

COMMISSIONERS COURT
REGULAR SESSION
September 27, 2004

The Hunt County Commissioners Court met this day at 10:00A.M. with all Commissioners present with Judge Joe Bobbitt presiding. Minutes of the previous meeting were approved as submitted.

OLD BUSINESS:

9230 On the motion by Kenneth Thornton, second by Jim Latham, the Court approved Quarterly Report for the Audie Murphy/American Cotton Museum. Joyce Delgado presented report and advised the Court of the November 13, 2004 Dedication of the Hunt County War Memorial

NEW BUSINESS:

— ‘Discuss & possibly approve report from the Texas Community Futures Forum-Leslie Kilgore.’ Ms. Kilgore was not present in Court, item dropped from the Agenda.

9231 On the motion by Phillip Martin, second by Thornton, the Court approved increase of fees for serving Hunt County Civil Papers after discussion with Judges Erwin, Barnett, Sumrow, Constable Smith and Deputy John Horn present. To be turned into State Comptroller by Oct 15th. Fees Effective 1-1-05. *See Attachment*

———— Court recessed at 11:15A.M.; Court reconvened at 11:20A.M

9232 On the motion by Judge Bobbitt, second by Green, the Court approved Resolution to apply for Hava Grant Funding in connection with the DRE (Direct Recording Electronic Voting Machines) mandated for use in Elections by 2006. *See Attachment.*

9233 On the motion by Martin, second by Green, the Court approved Resolution Promoting Fair Housing, Resolution Authorizing Signature (County Judge, County Clerk & County Auditor) and Excessive Force Resolution authorizing submission of 2005/2006 Texas Community Development Program Application on behalf of the Combined Consumers Special Utility District for \$250,000.00 of Grant Funds to carry out water system improvements for this Utility District in Hawk Cove. *See Attachment.*

9234 On the motion by Martin, second by Latham, the Court approved Resolution pertaining to Texas Community Development Program Grant, Contract #724381. The

Court also appointed Commissioner Phillip Martin as the Fair Housing/Equal Opportunity-sec. 504 Standards Officer for the County of Hunt. *See Attachment.*

9235 On the motion by Judge Bobbitt, second by Thornton, the Court approved Resolution proclaiming October as “Czech Heritage Month”. *See Attachment.*

— ‘Discuss and possibly take action on additional construction at the Tax Office.’ Item dropped from the Agenda.

9236 On the motion by Green, second by Thornton, the Court approved request to construction electrical power distribution facilities along and across CR2508 with the usual stipulations.

9237 On the motion by Martin, second by Green, the Court approved Final plat for Timber Creek Estates in Pct 3 presented by Jerry Wisdom.

9238 On the motion by Martin, second by Green, the Court approved request to construct electrical power distribution facilities along and across CR3320 in Pct 3 with the usual stipulations.

9239 On the motion by Green, second by Martin, the Court approved permission to advertise for the fiscal year 2004/2005 rock, rock hauling, premixed oil and sand, copier paper, computer paper, inmate phone services-intra and long distance, recycled concrete, box culverts, clear span bridges, 20, 30 and 40 ft, gas card reader, road oil, seal coat, fuel, lubricants, asphalt hot and cold mix, and uniform rental

9240 On the motion by Martin, second by Thornton, the Court approved permission to advertise, buy and sell for the fiscal year 2004/2005, sale of used motorgraders, permission to buy one or more new motorgraders, permission to buy one or more truck tractors, permission to sell used truck tractors, permission to buy one or more pick up trucks, permission to sell pick up trucks, permission to buy one or more trailers (belly dump, rock trailers, etc.), permission to sell trailers, permission to buy one or more back hoes, mowers or wheel loaders, permission to sell backhoes, mowers or wheel loaders for all precincts and maintenance.

9241 On the motion by Martin, second by Green, the Court approved all bids received for Asphalt, hot and cold. Bids on file in Personnel Office.

— ‘Discuss and possibly take action on discretionary exemptions concerning food items at the Hunt County Jail- Marilyn Green from Personnel Dept. advised the Court a vendor had ask to be involved in bids for food at the Jail. The Commissioners Court has discretion to go out for bids. Agreement was made by the Court to investigate this item more before a decision is made by the Court.

— ‘Discuss and possibly take action on permission to advertise for food at Hunt County Jail.’ Item dropped from the Agenda.

— ‘Discuss and possibly take action on phone stipend for the District Attorney Investigator.’ The Court is not in favor of approving upgrades to County phones; upgrades are covered under the \$50 allotted stipend.

9242 On the motion by Martin, second by Latham, the Court approved the Audit Report for FY 2002/2003 from CPA – Tommy Nelson and approved engagement letter from Scott, Singleton and Fincher-CPA’s for the Audit of FY 2003-2004.

9243 On the motion by Latham, second by Green, the Court agreed to keep the County Mileage Reimbursement rate at the current .32 cents per mile.

ADDENDUM:

9244 On the motion by Thornton, second by Green, the Court approved the Hunt County Retiree Insurance Program, effective October 1, 2004. The Court further agreed for this insurance program not to be retroactive to County employees already retired.

See Attachment.

9245 On the motion by Martin, second by Latham, the Court approved amending the Budget for FY 2003-2004 per the Auditor’s request.

9246 On the motion by Martin, second by Latham, the Court approved accounts payable. Judge Bobbitt abstained from the vote.

9247 On the motion by Martin, second by Latham, the Court approved line item budget transfers.

HEAR & DISCUSS REPORTS:

The Court discussed Transport fees to and from the Medical Examiner, with the possibility of going out for bids on Disaster bags.

PERSONNEL AND PAYROLL:

<u>COMMISSIONER PCT 1:</u>	<p>Remove Steven B. Reisor due to his resignation, effective 9-16-04.</p> <p>Add Walton Sims as hourly Pct. Worker at \$8.50 per hour, effective 9-24-04.</p> <p>Add Jason Bednorz as hourly Pct. Worker at \$8.50 per hour, effective 9-24-04.</p>
<u>JP ERWIN PCT 1/PL 2:</u>	<p>Add Amanda Lafon as hourly Court Clerk at \$7.50 per hour, effective 9-20-04.</p>
<u>JUVENILE PROBATION:</u>	<p>Change Alan Brown to \$63,391.00 annually, effective 10-01-04.</p> <p>Change Cindy Esquibel Womack to \$47,026.00 annually, effective 10-01-04.</p> <p>Change Fredrick Farley to \$43,518.00 annually, effective 10-01-04.</p> <p>Change Laura Sandlin to \$40,572.00 annually, effective 10-01-04.</p> <p>Change Myron Waters to \$34,349.00 annually, effective 10-01-04.</p> <p>Change Robert Margot to \$32,779.00 annually, effective 10-01-04.</p> <p>Change Cinthia Earnest to \$32,779.00 annually, effective 10-01-04.</p> <p>Change Cherish Stanley to \$30,638.00 annually, effective 10-01-04.</p> <p>Change Theresa Totman to \$24,159.00 annually, effective 10-01-04.</p> <p>Change Floyd Nelson to \$22,267.00 annually, effective 10-01-04.</p> <p>Change James McReynolds to \$20,000.00 annually, effective 10-01-04.</p> <p>Change Anthony Searcy to \$20,000.00 annually, effective 10-01-04.</p> <p>Change Ricky Warren to \$20,369.00 annually, effective 10-01-04.</p> <p>Change Christina Williams to \$20,369.00 annually, effective 10-01-04.</p> <p>Change Charlotte Wright to \$24,035.00 annually, effective 10-01-04.</p> <p>Change Tina Jobe to \$22,267.00 annually, effective 10-01-04.</p> <p>Change Marcia Hamilton to \$20,788.00</p>

	<p>annually, effective 10-01-04.</p> <p>Change Latoya Gordan to \$8.75 per hour, effective 10-01-04.</p> <p>Change Christopher Jackson to \$8.25 per hour, effective 10-01-04.</p> <p>Change Derrick Scott to \$8.25 per hour, effective 10-01-04.</p> <p>Change Ofori Asante to \$8.25 per hour, effective 10-01-04.</p> <p>Change Reginald Washington to \$8.25 per hour, effective 10-01-04.</p> <p>Change Adam Teer to \$8.25 per hour, effective 10-01-04.</p> <p>Change Hector Paiz to \$8.25 per hour, effective 10-01-04.</p> <p>Change Lashan Moore to \$8.25 per hour, effective 10-01-04.</p> <p>Change Amber Jones to \$8.25 per hour, effective 10-01-04.</p> <p>Change David McCaig to \$8.25 per hour, effective 10-01-04.</p> <p>Add Trivia Gray part time Detention Officer at \$8.00 per hour, effective 10-01-04.</p> <p>Add Cody Baker as part time Detention Officer at \$8.00 per hour, effective 10-01-04.</p>
<u>PERSONNEL:</u>	<p>Change Serena Jones hourly Floater from \$7.00 to \$7.50 per hour, effective 9-27-04.</p> <p>Change Jane Gilbert hourly Floater from \$7.00 to \$7.50 per hour, effective 9-27-04.</p> <p>Add Vickie Lara as Floater at \$7.00 per hour, effective 9-20-04.</p>
<u>MAINTENANCE:</u>	<p>Change Amy Warren from part time to full time at \$17,732.00 per year, effective 10-01-04. Funds available due to open position.</p> <p>Terminate Cameron Thatcher due to return to college, effective 8-13-04.</p>
<u>SHERIFF:</u>	<p>Remove Tommy Johnson as full time Cook, she will continue to be employed as needed part time basis, effective 9-14-04.</p> <p>Terminate Detention Officer – Richard Plemons due to absence without leave since 9-17-04. Effective 9-22-04. All</p>

	<p>County issued property must be returned to Chief Jailer before final check is processed.</p> <p>Terminate Clarice Sells – Detention Officer, effective 9-13-04.</p> <p>Promote SGT Investigator Michael Parker to Patrol LT. from \$34,500.96 to \$35,920.04, effective 9-21-04. Funds available due to resignation of Baron Carpenter.</p> <p>Add Joshua Radney Detention Officer at \$22,273.00 annually, effective 9-13-04.</p> <p>Add Jody Neel as part time Librarian at \$7.50 per hour, effective 9-20-04.</p>
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9248 On the motion by Martin, second by Latham, the Court approved personnel and payroll changes.

_____ The Court went into Executive Session at 12:35P.M. per L.G.C.

Sec. 551.074 – Personnel matters, with no action taken.

_____ Court Adjourned. Minutes approved this 11 day of October, 2004.


Hunt County Judge

Attest:



Hunt County Clerk

09-02-2004 10:14

SHERIFF AND CONSTABLE SERVICE FEES
HUNT COUNTY, TEXAS EFF:01-01-05

9291
FILED FOR RECORD
at 2 o'clock PM

SEP 27 2004

County Clerk LINDA BROOKS
By *[Signature]* Hunt County, Tex.

COUNTY AND DISTRICT COURTS

CITATION	\$ 50.00	
CITATION FOR EVICTION	\$ 50.00	
CITATION BY PUBLICATION	\$ 75.00 PLUS COST OF PUBLICATION	
CITATION SCIRE FACIAS	\$ 75.00	
DISTRESS WARRANT	\$ 100.00	
NOTICE BY PUBLICATION	\$ 75.00 PLUS COST OF PUBLICATION	
NOTICE OF TRUSTEE SALE	\$ 75.00	
NOTICE TO TAKE DEPOSITION	\$ 75.00	
ORDERS OF SALE	\$ 50.00	
POSTING OF NOTICE (PROBATE COURT)	\$ 30.00	
SUBPOENA	\$ 50.00	TEMPORARY RESTRAINING ORDER \$ 50.00
SUMMONS	\$ 50.00	TEMPORARY EX PARTE PROTECTIVE ORDER \$ 50.00
TURNOVER ORDER	\$ 100.00	
WARRANT TO TAKE CUSTODY OF A CHILD	\$ 100.00	
WRIT OF ATTACHMENT	\$ 100.00	
WRIT OF GARNISHMENT	\$ 100.00	
WRIT OF EXECUTION	\$ 100.00	
WRIT OF INJUNCTION	\$ 75.00	
WRIT OF POSSESSION	\$ 50.00	
WRIT OF SEQUESTRATION	\$ 100.00	
OTHER WRITS NOT SPECIFIED	\$ 75.00	
PRECEPT TO SERVE	\$ 75.00	
WRIT OF HABEAS CORPUS	\$ 75.00	
ALL SERVICE NOT SPECIFIED	\$ 50.00	

ORDERS OF SALE

(INCLUDING EXECUTION AND TURNOVER ORDERS.)

POSTING NOTICES	\$ 30.00 EACH
PUBLICATION FEE	\$ 30.00
EXECUTING A DEED TO REAL ESTATE	
UNDER EXECUTING OF ORDER OF SALE	\$ 30.00
WARRANTS ALIAS & NEXT COUNTY OR ANY OTHER WARRANTS	\$ 50.00
WRIT OF RE-ENTRY	\$ 50.00

SHERIFF AND CONSTABLE SERVICE FEES
HUNT COUNTY, TEXAS EFF:01-01-05

JUSTICE OF THE PEACE AND SMALL CLAIM COURTS

CITATION	\$ 50.00
CITATION FOR EVICTION	\$ 50.00
CITATION BY PUBLICATION	\$ 75.00 PLUS COST OF PUBLICATION
CITATION SCIRE FACIAS	\$ 75.00
DISTRESS WARRANT	\$ 100.00
SUBPOENA	\$ 50.00
SUMMONS	\$ 50.00
OFFICE STORAGE FEE	\$ 25.00
WRIT OF TURNOVER ORDER OR ORDER OF TURNOVER	\$ 100.00
WRIT OF ATTACHMENT	\$ 100.00
WRIT OF GARNISHMENT	\$ 100.00
WRIT OF EXECUTION	\$ 100.00
WRIT OF INJUNCTION	\$ 100.00
WRIT OF POSSESSION	\$ 50.00
WRIT OF SEQUESTRATION	\$ 100.00
OTHER WRITS NOT SPECIFIED	\$ 75.00
PRECEPT TO SERVE	\$ 75.00
WRIT OF RE-ENTRY	\$ 50.00
ALL SERVICE DOCUMENTS NOT SPECIFIED	\$ 50.00
WARRANTS ALIAS & NEXT COUNTY OR ANY OTHER WARRANTS	\$ 50.00



HUNT COUNTY

POST OFFICE BOX 1097 • GREENVILLE, TEXAS 75403-1097

JOE A. BOBBITT
HUNT COUNTY JUDGE
(903) 408-4146
(903) 408-4299 Fax

ORIGINAL

RESOLUTION # 092704

Whereas, the Hunt County Commissioners Court has agreed that the expenditure of the funds in accordance with any agreement between Hunt County and the State of Texas, Office of the Secretary of State pursuant to Title I, Section 101 and Title II, Section 251 of the Help America Vote Act (HAVA), Public Law 107-252, October 29, 2002: 42 U.S.C. 15301 Shall be, or in the case of retroactive payments, was in consultation and agreement with the County Election Officials and the County Financial Officer of Hunt County, and

Whereas, the Hunt County Election Officials include the following: Hunt County Elections Administrator, and

Whereas, the Hunt County Commissioners Court has agreed that in the event of loss, misuse, or noncompliance pursuant to any grant award agreement with the Secretary of State, Hunt County Commissioners Court assures that the funds will be returned to the Office of the Secretary of State in full, and

Whereas, Hunt County Commissioners Court has agreed that the County Judge will serve as the County authorized official. The authorized official is the signing authority on behalf of Hunt County.

Joe A. Bobbitt
County Judge

Kenneth D. Champion
Commissioner Pct. 1

Ralph Green
Commissioner Pct. 2

Phillip A. Martin
Commissioner Pct. 3

Jim Parker
Commissioner Pct. 4

Jim P. Holt
County Auditor

Almina Cook
Elections Administrator

Linda Brooks
County Clerk

By *Linda Brooks*
County Clerk, Hunt County, TX.

SEP 27 2004

#9232
FILED FOR RECORD
M
at 2 o'clock

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
TTY: 7-1-1
(800) 252-VOTE (8683)

Geoffrey S. Connor
Secretary of State

September 14, 2004

The Honorable Joe A. Bobbitt
Hunt County Judge
P.O. Box 1097
Greenville, Texas 75401-1097

FILED FOR RECORD
SEP 27 2004
at 2 o'clock
By County Clerk, Hunt County, Tex.
LINDA BROOKS
9232

Dear Judge Bobbitt:

The Office of the Secretary of State (SOS) is pleased to inform you that the funding pursuant to Title 1, Section 101 and Title II, Section 251 of the Help America Vote Act (HAVA), Public Law 107-252, October 29, 2002; 42 U.S.C. 15301 is available to Hunt County for award. Attached is a grant award agreement that covers the terms and conditions that apply to the funding. Please review this document carefully as it contains valuable information. The Hunt County election official(s) and financial officer have been copied on this letter, but only your office has been supplied with a copy of the award agreement. However, the terms and conditions of the award agreement, which includes all of the section references contained in this letter, can be accessed at the following website address: <http://www.sos.state.tx.us/elections/hava/index.shtml> under the "HAVA Funding and other Grant Resources" link. Also available on that website are links to the Texas Uniform Grant Management Standards and the relevant US Office of Management and Budget (OMB) Circulars that are adopted by reference in Section 4 of the award agreement.

As the chief executive officer of the county, you will be required to sign the award agreement. To secure the funding, there are three basic steps:

1. The attached award agreement must be signed and returned to the following address:
Office of the Secretary of State
Elections Division
c/o Dan Glotzer
PO Box 12060
Austin, Texas 78711-2060
2. A resolution from the Hunt County Commissioners Court, which must be consistent with the language described in Section 13 of the award agreement, must be submitted along with the signed award agreement.
3. The forms located on the Texas HAVA online grant system described in Section 14 of the award agreement must be satisfactory completed.

FUNDING ALLOCATIONS

There are three basic purpose areas of funding for the county as identified in the Texas HAVA State Plan, which include the following: 1) County Education Fund, 2) Accessible Voting System in Each Polling Place, and 3) General HAVA Compliance. The funding breakdown for Hunt County is as follows:

Under the County Education Fund, Hunt County will have \$7,000.00 available for reimbursement (**no advances will be disbursed**). In general, these funds can be used for costs incurred as a result of attending professional election training such as conferences and seminars. If your county has a single office that is

responsible for conducting elections and voter registration such as an elections administrator, then the expenditures under this fund may be incurred by that office. However, if the county has multiple offices responsible for conducting elections and voter registration (i.e., the county clerk and voter registrar), the expenditures must be incurred in consultation and agreement with the two offices.

Under the Accessible Voting System in Each Polling Place purpose area, Hunt County will have \$108,000.00 available for reimbursement. These funds can be used to purchase voting equipment consistent with the mandates described in Section 9 of the award agreement.

Under the General HAVA Compliance purpose area, Hunt County will have \$74,746.96 available for reimbursement. These funds can be used for general compliance with the Title III requirements of HAVA, which are listed in Section 6 of the award agreement.

ACCESSING THE TEXAS HAVA GRANT WEBSITE

The Texas HAVA Online Grant System will be accessible September 17 at <http://www.sos.state.tx.us/elections/hava/index.shtml>. Instructions on how to complete the online forms are included in the grant system.

Your user ID and password are included below. The copies of this letter sent to the county election official(s) and the county financial officer contain their unique username and password. The election official(s) and financial officer will have read-only access. After the SOS has received the signed agreement, the resolution from the commissioners court, and the online forms have been submitted via the grant system, the SOS will review the documents and online forms for accuracy and completeness. Upon SOS approval, an email notification will be sent to you, the election official(s), and the financial officer. At that time, the financial officer will have access to submit reimbursement requests via the grant system.

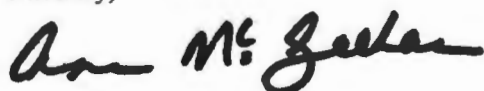
Username: jabobbitt
Password: abakooiy

All users are encouraged to access the system and update their contact information as soon as possible, especially email addresses because many communications and notifications will be in the form of email.

Please note, the SOS is currently working with the Texas Building and Procurement Commission to establish standard costs for each of the DRE machines certified in Texas to ensure each political subdivision is afforded a competitive price. We hope to have those contracts in place by November or December of 2004.

If you have any questions, please contact our HAVA grant manager, Dan Glotzer, at 512.463.9861 or dglotzer@sos.state.tx.us.

Sincerely,



Ann McGeehan
Director of Elections

cc: Almina D. Cook, Elections Administrator
Jim P. Hamilton, County Auditor

The State of Texas



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

Phone: 512-463-5650
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Geoffrey S. Connor
Secretary of State

HELP AMERICA VOTE ACT GRANT AWARD AGREEMENT

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Part A – General

SECTION 1. AUTHORITY

- 1.1. This agreement is made by HUNT COUNTY (“COUNTY”) to the STATE OF TEXAS, OFFICE OF THE SECRETARY OF STATE (“SOS”) and is authorized pursuant to Title I, Section 101 (CFDA No. 39.011) and Title II, Section 251 (CFDA No. TBA) of the Help America Vote Act (HAVA), Public Law 107-252, October 29, 2002; 42 U.S.C. 15301.

SECTION 2. SOURCE

- 2.1. The funding identified in this agreement is federal funding from (federal) fiscal year 2003 appropriated funds with applicable state match coming from 2004/2005 (state) fiscal year appropriated funds:
 - 2.1.1. Title I, Section 101 – 100% federal (see Section 6.1 of this agreement for purpose area).
 - 2.1.2. Title II, Section 251 – 95% federal / 5% state (see Sections 6.2 and 6.3 of this agreement for purpose areas).

SECTION 3. APPLICABILITY

- 3.1. The terms and conditions set forth in this agreement apply to and must be adhered to by the COUNTY referenced in Section 1 of this agreement.

SECTION 4. ADOPTIONS BY REFERENCE

- 4.1. Although the SOS has attempted to highlight the most relevant rules and guidelines through this agreement, the COUNTY must abide by the applicable Office of Management and Budget (OMB) Circulars and the Uniform Administrative Uniform Grant Management Standards (UGMS) adopted pursuant to the Uniform Grant and Contract Management Act of 1981, Chapter 783, Texas Government Code (see Texas Administrative Code Title 1, Part 1, Chapter 5, Subchapter A, Division 4, §§5.141 - 5.167).
- 4.2. UGMS incorporates the relevant OMB Circulars as outlined below:
 - 4.2.1. Cost Principles for State and Local Governments and Other Affected Entities (Chapter II of UGMS, which incorporates OMB Circular A-87).
 - 4.2.2. State Uniform Administrative Requirements for Grants and Cooperative Agreements (Chapter III of UGMS, which incorporates OMB Circular A-102 and “Common Rule”, Administrative Requirements, 53 FR 8087, March 11, 1988).
 - 4.2.3. State of Texas Single Audit Circular (Chapter IV of UGMS, which incorporates OMB Circular A-133).
- 4.3. The OMB Circulars can be found at <http://www.whitehouse.gov/omb/circulars/> and UGMS can be accessed through the Governor’s Office website at <http://www.governor.state.tx.us/>.

SECTION 5. GRANT OFFICIALS

- 5.1. Authorized Official – The COUNTY judge must serve as the authorized official for the COUNTY and must be designated as such in the resolution (see Section 13.1.4 of this agreement). The authorized official has signing authority on behalf of the COUNTY and is responsible for ensuring the necessary forms are submitted through the Texas HAVA online grant system (see Section 14 of this agreement).
- 5.2. Election Official(s) – The COUNTY election official(s) include the executive officer(s) of the offices(s) responsible for conducting elections and maintaining the voter registration list in the COUNTY (e.g., the elections administrator or the county clerk and/or voter registrar). The election official(s) of the COUNTY must be consulted and concur with all expenditures pursuant to this agreement (see Section 13.1.1 of this agreement).

- 5.3. Financial Officer – The COUNTY auditor or treasurer must serve as the financial officer for the county. The financial officer is responsible for establishing and maintaining financial records to accurately account for funds awarded to the COUNTY. These records shall include both federal funds and all matching funds of state and local organizations, when applicable. The financial officer is also responsible for requesting payments through the Texas HAVA online grant system (see Section 17 of this agreement).

SECTION 6. FUNDING PURPOSE AREAS

- 6.1. County Education Fund
- 6.1.1. These funds are to be used for reimbursement of costs incurred as a result of attending professional election training such as conferences and seminars.
 - 6.1.2. Expenditures under this fund may be incurred by the offices(s) of the COUNTY election official(s) as defined in Section 5 of this agreement. If the election duties are split between more than one office (e.g., the county clerk and voter registrar), funding must be made available and expended in consultation and agreement between the offices.
- 6.2. Accessible Voting System in Each Polling Place
- 6.2.1. These funds are to be used for reimbursement of costs incurred as a result of acquiring a HAVA-compliant accessible voting system in each polling location.
 - 6.2.2. This requirement may be met by having at least one accessible direct recording electronic voting system (“DRE”) or other system equipped for individuals with disabilities at each polling place.
- 6.3. General Title III Compliance
- 6.3.1. Upgrading voting systems to comply with new federal standards.
 - a) Funds may be used for reimbursement of costs incurred as a result of purchasing equipment or software consistent with Section 9 of this agreement.
 - 6.3.2. Acquiring an accessible voting system in each polling place.
 - a) Refer to Section 6.2 of this agreement.
 - 6.3.3. Voter education – Funds may be used for reimbursement of costs incurred as a result of educating voters on the following:
 - a) How to verify/review selections before casting the vote.
 - b) How to change or correct any error on the ballot before casting the vote.
 - c) How to avoid over-voting.
 - d) How individuals with disabilities, including non-visual accessibility for the blind and visually impaired, can access the voting system in a manner that provides the same opportunity for privacy and independence as other voters.
 - e) How the county’s voting system provides alternative language accessibility pursuant to the requirements of Section 203 of the Voting Rights Act of 1965.
 - f) What constitutes the uniform definition of the voting system(s) in use in the county.
 - g) How to vote a provisional ballot, including written information on how the voter can ascertain whether his or her vote was counted, and if not counted, the reason given.
 - 6.3.4. Voter education – Funds may be used for reimbursement of costs incurred as a result of producing the following information to be posted at each polling place on the day of an election:
 - a) A sample version of the ballot that will be used for that election.

- b) Information regarding the date of the election and the hours during which polling places will be open.
 - c) Instructions on how to vote, including how to cast a vote and how to cast a provisional ballot.
 - d) Instructions for mail-in registrants and first-time voters under section 303(b) of HAVA.
 - e) General information on voting rights under applicable Federal and State laws, including information on the right of an individual to cast a provisional ballot and instructions on how to contact the appropriate officials if these rights are alleged to have been violated.
 - f) General information on Federal and State laws regarding prohibitions on acts of fraud and misrepresentation.
- 6.3.5. Election worker education – Funds may be used for reimbursement of costs incurred as a result of educating election workers on the following:
- a) How a voter verifies/reviews selections before casting the vote.
 - b) How a voter changes or corrects any error on the ballot before casting the vote.
 - c) How a voter avoids over-voting.
 - d) How individuals with disabilities, including non-visual accessibility for the blind and visually impaired, can access the voting system in a manner that provides the same opportunity for privacy and independence as other voters.
 - e) How the county's voting system provides alternative language accessibility pursuant to the requirements of Section 203 of the Voting Rights Act of 1965.
 - f) What constitutes the uniform definition of the voting system(s) in use in the county.
 - g) Provisional voting procedures.

SECTION 7. ELIGIBLE FUNDING BY PURPOSE AREA

- 7.1. Each allotment of funding outlined below will have its own budget and grant period and must be accounted for separately in the Texas HAVA online grant system, as well as the COUNTY accounting records:
 - 7.1.1. County Education Fund – \$7,000.00
 - 7.1.2. Accessible Voting System in Each Polling Place – \$108,000.00
 - 7.1.3. General Title III Compliance – \$74,746.96

SECTION 8. VOTING SYSTEM DEADLINE

- 8.1. Effective January 1, 2006, precincts within the requesting county cannot use a punch card or lever voting system for an election.
- 8.2. Effective January 1, 2006, each polling place within the requesting county must have a voting system that will be accessible for individuals with disabilities, including non-visual accessibility for the blind and visually impaired, in a manner that provides the same opportunity for privacy and independence as other voters.

SECTION 9. VOTING MACHINE STANDARDS

- 9.1. The COUNTY ensures all voting systems comply with the following:
 - 9.1.1. Permit voter to verify/review selections before casting the vote.
 - 9.1.2. Allow voter to change or correct any error on the ballot before casting the vote.
 - 9.1.3. Prevent or alert voter if he/she over-votes on the ballot.

- 9.1.4. Produce a permanent paper record with a manual audit capacity.
- 9.1.5. Be accessible for individuals with disabilities, including non-visual accessibility for the blind and visually impaired, in a manner that provides the same opportunity for privacy and independence as other voters. (This requirement may be met by having at least one DRE or other system equipped for individuals with disabilities at each polling site.)
- 9.1.6. Provide alternative language accessibility pursuant to the requirements of Section 203 of the Voting Rights Act of 1965.
- 9.1.7. Ensure error rates (machine errors only) do not exceed the Federal Election Commission or Election Assistance Commission standards.
- 9.1.8. Maintain consistency with the uniform definition of what constitutes a vote for each voting system in use in the state.
- 9.1.9. Title 8 of the Texas Election Code.

SECTION 10. PAPER AND CENTRAL COUNT VOTING SYSTEMS

- 10.1. A COUNTY that uses a paper ballot voting system or a central count voting system (including mail-in absentee ballots and mail-in ballots), may meet the requirements in Section 9 of this agreement by--
 - 10.1.1. Establishing a voter education program specific to that voting system that notifies each voter of the effect of casting multiple votes for an office; and
 - 10.1.2. Providing the voter with instructions on how to correct the ballot before it is cast and counted (including instructions on how to correct the error through the issuance of a replacement ballot if the voter was otherwise unable to change the ballot or correct any error).
- 10.2. This Section does not in any manner eliminate the requirement of Section 8.2 of this agreement, which requires that each polling place must have at least one accessible voting system effective January 1, 2006.
- 10.3. The voting system shall ensure that any notification required under this Section preserves the privacy of the voter and the confidentiality of the ballot.

SECTION 11. STATE VOTING SYSTEM CERTIFICATION

- 11.1. As a condition of funding and pursuant to Section 123.035 of the Election Code, any contract for the acquisition of voting system equipment executed on or after September 1, 2003 must be in writing and be approved by the SOS as to compliance of the voting system and voting system equipment with the applicable requirements.
 - 11.1.1. A copy of the relevant portions of the contract containing only the identifying information that the SOS needs to determine whether the version of the system and equipment being acquired under the contract complies with the applicable requirements must be submitted to the SOS.
- 11.2. Pursuant to Section 11.1 of this agreement, the COUNTY may not request reimbursement unless it has received a letter from the state confirming that the voting system and voting system equipment being acquired under the contract satisfies the applicable requirements for approval.

Part B – Pre-Award Requirements

SECTION 12. GRANT AWARD PROCESS

- 12.1. The grant award will be comprised of the following:
 - 12.1.1. This agreement signed by the county judge and the secretary of state.
 - 12.1.2. The resolution described in Section 13 of this agreement.

- 12.1.3. Satisfactory completion of the forms described in Section 14 of this agreement.

SECTION 13. RESOLUTION FROM THE GOVERNING BODY

- 13.1. The COUNTY shall submit with this agreement a resolution from its governing body which includes, at a minimum, the following:

- 13.1.1. _____ Commissioners Court has agreed that the expenditure of the funds in accordance with any agreement between _____ County and the State of Texas, Office of the Secretary of State pursuant to Title 1, Section 101 and Title II, Section 251 of the Help America Vote Act (HAVA), Public Law 107-252, October 29, 2002; 42 U.S.C. 15301 shall be, or, in the case of retroactive payments, was in consultation and agreement with the county election official(s) and the county financial officer of _____ County.
- 13.1.2. The _____ County election official(s) include the following:
(The office of the officials must be listed out – e.g., the elections administrator, the county clerk, the voter registrar, etc. The actual names of the officeholders do not need to be listed.)
- 13.1.3. _____ Commissioners Court has agreed that in the event of loss, misuse, or noncompliance pursuant to any grant award agreement with the Secretary of State, _____ Commissioners Court assures that the funds will be returned to the Office of the Secretary of State in full.
- 13.1.4. _____ Commissioners Court has agreed that the county judge will serve as the COUNTY authorized official. The authorized official is the signing authority on behalf of the COUNTY.

- 13.2. The resolution must be signed by the COUNTY election official(s) and the COUNTY financial officer as defined in Section 5 of this agreement.

SECTION 14. FORMS FOR APPLYING FOR GRANT FUNDING

- 14.1. The COUNTY must use forms prescribed by the SOS through the Texas HAVA online grant system.

- 14.1.1. The forms will require the COUNTY to provide the following information:
- a) Basic county information.
 - b) Grant official confirmation.
 - c) Proposed activities per purpose area.
 - d) A budget for each purpose area.

- 14.2. The SOS reserves the right to require additional information as needed.

SECTION 15. CERTIFIED ASSURANCES

- 15.1. By signing this agreement and as the duly authorized representative of the COUNTY, the county judge certifies that the COUNTY:
- 15.1.1. Complies with the required assurances listed in Chapter III (State Uniform Administrative Requirements for Grants and Cooperative Agreements), Subpart B, Section 14 of the Uniform Grant Management Standards.
- 15.1.2. Will not construe the availability of these funds to authorize or require conduct prohibited under any of the following laws, or to supersede, restrict, or limit the application of such laws: the Voting Rights Act of 1965 (42 U.S.C. 1973 et seq.); the Voting Accessibility for the Elderly and Handicapped Act (42 U.S.C. 1973ee et seq.); the Uniformed and Overseas Citizens Absentee Voting Act (42 U.S.C. 1973ff et seq.); the National Voter Registration

Act of 1993 (42 U.S.C. 1973gg et seq.); the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.); and the Rehabilitation Act of 1973 (29 U.S.C. 701 et seq.).

- 15.1.3. Will allow the SOS, the Comptroller General of the United States, the State Auditor's Office, any successor agency, or duly authorized representative to audit or investigate the expenditure of funds under this agreement. The COUNTY further agrees to cooperate fully with the audit or investigation, including providing all records requested such as papers, or documents related to the award; and will establish a proper accounting system in accordance with generally accepted accounting standards or agency directives. The COUNTY will ensure that this clause concerning the authority to audit or investigate state funds received indirectly by subcontractors through the COUNTY, along with the requirement to cooperate, is included in any subcontract it awards.
- 15.1.4. Will obtain the required financial and compliance audits in accordance with the Single Audit Act Amendments of 1996 and OMB Circular No. A-133, "Audits of States, Local Governments, and Non-Profit Organizations".
- 15.1.5. Will comply with federal retention requirements of maintaining records for at least three years following the submission of the final expenditure report. If any litigation, claim, negotiation, audit or other action involving the records has been started before the expiration of the 3-year period, the records must be retained until completion of the action and resolution of all issues which arise from it, or until the end of the regular 3-year period, whichever is later.
- 15.1.6. Will comply with all applicable requirements of all other Federal laws, executive orders, regulations, and policies governing this program – including the Uniform Grant Management Standards published by the Texas Governor's Office of Budget and Planning and applicable OMB Circulars.

Part C – Post-Award Requirements

SECTION 16. FINANCIAL MANAGEMENT STANDARDS

- 16.1. The financial management system of the COUNTY must meet the following standards:
 - 16.1.1. Financial reporting. Accurate, current, and complete disclosure of the financial results of financially assisted activities must be made in accordance with the financial reporting requirements of the grant award.
 - 16.1.2. Accounting records. The COUNTY must maintain records which adequately identify the source and application of funds provided for financially-assisted activities. These records must contain information pertaining to grant awards and authorizations, obligations, un-obligated balances, assets, liabilities, outlays or expenditures, and income.
 - 16.1.3. Internal control. Effective control and accountability must be maintained for all grant award cash, real and personal property, and other assets. The COUNTY must adequately safeguard all such property and must assure that it is used solely for authorized purposes.
 - 16.1.4. Budget control. Actual expenditures or outlays must be compared with budgeted amounts for each grant award. Financial information must be related to performance or productivity data, including the development of unit cost information whenever appropriate or specifically required in the grant award agreement. If unit cost data are required, estimates based on available documentation will be accepted whenever possible.
 - 16.1.5. Allowable cost. Applicable OMB cost principles, agency program regulations, and the terms of grant award agreement will be followed in determining the reasonableness, allowability, and allocability of costs.

- 16.1.6. Source documentation. Accounting records must be supported by such source documentation as canceled checks, paid bills, payrolls, time and attendance records, contract and grant award documents, etc.
- 16.2. The SOS or its designee may review the adequacy of the financial management system of any applicant for financial assistance as part of a pre-award review or at any time subsequent to award.

SECTION 17. PAYMENT

- 17.1. All payments will be made on a cost reimbursement basis no more than once a month based on actual expenditures.
 - 17.1.1. The COUNTY may charge to the award only costs resulting from obligations during the funding period.
 - 17.1.2. A grantee must liquidate all obligations incurred under the award not later than 90 days after the end of the funding period.
 - 17.1.3. Payments shall be requested by the COUNTY financial officer via the Texas HAVA online grant system.
- 17.2. Earned program income for the period in which funds are being requested must be reported with the request.

SECTION 18. ALLOWABLE COSTS

- 18.1. Grant funds must be expended in accordance with Chapter II (Cost Principles for State and Local Governments and Other Affected Entities) of UGMS.
- 18.2. Grant funds may only be used for activities approved through the grant award process.
- 18.3. The following are some of the unallowable costs outlined in Chapter II of UGMS (refer to UGMS to review all unallowable costs):
 - 18.3.1. Membership dues for individuals (the membership must be for the governmental unit).
 - 18.3.2. Costs of promotional items including, but not limited to, hats, drink coolers, t-shirts, toys, pens, pencils, jackets, frisbees, emery boards, fans, dominoes, windshield shades, change purses, and other such novelties or items of nominal value.
 - 18.3.3. Costs of advertising and public relations designed solely to promote the governmental unit.
 - 18.3.4. Costs of publicizing or directing attention to any individual official or employee of the COUNTY.
 - 18.3.5. Costs associated with influencing the outcome of any election, or the passage or defeat of any legislative measure.
- 18.4. In addition to the unallowable costs outlined in Chapter II of UGMS, the following uses are not eligible for funding:
 - 18.4.1. Personnel costs.
 - 18.4.2. Indirect costs.
- 18.5. The following are guidelines that must be adhered to for travel reimbursements:
 - 18.5.1. The COUNTY will be held to the state lodging, mileage, and per diem rates or the COUNTY rates, whichever is less.
 - 18.5.2. All reimbursements are limited to the actual cost of meals.
 - 18.5.3. Claims may not include: alcoholic beverages, tips, room service, or expenses for any person other than the traveling employee.

- 18.5.4. Claims may only be made for travel outside of the employee's headquartering city.
- 18.6. The following are the applicable state rates for travel:
 - 18.6.1. Lodging: Up to \$80.00 per day.
 - 18.6.2. Meals: Overnight Travel - up to \$30.00 per day; Non-overnight Travel - \$0.
 - 18.6.3. Mileage: 35.0 cents per mile.
- 18.7. This agreement automatically adopts any legislative change to the rates at the time of the legislative effective date.
- 18.8. The following receipts must be retained for audit purposes:
 - 18.8.1. Lodging - check-out document reflecting zero balance due.
 - 18.8.2. Parking fees incurred for personal vehicle or car rental.
 - 18.8.3. Taxi fares - date, destination, and amount.
 - 18.8.4. Gasoline purchased for rental car.
 - 18.8.5. Auto rental contract and receipt.

SECTION 19. PERIOD OF AVAILABILITY OF FUNDS (GRANT PERIOD)

- 19.1. Obligations incurred as a result of acquiring voting equipment, which meets the requirements of Section 301 of HAVA and was acquired after the regularly-scheduled general election for federal office held in November of 2000, may be reimbursed as long as the expenditures are consistent with this agreement.
- 19.2. Obligations means the amounts of orders placed, contracts, goods and services received, and similar transactions during the grant period that require payment by the COUNTY.
- 19.3. Payments may be requested for obligations incurred during the following time periods:
 - 19.3.1. County Education Fund – June 1, 2004 thru August 31, 2006.
 - 19.3.2. Accessible Voting System in Each Polling Place – As described in Section 19.1 of this agreement thru August 31, 2006.
 - 19.3.3. General Title III Compliance:
 - a) Upgrading voting systems to comply with new federal standards – As described in Section 19.1 of this agreement thru August 31, 2006.
 - b) Acquiring an accessible voting system in each polling place – As described in Section 19.1 of this agreement thru August 31, 2006.
 - c) Voter education – September 1, 2004 thru August 31, 2006.
 - d) Election worker education – September 1, 2004 thru August 31, 2006.

SECTION 20. PROGRAM INCOME

- 20.1. Program income means gross income received by the COUNTY directly generated by a grant supported activity, or earned only as a result of the grant agreement during the grant period. "During the grant period" is the time between the effective date of the award and the ending date of the award reflected in the final reimbursement request.
- 20.2. Program income earned during the grant period must be reported when requesting reimbursements as described in Section 17.2 of this agreement.

SECTION 21. AUDIT

- 21.1. During the grant period, for each COUNTY fiscal year in which the COUNTY expends \$500,000 or more of combined federal funding, the COUNTY is responsible for obtaining an audit in

accordance with the Single Audit Act (Amendments of 1996 (31 U.S.C. 7501-7507) and revised OMB Circular A-133, "Audits of States, Local Governments, and Non-Profit Organizations". Any such audits shall be made by an independent auditor in accordance with generally accepted government auditing standards covering financial audits.

- 21.2. If, after a fiscal year in which grant funds are expended, the COUNTY determines an audit is not required according to OMB Circular A-133, the COUNTY shall make such certification through the Texas HAVA online grant system. The COUNTY'S chief financial officer shall make the certification within 60 days of the end of the COUNTY'S fiscal year.

SECTION 22. CHANGES

- 22.1. The following post-award changes in budgets and projects require prior written approval in the form of a grant adjustment.
- 22.1.1. Cumulative transfers among direct cost categories which exceed ten percent of the current award.
 - 22.1.2. Transfer of funds allotted for training allowances to other expense categories.
 - 22.1.3. Any needs for additional funding or extension of grant period.
 - 22.1.4. Any revision of the scope or objectives of the project.
- 22.2. All grant adjustment requests must be submitted prior to the end of the grant period.
- 22.3. The SOS reserves the right to make changes to the grant award at any time. The County will be notified in writing or through the Texas HAVA online grant system of all changes prior to the change taking effect.

SECTION 23. PROPERTY MANAGEMENT

- 23.1. Procedures for managing equipment (including replacement equipment), whether acquired in whole or in part with grant funds, until disposition takes place will, at a minimum, meet the following requirements:
- 23.1.1. Property records must be maintained that include a description of the property, a serial number or other identification number, the source of property, who holds title, the acquisition date, and cost of the property, percentage of the SOS participation in the cost of the property, the location, use and condition of the property, and any ultimate disposition data including the date of disposal and sale price of the property.
 - 23.1.2. A physical inventory of the property must be taken and the results reconciled with the property records at least once every two years.
 - 23.1.3. A control system must be developed to ensure adequate safeguards to prevent loss, damage, or theft of the property. Any loss, damage, or theft shall be investigated. Certain types of equipment are classified as "controlled assets". The Comptroller's State Property Accounting User Manual, available on the Internet, contains the most current listing.
 - 23.1.4. Adequate maintenance procedures must be developed to keep the property in good condition.
 - 23.1.5. If the COUNTY is authorized to sell the property, proper sales procedures must be established to ensure the highest possible return.

SECTION 24. COPYRIGHTS

- 24.1. The SOS reserves a royalty-free, nonexclusive, and irrevocable license to reproduce, publish or otherwise use, and to authorize others to use, for federal or state government purposes:
- 24.1.1. The copyright in any work developed pursuant to this grant award; and

- 24.1.2. Any rights of copyright to which the COUNTY purchases ownership with this grant award.

SECTION 25. PROCUREMENT

- 25.1. The COUNTY shall use their own procurement procedures and regulations, provided that the procurement conforms to applicable laws and the standards identified in Chapter III (State Uniform Administrative Requirements for Grants and Cooperative Agreements), Subpart C, Section 36 of the Uniform Grant Management Standards.

SECTION 26. REPORTS

- 26.1. Grantees must submit required financial expenditure reports and performance reports.
- 26.1.1. Payment request must be based on actual expenditures (see Section 17 of this agreement); therefore, reimbursement requests will serve as financial reports.
- 26.1.2. Additional reports shall be submitted via the Texas HAVA online grant system.
- 26.1.3. Instructions and due dates will be prescribed via the website.
- 26.1.4. SOS may place a financial hold on a grantee's funds for delinquent reports.

SECTION 27. RECORDS RETENTION

- 27.1. The COUNTY must maintain records for at least three years following the submission of the final expenditure report.
- 27.2. If any litigation, claim, negotiation, audit or other action involving the records has been started before the expiration of the 3-year period, the records must be retained until completion of the action and resolution of all issues which arise from it, or until the end of the regular 3-year period, whichever is later.

SECTION 28. MONITORING

- 28.1. Monitoring reviews include programmatic monitoring, financial monitoring, and financial auditing.
- 28.2. The SOS reserves the right to conduct its own audit or contract with another entity to audit the COUNTY.
- 28.3. The SOS or its designee may conduct monitoring reviews throughout the existence of a grant or conduct an audit after the grant period has ended. The COUNTY must make all grant-related records available to the SOS or its representatives unless the information is sealed by law.
- 28.4. Monitoring reviews may be on-site or desk reviews and may include any information that the SOS deems relevant to the project.
- 28.5. The SOS, or its designee, may make unannounced visits at any time.

SECTION 29. REMEDIES FOR NONCOMPLIANCE

- 29.1. If a COUNTY fails to comply with any term or condition of this agreement or any applicable statutes, rules, regulations, or guidelines, SOS may take one or more of the following actions:
- 29.1.1. Require the return of funds if disbursements have already been made.
- 29.1.2. Temporarily withhold all payment to the COUNTY pending correction of the deficiency by the COUNTY.
- 29.1.3. Temporarily withhold all payments for other HAVA grant funds awarded to the COUNTY pending correction of the deficiency by the COUNTY.
- 29.1.4. Disallow all or part of the cost of the activity or action that is not in compliance.
- 29.1.5. Impose administrative sanctions, other than fines, on the COUNTY.

- 29.1.6. Withhold further HAVA grants funds from the COUNTY.
- 29.1.7. Terminate the agreement in whole or in part.
- 29.1.8. Exercise other remedies that may be legally available.

Part D – After-the-Grant Requirements

SECTION 30. CLOSEOUT

- 30.1. The SOS will close out the award when it determines that all applicable administrative actions and all required work of the grant have been completed. The SOS will provide any necessary additional information on closeouts.
- 30.2. The closeout of a grant does not affect:
 - 30.2.1. The SOS's right to disallow costs and recover funds on the basis of a later audit or other review;
 - 30.2.2. The COUNTY'S obligation to return any funds due as a result of later refunds, corrections, or other transactions;
 - 30.2.3. Records retention as required in Section 27 of this agreement;
 - 30.2.4. Property management requirements outlined in Section 23 of this agreement; and
 - 30.2.5. Audit requirements prescribed in Section 21 of this agreement.

SECTION 31. COLLECTION OF AMOUNTS DUE

- 31.1. Any funds paid to the COUNTY in excess of the amount to which the COUNTY is finally determined to be entitled under the terms of the award constitute a debt to the SOS. If not paid within 30 days after demand, the federal or state agency may reduce the debt by:
 - 31.1.1. Making an administrative offset against other requests for reimbursements;
 - 31.1.2. Withholding payments otherwise due to the COUNTY; or
 - 31.1.3. Other action permitted by law.
- 31.2. Except where otherwise provided by statutes or regulations, the federal government may charge interest on an overdue debt in accordance with the Federal Claims Collection Standards (4 CFR Ch. II). The date from which interest is computed is not extended by litigation or the filing of any form of appeal.

IN WITNESS WHEREOF, the SOS and the COUNTY have executed this agreement.



9/14/2004

(Authorized Signature)

Date

(Authorized Signature)

Date

Geoffrey S. Connor

(Printed Name)

Office of the Secretary of State

(Printed Name)

Hunt County

RESOLUTION No. 9233

A RESOLUTION OF THE COUNTY COMMISSIONERS OF THE COUNTY OF HUNT AUTHORIZING THE SUBMISSION OF A TEXAS COMMUNITY DEVELOPMENT PROGRAM APPLICATION ON BEHALF OF COMBINED CONSUMERS SPECIAL UTILITY DISTRICT TO THE TEXAS OFFICE OF RURAL COMMUNITY AFFAIRS FOR THE COMMUNITY DEVELOPMENT FUND; AND AUTHORIZING THE COUNTY JUDGE TO ACT AS THE COUNTY'S EXECUTIVE OFFICER AND AUTHORIZED REPRESENTATIVE IN ALL MATTERS PERTAINING TO THE COUNTY'S PARTICIPATION IN THE COMMUNITY DEVELOPMENT PROGRAM.

WHEREAS, the County Commissioners of the County of Hunt desire to develop viable rural communities, including decent housing and a suitable living environment and expanding economic opportunities, principally for persons of low/moderate income; and

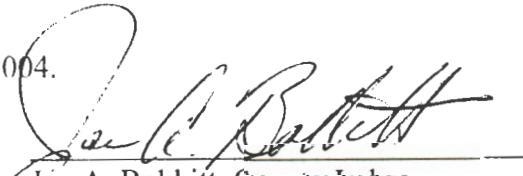
WHEREAS, certain conditions exist which represent a threat to the public health and safety; and

WHEREAS, it is necessary and in the best interests of the County of Hunt to sponsor an application for the 2005/2006 Texas Community Development Program on behalf of Combined Consumers Special Utility District;

NOW, THEREFORE, BE IT RESOLVED BY THE COUNTY COMMISSIONERS OF THE COUNTY OF HUNT:


1. That a Texas Community Development Program application for the Community Development Fund on behalf of Combined Consumers Special Utility District is hereby authorized to be filed with the Texas Office of Rural Community Affairs.
2. That the County's application be placed in competition for funding under the Community Development Fund.
3. That the application is for \$ 250,000 of grant funds to carry out water system improvements for Combined Consumers Special Utility District.
4. That the County Commissioners Court directs and designates the County Judge as the County's Chief Executive Officer and Authorized Representative to act in all matters regarding this application and the County's participation in the Texas Community Development Program.
5. That it further be stated that the Combined Consumers Special Utility District will contribute \$180,006 in District funds and in-kind services toward the construction activities of this water improvements project.

Passed and approved this 27th day of September 2004.


Joe A. Bobbitt, County Judge

Attest:


Linda Brooks, County Clerk

FILED FOR RECORD
at 2 o'clock
SEP 27 2004
County Clerk, Hunt County, Texas


9233

RESOLUTION AUTHORIZING SIGNATURES

A RESOLUTION BY THE COUNTY COMMISSIONERS OF HUNT COUNTY, TEXAS, APPOINTING THE COUNTY JUDGE, COUNTY CLERK, AND THE COUNTY AUDITER AS THE AUTHORIZED SIGNATORIES FOR PAYMENT REQUESTS TO THE OFFICE OF RURAL COMMUNITY AFFAIRS.


WHEREAS, the County of Hunt, Texas has received a 2004 Texas Community Development Program grant award to provide water system improvements, and;

WHEREAS, it is necessary to appoint persons to execute certain documents for requesting funds from the Office of Rural Community Affairs.

NOW THEREFORE, BE IT RESOLVED BY THE COMMISSIONERS OF THE COUNTY OF HUNT, TEXAS, AS FOLLOWS:

The County Judge, County Clerk, and County Auditor shall be authorized to execute the State of Texas Purchase Vouchers and/or Request for Payment forms required for requesting Funds approved in the 2004 Texas Community Development Program Grant.

PASSED AND APPROVED BY THE COMMISSIONERS COURT OF THE HUNT COUNTY, TEXAS, ON SEPTEMBER 27, 2004.


Joe Bobbitt, County Judge


ATTEST

FILED FOR RECORD
at _____ o'clock _____ M
SEP 27 2004
By County Clerk, Hunt County, Tex
LINDA BROOKS

9233

EXCESSIVE FORCE RESOLUTION

A resolution establishing rules and regulations regarding the use of excessive force during nonviolent civil rights demonstrations, including physically barring entrance to a facility or location which is the subject of such demonstrations, and providing penalties for violations thereof: In the following County of Hunt, State of Texas; as follows:

FILED FOR RECORD
at 2 o'clock
SEP 27 2004
By County Clerk LINDA BROOKS
Hunt County, Tex.

ARTICLE I

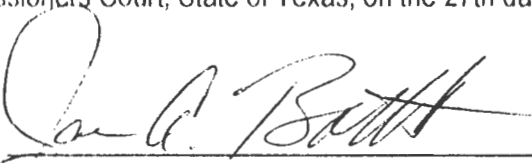
Section 1: It is the policy of the County of Hunt, Texas to prohibit the use of excessive force by the law enforcement agencies within its jurisdiction against any individual engaged in non-violent civil rights demonstrations. The county also prohibits the physical barring of any entrance to, or exit from, such a facility within its jurisdiction.

ARTICLE II


Section 1 It is the policy of the county to enforce this policy to the full extent allowed by law.

ARTICLE III

Passed and adopted by the Hunt County Commissioners Court, State of Texas, on the 27th day of September 2004.


Joe Bobbitt, County Judge

Attest:



#9233

RESOLUTION PROMOTING FAIR HOUSING

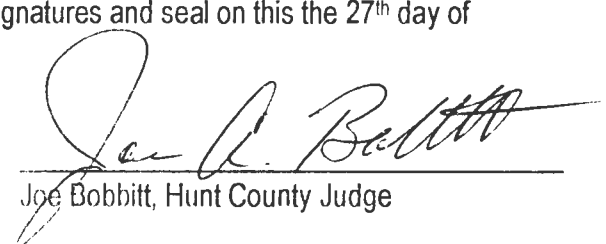
WHEREAS Title VIII of the Civil Rights Act of 1968, as amended, prohibits discrimination in housing and declares it a national policy to provide, within constitutional limits, for fair housing in the United States; and

WHEREAS The principle of Fair Housing is not only national law and national policy, but a fundamental human concept and entitlement for all Americans; and

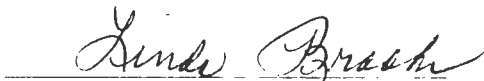
WHEREAS The National Fair Housing Law provides an opportunity for all Americans to recognize that complete success in the goal of equal housing opportunity can only be accomplished with the help and cooperation of all Americans.

NOW, THEREFORE, WE, the Commissioners of the County of Hunt, Texas, hereby urge all the citizens of the locality to become aware of and support the Fair Housing law.

IN WITNESS WHEREOF we have affixed our signatures and seal on this the 27th day of September 2004.


Joe Bobbitt, Hunt County Judge

Attest:


Linda Brooks

FILED FOR RECORD
at _____ o'clock _____ M.
SEP 27 2004
By County Clerk LINDA BROOKS
Hunt County, Tex.

DESIGNATION FORM FOR SECTION 504
AND EQUAL OPPORTUNITY/FAIR HOUSING OFFICER

City/County County of Hunt, Texas TCDP Contract # 724381

Address: Honorable Joe Bobbitt
Hunt County Judge
PO Box 1097, 2500 Lee Street
Greenville, Texas 75403-1097

Telephone Number: 903-408-4146

9234
FILED FOR RECORD
at 2 o'clock P M
SEP 27 2004
By LINDA BROOKS
County Clerk, Hunt County, Texas

I, Joe Bobbitt, County Judge, do hereby appoint Philip Martin, as the Fair Housing/Equal Opportunity/Section 504 Standards Officer for the County of Hunt, Texas.

The Fair Housing/Equal Opportunity/Section 504 Standards Officer shall be responsible for the oversight and compliance of fair housing and equal opportunity activities to be performed by the County of Hunt, Texas, as required by the Texas Community Development Program Contract No. 724381.

The Fair Housing/Equal Opportunity/Section 504 Standards Officer is responsible for being familiar with and adhering to all civil rights laws and regulations pertaining to the Texas Community Development Program, including those described in the TCDP Implementation Manual and those listed on Exhibit D of the TCDP contract.

Fair Housing/Equal Opportunity/Section 504 Standards Officer: _____

Appointed by: Joe A. Bobbitt
County Judge

Date: September 27, 2004

#9235

**Official Resolution
Hunt County, Texas**

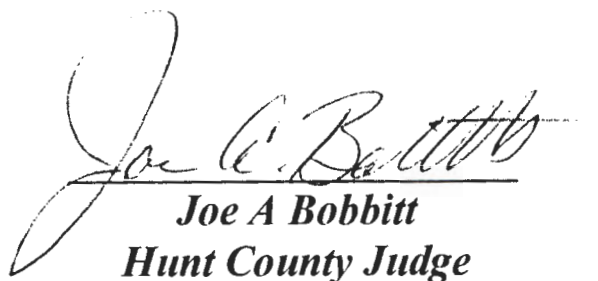
at **FILED FOR RECORD**
SEP 27 2004
By County Clerk LINDA BROOKS
Hunt County, Texas

Whereas, Texans of Czech descent have made significant and lasting contributions to our states prosperity, heritage, culture, and

Whereas, beginning in the late 1840's Czech settlers came in growing numbers to the one Star State, gravitating to the rich soil of the black lands and upper coastal plains belts, from Denton to Brownsville, these industrious pioneers created close-knit communities that kept intact their unique old-world customs while adapting to the challenges of a new land, and

Whereas, Czechs are renowned for their exemplary work ethics and love of Democracy and have established standards of excellence as both private and public citizens to whom all can aspire; and because for generations, Texans of Czech extraction have made many notable contribution, both cultural and historic, to the betterment of our state; and of their many accomplishments in the regard are truly worthy of special legislative recognition.

Now, Therefore, I, Joe A Bobbitt, County Judge of Hunt County, do hereby proclaim October as Czech Heritage Month, and would all urge all citizens of Hunt County to learn about the heritage and participate in any and all activities of the Czech Community as they have given significant contributions to the State of Texas.


**Joe A Bobbitt
Hunt County Judge**

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9244

Hunt County Retiree Health Insurance Policy
Effective October 1, 2004

FILED FOR RECORD
at 2 o'clock
SEP 27 2004
By County Clerk, Hunt County, Texas
LINDA BROOKS
County Clerk, Hunt County, Texas

Under 65 Retiree Health Benefits – you are eligible for retiree health benefits if:

- a. you retire under the Texas County District Retirement System service retirement guidelines (Hunt County Plan Data Attached)
- b. you must meet the following requirements to qualify, 60 years of age plus 8 years of service, employee age and employee years of service = 75, or 30 years of service
- c. you retire from and have at least 8 years of **CONTINUOUS** TCDRS (vested) creditable service with Hunt County
- d. you are less than 65 years old at the time of retirement
- e. you were enrolled in the Hunt County Health Insurance plan at the time of retirement

Premiums –

- a. health premiums include medical health plan and prescription drugs – if available in the health plan.
- b. paid retirement *insurance will be* on a year to year basis with confirmation at each budget year, Commissioners Court.

General Guidelines -

- a. retiree can keep life insurance at their cost
- b. retiree can keep dental insurance at their cost
- c. health insurance is subject to change each year based on the Hunt County Commissioners Court recommendations
- d. Hunt County reserves the right, at its discretion, to amend, change, or terminate any of its benefit plans, programs, practices or policies as it deems necessary.
- e. retirees health insurance is canceled at the age of 65

I have read, received and understand the retiree policy and guidelines.

Employee

Date

Witness

Hunt County

Must meet requirements to qualify

60 plus 8 years service

age + time = 75

30 years of service

Solution: will receive paid health insurance, until they reach 65 years of age..

Advantage: will be an incentive to retire early.

Hunt County

List of Records

Summary of
County PlansCounty of
Hunt

Notes