to cryptographically protect data.

The examiners proceeded with a test election using the System 5 components. After voting and tabulating the results, I compared the actual ballots with the cast vote records captured in the eSlate MBB's which were extracted using the SERVO software. The cast vote records for the particular eSlate unit that I voted on corresponded to the ballot races I had voted.

After review of the documentation, examination and test voting with the System 5 components, I find that Hart's System 5 components are in compliance with the Texas election code and recommend that the BOSS v 4.1.0, Ballot Now v 3.0.24, eSlate System v 3 1.0, JBC v 3.1.0, Tally v 4.1.0, Rally v 2.1.0, eCM Manager v 1 0.7, SERVO v 3.0.17 and eScan v 1.0.0 be certified for use in the State of Texas.



July 17, 2005

Ann McGeehan  
Director of Elections  
Secretary of State  
1019 Brazos Street  
Austin, TX 78701

Dear Ms. McGeehan,

Your letter dated July 14, 2005 contained two questions from the voting system examiners concerning the use of a software utility and the function of the security key. I have provided responses to those questions below.

1. The utility in question is a development tool used by Hart InterCivic to reset our hardware components during our internal development and test efforts. The utility should not have been present or used during certification and the concerns expressed by the examiners are justified. The function performed by this utility is provided to our customers by SERVO, a submitted and certified product that supports the reset capability. SERVO embodies Hart InterCivic's security policies requiring user name and password along with the electronic key as demonstrated during the examination for the other PC-based applications and described below.
2. The USB key is used to digitally sign data whenever the data is moved from one system component to another. This is done to ensure that when the data is outside the authenticated environment of the system components, it cannot be changed or modified without detection. When the data is within a system component, it is secured by the system authentication requirements, the Principle of Least Privilege, Segregation of Duties, and Role-Based Privileges. The USB key is not required to be in place at all times, for example when an operator is entering and editing the ballot definition in BOSS there is no need for the application to access to the USB key. The USB key is required when the ballot definition is complete and the ballot is generated to create the ballot data for the MBB. When the ballot data file is created for the MBB, the USB key provides the two-factor security. The USB key, which is under physical control by the election administrator, is used to digitally sign the election data that is written to the MBB and used by all subsequent system components. When the other system components read the MBB data, they use the key to authenticate the data on the MBB. In a similar fashion, when other system components such as Ballot Now, eScan, or the JBC add Cast Vote Records to the MBB, the Cast Vote Records are digitally signed so that the data cannot be altered or modified without detection. When the MBBs are read into the authenticated environment

Page 2 of 2  
Ms McGeehan  
July 17, 2005

of the Tally system component, Tally authenticates the data on the MBB using the USB key. Please refer to the Symantec white paper "Securing the eSlate Electronic Voting System Application Security Implementation" (attached) for further details of the comprehensive security surrounding the Hart Voting System.

Please let me know if these responses satisfy the examiner's questions or if additional follow up is required.

Sincerely,



Neil McClure  
Vice President  
Hart InterCivic, Inc.

BY \_\_\_\_\_  
JAN 13 PM 10:10  
JAN 13

FIG

**PERMIT APPLICATION FOR USE OF UPSHUR COUNTY RIGHT OF WAY**

TO: THE UPSHUR COUNTY COMMISSIONERS COURT  
 COUNTY OF UPSHUR  
 GILMER, TEXAS

PRECINCT 1DATE January 10, 2006

DELAINE  
 Formal notice is hereby given that X DEE SPELL, whose principal address is 2702 HAWK RD, DIANA, does hereby purpose to place a culvert within the ROW of County Road Hawk. The location and description of the proposed lines and appurtenances is more fully shown by three (3) copies of drawings attached to the application. Proposed construction will begin, if approved, on or after the 13th day of January, 2006. I, Dee Spell, hereby attest that I have read the conditions set forth in this application and understand its contents.

SIGNATURE: XTELEPHONE: X908-790-2113**APPROVAL OF PERMIT APPLICATION**

The Upshur County Commissioners Court offers no objection to the location on the right of way of your proposed culvert as shown by accompanying drawings and notice dated January 10, 2006 except as noted below:

It is expressly understood that the Upshur County Commissioners Court does not purport, 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 Upshur County need to work, improve, relocate, widen, increase, add to or in any manner change the structure of this right of way, this appurtenance, if affected, will be moved under the direction of the Upshur County Commissioners Court representative and shall be relocated at the expense of the owner within thirty (30) days upon receipt of notice from the Commissioners Court

All work on the County right of way shall be performed in accordance with the Commissioners Court instructions. The installation shall not damage any part of the roadway and adequate provisions must be made to cause minimum inconvenience to traffic and adjacent owners. Specifications for placing this line are as follows:

1. Barricades, warning signs, lights and flag men when necessary shall be provided by the contractor or owner. One half of the traveled portion of the road must be open at all times.
2. All lines, where practicable, shall be located or cross roadbed at approximately right angles. 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.
3. Parallel lines will be installed as near the right of way lines as possible and no parallel line will be installed in the roadbed or between the drainage ditch and the roadbed without special permission of the County Commissioners Court.
4. Overhead lines will have minimum clearance of 18 feet above the road surface at the point of crossing.

5. Operations along roadways shall be performed in such a manner that all excavated material be kept off the surface at all times, as well as all operating equipment and materials. No equipment for installation procedures will be used which will damage any road surface, roadbed, structures or other right of way feature. Any expenditure that is a direction result of this installation will be borne by owner of this line.

6. All lines under roads carrying pressure in excess of 50psi shall be enclosed in satisfactory casing extending from the right of way line to right of way line. Pipe used for casing may be of any type approved by the County Engineer or Commissioners' Court and shall be capable of supporting load of roadbed and traffic and shall be so constructed that there will be no leakage of any matter through casing for its entire length; inside diameter of casings shall be at least 2 inches greater than the largest diameter of carrier pipe, joints or couplings.

7. All excavations within the right of way and not under surfacing shall be backfilled by tamping 6 inch horizontal layers

8. Any material placed in County right of way by permit will be of a nature or composition that said line can be located with the use of a standard locator device used in locating buried cables and pipes.)

9. Lines crossing under roads and under cross roads within the right of way will be placed by boring. Boring shall extend from crown line to crown line. Gravity flow sewer lines under roadway will be cast iron or equivalent pipe.

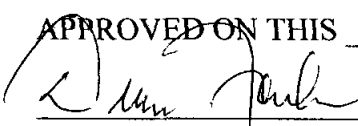
10. Where evidence is presented indicating the impracticability of boring or tunneling, the Commissioners Court may grant permission to cut the surface no wider than 4 inches. In the event a cut is permitted the following conditions will govern: (a) Excavation areas are to be filled and packed with compatible material; (b) The surfacing will be replaced with equivalent quality surfacing.

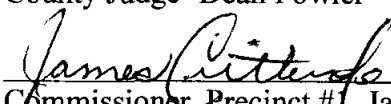
11. Notice will be given to the precinct Commissioner 48 hours prior to starting construction of the line in his precinct.

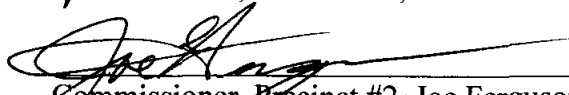
12 Where in the opinion of the Commissioners Court it may be necessary to protect losses incurred by damage to the roads, bridges or right of way structure, they may by action of the Court require a surety bond in an amount sufficient to cover any damages.

13. Where, in the opinion of the Commissioners Court, an inspector is necessary, the party receiving permit will bear the cost of inspection.

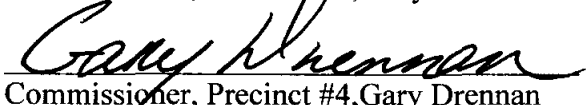
APPROVED ON THIS 13 DAY OF JANUARY, 2006.

  
County Judge -Dean Fowler

  
Commissioner, Precinct #1, James Crittenden

  
Commissioner, Precinct #2, Joe Ferguson

  
Commissioner, Precinct #3, Lloyd Crabtree

  
Commissioner, Precinct #4, Gary Drennan

65 JAN 13 AM 10:19  
RY  
PROPERTY

**PERMIT APPLICATION FOR USE OF UPSHUR COUNTY RIGHT OF WAY**

TO: THE UPSHUR COUNTY COMMISSIONERS COURT  
COUNTY OF UPSHUR  
GILMER, TEXAS

PRECINCT NO.: /

DATE: 1-9-06

Formal notice is hereby given that AC Hladik, whose principal address is Green Hill Road, Gilmer, Tx, does hereby purpose to place a culvert within the ROW of County Road 7. The location and description of the proposed lines and appurtenances is more fully shown by three (3) copies of drawings attached to the application. Proposed construction will begin, if approved, on or after the 9 day of Jan, 2006. I, A. C. Hladik, hereby attest that I have read the conditions set forth in this application and understand its contents.

NAME: A. C. Hladik

TELEPHONE: 903- 734 5741

**APPROVAL OF PERMIT APPLICATION**

The Upshur County Commissioners Court offers no objection to the location on the right of way of your proposed culvert as shown by accompanying drawings and notice dated 1-9-2006, except as noted below:

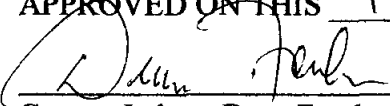
It is expressly understood that the Upshur County Commissioners Court does not purport, hereby, to grant any right, claim, title or easement in or upon this county road; it is further understood that in the future should for any reason Upshur County need to work, improve, relocate, widen, increase, add to or in any manner change the structure of this right of way, this appurtenance, if affected, will be moved under the direction of the Upshur County Commissioners Court representative and shall be relocated at the expense of the owner within thirty (30) days upon receipt of notice from the Commissioners Court.

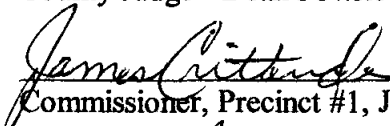
All work on the County right of way shall be performed in accordance with the Commissioners Court instructions. The installation shall not damage any part of the roadway and adequate provisions must be made to cause minimum inconvenience to traffic and adjacent owners. Specifications for placing this line are as follows:

1. Barricades, warning signs, lights and flag men when necessary shall be provided by the contractor or owner. One half of the traveled portion of the road must be open at all times.
2. All lines, where practicable, shall be located or cross roadbed at approximately right angles. 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.
3. Parallel lines will be installed as near the right of way lines as possible and no parallel line will be installed in the roadbed or between the drainage ditch and the roadbed without special permission of the County Commissioners Court.
4. Overhead lines will have minimum clearance of 18 feet above the road surface at the point of crossing.

5. Operations along roadways shall be performed in such a manner that all excavated material be kept off the surface at all times, as well as all operating equipment and materials. No equipment for installation procedures will be used which will damage any road surface, roadbed, structures or other right of way feature. Any expenditure that is a direct result of this installation will be borne by owner of this line.
6. All lines under roads carrying pressure in excess of 50psi shall be enclosed in satisfactory casing extending from the right of way line to right of way line. Pipe used for casing may be of any type approved by the County Engineer or Commissioners' Court and shall be capable of supporting load of roadbed and traffic and shall be so constructed that there will be no leakage of any matter through casing for its entire length; inside diameter of casings shall be at least 2 inches greater than the largest diameter of carrier pipe, joints or couplings.
7. All excavations within the right of way and not under surfacing shall be backfilled by tamping 6 inch horizontal layers.
8. Any material placed in County right of way by permit will be of a nature or composition that said line can be located with the use of a standard locator device used in locating buried cables and pipes.)
9. Lines crossing under roads and under cross roads within the right of way will be placed by boring. Boring shall extend from crown line to crown line. Gravity flow sewer lines under roadway will be cast iron or equivalent pipe.
10. Where evidence is presented indicating the impracticability of boring or tunneling, the Commissioners Court may grant permission to cut the surface no wider than 4 inches. In the event a cut is permitted the following conditions will govern: (a) Excavation areas are to be filled and packed with compatible material; (b) The surfacing will be replaced with equivalent quality surfacing.
11. Notice will be given to the precinct Commissioner 48 hours prior to starting construction of the line in his precinct.
12. Where in the opinion of the Commissioners Court it may be necessary to protect losses incurred by damage to the roads, bridges or right of way structure, they may by action of the Court require a surety bond in an amount sufficient to cover any damages.
13. Where, in the opinion of the Commissioners Court, an inspector is necessary, the party receiving permit will bear the cost of inspection.

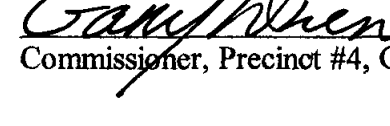
APPROVED ON THIS 13 DAY OF JANUARY, 2006

  
County Judge - Dean Fowler

  
Commissioner, Precinct #1, James Crittenden

  
Commissioner, Precinct #2, Joe Ferguson

  
Commissioner, Precinct #3, Lloyd A. Crabtree

  
Commissioner, Precinct #4, Gary Drennan

BY \_\_\_\_\_  
CITY CLERK  
JAN 13 11:09:29  
CITY

Jan 11 06 03:03p

Upshur Co Commissioners

903-843-4301

P. 2

**PERMIT APPLICATION FOR USE OF UPSHUR COUNTY RIGHT OF WAY**

TO: THE UPSHUR COUNTY COMMISSIONERS COURT  
COUNTY OF UPSHUR  
GILMER, TEXAS

PRECINCT NO. 1

DATE: January 11, 2006

Formal notice is hereby given that CARL DAVIS, whose principal address is \_\_\_\_\_ Redwood Road, Gilmer, TX 75645, does hereby purpose to place a culvert within the ROW of County Road Silk Tree Road (at 2454 Silk Tree Road). The location and description of the proposed lines and appurtenances is more fully shown by three (3) copies of drawings attached to the application. Proposed construction will begin, if approved, on or after the 13th day of January, 2006. I, Carl Davis, hereby attest that I have read the conditions set forth in this application and understand its contents.

NAME: Carl Davis  
TELEPHONE: 903-734-7476  
Cell 903-452-4779

**APPROVAL OF PERMIT APPLICATION**

The Upshur County Commissioners Court offers no objection to the location on the right of way of your proposed culvert as shown by accompanying drawings and notice dated January 11, 2006, except as noted below:

It is expressly understood that the Upshur County Commissioners Court does not purport, 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 Upshur County need to work, improve, relocate, widen, increase, add to or in any manner change the structure of this right of way, this appurtenance, if affected, will be moved under the direction of the Upshur County Commissioners Court representative and shall be relocated at the expense of the owner within thirty (30) days upon receipt of notice from the Commissioners Court.

All work on the County right of way shall be performed in accordance with the Commissioners Court instructions. The installation shall not damage any part of the roadway and adequate provisions must be made to cause minimum inconvenience to traffic and adjacent owners. Specifications for placing this line are as follows:

1. Barricades, warning signs, lights and flag men when necessary shall be provided by the contractor or owner. One half of the traveled portion of the road must be open at all times.
2. All lines, where practicable, shall be located or cross roadbed at approximately right angles. 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.
3. Parallel lines will be installed as near the right of way lines as possible and no parallel line will be installed in the roadbed or between the drainage ditch and the roadbed without special permission of the County Commissioners Court.
4. Overhead lines will have minimum clearance of 18 feet above the road surface at the point of crossing.



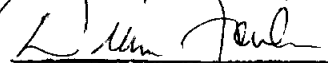
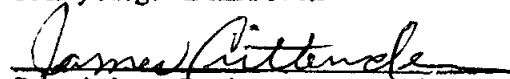
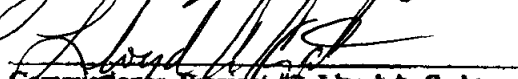
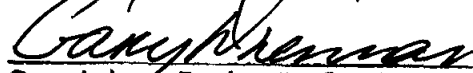
Jan 11 06 03:03p

Upshur Co Commissioners

903-843-4301

p.3

- 5 Operations along roadways shall be performed in such a manner that all excavated material be kept off the surface at all times, as well as all operating equipment and materials. No equipment for installation procedures will be used which will damage any road surface, roadbed, structures or other right of way feature. Any expenditure that is a direction result of this installation will be borne by owner of this line
- 6 All lines under roads carrying pressure in excess of 50psi shall be enclosed in satisfactory casing extending from the right of way line to right of way line. Pipe used for casing may be of any type approved by the County Engineer or Commissioners' Court and shall be capable of supporting load of roadbed and traffic and shall be so constructed that there will be no leakage of any matter through casing for its entire length; inside diameter of casings shall be at least 2 inches greater than the largest diameter of carrier pipe, joints or couplings.
- 7 All excavations within the right of way and not under surfacing shall be backfilled by tamping 6 inch horizontal layers
- 8 Any material placed in County right of way by permit will be of a nature or composition that said line can be located with the use of a standard locator device used in locating buried cables and pipes.)
9. Lines crossing under roads and under cross roads within the right of way will be placed by boring. Boring shall extend from crown line to crown line. Gravity flow sewer lines under roadway will be cast iron or equivalent pipe
- 10 Where evidence is presented indicating the impracticability of boring or tunneling, the Commissioners Court may grant permission to cut the surface no wider than 4 inches. In the event a cut is permitted the following conditions will govern. (a) Excavation areas are to be filled and packed with compatible material; (b) The surfacing will be replaced with equivalent quality surfacing.
11. Notice will be given to the precinct Commissioner 48 hours prior to starting construction of the line in his precinct.
12. Where in the opinion of the Commissioners Court it may be necessary to protect losses incurred by damage to the roads, bridges or right of way structure, they may by action of the Court require a surety bond in an amount sufficient to cover any damages.
- 13 Where, in the opinion of the Commissioners Court, an inspector is necessary, the party receiving permit will bear the cost of inspection.

APPROVED ON THIS 13 DAY OF JANUARY, 2006.  
County Judge - Dean Fowler  
Commissioner, Precinct #1, James Crittenden  
Commissioner, Precinct #2, Joe Ferguson  
Commissioner, Precinct #3, Lloyd A. Crabtree  
Commissioner, Precinct #4, Gary DrennanBY \_\_\_\_\_  
6 JAN 13 4:10:30  
CLERK

RG

PERMIT APPLICATION FOR USE OF UPSHUR COUNTY RIGHT OF WAY

TO THE UPSHUR COUNTY COMMISSIONERS COURT  
COUNTY OF UPSHUR  
GILMER, TEXAS

PRECINCT 3 DATE 1-12-06

Formal notice is hereby given that ENBRIDGE PIPELINES (NETEX) LP whose principal address is 540 PRIVATE RD 2297, LONGVIEW, TX 75604 does hereby propose to place a GAS PIPELINES within the ROW of County Road S. MONTGOMERY ST.

The location and description of the proposed lines or appurtenances is more fully shown by three (3) copies of drawings attached to the application. Proposed construction will begin, if approved, on or after the 20TH day of JANUARY, 2006

I, JACK LANGSTON, hereby attest that I have read the conditions set forth in this application and understand its contents

NAME: ENBRIDGE PIPELINES (NETEX) LP BY: JACK LANGSTON  
903-248-0455  
PHONE 903-520-7776 - CELL

APPROVAL OF PERMIT APPLICATION

The Upshur County commissioner Court offers no objections to the location on the right of way of your proposed \_\_\_\_\_ as shown by accompanying drawings and notice dated \_\_\_\_\_, 2006, except as noted below:

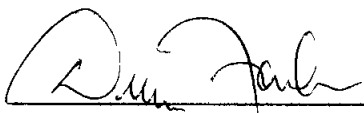
It is expressly understood that the Upshur County Commissioners Court does not purport, hereby, to grant any right, claim, title, or easement in or upon this county road, it is further understood that in the future should for any reason Upshur County need to work, improve, relocate, widen, increase, add to or in any manner change the structure of this right of way, this appurtenance, if affected, will be moved under the direction of the Upshur County Commissioners Court representative and shall be relocated at the expense of the owner within thirty (30) days upon receipt of notice from the Commissioners Court

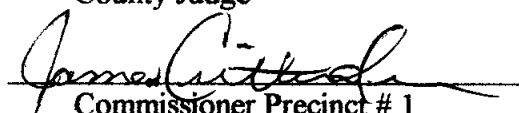
All work on the County right of way shall be performed in accordance with the Commissioners Court instructions. The installation shall not damage any part of the roadway and adequate provisions must be made to cause minimum inconvenience to traffic and adjacent owners. Specifications for placing this line are as follows

1. Barricades, warnings signs, lights and flag men when necessary shall be provided by the contractor or owner. One half of the traveled portion of the road must be open at all times
2. All lines, where practicable, shall be located to cross roadbed at approximately right angles. 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
3. Parallel lines will be installed as near the right of way lines as possible and no parallel line will be installed in the roadbed or between the drainage ditch and the roadbed without special permission of the County Commissioners Court


- 4 Overhead lines will have minimum clearance of 18 feet above the road surface at the point of crossing
- 5 Operations along roadways shall be performed in such a manner that all excavated material be kept off the surface at all times, as well as all operating equipment and materials. No equipment for installation procedures will be used which will damage any road surface, roadbed, structures or other right of way feature. Any expenditure that is a direct result of this installation will borne by owner of this line
- 6 All lines under roads carrying pressure in excess of 50psi shall be enclosed in satisfactory casing extending from the right of way line to the right of way line. Pipe used for casing may be of any type approved by the County Engineer or Commissioners Court and shall be capable of supporting load of roadbed and traffic and shall be so constructed that there will be no leakage of any matter through casing for its entire length; Inside diameter of casings shall be at least 2 inches greater than the largest diameter of carrier pipe, joints or couplings
- 7 All excavations within the right of way and not under surfacing shall be backfilled by tamping 6 inch horizontal layers. All surplus material will be removed from the right of way and the excavation finished flush with surrounding natural ground.
8. All ground lines are to be installed a minimum of 36 inches below the flow line of the adjacent drainage or borrow ditch. (Any material placed in county right of way be permit will be of a nature or composition that said line can be located with the sue of a standard locator device used in locating buried cables and pipe.)
- 9 Lines crossing under roads and under cross roads within the right of way will be placed by boring. Boring shall extend from crown line to crown line. Gravity flow sewer lines under roadway will be cast iron or equivalent pipe
10. Where evidence is presented indicating the impracticability or boring or tunneling, the Commissioner Court may grant permission to cut the surface no wider than 4 inches. In the event a cut is permitted the following conditions will govern. (a) Excavation areas are to be filled and packed with compatible material (b) The surfacing will be replaced with equivalent quality surfacing
- 11 Notice will be given to the precinct Commissioner 48 hours prior to starting construction of the line in his precinct.
12. Where in the opinion of the Commissioners Court it may be necessary to protect losses incurred by damage to the roads, bridges or right of way structures, they may by action of the court require a surety bond in an amount sufficient to cover any damages
- 13 Where, in the opinion of the Commissioners Court, an inspector is necessary, the party receiving permit will bear the cost of inspection.

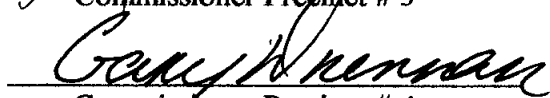
APPROVED ON THIS 13 DAY OF JANUARY, 2002

  
County Judge

  
Commissioner Precinct # 1

  
Commissioner Precinct # 2

  
Commissioner Precinct # 3

  
Commissioner Precinct # 4

RECEIVED  
JAN 13 10:29  
BY  
CITY

MAPQUEST

Pond

Southpark St

S Montgomery St

Apple Tree Rd

S Montgomery St

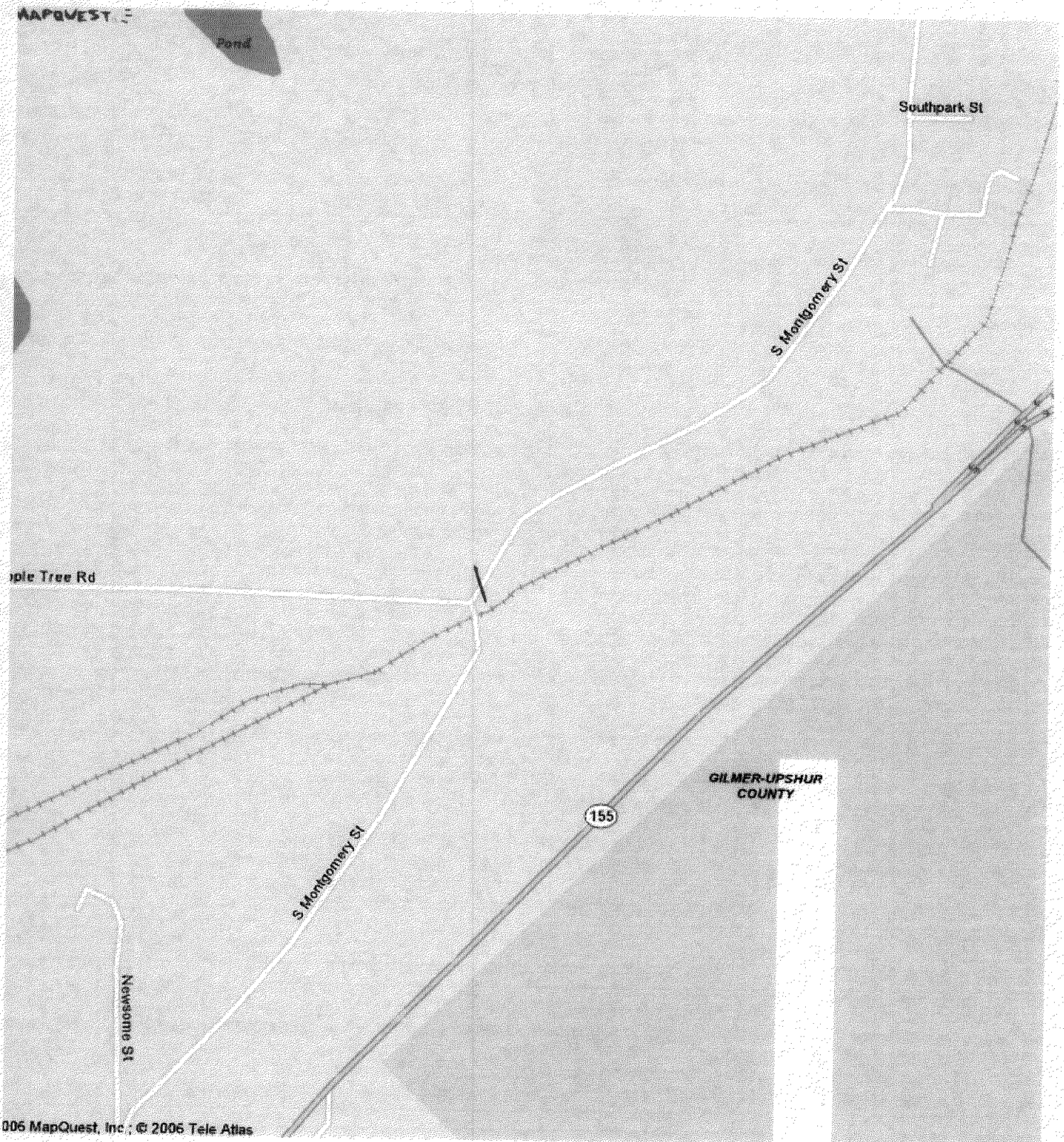
GILMER-UPSHUR  
COUNTY

155

Newsome St

2006 MapQuest, Inc. © 2006 Tele Atlas





06 JAN 13 11:03:30

Property off of E. R Hill  
Mailing Address: 11677 Fm 2088  
Pittsburg  
Telephone No. \_\_\_\_\_

**LETTER AGREEMENT**

BY \_\_\_\_\_  
Date: 6-3-05, 2003

This Letter Agreement is made and entered into by and between Upshur County, Texas, ("County") and GEORGE HILL, the owner or person legally entitled to possession of the above described property ("Property Owner").

**RECITALS**

WHEREAS, County is the possessor of certain dirt, silt, or other products of right-of-way dredging which County is desirous of disposing without unjustifiable transportation or stockpiling expenses; and

WHEREAS, Property Owner represents that he is the owner or legal possessor of the referenced property and is desirous of County disposing of said dirt, silt, or other dredging by-products upon Property Owner's property for Property Owner's utilization of the same; and

NOW, THEREFORE, in consideration of the mutual benefits to the parties hereto, the parties agree as follows:

1. Property Owner hereby expressly gives permission for County, through its Road Department, to enter on Property Owner's property, hereby authorizing necessary rights of ingress, egress and regress therefrom for the purpose of disposing of certain dirt, silt or other by-products of right-of-way dredging.
2. County agrees that it will use due care to avoid damage to Property Owner's land in the disposal of said materials upon Property Owner's property, nevertheless, Property Owner agrees that Upshur County and its agents disposing of these materials onto Property Owner's property will not be held responsible for any related damage in connection with said disposal of these materials onto Property Owner's land, and Property Owner hereby agree to indemnify and hold County harmless from contents of the dredged material and from any and all other damages to persons or property associated with County's placing said material on Property Owner's property.
3. Both parties agree that this letter agreement contains the parties' entire agreement.

PROPERTY OWNER/  
LEGAL POSSESSOR

George K Hill

UPSHUR COUNTY

By Dan Fink  
Its County Judge

Property off of Jackson Circle  
Mailing Address: 6346 Jackson Circle

06 JAN 13 AM 10:30

Telephone No. 903

**LETTER AGREEMENT**

BY \_\_\_\_\_  
Date: April 22 2004

This Letter Agreement is made and entered into by and between Upshur County, Texas, ("County") and Arthur Adams, the owner or person legally entitled to possession of the above described property ("Property Owner").

**RECITALS**

WHEREAS, County is the possessor of certain dirt, silt, or other products of right-of-way dredging which County is desirous of disposing without unjustifiable transportation or stockpiling expenses, and

WHEREAS, Property Owner represents that he is the owner or legal possessor of the referenced property and is desirous of County disposing of said dirt, silt, or other dredging by-products upon Property Owner's property for Property Owner's utilization of the same; and

NOW, THEREFORE, in consideration of the mutual benefits to the parties hereto, the parties agree as follows:

1. Property Owner hereby expressly gives permission for County, through its Road Department, to enter on Property Owner's property, hereby authorizing necessary rights of ingress, egress and regress therefrom for the purpose of disposing of certain dirt, silt or other by-products of right-of-way dredging.
2. County agrees that it will use due care to avoid damage to Property Owner's land in the disposal of said materials upon Property Owner's property, nevertheless, Property Owner agrees that Upshur County and its agents disposing of these materials onto Property Owner's property will not be held responsible for any related damage in connection with said disposal of these materials onto Property Owner's land, and Property Owner hereby agree to indemnify and hold County harmless from contents of the dredged material and from any and all other damages to persons or property associated with County's placing said material on Property Owner's property.
3. Both parties agree that this letter agreement contains the parties' entire agreement.

PROPERTY OWNER/  
LEGAL POSSESSOR

Arthur Adams

UPSHUR COUNTY

By [Signature]  
Its County Judge

Property off of Groundhog  
Mailing Address: P O Box 531  
Gilmer, TX 75644

Telephone No 903-725-7920

**LETTER AGREEMENT**

BY \_\_\_\_\_  
Date: December 5, 2005

This Letter Agreement is made and entered into by and between Upshur County, Texas, ("County") and Diane Strother, the owner or person legally entitled to possession of the above described property ("Property Owner").

**RECITALS**

WHEREAS, County is the possessor of certain dirt, silt, or other products of right-of-way dredging which County is desirous of disposing without unjustifiable transportation or stockpiling expenses; and

WHEREAS, Property Owner represents that he is the owner or legal possessor of the referenced property and is desirous of County disposing of said dirt, silt, or other dredging by-products upon Property Owner's property for Property Owner's utilization of the same; and

NOW, THEREFORE, in consideration of the mutual benefits to the parties hereto, the parties agree as follows:

1. Property Owner hereby expressly gives permission for County, through its Road Department, to enter on Property Owner's property, hereby authorizing necessary rights of ingress, egress and regress therefrom for the purpose of disposing of certain dirt, silt or other by-products of right-of-way dredging.
2. County agrees that it will use due care to avoid damage to Property Owner's land in the disposal of said materials upon Property Owner's property, nevertheless, Property Owner agrees that Upshur County and its agents disposing of these materials onto Property Owner's property will not be held responsible for any related damage in connection with said disposal of these materials onto Property Owner's land, and Property Owner hereby agree to indemnify and hold County harmless from contents of the dredged material and from any and all other damages to persons or property associated with County's placing said material on Property Owner's property.
3. Both parties agree that this letter agreement contains the parties' entire agreement

PROPERTY OWNER/  
LEGAL POSSESSOR

X Diane Strother

UPSHUR COUNTY

By [Signature]  
Its County Judge





**Merchants  
Bonding  
Company**

**HOME OFFICE**  
2100 FLEUR DRIVE  
DES MOINES, IOWA 50321-1158  
(800) 678-8171  
FAX (515) 243-0344

**AUSTIN OFFICE**  
P O BOX 26720  
AUSTIN, TEXAS 78720  
(800) 252-9656  
FAX (512) 343-8363

**CONTINUATION CERTIFICATE**

(to be filed with the obligee)

TX 599520      2,000      CONSTABLE, DEPUTY  
BOND NO      AMOUNT      DESCRIPTION

OBLIGEE CONSTABLE FOR UPSHUR COUNTY

THE MERCHANTS BONDING COMPANY (MUTUAL), Des Moines, Iowa, hereby continues in force Bond for

PRINCIPAL DOYCE DEWAYNE LAGRONE

DBA \_\_\_\_\_

All liability under this Continuation Certificate is effective 01/05/06 and terminates midnight 01/05/07

This continuation is executed upon the express condition that the Company's liability under said Bond and this and all continuations thereof shall not be cumulative and shall in no event exceed in the aggregate the largest single amount named in the Bond, the endorsement attached thereto, or any continuation certificate

Witness the signature of its President under the corporate seal on 11/01/05

MERCHANTS BONDING COMPANY (MUTUAL)

Attest  
William Warner Jr  
Secretary

Larry Taylor  
President

**CERTIFICATION**

I hereby certify that the following is a true and correct copy of Section 7 and Section 9 of Article 2 of the Amended and Substituted By-laws of Merchants Bonding Company (Mutual) duly adopted and recorded to-wit Section 7 - "The Chairman of the Board or President or any Vice President or Secretary or Treasurer or any Assistant Vice President or any Assistant Secretary shall have power and authority to execute on behalf of the Company and attach the Seal of the Company thereto, bonds and undertakings, recognizances, contracts of indemnity and other writings obligatory in the nature thereof" and Section 9 - "The signature of any authorized officer and the Seal of the Company may be affixed by facsimile to any Power of Attorney or Certification thereof authorizing the execution and delivery of any bond, undertaking, recognizance, or other suretyship obligations of the Company, and such signature and seal when so used shall have the same force and effect as though manually fixed"

I further certify that the following are duly elected officers of the Company Larry Taylor, President, and William Warner, Jr , Secretary

IN TESTIMONY WHEREOF, I have hereunto set my hand as President and affix the Corporate Seal of the MERCHANTS BONDING COMPANY (MUTUAL) this 1ST day of NOVEMBER, 2005

MERCHANTS BONDING COMPANY (MUTUAL)

Attest  
William Warner Jr  
Secretary

Larry Taylor  
President

On this 1ST day of NOVEMBER, 2005 before me appeared Larry Taylor, to me personally known, who being by me duly sworn did say that he is President of the MERCHANTS BONDING COMPANY (MUTUAL), the corporation described in the foregoing instrument, and that the Seal affixed to the said instrument is the Corporate Seal of the said Corporation and that the said instrument was signed and sealed in behalf of said Corporation by authority of its Board of Directors

Witnessed to and subscribed by me on 11/01/05

Marilyn Boyd  
Notary Public, Polk County, Iowa

# IMPORTANT NOTICE

Vol. 7 PG 999

To obtain information or make a complaint

You may contact your insurance agent at the telephone number provided by your insurance agent

You may call Merchants Bonding Company's toll-free telephone number for information or to make a complaint at

**1-800-678-8171**

You may contact the Texas Department of Insurance to obtain information on companies, coverages, rights or complaints at

**1-800-252-3439**

You may write the Texas Department of Insurance at  
P O Box 149104  
Austin, TX 78714-9104  
FAX # (512) 475-1771

**PREMIUM AND CLAIM DISPUTES:** Should you have a dispute concerning your premium or about a claim you should contact the agent first. If the dispute is not resolved, you may contact the Texas Department of Insurance.

**ATTACH THIS NOTICE TO YOUR POLICY:** This notice is for information only and does not become a part or condition of the attached document.

36 JAN 13 AM 10:12  
L  
BY  
CITY

## INTERLOCAL AGREEMENT

WHEREAS, the County of Upshur, Texas, hereinafter called "County" and the City of Ore City, Ore City, Texas, hereinafter called "City", desire to enter into an agreement concerning the use of county owned ("DREs"), an electronic voting system required by H.A.V A

WHEREAS, in enacting Section 61.012 of the Texas election code, the Texas Legislature chose not to make a distinction between federal and other elections, and instead imposed the same accessibility requirement for all elections. Currently, only an electronic voting system called a Direct Record Electronic ("DRE") is capable of complying with these requirements. As a result, all entities will be required to provide at least one accessible voting system in each polling place in elections held after January 1, 2006. There are no exemptions in the law based on size of type of political subdivisions

WHEREAS, the federal government allocated funds for federal elections only. The Texas Secretary of State is currently distributing these funds to counties only, through it's grant process. As the chief executive officer of Upshur County, the county judge has access and has applied for these funds on behalf of the County. The total reimbursement eligibility for Upshur County is **\$298,920.25**

WHEREAS, entities realize that it is in the best interest of the taxpayers of the City of Ore City and Upshur County for the County to allow the City to lease the federally mandated "DREs" from the county for elections held after January 1, 2006

Now, therefore, this agreement is hereby made and entered into by the County and City for the mutual consideration Stated herein:

I

~~The City agrees to pay the County the sum of \$100.00 for each election in which the DREs are used. The \$100.00 will be used to defray the cost for maintaining and storing of the DREs.~~ (A)

II

The County agrees to program the DREs for each election conducted by the City

III

The County agrees to provide assistance as far as setting up each Direct Recording Electronic system to be used in each election conducted by the City. This includes early voting and election day

IV

The City agrees to return the DRE and all other equipment to the County Clerk on election night

V

The County agrees to tally the votes on the DREs on each election night, and provide the City with those results

VI

The City agrees to attend any local training sessions on the use of the DREs provided by the vendor

VII

If necessary, the County Clerk, or a designated member of the County Clerk's staff, may provide assistance on the DREs to the City, in the polling place, during early voting or on election day

VIII.

The County will store and maintain the DREs when not in use by the City or other entity

IX

If an election authorized by the County and an election authorized by the City fall on the same day, the County and the City may conduct a joint election. If either of the parties does not agree on a joint election, the County will have first priority on the use of the DREs.

X

In the event that any portion of this agreement shall be found to be contrary to law, it is the intent of the parties hereto that the remaining portions shall remain valid and in full force and effect to the extent possible

Executed in duplicate originals by the County on the 13<sup>th</sup> day of January 2006

**COUNTY OF UPSHUR**

  
\_\_\_\_\_  
**JUDGE DEAN FOWLER**

**ATTESTED BY:**

\_\_\_\_\_  
**COUNTY CLERK**

**CITY OF ORE CITY**

\_\_\_\_\_  
\_\_\_\_\_, **MAYOR**

**ATTESTED BY:**

\_\_\_\_\_  
**CITY SECRETARY**

6 JAN 13 7:10:30 AM '06

BY \_\_\_\_\_

UPSHUR COUNTY

## A C C O U N T S   P A Y A B L E   S Y S T E M

12 Jan 2006

Approved Disbursements

Checking Account(s) APCA FNB INS FNB 125

THE SOFTWARE GROUP, INC

Disbursements Made from 12/30/05 thru 01/12/06

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Check #.	HC Date	Vendor	Check Amount	Invoice Amt	Invoice Descriptions
138659-APCA	12/30/05	UPSHUR CO CSCD BENEFITS ACCO	\$1,040 70	\$1,040 70	CSCD STATE BENEFITS
138660-APCA	12/30/05	UPSHUR CO CSCD BENEFITS ACCO	\$26 30	\$26 30	CSCD STATE LIFE INSURANCE
138661-APCA	12/30/05	NATIONWIDE RETIREMENT	\$77 21	\$77 21	ENTITY#52039 PAYROLL DEDUCTIONS
138662-APCA	12/30/05	FIRST NATIONAL BANK GILMER	\$34,470 12	\$34,470 12	FICA, MEDICARE PAYROLL DEDUCTIONS
138663-APCA	12/30/05	FIRST NATIONAL BANK GILMER	\$16,984 62	\$16,984 62	WITHHOLDING PAYROLL DEDUCTIONS
138664-APCA	12/30/05	GASA	\$1,818 35	\$1,818 35	125 PLAN MEDICAL SPENDING ACCOUNT
138665-APCA	12/30/05	GASA	\$208 00	\$208 00	125 CHILD CARE EXPENSES
138666-APCA	12/30/05	UPSHUR COUNTY IRC/125	\$285 93	\$285 93	125/NATIONAL FAMILY CARE PAYROLL DEDUCTION
138667-APCA	12/30/05	UPSHUR COUNTY IRC/125	\$184 65	\$184 65	125/AFLAC PAYROLL DEDUCTION
138668-APCA	12/30/05	UPSHUR COUNTY IRC/125	\$82 23	\$82 23	125/AMERICAN HERITAGE PAYROLL DEDUCTION
138669-APCA	12/30/05	UPSHUR COUNTY IRC/125	\$167 85	\$167 85	125/TRANSPORT LIFE PAYROLL DEDUCTION
138670-APCA	12/30/05	UPSHUR COUNTY IRC/125	\$250 57	\$250 57	125/CENTRAL UNITED PAYROLL DEDUCTION
138671-APCA	12/30/05	UPSHUR COUNTY IRC/125	\$5,491 00	\$5,491 00	125 DEPENDENT INS PREMIUMS/PAYROLL
138672-APCA	12/30/05	ATTORNEY GENERAL OF TEXAS	\$149 00	\$149 00	HARRY CROCKETT #98302DR
138673-APCA	12/30/05	POLICE AND FIREMEN'S INS. ASS	\$203. 50	\$203 50	#0004212440-2 UP. CO. SHERIFF DEPT
138674-APCA	12/30/05	UPSHUR COUNTY INSURANCE ACCO	\$1,181 21	\$1,181 21	DEPENDENT INS PREMIUMS/PAYROLL
138675-APCA	12/30/05	TXCSDU	\$88 00	\$88 00	N005932949/STANLEY
138676-APCA	12/30/05	SHARON KEMP #0539655371	\$130. 00	\$130. 00	EARL BECK
138677-APCA	12/30/05	TXCSDU	\$300 00	\$300 00	#96-291-DR, 451-96-7891
138678-APCA	12/30/05	TXCSDU	\$181 13	\$181 13	JUSTIN DAVIDSON #510-03
138679-APCA	12/30/05	OFFICE OF THE ATTORNEY GENER	\$112 50	\$112 50	MITCHAEAL JONES
138680-APCA	12/30/05	TEXAS CHILD SUPPORT DISBURSE	\$150 00	\$150 00	JAMES PAGE
138681-APCA	12/30/05	OFFICE OF THE ATTORNEY GENER	\$112 50	\$112 50	MITCHAEAL JONES
138682-APCA	12/30/05	TCSDU	\$90 00	\$90. 00	ANDREW MULLINS
138683-APCA	12/30/05	TEXAS COUNTY & DISTRICT RETI	\$74,895 25	\$74,895 25	UNIT#329 MONTHLY REPORT
138684-APCA	12/30/05	STANDING CHAPTER THIRTEEN TR	\$115 00	\$115 00	CASE#04-20199 DERONDA CAIN

UPSHUR COUNTY

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THE SOFTWARE GROUP, INC

Disbursements Made from 12/30/05 thru 01/12/06

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Check #	HC Date	Vendor	Check Amount	Invoice Amt	Invoice Description
138685-APCA	12/30/05	STANDING CHAPTER THIRTEEN TR	\$152 50	\$152 50	CASE#02-63533 STELLA ALLEN
138686-APCA	12/30/05	STANDING CHAPTER 13 TRUSTEE	\$324 00	\$324 00	CASE#04-20530 CYNTHIA FROST
138687-APCA	12/30/05	TG	\$208 50	\$208 50	WAGE WITHHOLDING PAYMENT
138688-APCA	12/30/05	VALIC	\$455 00	\$455 00	PAYROLL DEDUCTIONS
138690-APCA	12/30/05	48TH ANNUAL J&C CONFERENCE	\$160 00	\$160 00	COMM CT-REGISTER/JAMES CRITTENDEN, PCT#1 COMM
138691-APCA	12/30/05	ADAM PENA	\$5 00	\$5 00	JP#3-CAUSE#T05-0483J3 OVER PAYMENT REIMBURSED
138692-APCA	12/30/05	ADVANTAGE RENT-A-CAR	\$257 72	\$257 72	D A-CAR RENTAL(ROBYN)
138693-APCA	12/30/05	AFLAC	\$453 64	\$453 64	12/30/05 #55217 PAYROLL DEDUCTIONS
138694-APCA	12/30/05	ALLTEL	\$166 97	\$8 69 \$2 66 \$6 08 \$149 54	TELE COMM-#010776716123/12/21/05 BILLING TELE COMM-#010167349123/12/21/05 BILLING JP#3-#010445713123/12/21/05 BILLING TELE COMM-#010721812123/12/21/05 BILLING
138695-APCA	12/30/05	ALLTEL	\$247 63	\$199 79 \$12 25 \$35 59	D A-#GM02648/12/09/05 BILLING JP#4-#GM00999/12/09/05 BILLING CO BLDGS-#LT3822V 12/21/05
138696-APCA	12/30/05	AMERICAN HERITAGE LIFE INSUR	\$154 82	\$154 82	12/30/05 #47939 PAYROLL DEDUCTIONS
138697-APCA	12/30/05	AMOS SKINNER	\$1,240 00	\$1,240 00	R&B-HAULING 12/12-20/05
138698-APCA	12/30/05	ADS LASER SERVICE	\$169 00	\$169 00	COMPUTER-FIRMWARE
138699-APCA	12/30/05	BARRY CLARK WALLACE	\$610 00	\$260 00 \$350 00	D CT-#13,575, RONALD DEAN FULTS II D CT-#307-95/I-I-O-RIDEK CHILDREN
138700-APCA	12/30/05	BAXTER SALES CO INC.	\$653 36	\$653 36	CO JAIL-#101873/JANITORIAL SUPPLIES
138701-APCA	12/30/05	BEHAVIORIAL INTERVENTION SER	\$2,945 00	\$2,945 00	JUV PROB-GROUP THERAPY 11/15/05-12/15/05
138702-APCA	12/30/05	BEN E KEITH FOODS	\$4,046 57	\$1,820 73 \$2,225 84	CO JAIL-#352156/ASSORTED FOODS CO JAIL-#352156/ASSORTED FOODS
138703-APCA	12/30/05	BEST WESTERN	\$271 20	\$271 20	CO CLK&D CLK-REGISTRATION/LODGING
138704-APCA	12/30/05	BETA TECHNOLOGY INC	\$223 97	\$223 97	CO BLDG-DRAIN CLEANER, FREIGHT
138705-APCA	12/30/05	BOARD OF TAX PROFESSIONAL EX	\$165 00	\$165 00	CO TAX-2006 MEMBERSHIP/M SMITH; S LAMINACK, B. HILL
138706-APCA	12/30/05	BOB BARKER CO INC	\$385 03	\$385 03	CO JAIL-SAVING CREAM, RAZORS, PROPERTY BAGS
138707-APCA	12/30/05	BRANDY LEE	\$26 84	\$26 84	JP#3-REIMBURSE/85 20m1@ 315ea

UPSHUR COUNTY

## ACCOUNTS PAYABLE SYSTEM

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THE SOFTWARE GROUP, INC

Disbursements Made from 12/30/05 thru 01/12/06

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Check #	HC Date	Vendor	Check Amount	Invoice Amt	Invoice Description
					11/22/05-12/28/05
138708-APCA	12/30/05	BROOKSHIRES	\$200 00	\$200 00	D A-BRAD WILBURN/HOT CK RESTITUTION
138709-APCA	12/30/05	BULFINCH CUSTODIAL SERVICE I	\$3,999 00	\$3,999 00	DEC'05 JANITORIAL CONTRACT
138710-APCA	12/30/05	C M STEGALL & SON	\$9,600 00	\$9,600 00	R&B-GRAVEL/1,200 YDS @ \$8 00
138711-APCA	12/30/05	CAROLYN BULLOCK	\$78 00	\$78 00	D CLK-PER DIEM FOR(3)DAYS MEALS
138712-APCA	12/30/05	CAROLYN PERRY	\$81 05	\$81 05	JP#3-REIMBURSE/257.30mi@ 315ea 11/28/05-12/27/05
138713-APCA	12/30/05	CASTLEMAN MACHINE & WELDING	\$42 00	\$42 00	R&B-1 1/2" PIN/ LABOR
138714-APCA	12/30/05	CED CREDIT OFFICE	\$87 00	\$87 00	CO BLDG-PIN TORK KITS
138715-APCA	12/30/05	CENTERPOINT ENERGY	\$1,638 26	\$17 19	PORTER BLDG-#27066075/12/16/05 BILLING
				\$784 77	CO BLDG-#27403856/12/19/05 BILLING
				\$755 47	CO LIB-#27790708/12/19/05 BILLING
				\$80 83	CO BLDG-#27065747/-11/15-12/16/05 SERVICE
138716-APCA	12/30/05	CERTIFIED SERVICE CENTER	\$123 40	\$123 40	CO BLDG-REPAIR DEEP FRYER
138717-APCA	12/30/05	CHANE YOUNG	\$188 47	\$98 46	CONST#4-40 GALS GASOLINE
				\$40 61	CONST#2-19 GALS GASOLINE
				\$49 40	CONST#4-26 GALS GASOLINE
138718-APCA	12/30/05	CHRISTINA W WALLACE CSP	\$225 00	\$225 00	D CT-COURT REPORTING 11/10/05
138719-APCA	12/30/05	CITY OF GILMER	\$7,987 13	\$3,732 18	J CTR-#0106750000/-10/01-31/05 SERVICE
				\$38 80	CO BLDG-#1215100000/-10/31-11/30/05 SERVICE
				\$12 50	CO BLDG-#1222900000/-10/31-11/30/05 SERVICE
				\$31 90	CO LIB-#0309820000/-10/31-11/30/05 SERVICE
				\$25 00	911-#0107605000/-10/31-11/30/05 SERVICE
				\$3,732 18	J CTR-#0106750000/-10/31-12/30/05 SERVICE
				\$348 33	CO BLDG-#1327400000/-10/31-11/30/05 SERVICE
				\$25 00	CO BLDG-#1217100000/-10/31-11/30/05 SERVICE
				\$41 24	ROCK BLDG-#1330410000/-10/31-11/30/05 SERVICE
138720-APCA	12/30/05	CITY OF GLADEWATER	\$3 09	\$3 09	JP#3-#0110115000001/LATE PENALTY
138721-APCA	12/30/05	COMPLETE BUSINESS	\$444 64	\$49 48	D CLK-#21011/-11/01-12/01/05 SERVICE
				\$112 90	CO CLK-#21019/-11/01-12/01/05 SERVICE
				\$29 44	TREAS-#21033/-11/01-12/01/05 SERVICE
				\$39 52	TAX-#21037/-11/01-12/01/05 SERVICE
				\$8 23	JP#4-#21023/-11/01-12/01/05 SERVICE
				\$23 30	CO LIB-#21014/-11/01-12/01/05 SERVICE
				\$28 01	D JUDGE-#21013/-11/01-12/01/05 SERVICE
				\$1 00	CO BLDG-#21016/-11/01-12/01/05 SERVICE
				\$14 04	CO JAIL-#21008/-11/01-12/01/05 SERVICE

UPSHUR COUNTY

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THE SOFTWARE GROUP, INC

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Check #	HC Date.	Vendor	Check Amount	Invoice Amt	Invoice Descriptions
				\$7 70	CO JUDGE-#21024/-11/01-12/01/05 SERVICE
				\$13 19	DISP-#LNO461/-11/01-12/01/05 SERVICE
				\$44 55	CO JAIL-#21006/-11/01-12/01/05 SERVICE
				\$20 27	EXT-#21034/-11/01-12/01/05 SERVICE
				\$8 94	CO COMM-#21021/-11/01-12/01/05 SERVICE
				\$12 48	JP#1-#21035/-11/01-12/01/05 SERVICE
				\$1 69	CO CLK-#21020/-11/01-12/01/05 SERVICE
				\$3 20	VET-#21017/-11/01-12/01/05 SERVICE
				\$26 70	CO CLK-#21032/-11/01-12/01/05 SERVICE
138722-APCA	12/30/05	COMPUTERLAND	\$65.00	\$65.00	COMPUTER-#3001/SERVICES
138723-APCA	12/30/05	CONSECO HEALTH INSURANCE CO	\$172.70	\$172.70	12/30/05 PAYROLL DEDUCTIONS
138724-APCA	12/30/05	DAVID W BULLER M D	\$1,000.00	\$1,000.00	DEC'05 CONTRACTED MEDICAL SERVICES
138725-APCA	12/30/05	DENTRUST DENTAL	\$2,325.00	\$2,325.00	CO JAIL-NOV'05 DENTAL
138726-APCA	12/30/05	DIAMOND D LUBE +	\$94.00	\$23.50	CO S-OIL CHANGE
				\$23.50	CO S-UNIT#2247/OIL CHANGE
				\$23.50	CO S-UNIT#3234/OIL CHANGE
				\$23.50	CO S-UNIT#1206/OIL CHANGE
138727-APCA	12/30/05	DIGITAL TECHNOLOGIES 2000	\$45.00	\$45.00	JUV PROB-INV#71785 11/30/05
138728-APCA	12/30/05	DOUG'S CHEVRON FOOD	\$59.01	\$59.01	D A-TENA HART/HOT CK RESTITUTION
138729-APCA	12/30/05	DWIGHT A BRANNON	\$350.00	\$350.00	D CT-#13,881/LINDAY STEVENS
138730-APCA	12/30/05	EAST TEXAS INSURANCE AGENCY	\$50.00	\$50.00	CONST#2-TX599520/D D LAGRONE(BOND)
138731-APCA	12/30/05	ECONOMY AUTO SUPPLY INC	\$190.83	\$52.06	R&B-HOSE, FITTINGS, FITTINGS
				\$17.96	R&B-OIL FILTERS, HYD RETURNS
				\$27.18	R&B-1/2" WRENCH; 3/8" UNIVERSAL IMP
				\$80.79	R&B-HEATER CORE; TURN LAMP; TURN LAMP; LENS
				\$2.40	R&B-CAP SCREWS
				\$10.44	R&B-LENS
138732-APCA	12/30/05	ELWELL'S AUTO REPAIR	\$458.20	\$458.20	CONST#2-PARTS, LABOR
138733-APCA	12/30/05	ETEX TELEPHONE COOP INC	\$19.95	\$19.95	911-#8380809/12/01/05 BILLING
138734-APCA	12/30/05	ETMC GILMER	\$1,063.62	\$29.52	INDIG-WALTER A SHIELDS/11/15/05 MEDICAL
				\$776.90	CO JAIL-MATTHEW A BRYAN/12/02/05 MEDICAL
				\$41.90	CO JAIL-TIMOTHY A MEANS/12/07/05 MEDICAL
				\$215.30	CO JAIL-TIMOTHY A MEANS/12/06/05 MEDICAL
138735-APCA	12/30/05	EXPRESS LUBE DBA	\$36.95	\$36.95	CO S-UNIT#1220/OIL CHANGE
138736-APCA	12/30/05	FEDEX	\$21.70	\$21.70	CO JAIL-#171613256/FEDEX 12/15/05 BILLING



UPSHUR COUNTY

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THE SOFTWARE GROUP, INC

Disbursements Made from 12/30/05 thru 01/12/06

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Check #	HC Date	Vendor	Check Amount	Invoice Amt	Invoice Description
138737-APCA	12/30/05	FOOD FAST HOLDINGS	\$45 00	\$45 00	D A-MARY A CAMPBELL/HOT CK RESTITUTION
138738-APCA	12/30/05	GILMER CABLE TV CO INC	\$432 80	\$11 80	NON DEPT-#19305/12/23/05 BILLING
				\$421 00	NON DEPT-#15446/12/23/05 BILLING
138739-APCA	12/30/05	GILMER DISCOUNT TIRE	\$99.95	\$99 95	CO S-UNIT#2221/REPLACE FRONT BRAKE PADS
138740-APCA	12/30/05	GOODE BROS A/C & HEATING	\$24,817 00	\$24,285 00	CO BLDG-REPLACING 2-10 TON & 1-15 TON UNITS
				\$428 00	CO BLDG-REPAIR 2 UNITS
				\$104 00	CO BLDG-REPAIR 2 UNITS
138741-APCA	12/30/05	GREATAMERICA LEASING CORP.	\$565 61	\$565 61	CO CLK-#0140285756-002/12/12/05 BILLING
138742-APCA	12/30/05	H&D HARDWARE & AUTOMOTIVE IN	\$239 22	\$19 78	R&B-PAHL, LABOR
				\$26 99	R&B-POTATO HOOK
				\$17 95	CO BLDGS-GLUE TRAPS; 1 BITE POISON
				\$15 96	CO BLDGS-(4)GRAY SMOKE
				\$8 39	CO BLDGS-(1)GRAY SMOKE, BX WHITE RAGS
				\$25 16	CO BLDGS-DRILL BITS, TAP, LOCK, HASP, KEYS&KEY RINGS
				\$12 61	R&B-SAW, PVC PARTS
				\$1 42	R&B-PVC PARTS
				\$14 33	CO BLDGS-DEICER, PRESTON EXTEND LIFE
				\$10 67	CO BLDGS-PVC; MALE ADAPTR; ELL, CEMENT
				\$11 30	CO BLDGS-PVC, ORG EXT
				\$15 50	CO BLDGS-MALE ADAPT, CPVC ELL&COUPLING, CHANNEL LOCK
				\$39.04	CO BLDG-ELECTRICAL SPLYS FOR PORTER BLDG
				\$7 27	CO BLDGS-2PC DECKSTER BIT SET; 1/4" MAG NUTSETTER
				\$5 03	CO BLDGS-50X BULL'S EYE FLAPPER, FLAPPER TANK BALL
				\$7 82	CO BLDGS-14" PIPE WRENCH
138743-APCA	12/30/05	HARBOR FREIGHT TOOLS	\$137 18	\$137 18	CO BLDG-TOOLS
138744-APCA	12/30/05	HART INTERCIVIC, INC	\$580 00	\$580 00	CO CLK-ID#UPS-14769 RECORD BINDER VOL 634-643
138745-APCA	12/30/05	HUMANE SOCIETY OF GREGG COUN	\$1,625 00	\$1,625 00	HUMANE SOCIETY-1st QTR BUDGET ALLOCATION(OCT-DEC '05)
138746-APCA	12/30/05	INGRAM BOOK CO	\$457 56	\$15.09	CO LIB-#2083975/BOOK
				\$354 21	CO LIB-#2083975/16 BOOKS
				\$88 26	CO LIB-#2083975/8 BOOKS
138747-APCA	12/30/05	JAMES CRITTENDEN	\$20.00	\$20.00	CO BLDG-REIMBURSE FUEL FOR WELDING MACHINE
138748-APCA	12/30/05	JOE WATKINS	\$975.00	\$975 00	R&B-HAULING
138749-APCA	12/30/05	JOTS	\$75 00	\$75 00	PORTER BLDG-CUST#19486/BLUE TOILET 12/20/05-01/17/06

UPSHUR COUNTY

## ACCOUNTS PAYABLE SYSTEM

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THE SOFTWARE GROUP, INC

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Check #.	HC Date	Vendor	Check Amount	Invoice Amt	Invoice Description
138750-APCA	12/30/05	JUNE J BARNETT	\$235 00	\$235 00	D-CT-COURT REPORTING 12/20/05
138751-APCA	12/30/05	JUSTICE BENEFITS INC	\$1,213 08	\$1,213 08	SCAPP 2005 PROGRAM(CLAIM AMT \$5514 00x22%)
138752-APCA	12/30/05	JUSTICES OF THE PEACE&CONSTA	\$55 00	\$55 00	JP#4-MEMBERSHIP DUES/W V RAY, JP#4
138753-APCA	12/30/05	KARMEN KELLEY	\$307 09	\$307 09	COMPUTER-REIMBURSE MEALS, 644 74 MI @ \$ 315
138754-APCA	12/30/05	KEPR CORP	\$20 00	\$20 00	D A-LANDRA DUNN/HOT CK RESTITUTION
138755-APCA	12/30/05	KIRBY RESTAURANT SUPPLY	\$679.80	\$679.80	CO JAIL-#7009/JANITORIAL SUPPLIES
138756-APCA	12/30/05	LARRY FORTSON	\$16 55	\$13 84 \$2 71	CO CT-REIMBURSE JURY SUPPLIES CO CT-DRINKS FOR JURORS
138757-APCA	12/30/05	LAUREN PARISH	\$400 00	\$400 00	DECEMBER '05 JUVENILE PROBATION BOARD
138758-APCA	12/30/05	MANHATTAN INSURANCE GROUP	\$604 68	\$604 68	12/30/05 #4269 PAYROLL DEDUCTIONS
138759-APCA	12/30/05	MATTHEW PATTON	\$350 00	\$350 00	D CT-#13,925/ROBIN LYNN GROSS
138760-APCA	12/30/05	MEDICAL WHOLESALE INC	\$212 72	\$212 72	CO JAIL-#0003047/MEDICINE
138761-APCA	12/30/05	MELANIE BASKERVILLE	\$45 94	\$45 94	CO JAIL-TRANSPORT/GATESVILLE; GAS&MEAL
138762-APCA	12/30/05	MICHAEL GREEN MD	\$134 30	\$134 30	CO JAIL-MATTHEW A BRYAN/12/02/05 MEDICAL
138763-APCA	12/30/05	MIKE CRAIG FORD MERCURY	\$2,261 81	\$79 32 \$1,028 04 \$1,154 45	CO S-WHEEL COVERS CO S-UNIT#2244/PARTS, LABOR CO S-UNIT#2222/PARTS, LABOR
138764-APCA	12/30/05	MIKE FETTER	\$199 08	\$199 08	D A-REIMBURSE 632 MI @ \$ 315
138765-APCA	12/30/05	MRS BAIRD BAKERIES	\$518.56	\$156 96 \$180 80 \$180.80	CO JAIL-#3529/ASSORTED FOODS CO JAIL-#3529/ASSORTED FOODS CO JAIL-#3529/BREAD
138766-APCA	12/30/05	MUSIC MOUNTAIN WATER CO	\$29 33	\$29 33	TAX-#18700100/11/30/05 BILLING
138767-APCA	12/30/05	NATIONAL FAMILY CARE	\$698 10	\$698.10	12/30/05 #3152 PAYROLL DEDUCTIONS
138768-APCA	12/30/05	PATRICIA HARRISON	\$705 00	\$235.00 \$235 00 \$235 00	D CT-COURT REPORTING 12/16/05 CO CT-COURT REPORTING 12/19/05 CO CT-COURT REPORTING 12/20/05
138769-APCA	12/30/05	PETROLEUM TRADERS CORP	\$6,120 52	\$6,120 52	R&B-DEISEL, TX LOADING, TX STATE DSL TAX, FEDERAL LUST
138770-APCA	12/30/05	PLASTERING SYSTEMS, INC	\$22,980 00	\$13,788 00 \$9,192 00	PORTER BLDG-60% PLASTERING BLDG 11/20/05-12/20/05 PORTER BLDG-BALANCE ON PROJECT 12/20-27/05

UPSHUR COUNTY

## ACCOUNTS PAYABLE SYSTEM

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Checking Account(s) APCA FNB INS FNB 125

THE SOFTWARE GROUP, INC

Disbursements Made from 12/30/05 thru 01/12/06

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Check #	HC Date	Vendor	Check Amount	Invoice Amt	Invoice Descriptions
138771-APCA	12/30/05	RADISSON HOTEL & SUITES AUST	\$294 00	\$294 00	COMPUTER-ROOM, PARKING-01/30-02/02/06
138772-APCA	12/30/05	REARDON PLUMBING	\$209 93	\$209 93	CO BLDG-MATERIAL, LABOR/12/01 & 05/05
138773-APCA	12/30/05	RELIABLE SAFE & LOCK	\$55 00	\$55.00	CO BLDG-REPAIR LOCK
138774-APCA	12/30/05	RICK'S TIRE SERVICE	\$250 00	\$160 00 \$90 00	R&B-TIRES (4)/2 FLAT REPAIRS/SPARE R&B-2 SERVICE CALLS & TIRE MTS
138775-APCA	12/30/05	ROBERT LEE COLE JR	\$700 00	\$350 00 \$350 00	D CT-#13,966/DAVID EGE D CT-#13,886/DANNY HUGH BEASLEY
138776-APCA	12/30/05	ROBYN WOOD	\$91 30	\$69 30 \$22 00	D A-MILEAGE TO JP'S OFFICES D A-REIMBURSE/PARKING
138777-APCA	12/30/05	ROCHELLE WIGGINS	\$160 26	\$160.26	EXT-REIMBURSE/477 MI @ \$ 315, REGISTRATION
138778-APCA	12/30/05	RON HUDSPETH	\$6.37	\$6.37	CO JAIL-REIMBURSE/DETERGENT(INMATE LAUNDRY)
138779-APCA	12/30/05	SAM'S CLUB	\$109 92	\$109 92	CO TAX-#7715090097174296 12/08/05
138780-APCA	12/30/05	SAV-ON OFFICE SUPPLY INC	\$1,459 65	\$117.57 \$36 26 \$45.96 \$286 16 \$13 74 \$209 07 \$207.76 \$69 40 \$266.89 \$142 87 \$11 97 \$7 52 \$23 49 \$20 99	D COURT-INK CARTRIDGE D A-OFFICE SUPPLIES CO CT-OFFICE SUPPLIES CO JAIL-OFFICE SUPPLIES CO CT-OFFICE SUPPLIES D CLK-OFFICE SUPPLIES CO CLK-INK CARTRIDGE D A-OFFICE SUPPLIES CO JAIL-OFFICE SUPPLIES CO CLK-OFFICE SUPPLIES TREAS-BINDERS INDIO-OFFICE SUPPLIES D A-COPY PAPER CO JAIL-BROTHER FAX CARTRIDGE
138781-APCA	12/30/05	SBC	\$2 82	\$2 82	D JUDGE-#21410622362180/12/01/05 BILLING
138782-APCA	12/30/05	SMITH OIL COMPANY	\$208 00	\$208 00	R&B-BATTERY, BATTERY FEE, OIL, OIL DRY, HAND CLEANER
138783-APCA	12/30/05	SOUTHEAST TEXAS FORENSIC CEN	\$1,500 00	\$1,500 00	JP#4-#T05-1104/DONNA JIMMERSON/AUTOPSY
138784-APCA	12/30/05	SOUTHERN TIRE MART	\$973 15	\$526 15 \$447 00	R&B-TIRES R&B-TIRES FOR BACKHOE, GRADER TIRE
138785-APCA	12/30/05	SOUTHWESTERN ELECTRIC POWER	\$1,071 14	\$456 62 \$59 49 \$419 66 \$135 37	CO LIB-#96918788306/-11/09-12/12/05 SERVICE ROCK BLDG-#96924788308/-11/09-12/10/05 SERVICE CO BLDG-#96951098308/-11/09-12/10/05 SERVICE JP#3-#96404792002 12/22/05

UPSHUR COUNTY

## A C C O U N T S   P A Y A B L E   S Y S T E M

12 Jan 2006

Approved Disbursements

Checking Account(s) APCA FNB INS FNB 125

THE SOFTWARE GROUP, INC

Disbursements Made from 12/30/05 thru 01/12/06

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Check #	HC Date	Vendor	Check Amount	Invoice Amt	Invoice Descriptions
138785-APCA	12/30/05	TACA	\$85 00	\$85 00	CO TAX-2005 ANNUAL MEMBERSHIP/MICHEAL L SMITH
138787-APCA	12/30/05	TEXAS ASSOCIATION OF COUNTIE	\$4,851 51	\$4,851 51	#2300 QTR ENDING 12/31/05 UNEMPLOYMENT
138788-APCA	12/30/05	TEXAS ASSOCIATION OF COUNTIE	\$125 00	\$125 00	COMPUTER-MEMB #212571/-01/31-02/02/06 SEMINAR
138790-APCA	12/30/05	TEXAS LAWYERS INSURANCE EXCH	\$1,500 00	\$1,500 00	D CT-LAUREN PARISH, JUDGE/LIAB INS 02/06/06-02/06/07
138791-APCA	12/30/05	TEXAS TRAUMA & EMERGENCY CA	\$106.08	\$18.70 \$87.38	CO JAIL-JOE CLARK/11/30/05 MEDICAL CO JAIL-JOE CLARK/11/30/05 MEDICAL
138792-APCA	12/30/05	THE GILMER MIRROR	\$15 75	\$15 75	ELECTION-PUBLIC NOTICE/TESTING AUTOMACTIC TABULATING EQUIPMENT
138793-APCA	12/30/05	TIM CONE	\$4,055 00	\$1,235 00 \$350 00 \$1,950 00 \$520 00	D CT-#13,280/TABITHA FENTON D CT-#J-12-05/I-I-O-L H D CT-#13,787/DAVID JOHN BESSEY D CT-#13,742/ROGER DALE GRAY
138794-APCA	12/30/05	TIM HENDERSON	\$1,380 00	\$1,380 00	R&B-GRAVEL/690 YDS @ \$2 00
138795-APCA	12/30/05	TRIUMPH	\$234 49	\$234 49	R&B-#1515191/12/20/05 BILLING
138796-APCA	12/30/05	TYLER UNIFORM CO INC	\$434 87	\$151 95 \$282 92	CO JAIL-POLCE WINDBREAKER, 3 LONGSLEEVE GREY SHIRTS CO JAIL-UPS2010/1xLG&XLG WINDBREAKERS
138797-APCA	12/30/05	U.S. FOOD SERVICE	\$4,874 83	\$2,150 68 \$2,724 15	CO JAIL-#93586865/ASSORTED FOODS CO JAIL-#93586865/ASSORTED FOODS
138798-APCA	12/30/05	UNITED STATES TREASURY	\$1,030 98	\$1,030 98	#75-6001187 TAX NOTICE CPI61 09/30/05
138799-APCA	12/30/05	UNIVERSAL TIME EQUIPMENT COM	\$87 44	\$87 44	CO BLDG-SMOKE DETECTOR BASES, SHIPPING
138800-APCA	12/30/05	UPSHUR COUNTY JUVENILE PROBA	\$1,020.09	\$77 27 \$50 86 \$174 91 \$359.72 \$357 33	JUV PROB-TRAVEL/US BANK CARD JUV PROB-GM00626 ALLTEL 12/09/05 BILLING JUV PROB-OFFICE SUPPLIES/CARD SERVICES 12/02/05 JUV PROB-OFFICE SUPPLIES/US BANK CARD JUV PROB-TRAVEL/CARD SERVICES 12/02/05
138801-APCA	12/30/05	UPSHUR-RURAL ELECTRIC COOP	\$727 23	\$553 15 \$55 92 \$118 16	R&B-#1676-004/12/15/05 BILLING R&B-#4956-001&002/12/21/05 BILLING R&B-#49674-001 12/28/05
138802-APCA	12/30/05	VERIZON SOUTHWEST	\$241.22	\$241 22	JP#3-#903-844-8254 ACCT#105230288252275408 12/10/05
138803-APCA	12/30/05	VIKING OFFICE PRODUCTS	\$131 97	\$131 97	CO JAIL-#65125170/4DWR LETTER FILE

UPSHUR COUNTY

## ACCOUNTS PAYABLE SYSTEM

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Approved Disbursements

Checking Account(s) APCA FNB INS FNB 125

THE SOFTWARE GROUP, INC

Disbursements Made from 12/30/05 thru 01/12/06

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Check #	HC Date	Vendor	Check Amount	Invoice Amt	Invoice Descriptions
138804-APCA	12/30/05	WAL-MART #146	\$487 92	\$337 92 \$150 00	D A-TENA HART/HOT CK RESTITUTION D A-STACY BAYLES/HOT CK RESTITUTION
138805-APCA	12/30/05	WAL-MART COMMUNITY	\$65 79	\$65 79	DPS-#6032202001119774 12/16/05
138806-APCA	12/30/05	WAL-MART COMMUNITY	\$81.06	\$81.06	CD LIB-#6032202001118810 12/16/05
138807-APCA	12/30/05	WALMART COMMUNITY	\$17 63	\$17 63	CD CLK-#6032202001114553 12/16/05 & LATE FEE
138808-APCA	12/30/05	WALMART COMMUNITY	\$1 05	\$1.05	JP#2-#6032202001114769 12/16/05
138809-APCA	12/30/05	WELLBORN MECHANICAL SERVICE	\$510.00	\$510.00	CD BLDG-BOILER REPAIR
138810-APCA	12/30/05	WELLS FARGO FINANCIAL LEASIN	\$400 78	\$166 65 \$234 13	D A-#0019001910 COPIER 2535 12/24/05-01/24/06 D A-#0019001910003 #4022 12/24/05-01/24/06
138811-APCA	12/30/05	WEST PAYMENT CENTER	\$1,188 54	\$45 00 \$150.43 \$75 00 \$814 11 \$38 00 \$66 00	D CLK-#1000324153/TX LOCAL GOV CODE D A-#1000261365/-11/01-30/05 SERVICE LAW LIB-#1000809966/-11/01-30/05 SERVICE LAW LIB-#1003266567/-11/01-30/05 SERVICE AUD-#1000537112/-10/31-11/30/05 BILLING JP#1-#1000382921/-10/31-11/30/05 SERVICE
138812-APCA	12/30/05	WEST SIDE FURNITURE	\$46.90	\$46.90	R&B-BAR, CHAIN
138813-APCA	12/30/05	WILBURN INSURANCE AGENCY INC	\$1,551 00	\$1,551 00	CD TAX-#060168337580/EMPLOYEE BLANKET BOND 12/31/05-12/31/06
138814-APCA	12/30/05	WYONE MANES	\$120.00	\$60 00 \$60.00	NOV '05 JP#1 BLDG CLEANED DEC '05 JP#1 BLDG. CLEANED
138815-APCA	12/30/05	YOUNG'S HEATING & AIR	\$125 00	\$125 00	CD BLDG-PARTS, LABOR
138816-APCA	12/30/05	FIRST NATIONAL BANK GILMER	\$500,000 00	\$500,000.00	CD#36998 PURCHASED@3 77(91days)TD MATURE 03/31/05
138845-APCA	01/11/06	FIRST NATIONAL BANK GILMER	\$450,000 00	\$450,000 00	CD#37007 PURCHASED@3 88(35days)TD MATURE 02/15/06
138846-APCA	01/12/06	FIRST NATIONAL BANK GILMER	\$1,181,314.59	\$46,815.23	CD#37011(AVAIL)PURCHASED@4 00%(68days)TD MATURE 03/21/05
				\$1,134,499.36	CD#37012(PERM)PURCHASED@4 00%(68days)TD MATURE 03/21/06
Total for APCA - Accounts Payable Clearing Account			\$2,414,525.51		

UPSHUR COUNTY

## ACCOUNTS PAYABLE SYSTEM

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THE SOFTWARE GROUP, INC

Checking Account(s) APCA FNB INS FNB 125  
Disbursements Made from 12/30/05 thru 01/12/06

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Check #.	HC Date....	Vendor . . .	Check Amount.	Invoice Amt	Invoice Descriptions
1892-FNB 125	12/30/05	UPSHUR CO OPERATING ACCOUNT	\$971 23	\$971 23	12/30/05 125 PLAN CONTRIBUTIONS
1893-FNB 125	12/30/05	UPSHUR COUNTY INSURANCE ACCO	\$5,491 00	\$5,491 00	12/30/05 DEPENDENT INS PREMIUMS FROM IRC
Total for FNB 125 - IRC/125 PLAN			\$6,462 23		

UPSHUR COUNTY

## ACCOUNTS PAYABLE SYSTEM

12 Jan 2006

Approved Disbursements


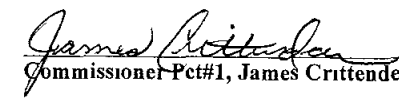
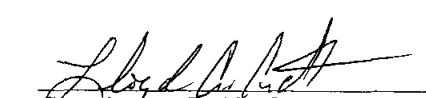

Checking Account(s) APCA FNB INS FNB 125

THE SOFTWARE GROUP, INC

Disbursements Made from 12/30/05 thru 01/12/06

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Check #	HC Date	Vendor	Check Amount	Invoice Amt	Invoice Description
1506-FNB INS	12/30/05	GROUP ADMINISTRATORS-SAN ANT	\$40,431.31	\$40,431.31	GROUP#908400 12/28/05 CLAIMS
1507-FNB INS	12/30/05	GROUP ADMINISTRATORS-SAN ANT	\$42,582.12	\$42,582.12	GROUP#908400 JAN'06 PREMIUMS
1508-FNB INS	12/30/05	SUN LIFE FINANCIAL	\$1,259.75	\$1,259.75	#079589 JAN'06 LIFE PREMIUM
1509-FNB INS	12/30/05	FIRST NATIONAL BANK	\$200,000.00	\$200,000.00	CD#36999(INS)PURCHASED@3 75%(75days)TO MATURE 03/15/05
1510-FNB INS	01/12/06	FIRST NATIONAL BANK	\$260,000.00	\$260,000.00	CD#37013(INS)PURCHASED@3 91%(19days)TO MATURE 01/31/06
Total for FNB INS - INSURANCE			\$544,273.18		
Grand Total			\$2,965,260.92		
165 records listed					

  
County Judge, Dean Fowler  
Commissioner Pct#1, James Crittenden  
Commissioner Pct#2, Joe E. Ferguson  
Commissioner Pct#3, Lloyd A. Crabtree  
Commissioner Pct#4, Gary Drennan

FILED  
JAN 13 AM 10:12  
UPSHUR COUNTY, TX  
DEPUTY

ATTENDANCE SIGN-IN SHEET  
UPSHUR COUNTY COMMISSIONER'S COURT  
DATE: 1-13-06

1. <i>Mike Smith</i>	1. <i>County</i>	BY	6 JAN 13 AM 10:09	161X	161X
2. <i>Paul Whitman</i>	2. <i>11</i>				
3. <i>LT Dan</i>	3.				
4. <i>Peggy Hagrone</i>	4. <i>Upshur</i>				
5. <i>Allen Weatherford</i>	5.	BY	6 JAN 13 AM 10:09	161X	161X
6. <i>Mark Grimes</i>	6. <i>upshur</i>				
7. <i>Amy Ratcliffe</i>	7. <i>Galmer</i>				
8. <i>Candyn Bullock</i>	8.				
9. <i>Mac Overly</i>	9. <i>Missor</i>	BY	6 JAN 13 AM 10:09	161X	161X
10. <i>Jimmy Caughron</i>	10.				
11. <i>Bubba Bender</i>	11.				
12. <i>Linda Fuel</i>	12.				
13. <i>Kla Tynal</i>	13. <i>Upshur</i>	BY	6 JAN 13 AM 10:09	161X	161X
14. <i>Larry Deller</i>	14. <i>upshur County</i>				
15. <i>Cherry Brown</i>	15.				
16. <i>Maryna Harris</i>	16.				
17. <i>AG Fott</i>	17.	BY	6 JAN 13 AM 10:09	161X	161X
18. <i>Phillip Williams</i>	18. <i>Adenotes Mieror</i>				
19.	19.				
20.	20.				