

lmonk.cotreas@co.tyler.tx.us

From: James Malanaphy, AIA <James.Malanaphy@thc.texas.gov>
Sent: Friday, March 19, 2021 3:38 PM
To: lmonk.cotreas@co.tyler.tx.us
Cc: 'Buck Hudson'; 'Kay Timme'; Bess Althaus Graham, AIA, LEED AP BD+C; Susan Tietz, AIA
Subject: RE: Tyler County Dogwood Festival - Historic Bell Inquiry

That sounds right Ms. Monk,

Yes, please submit a copy of the policy and verification that Tyler County has adopted a sound policy with all intentions of protecting its historic courthouse bell now and in the future. We will place this information in our files. If some reason the policy requires any additional modifications, I will let you know after its been reviewed in our office.

As long as the organization agrees to the county's terms as laid out in the county's newly adopted policy there should be adequate protection for the bell. With a signed and approved application in hand from the organization using the bell, the county (and THC) will feel comfortable knowing the bell is being protected from damage and loss.

Again, thanks for reaching out to the Texas Historical Commission and for all you do to protect Texas history.

James

James Malanaphy, AIA

From: lmonk.cotreas@co.tyler.tx.us <lmonk.cotreas@co.tyler.tx.us>
Sent: Friday, March 19, 2021 2:27 PM
To: James Malanaphy, AIA <James.Malanaphy@thc.texas.gov>
Cc: 'Buck Hudson' <bhudson@co.tyler.tx.us>; 'Kay Timme' <kaytimme@gmail.com>; Bess Althaus Graham, AIA, LEED AP BD+C <Bess.Graham@thc.texas.gov>; Susan Tietz, AIA <Susan.Tietz@thc.texas.gov>
Subject: RE: Tyler County Dogwood Festival - Historic Bell Inquiry

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Thank you for your quick reply. I just want to clarify for my own piece of mind. The last thing I want to do is move forward if I'm understanding incorrectly. Once we submit the policy and application to court for their approval, we will then send it to THC for verification that County has adopted a sound policy with all intentions of protecting our bell. And if I am understanding correctly, it will be at that point, we would be good to go to use the bell in our 175th Celebration as described in our previous correspondence.

Thank you,
Leann

From: James Malanaphy, AIA <James.Malanaphy@thc.texas.gov>
Sent: Friday, March 19, 2021 1:50 PM

To: lmonk.cotreas@co.tyler.tx.us

Cc: Buck Hudson <bhudson@co.tyler.tx.us>; 'Kay Timme' <kaytimme@gmail.com>; Bess Althaus Graham, AIA, LEED AP BD+C <Bess.Graham@thc.texas.gov>; Susan Tietz, AIA <Susan.Tietz@thc.texas.gov>

Subject: RE: Tyler County Dogwood Festival - Historic Bell Inquiry

Thank you Ms. Monk,

I don't believe the Texas Historical Commission needs to be apprised of every time the Tyler courthouse bell is removed from storage for public display. It would be appropriate for the county to share a copy of the policy and the procedures it adopts with the Texas Historical Commission, and provide evidence of this policy's adoption.

The THC will keep it on file, and perhaps share it with other counties looking to temporarily allow other organizations to display similar historical properties.

Thanks for your assistance with this,

James

James Malanaphy, AIA

From: lmonk.cotreas@co.tyler.tx.us <lmonk.cotreas@co.tyler.tx.us>

Sent: Friday, March 19, 2021 12:06 PM

To: James Malanaphy, AIA <James.Malanaphy@thc.texas.gov>

Cc: Buck Hudson <bhudson@co.tyler.tx.us>; 'Kay Timme' <kaytimme@gmail.com>; Bess Althaus Graham, AIA, LEED AP BD+C <Bess.Graham@thc.texas.gov>; Susan Tietz, AIA <Susan.Tietz@thc.texas.gov>

Subject: Re: Tyler County Dogwood Festival - Historic Bell Inquiry

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Good morning,

These recommendations will implemented immediately for approval for our Commissioners Court. My question is once the policy is approved w/all recommended changes, what will be our next step? Will we need to submit the total application to you for final approval?

Thank you for helping us with this project and helping us get closer to displaying this valuable piece of Tyler County history for all to appreciate.

Leann Monk
Tyler County Treasurer
100 W Bluff, Room 103
Woodville, TX 75979
409-283-3054, Office
409-200-1866, Cell

From: James Malanaphy, AIA <James.Malanaphy@thc.texas.gov>
Sent: Friday, March 19, 2021 11:45 AM
To: imonk.cotreas@co.tyler.tx.us
Cc: Buck Hudson; 'Kay Timme'; Bess Althaus Graham, AIA, LEED AP BD+C; Susan Tietz, AIA
Subject: FW: RE: Tyler County Dogwood Festival - Historic Bell Inquiry

Good morning Ms. Monk,

I received some valuable recommendations from staff that will help you with the final draft of the policy to guide the use and protection of the courthouse bell.

- 1) Create an application form to be used when an organization wishes to request use of the bell. The organization requesting use of the bell can fill out a yes/no checklist that relates to each of the conditions the county will impose. This will help assure that they are aware of their responsibilities.
- 2) Require that the application form be signed by a representative of the organization who acknowledges that the organization will be responsible for the use and protection of the bell.
- 3) Consider how the county wants to insure the bell will be repaired or replaced if lost. The county can request a copy of proof of the organizations insurance policy that would cover loss or damage to the bell, or require a security deposit in an appropriate amount to repair or replace the bell. Or require both: proof of insurance, and a security deposit.
- 4) Identify who is to receive and approve the application; and, identify who will hold the security deposit until the bell is safely returned to storage.

We hope these comments are of assistance to you.

Sincerely,

James



James Malanaphy, AIA
Project Reviewer, Courthouse Preservation Program
Division of Architecture
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imonk.cotreas@co.tyler.tx.us <imonk.cotreas@co.tyler.tx.us>
Sent: Tuesday, March 16, 2021 2:35 PM
To: James Malanaphy, AIA <James.Malanaphy@thc.texas.gov>
Cc: Buck Hudson <bhudson@co.tyler.tx.us>; 'Kay Timme' <kaytimme@gmail.com>
Subject: RE: RE: Tyler County Dogwood Festival - Historic Bell Inquiry

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Good afternoon Mr. Malanaphy,

First, I would like to apologize for taking so long in replying back to your email. We have taken your recommendations into consideration and applied them.

I have attached the proposed County Policy that our committee has put together and will be presenting to our Commissioners Court for adoption. I am hoping that you would take a moment to review the proposed policy to see if our committee has covered all THC concerns or if we need to address additional issues before we take it to court. My thought is once this policy, if it meets TCH approval as well as our Court's approval, is passed we would have the Tyler County Dogwood Festival supply proof of the required criteria and then submit it to TCH for the final say

I sincerely appreciate your consideration and look forward to your feedback.

Leann Monk

Tyler County Treasurer
100 W Bluff, Room 003
Woodville, TX 75979
409-283-3054, Office
409-200-1866, Cell



From: ktimme.cojudge@co.tyler.tx.us <ktimme.cojudge@co.tyler.tx.us>
Sent: Tuesday, March 9, 2021 9:48 AM
To: Buck Hudson <bhudson@co.tyler.tx.us>; imonk.cotreas@co.tyler.tx.us
Subject: FW: RE: Tyler County Dogwood Festival - Historic Bell Inquiry

Good morning,

See additional information from James Malanaphy at THC.

Thanks,
Kay T.

-----Original Message-----

From: "James Malanaphy, AIA" <James.Malanaphy@thc.texas.gov>
Sent: Tuesday, March 9, 2021 9:30am
To: "ktimme.cojudge@co.tyler.tx.us" <ktimme.cojudge@co.tyler.tx.us>
Subject: RE: Tyler County Dogwood Festival - Historic Bell Inquiry

Good morning Ms. Timme,

I was able to reach out and get some guidance from senior staff on this matter.

Does Tyler County have any policies in place that would govern the use and protection of the historic bell? Before the county should consider lending the bell to any community organization the County should have a policy in place that governs how the bell is moved, how the bell is protected at the destination and before and after the move, and how much insurance will be required to ensure the bell can be replaced if damaged. How will the bell would be lifted, crated, transported, and displayed. At this time, the county should probably form a committee to establish these policies.

The Texas Historical Commission needs reassurance that the bell will be handled in a responsible manner. Evidence of county governance over the use of the bell is needed.

I hope this can be achieved quickly so that the bell can be used during celebrations this year.

James



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From: ktimme.cojudge@co.tyler.tx.us <ktimme.cojudge@co.tyler.tx.us>
Sent: Tuesday, March 9, 2021 8:17 AM
To: James Malanaphy, AIA <James.Malanaphy@thc.texas.gov>
Cc: Buck Hudson <bhudson@co.tyler.tx.us>; Imonk.cotreas@co.tyler.tx.us
Subject: RE: Tyler County Dogwood Festival - Historic Bell Inquiry
Importance: High

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Good Morning, Mr. Malanaphy,

Thanks for your reply. I forwarded it to Leann Monk, County Treasurer, and Commissioner Buck Hudson, and have asked them to reach out to you with the details regarding the Pageant..

I've attached to this email some recent photos of the bell.

Thanks!

Kay Timme

-----Original Message-----

From: "James Malanaphy, AIA" <James.Malanaphy@thc.texas.gov>
Sent: Monday, March 8, 2021 5:22pm
To: "ktimme.cojudge@co.tyler.tx.us" <ktimme.cojudge@co.tyler.tx.us>
Cc: "Bess Althaus Graham, AIA, LEED AP BD+C" <Bess.Graham@thc.texas.gov>
Subject: RE: Tyler County Dogwood Festival - Historic Bell Inquiry

Good evening Ms. Timme,

I will check with staff and see if this activity can be allowed. Do you have any information on the logistics involved? How heavy is the bell? When and how will the bell be transported? How will the bell be mounted for display? When will the bell be returned to storage? Can you provide any details?

This will be a major effort.

James



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From: ktimme.cojudge@co.tyler.tx.us <ktimme.cojudge@co.tyler.tx.us>
Sent: Monday, March 8, 2021 2:45 PM
To: James Malanaphy, AIA <James.Malanaphy@thc.texas.gov>
Subject: Tyler County Dogwood Festival - Historic Bell Inquiry
Importance: High

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Good Afternoon, Mr. Malanaphy,

The Commissioners Court of Tyler County met this morning and one of the agenda items referenced the historic 1892 bell that was removed from the Courthouse tower a few years ago. As you know, the bell was placed in storage where it still remains. I am aware of THC's decision regarding the construction of a permanent display space for the bell on the Courthouse grounds.

However, a request was made of the Court to use the bell as part of the 175th Anniversary Celebration on April 3rd. The organizer of the Annual Dogwood Pageant asked for permission to display and ring the bell at the venue during the pageant.

The Court requested that I contact you regarding any concerns THC might have or limitations for use of the bell in this way. As you would expect, the Court is concerned about liability issues if the bell is damaged or there are other unforeseen circumstances that might impact the bell.

Please let me know if the bell can be removed from storage and used during the event on April 3rd. I will report back to the Court when I receive your response.

Thank you for your consideration,

Kay Timme
Per Commissioners Court Request

(Recommended)
Tyler County Policy on the Use of Tyler County Historic Pieces

Who gives permission for the use?

Tyler County Commissioners Court, with the permission of both the Tyler County Historical Commission and the Texas Historical Commission.

Who may borrow the Historic Pieces?

Tyler County may lend the historic pieces to Court and Commission(s) approved organizations who meet the adopted criteria.

Criteria for Borrowing:

1. Must submit application for approval to sponsoring commissioner's court member.
2. Must be a County Organization.
3. Must be for a County Approved Function, Event or Celebration
4. Must be brought to Court for approval by a sponsoring Commissioner and that Commissioner will facilitate the borrowing process.
5. Must have the oversight of at least one member of Commissioners Court.
6. Must provide insurance for two times the replacement value of the historic piece.
7. Must provide a detailed plan indicating the intentions and plan of action of the borrower from the time of pick-up to the time of return. Said plan must be approved in Court.
8. Must provide for secure transport of the historic piece and provide details to the Court.
9. Must provide security for the historic piece.
10. Must provide Court and Commission approved housing/display for the piece.
11. Borrower must assume all cost involved with transportation, storage and onsite expenses involved. Tyler County, THC nor TCHC will be responsible for any related expenses.
12. Borrower assumes liability for any damages or injury to persons or property arising out of or in any way connected with the borrower's possession or use of the piece and shall hold the County, TCH or TCHC harmless against any claims arising hereunder.
13. Borrower may not transfer permission.

Additional Guidelines:

- A1) Tyler County reserves the right to withdraw, at any time, the permissions given to the borrower for any reason.
- A2) The historic pieces shall not be moved in inclement weather or the threat of such.
- A3) The historic pieces shall not be used for any other purpose than what was approved by Tyler County Commissioner's Court and the THC and TCHC.
- A4) The use of the historic pieces shall not be used for profit of the borrowing organization without Court approval.
- A5) Photos, sound recordings and physical touches to the piece must be approved as applicable.

Tyler County Historical Piece Use Application



	The Borrower is a Tyler County Organization w/its primary headquarters being housed with the county boundaries of Tyler County. (P2)
	The event the historic piece is being requested for is within the county boundaries and the piece will not be removed from Tyler County. (P2)
	The borrower will be providing insurance two times the value of the historic piece or a minimum requirement of replacement cost. A copy of the insurance is attached. (P6)
	The borrower has attached a detailed plan indicating the intentions and plan of action of the borrower from the time of pick-up until the time of return. I understand this plan must be approved by Commissioner's Court. (P7)
	The borrower has attached a detailed plan on secure transport of the piece, along with the name and contact information of any professional companies used in the process. (P8)
	The borrower must attach the name and contact information of the security person(s)/company that will be protecting the historic piece while on display. (P9)
	The borrower must attach a plan for the housing/display for the piece. This must be approved by Commissioner's Court. (P10)
	The borrower assumes all costs involved with transportation, storage and onsite expenses involved. (P11)
	The borrower assumes all liability for any damages or injury to persons or property arising out of or in any way connected with the borrower's possession or use of the piece and shall hold the County, THC, and/or TCHC harmless against any claims arising hereunder. (P12)
	The borrower understands and agrees that they shall not transfer any permissions given on behalf of this application to another person, organization or entity. (P13)
	The borrower understands and agrees that Tyler County reserves the right to withdraw, at any time, the permissions given to the borrower for any reason. (PA1)
	The borrower understands and agrees that piece shall not be moved or displayed in any inclement weather or other conditions the County, THC and/or TCHC deems unsafe for the piece. (PA2)
	The borrower understands and agrees that the piece shall not be used for any other purposes than what was approved by the Tyler County Commissioner's Court, THC and the TCHC. (PA3)
	The borrower understands and agrees that the piece shall not be used for profit of the borrowing organization without Court approval. (PA4)
	The borrower understands and agrees that photos, sound recordings and physical touches to the piece must be approved as applicable. (PA5)

_____, Sponsoring Commissioners' Court Member

_____, Borrowing Organizations Representative

Date Application Received by the Tyler County Clerk: _____
Date of Next Commissioner's Court: _____
Date of Approval: _____
Pre-Lending Photos: _____

Date Item Returned: _____
Inspected by: _____
Cleared for Return: _____
Borrower's Signature: _____