

COMMISSIONERS COURT
REGULAR SESSION
May 14, 2001

The Hunt County Commissioners Court met this day with all Commissioners present and Judge Joe Bobbitt presiding. Minutes of the April 23, 2001 and Special Session on May 8, 2001 were approved as submitted.

OLD BUSINESS:

7971 On the motion by Ralph Green, second by Phillip Martin, the Court approved the following Food Establishment Permit Fees for full-service restaurants, snack bars, convenience stores (the court agreed to drop this fee from \$100 to \$80 for light food preparation-rural convenience stores), mobile units, nursing homes, grocery stores, day-care facilities and temporary permits. Joe Lilly-Health Department advised the Court that test results will be on a web site, sent to Commissioners Office, City Halls and to the Newspaper. *See attachment.*

NEW BUSINESS:

7972 On the motion by Phillip Martin, second by Kenneth Thornton, the Court approved the Quarterly Report from the American Cotton Museum presented by Director-Adrian Witkofsky.

7973 On the motion by Allen Martin, second by Ralph Green, the Court approved the judgment bids on these following properties:

R 88641	Jean M. Waltz	\$1,823.93
R 39796	American Legion Post # 17	\$2,100.00

7974 On the motion by Green, second by Allen Martin, the Court approved the suggested minimum bids for the following properties scheduled to be included in the next re-sale on June 18, 2001:

ACCT#	ASSIGNED TO	ADDRESS	APPL. VAL.	MIN. BID	TOR
<i>(FIRST TIME ON RESALE)</i>					
R25571	County of Hunt	Hwy 50 & CR 4611-Commerce	\$3,500.00	\$1,599.65	1
R32863	County of Hunt	692 CR 2656-Royse City	\$6,400.00	\$1,755.59	1
R41144	County of Hunt	Redbud Trail-West Tawakoni	\$1,550.00	\$ 578.93	1
R42364	County of Hunt	Countess Country Rd.-Quinlan	\$10,180.00	\$2,537.12	1
R42828	County of Hunt	CR 2412-Quinlan	\$ 5,860.00	\$1,431.36	1
R45684	County of Hunt	301 Northside Dr.-Quinlan	\$42,050.00	\$9,487.12	1
R53854	County of Hunt	CR 2250-Quinlan	\$ 2,880.00	\$ 823.79	1
R77402	County of Hunt	Shoreline Dr.-Lone Oak	\$ 1,320.00	\$ 846.65	1

R77434	County of Hunt	Scenic Drive-Lone Oak	\$ 3,350.00	\$ 929.36	1
R77451	County of Hunt	Scenic Drive-Lone Oak	\$ 1,660.00	\$ 591.36	1
R77494	County of Hunt	Circle View Dr.-Lone Oak	\$ 2,550.00	\$ 769.36	1
R77628	County of Hunt	Valley View Dr.-Lone Oak	\$ 2,400.00	\$1,183.65	1
R77661	County of Hunt	Hillside Circle-Lone Oak	\$ 1,560.00	\$ 571.36	1
R115386	County of Hunt	FM 1566 & CR 1040-Wolfe City	\$ 7,880.00	\$1,834.41	1
<i>(SECOND TIME ON RESALE)</i>					
R72881	County of Hunt	2907 Polk St.-Greenville	\$ 1,210.00	\$ 121.63	2
R74562	County of Hunt	411 Wylie St.-Wolfe City	\$ 2,520.00	\$ 252.00	2
R74845	County of Hunt	Payne St.-Quinlan	\$ 1,570.00	\$ 157.00	2
<i>(THIRD TIME ON RESALE)</i>					
R89102	County of Hunt	Whiskers Retreat #6-Quinlan	\$ 2,240.00	\$ 112.00	3
R90686	County of Hunt	4002 Spencer St.-Greenville	\$ 1,610.00	\$ 80.50	3
R102441	County of Hunt	Trades Day-Quinlan	\$ 450.00	\$ 22.50	3

7975 On the motion by Allen Martin, second by Phillip Martin, the Court approved a Resolution concurring in the decision of the Texas Department of Transportation to remove from the State Highway System and abandoned section of FM 2874 located in Pct. 4. Additionally, the County reserves the right to re-call and re-open ROW.

7976 On the motion by Green, second by Allen Martin, the Court approved request of FEC to construct electrical power distribution facilities along and across CR 2526, 2537, 2560, and 2737 in Pct. 2 with the usual stipulations.

7977 On the motion by Phillip Martin, second by Allen Martin, the Court approved the preliminary and final plat for FM 1737 Acres in Pct. 3. Frank Owens advised the court all fees have been paid.

— ‘Discuss and possibly take action on preliminary plat for Bailey Road Homes in Pct. 3.’ Dropped from the Agenda per Frank Owens request.

7978 On the motion by Phillip Martin, second by Thornton, the Court approved road upgrade on oil for CR 3225 in Pct. 3. Fees have been deposited into Escrow.

7979 On the motion by Phillip Martin, second by Allen Martin, the Court approved the preliminary plat for Quail Meadows Estates in Pct. 3.

7980 On the motion by Phillip Martin, second by Allen Martin, the Court approved request of FEC to construct electrical power distribution facilities along and across CR 3131 in Pct. 3 with the usual stipulations.

7981 On the motion by Phillip Martin, second by Green, the Court approved a variance on drainage culvert size in the Water Edge subdivision due to lot size of less than 2 acres. The Court stipulated to allow a 20' wide culvert, concrete driveways would be required.

7982 On the motion by Phillip Martin, second by Thornton, the Court approved a Resolution for a Federal Off-Bridge Program with TX Dot to build a \$132,000 bridge for Lake Fork Creek on CR 3211, furthermore, Commissioner Martin's equivalent 10% re-match will build a bridge on CR 3504 for the sum of \$18,000. The Court noted the State will do the approaches.

7983 On the motion by Allen Martin, second by Thornton, the Court approved bid for interior and exterior signage for the New Justice Center from Aabsco Sign in Royse City Texas. Representative Scott Glover advised the Court installation cost was included in bid. All bids on file in the Personnel Office.

— 'Presentation of the 2000 Gold Safety awards-Texas Association of Counties:' John Payne with Texas Association of Counties was present to present the Hunt County Commissioners Court the 2000 Gold Star Safety Award. This award was made possible by the combined efforts of the Personnel Department, all Commissioner precincts and the Sheriffs Department for safety in the workplace.

HEAR AND DISCUSS REPORTS:

Agreement was made by the Court for next Commissioners Court to be held on Tuesday-May 29, 2001-due to the Memorial Day Holiday on Monday, May 28, 2001.

Also present in Court was Mike Frazier-District Manager for Aramark-asking the court if they have noticed any improvement in their service-all Commissioners agreed service has improved and any problems have been resolved.

7984 On the motion by Allen Martin, second by Phillip Martin, the Court approved accounts payable. Judge Bobbitt abstained from the vote.

7985 On the motion by Green, second by Thornton, the Court approved line item budget transfers.

PERSONNEL AND PAYROLL:

**Commissioners Office, County Judge,
911, 354th District Judge, Veterans
Office, Etc...**

Add Donna Henry as part time/hourly Floating Receptionist at \$6.00 per hour, effective 5-3-01. To serve whenever needed.

Commissioner Pct. 1	Change Johnny Parrish Pct. Worker from G5 to G4-P45, effective 5-14-01.
	Add Doug Melton-part time/hourly Equipment Operator at \$8.50 per hour, effective 5-21-01.
	Raise Gene Dawson to Asst.-Foreman-Change from G5- \$24,657.00 per year to \$25,317.00 per year G6, effective 5-14-01.
	Change Mark Bussell Equipment Operator from G4-\$22,575.00 to \$23,920 per year G5-P50, effective 5-14-01.
	Change David Dawson Equipment Operator from G4-\$22,575 per year to \$23,608 per year G5, effective 5-14-01.
	Raise Lloyd Ray to Foreman from \$26,659 to \$28,526 G8-P82, effective 5-14-01.
Commissioner Pct. 2	Add Hershel Ware as part time/hourly Pct. Worker at \$8.50 per hour, effective 5-14-01.
Personnel	Change Lindsey Linton Personnel Asst. from \$18,115.00 to \$18,519.00 G5-P56 effective 5-28-01.
Sheriffs	Remove Samuel Rodriguez due to his resignation, effective 4-18-01.
	Add Brandon Bobbitt as Sheriff Deputy 1, G6-P67 at \$26,500.00 per year, effective 5-7-01.
	Add Kimberly Starrett as Jailer 2/Nurse, G5-P54, at \$24,000.00 annually, effective 4-30-01.
Tax Office	Change Jo Ann Walter-Administrative Assistant in Motor Vehicle Department from \$19,833.00 to \$20,733.00, G4-P40 effective 5-14-01.
	Change Toni Hunter-Deputy Clerk from \$17,143.00 to \$18,115.00, G4-P41, effective 5-14-01.

7986 Approved on the motion by Green, second by Phillip Martin.

ADDENDUM:

7987 On the motion by Judge Bobbitt, second by Allen Martin, the Court approved action of changing our \$10,000 Term Life Insurance Policy (provided by the County to each employee) to Jefferson Pilot, a Triple AAA Company. Mark Swlivan further advised the Court this policy has a 3-year rate guarantee, which equates to savings to the County of approximately \$30,000 over a 3-year period providing the same coverage as in the past. This plan will take affect June 1, 2001.

— The Court went to Executive Session at 11:05 AM with no action taken.

— The Court recessed at 11:25AM and reconvened at 11:40AM at the New Criminal Justice Center for the purpose of conducting a final walk-thru approval inspection of the interior administration area only to allow process of moving officials into this new facility. All members of the Court were present, along with Sheriff-Don Anderson, Chief

Deputy-Phillip Kilgore, Architect-Norris Fletcher and Contractor-Matt Muliken. Norris Fletcher noted to the Court there is a 1-year guarantee on materials used in New Jail.

7988 On the motion by Allen martin, second by Kenneth Thornton, the Court on unanimous vote approved the final inspection of the interior administrative area of the New Criminal Justice Center and officially turned area over to the Sheriff.

— Court Adjourned at 12:20PM. Minutes approved this 29 day of May,
2001


Hunt County Judge

Attest:


Hunt County Clerk

New Proposal

7971

GREENVILLE-HUNT COUNTY HEALTH DEPARTMENT

2500 LEE STREET - ROOM #402

GREENVILLE, TX. 75401

Telephone: 903-408-4140

Fax: 903-454-3721

FOOD ESTABLISHMENT PERMIT FEES**TYPES OF FOOD PREPARATION:****Heavy Food Preparation**

\$120.00/year

Heavy food preparation shall mean any entity in which foods are prepared, utilizing larger grills or griddles, deep-fat fryer, commercial-type oven and any similar food preparation equipment; or any area subject to flooding or wet cleaning procedures due to the cutting or processing of meat, poultry, fish, or pork. Heavy food preparation entities includes, but are not limited to, cafeterias, fast-food restaurants, full-service restaurants, pizza preparation.

Light Food Preparation~~\$100.00~~ 80.00/year

Light food preparation shall mean any entity in which food is prepared on smaller grills or griddles or other types of cooking devices where sandwiches, hot dogs, or similar food is prepared. Light food preparation entities include, but are not limited to, snack bars, sandwich shops, convenience stores with grills, for the preparation of hot dogs, sandwiches, salads, or other similar foods and fountain-type cold drinks.

No Food Preparation

\$60.00/year

No food preparation shall mean any entity in which foods are provided prewrapped from an approved food source with microwave or convection type ovens or entities whereby inspections are required but does not necessarily market food to the public. No food preparation entities include, but are not limited to, convenience stores or similar entities with no grills that have prepackaged sandwiches or similar food, candies and containerized cold drinks.

Grocery Store - (Cost determined by square feet. This includes entire structure and storage areas related to the business.)

>12,000 sq ft	\$150.00/year
< 12,000 sq ft	\$120.00/year

School District

Exempt

By LINDA BROOKS
County Clerk, Hunt County, Tex.

MAY 14 2001

FILED FOR RECORD
at 2 o'clock P M

Hospital/Rehabilitation Centers	\$120.00/year
Mobile Units and Commissary - All mobile units are required to have a commissary. (This is a structure that is designed to prepare and/or store food or food related items for a mobile unit.)	\$100.00/year
Nursing Homes	\$75.00/year
Day Care Facilities (13 or more children)	\$50.00/year
Group Home (12 or less children)	\$25.00/inspection
Convenience Store	Price determined by food preparation, see definitions)
Pools/Spa	\$100.00/year
Temporary Permits - Issued when a food establishment operates for a period of no more than 14 consecutive days in conjunction with a single event or celebration. Note- Non-profit organizations will not be charged, but must be permitted)	\$25.00

Old Proposal

**GREENVILLE-HUNT COUNTY HEALTH DEPARTMENT
2500 LEE STREET, ROOM 402
GREENVILLE, TX 75401
(903) 408-4140
(903) 454-3721**

FOOD ESTABLISHMENT PERMIT FEES

Grocery Stores \$200.00

Heavy Food Preparation \$175.00

Heavy food preparation shall mean any entity in which foods are prepared, utilizing larger grills or griddles, deep-fat fryer, commercial-type oven and any similar food preparation equipment; or any area subject to flooding or wet cleaning procedures due to the cutting or processing of meat, poultry, fish, or pork. Heavy food preparation entities includes, but are not limited to, cafeterias, fast-food restaurants, full-service restaurants, pizza preparation.

Light Food Preparation \$100.00

Light food preparation shall mean any entity in which food is prepared on smaller grills or griddles or other types of cooking devices where sandwiches, hot dogs, or similar food is prepared. Light food preparation entities include, but are not limited to, snack bars, sandwich shops, convenience stores with grills, for the preparation of hot dogs, sandwiches, salads, or other similar foods and fountain-type cold drinks.

No Food Preparation \$60.00

No food preparation shall mean any entity in which foods are provided prewrapped from an approved food source with microwave or convection-type ovens or entities whereby inspections are required but does not necessarily market food to the public. No food preparation entities include, but are not limited to, convenience stores or similar entities with no grills that have prepackaged sandwiches or similar food, candies and containerized cold drinks.

School District	Exempt
Hospitals/Rehabilitation Centers	\$175.00
Mobile Units	\$100.00
Nursing Homes	\$100.00
Deli/Bakery (Grocery Store)	\$100.00
Day Care Facilities (13 or more children)	\$50.00
Group Home	\$25.00 per inspection
Commissary (Food Preparation Facility)	Price determined by food preparation
Pools/spa	\$100.00 per season
*Temporary Permits	\$25.00

*Temporary permits are issued when a food establishment operates for a period of no more than 14 consecutive days in conjunction with a single event or celebration.

7975

RESOLUTIONSTATE OF TEXAS
COUNTY OF HUNTIN THE COMMISSIONER'S COURT
OF HUNT COUNTY, TEXASFILED FOR RECORD
at 2 o'clock P
MAY 14 2001
By LINDA BROOKS
County Clerk, Hunt County, Tex.**A RESOLUTION CONCURRING IN THE DECISION OF THE TEXAS DEPARTMENT OF TRANSPORTATION TO REMOVE FROM THE STATE HIGHWAY SYSTEM AN ABANDONED SECTION OF FM 2874 IN HUNT COUNTY, TEXAS.**

Attached hereto marked Exhibit "A" and made a part hereof is a description of a part of abandoned FM 2874 in Hunt County, Texas. The abandoned part being from reference marker 232 + 0.2764 to reference marker 234 + 0.2701.

Be it resolved by the Hunt County Commission's Court, of Hunt County, Texas in due session assembled, agree to accept jurisdiction of the above described abandoned FM 2874, as shown in Exhibit "A" attached hereto, as requested by the Texas department of Transportation.

Motion made by Commissioner

Allen Martin

Seconded by Commissioner

Phillip Martin

Motion carried.

I, Linda Brooks, County Clerk, Hunt County, Texas, do hereby certify that the within and foregoing is a true and correct copy of Commissioner's Court Resolution as the same appears of record on file in the Commissioner's Court Minute Records of Hunt County, Texas

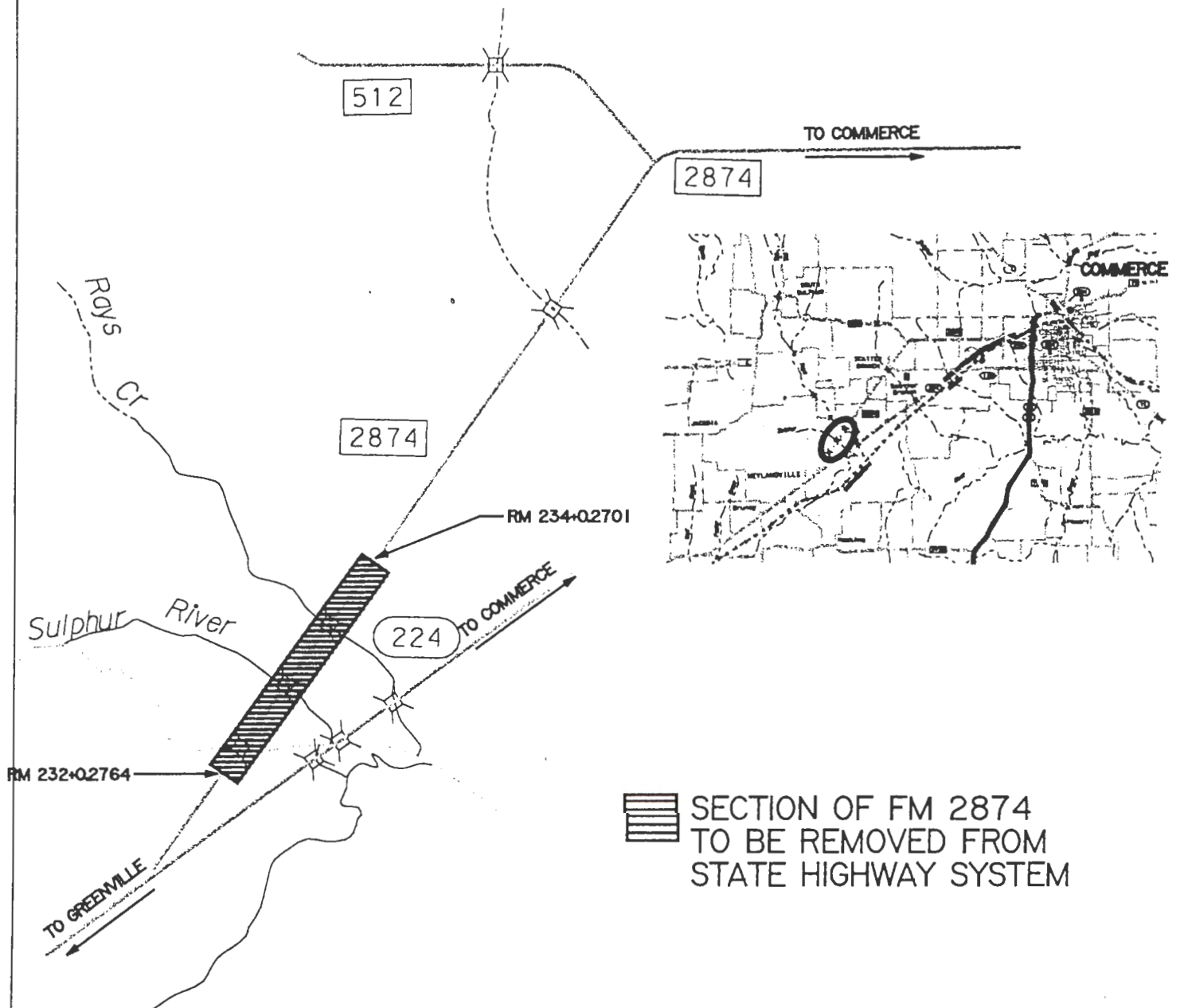
Witness my hand and seal of office Greenville, Texas on the 14 day of May, 2001.



Linda Brooks

Linda Brooks
County Clerk, Hunt County, Texas

EXHIBIT "A" HUNT COUNTY



FEE OWNER: HUNT COUNTY

TEXAS DEPARTMENT OF TRANSPORTATION
ABANDONE HIGHWAY TRANSFER

7982

RESOLUTION

The State of Texas
County of Hunt

FILED FOR RECORD
at 11:22 o'clock
MAY 14 2001
By County Clerk LINDA BROOKS
Hunt County, Tex.

WHEREAS, the federal off-system bridge program is administered by the Texas Department of Transportation (the State) to replace or rehabilitate structurally deficient and functionally obsolete (collectively referred to as deficient) bridges located on public roads and streets off the designated state highway system; and

WHEREAS, Hunt County, hereinafter referred to as the Local Government owns a bridge located at Lake Fork Creek, on CR 3211, National Bridge Inventory (NBI) Structure Number 01-117-AA0523-001; and

WHEREAS, a project to remedy the bridge is included in the currently approved program of projects as authorized by Texas Transportation Commission Minute Order Number 108310 dated September 2000, Control-Section-Job (CSJ) Number 0901-22-035; and

WHEREAS, the usual fund participation ratio for projects on such program is 80 percent federal, 10 percent state and 10 percent Local Government; and

WHEREAS, Texas Administrative Code, Title 43, Section 15.55(d) (43 TAC Section 15.55(d)) provides that under specified conditions the 10 percent Local Government match fund participation requirement may be waived with agreement by the Local Government to perform, or cause to be performed, an equivalent dollar amount of structural improvement work on other deficient bridges or deficient mainlane cross-drainage structures within its jurisdiction, such a project of structural improvement work being referred to as an "Equivalent Match Project"; and

WHEREAS, the estimated local match fund participation requirement on the approved federal off-system bridge project is \$15,066.00, hereinafter referred to as the "Participation Waived Project", such participation requirement the Local Government proposes be waived and in return perform or cause to be performed Equivalent Match Project structural improvement work.

THEREFORE, BE IT RESOLVED that the Local Government perform, or cause to be performed, the following Equivalent Match Project in return for waiver of the local match fund participation requirement on the approved federal off-system bridge program Participation Waived Project not yet awarded:

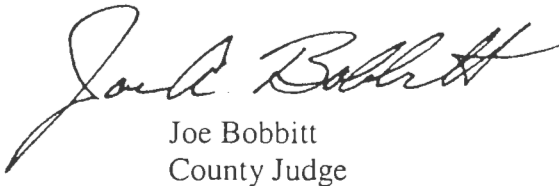
LOCATION (and NBI structure identification number, if applicable)	ON SCHOOL BUS ROUTE?	DESCRIPTION OF STRUCTURAL IMPROVEMENT WORK	ESTIMATED COST
CR 3504	Yes	Complete Replacement	\$18,000.00

BE IT FURTHER RESOLVED that in receiving this waiver the Local Government acknowledges its obligation to conform with all conditions of 43 TAC Section 15.55(d); such conditions that include but are not restricted to the following:

1. The Local Government must be currently in compliance with load posting and closure regulations as defined in National Bridge Inspection Standards under US Code of Federal Regulations, Title 23, Section 650.303.
2. The Equivalent Match Project work increases the load capacity of the existing bridge or other mainlane cross-drainage structure, or upgrades the structure to its original load capacity with a minimum upgrade to safely carry school bus loading if located on a school bus route.
3. In performing, or causing to be performed, the Equivalent Match Project, the Local Government assumes all responsibilities for engineering and construction, and complying with all applicable state and federal environmental regulations and permitting requirements for the structures being improved.
4. The work on the proposed Equivalent Match Project has not begun and will not begin until the local match fund participation waiver approval process has been completed.
5. The Local Government will be allowed three years after the contract award of the Participation Waived Project to complete the structural improvement work on the Equivalent Match Project.
6. Should this waiver request be approved, an appropriate written agreement or amendment to a previously executed agreement will be executed between the State and Local Government.

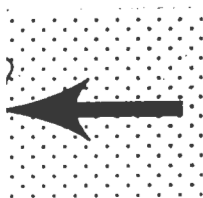
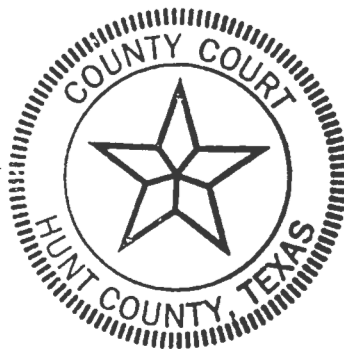
APPROVED this 14th day of May 2001, by Hunt County Commissioner's Court.

SIGNED:


Joe Bobbitt
County Judge

ATTEST:


Linda Brasher
County Clerk



7982

County	Hunt
CSJ	0901-22-035
Project	BR 99 (582) OX
Road/Street	CR 523 @ Lake Fork Crk
NBI Structure	01-117-AA0523-001

CONSTRUCTION AND MAINTENANCE AGREEMENT
FOR BRIDGE REPLACEMENT OR REHABILITATION
OFF THE STATE SYSTEM
AMENDMENT NO. 1

7982
FILED FOR RECORD
LINDA BROOKS
COUNTY CLERK HUNT CO., TX
01 MAY 14 AM 11:22
BY: *[Signature]*
DEPUTY

THE STATE OF TEXAS §

THE COUNTY OF TRAVIS §

THIS AMENDMENT IS MADE by and between the State of Texas, acting by and through the Texas Department of Transportation, hereinafter called the State, and Hunt County, a local government or governmental agency or entity, acting by and through its Commissioners Court, hereinafter called the Local Government.

This Amendment relates to waiver of the local match fund participation requirement with performance by the Local Government of an equivalent dollar-amount of structural improvement work.

W I T N E S S E T H

WHEREAS, the State and the Local Government executed an agreement on April 1, 1999 to effectuate the project to replace the bridge and approaches on CR 523 at Lake Fork Creek; and

WHEREAS, the previously executed agreement provides that the Local Government shall pay the State (1) 10% of the actual costs for preliminary engineering incurred by the State, (2) 10% of the actual cost of construction, construction engineering and contingency, or other local match fund participation percentages as adjusted for Economically Disadvantaged County (EDC) consideration under the provisions of Texas Transportation Code Section 222.053, and (3) 100% of the cost of any project cost item or portion of a cost item that is not eligible for Federal or State participation; and

WHEREAS, in consideration of such EDC status that may be applicable for this project, the required local match fund participation for this project has been adjusted to (n/a) percent as authorized by Texas Transportation Commission Minute Order number (n/a), dated (n/a); and

WHEREAS, if under the previously executed agreement the required local match fund participation included payment by the Local Government of a portion of the State's indirect costs for the project items that are eligible for State or Federal participation, such payment(s) for indirect cost not already received by the State, may be waived under the provisions of Texas Government Code Section 2106.08; and

WHEREAS, Texas Administrative Code (TAC) Title 43, Section 15.55(d) provides that the Local Government's required 10% fund participation in a project, or required percentage as adjusted for EDC consideration, may be waived provided the Local Governmental body commits by written resolution to spend an equivalent amount of funds for structural improvement work on another bridge structure or structures within the Local Government's jurisdiction provided, however, that the State will not reimburse funds already received under the terms of a previously executed agreement; and

WHEREAS, such a waiver request and resolution has been received and considered by the State, including a finding by the State that the Local Government is in full compliance with load posting and closure regulations as defined in National Bridge Inspection Standards under 23 CFR 650.3, the State and the Local Government mutually agree to effectuate the waiver; and

WHEREAS, the previously approved project on which the Local Government's required fund participation is being waived shall be hereinafter referred to as the "participation-waived project" (PWP); provided, however, that the term "project" when used elsewhere in the agreement and this amendment shall be construed as the "participation-waived project" unless the context clearly indicates otherwise; and

WHEREAS, the "other" project or projects on which the Local Government proposes to perform structural improvement work in a dollar amount equal to the Local Government fund participation amount waived shall be hereinafter referred to as "equivalent-match projects" (EMP); and

WHEREAS, if one or more advance funding payments have already been received by the State from the Local Government in accordance with the previously executed agreement, including payment for any of the State's indirect costs for the project items that are eligible for State or Federal participation, and, while no portion of these payments can be reimbursed to the Local Government, such payments should be credited against the dollar-amount of the equivalent-match project (EMP) work required to be performed by the Local Government under this agreement amendment.

NOW THEREFORE, in consideration of the premises and of the mutual covenants and agreements of the parties hereto, the State and the Local Government do agree as follows.

AGREEMENT

Article 1. Description of Amendment Items

Amendment Item A. - The second preamble paragraph under Agreement Article 4, Project Funding, is revised to read as follows:

“However, the project being designated as a “participation-waived project”, the Local Government’s otherwise required 10% fund participation or required percentage as adjusted for EDC consideration, and less any local match fund participation to be paid or already paid to the State, is waived as further described in Article 16 herein. The Local Government shall pay the State 100% of the cost of any project cost item or portion of a cost item that is not eligible for Federal or State participation, and/or any changes in work made at the request of the Local Government.”

Amendment Item B. - In Agreement Article 4, the sub-articles relating to preliminary engineering costs, payments, and estimate of project cost are each amended to read as follows:

“ Preliminary Engineering Costs - The State will document its costs incurred for preliminary engineering with completion of an estimate of total project cost preparatory to letting to contract construction, and, if appropriate, shall notify the Local Government of its share of these costs when submitting notice pursuant to Article 4(D) and/or 4(E).

Payments - If appropriate, forty-five calendar days prior to the State’s scheduled date for the contract letting of the participation-waived project, the Local Government agrees to pay to the State an amount equal to the Local Government’s agreed upon participation in the project.

The Local Government shall promptly and faithfully provide payment of any funds required of the Local Government. The State will not pay interest on the funds provided by the Local Government. Funds provided by the Local Government will be deposited into, and retained in, the state treasury.

Estimate of Project Direct Cost - An estimate of the direct cost of the project is provided in Exhibit A of this agreement amendment which supersedes all previous estimates.”

Amendment Item C. - The caption-title of Agreement Article 5, Project Administration and Accomplishment of Work, is amended to read as follows:

“Article 5. Project Administration and Accomplishment of Work on the Participation-Waived Project.”

Amendment Item D. - Agreement Article 5F is added which reads as follows:

“Receive and keep on-file documentation of the work completed on the equivalent-match projects as described in Article 17C herein.”

Amendment Item E. - Article 16, Equivalent-Match Project(s), is added which reads as follows:

“Article 16. Equivalent-Match Project(s)

In consideration of waiver of the Local Government’s otherwise required 10% fund participation on the participation-waived project or required percentage as adjusted for EDC consideration, the Local Government shall perform an equal dollar-amount of structural improvement work, less any local match fund participation on this project to be paid or already paid to the State, on other deficient bridges or non-bridge classified drainage structures within its jurisdiction, referred to as equivalent-match project(s), as follows:”

Location (and structure identification number, if applicable)	On School Bus Route?	Description of Structural Improvement Work	Estimated Cost
CR 3504	Yes	Replace deficient culvert	\$18,000.00
Total			\$18,000.00

Amendment Item F. - Article 17, Responsibilities of the Local Government on Equivalent-Match Projects, is added which reads as follows:

“Article 17. Responsibilities of the Local Government on Equivalent-Match Projects

A. The Local Government shall be responsible for all engineering and construction, and related costs thereto, and complying with all applicable state and federal environmental regulations and permitting requirements for the bridge structures.

B. The structural improvement work on the equivalent-match projects shall be performed within three calendar years after the contract award of the participation-waived project.

C. Documentation of completion of the structural improvement work on the equivalent-match project(s) shall be provided by the Local Government by letter to the State’s applicable District Engineer, no later than 30 calendar days after work completion. This documentation shall include copies of the final structural design plans used in constructing or reconstructing bridges under the equivalent-match project(s).

D. Failure by the Local Government to adequately complete the equivalent-match projects within the stated three-year period, shall result in the Local Government being excluded from receiving such waivers for a minimum of five years.”

Article 2.

All other provisions of the original agreement are unchanged and remain in full force and effect.

Article 3. Signatory Warranty

The signatories to this amendment warrant that each has the authority to enter into this agreement on behalf of the organization they represent.

IN WITNESS WHEREOF, THE PARTIES HERETO have executed duplicate counterparts to effectuate these agreements.

THE LOCAL GOVERNMENT:

Hunt County
(Name)

By Joe Bobbitt Date 5-14-01
(Signature)

Joe Bobbitt, County Judge
Typed Name and Title of Signatory

Under authority of Minutes of Governing Body, Resolution or Ordinance

Number 7982 Dated 5-14-01

THE STATE OF TEXAS

Executed for the Executive Director and approved for the Texas Transportation Commission for the purpose and effect of activating and/or carrying out the orders, established policies or work programs heretofore approved by the Texas Transportation Commission.

By Mary Lou Ralls Date 6-22-01
Mary Lou Ralls, P.E., Director, Bridge Division

For the purposes of this agreement, notices shall be deemed delivered when addressed and mailed to the following:

The Local Government:

Hunt County
Attn: Commissioner, Pct. 3
PO Box 1097
Greenville, TX 75402

Texas Department of Transportation
District Office:

TxDOT
Attn: Bridge Engineer
1365 N. Main Street
Paris, TX 75640

County Hunt
 CSJ 0901-22-035
 Project BR 99 (582) OX
 Road/Street CR 523 @ Lake Fork Crk
 NBI Structure 01-117-AA0273-002
 Local Designation CR 1035
 Date of Agreement Amendment Execution
 By Local Government

EXHIBIT A TO AMENDMENT TO
 CONSTRUCTION AND MAINTENANCE AGREEMENT
 FOR BRIDGE REPLACEMENT OR REHABILITATION
 OFF THE STATE SYSTEM - ESTIMATE OF DIRECT COSTS

(NOTE: This estimate supersedes any and all those that may have been provided previously.)

		<u>Estimated Cost</u>	<u>Local Government Participation</u>
Preliminary Engineering (PE)	◆	<u>\$ 16,560.00</u>	
Ten (10) Percent or EDC Adjusted Percent, Local Government Participation in PE that is Waived			<u>\$ 1,656.00</u>
Construction		<u>\$138,000.00</u>	
Engineering and Contingency (E&C)		<u>\$ 6,900.00</u>	
The Sum of Construction and E&C	◆	<u>\$144,900.00</u>	
Ten (10) Percent or EDC Adjusted Percent, Local Government Participation in the Sum of Construction and E&C that is Waived			<u>\$14,490.00</u>
Amount of Advanced Funds to be Paid or Already Paid by Local Government, Including Payment for any of the State's Indirect Costs, to be Credited Against Local Participation Waived Amount			<u>(\$ 1,080.00)</u>
Dollar-amount of Equivalent-match Project Work to be Performed by Local Government			<u>\$15,066.00</u>
Total Participation-Waived Project Direct Cost	◆◆	<u>\$161,460.00</u>	

Bridge Division
 9-2000-A.1A