



TYLER COUNTY COMMISSIONERS COURT

County Courtroom, Room 101 & Livestream / Woodville, Texas

Monday, June 30, 2025

Joe Blacksher	Doug Hughes	Milton Powers	Mike Marshall	Charles "Buck" Hudson
Commissioner, Pct. 1	Commissioner, Pct. 2	County Judge	Commissioner, Pct. 3	Commissioner, Pct. 4

STATE OF TEXAS	§	
	§	RESOLUTION 2025-0630
COUNTY OF TYLER	§	

On the 30th day of June, 2025 the Commissioners' Court of Tyler County, Texas convened in called meeting with the following members thereof present:

Milton Powers, County Judge
Joe Blacksher, Commissioner, Precinct 1
Doug Hughes, Commissioner, Precinct 2
Mike Marshall, Commissioner, Precinct 3
Charles "Buck" Hudson, Commissioner, Precinct 4

WHEREAS, as of June 2025, the Secretary of State for the State of Texas released information and applications for all counties to apply and receive additional funding support from State and Federal level government regarding enhancing election technology and make election security improvements to the systems, equipment and processes used in Federal elections.

WHEREAS, such funds can be utilized for expenditures needed to improve and enhance the efficiency and security of elections to be eligible. Most importantly, it needs to be allowable, reasonable and necessary.

WHEREAS, the following grant is available and can be utilized with the resolution: 2025 HAVA Election Security Subgrants.

WHEREAS, the federal share of funds must be matched at 20% using county funds.

WHEREAS, this Resolution will be utilized as a portion of the application process and must therefore be reviewed and approved by the Tyler County Commissioners' Court.

NOW, THEREFORE, BE IT ORDERED by the Commissioners' Court of Tyler County as follows:

Tyler County Commissioners' Court agrees that the expenditure of the funds will be in accordance with applicable federal and state law and any agreement between Tyler County and the State of Texas, Office of the Secretary of State as authorized under Section 101 of the Help America Vote Act of 2002, and in consultation and agreement with the county election officials(s) as defined in Sections 12.001 and 31.091 of the Texas Election Code.

Tyler County Commissioners' Court agrees to assign a single point of contact (SPOC) to act on behalf of the county in communicating with the Office of the Secretary of State, including the submission of reimbursement requests and any other required reports.

Tyler County Commissioners' Court agrees claims against the fund shall be audited and approved in the same manner as other claims against the county before they are paid.

Tyler County Commissioners' Court agrees that it will not consider the availability of the funds in adopting the county budget.

Tyler County Commissioners' Court agrees that in the event of loss, misuse, or noncompliance pursuant to any grant award agreement with the Secretary of State, Tyler County Commissioners' Court assures that the funds will be returned to the Office of the Secretary of State in full.

UPON MOTION DULY MADE AND SECONDED, the above Resolution was passed on this the _____ day of June, 2025 by a vote of _____ ayes and _____ nays.

Milton Powers, County Judge

Joe Blacksher, Commissioner, Precinct No. 1

Doug Hughes, Commissioner, Precinct No. 2

Mike Marshall, Commissioner, Precinct No. 3

Charles "Buck" Hudson, Commissioner, Precinct No. 4

Jackie Skinner, County Auditor

ATTEST: _____
Donece Gregory, County Clerk

Purpose
As authorized under Section 101 of the Help America Vote Act of 2002 (P.L. 107-252) (HAVA), the purpose of this award is to "improve the administration of elections for Federal office, including to enhance election technology and make election security improvements" to the systems, equipment and processes used in federal elections.
Receipt of Funds
This is a reimbursement grant. The Secretary of State will provide instructions regarding accessing the funds. Although interest will typically not be earned, all funds must be deposited into an interest-bearing account in a fund designated for HAVA funds. Interest earned on this award's funds and any net program income shall be retained in the fund and used for allowable activities described in Section 101 of HAVA. Program income is defined as revenue received from a grant-supported activity during the grant period, such as fees from the use or rental of real or personal property acquired with grant funds.
Matching Funds
The federal share of funds must be matched at 20% using county funds.
Grant Administration
Award recipients and sub-recipients must adhere to all applicable federal and state requirements including Office of Management and Budget (OMB) guidance: <u>Title 2 C.F.R. Subtitle A, Chapter II, Part 200-Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards (2 C.F.R. § 200)</u> and the <u>Texas Grant Management Standards (TxGMS), Version 2.0</u> maintained by the Texas Comptroller of Public Accounts.
Reporting Requirements
<ol style="list-style-type: none"> 1. The county must comply with all reimbursement request requirements prescribed by the Secretary of State and other reports deemed necessary by the Secretary of State or the federal government. 2. The final reimbursement request must be submitted to the Secretary of State no later than the last day of the award agreement. 3. Failure to comply with any and all reporting requirements may result in the Secretary of State withholding any funds distributed to the county, including, but not limited to, Chapter 19 funds, Primary Finance funds issued pursuant to Chapter 173, Texas Election Code, and any other HAVA funding awarded to the county.
Award Contingencies
<p>This award is contingent upon the completion of the following activities:</p> <ol style="list-style-type: none"> 1. Completion of this agreement, including the electronic signature of the county judge or designee. 2. A resolution from the county commissioners court acknowledging certain terms and conditions. 3. Implement or have implemented the Drug-Free Workplace Requirements of 2 C.F.R. § 182.200 and comply with subpart C of 2 C.F.R. Part 180- Debarment & Suspension & include in lower-tier covered transactions.
Resolution from the Governing Body
<p>A resolution from the county Commissioners Court must be on file with the Secretary of State that includes, at a minimum, the following statements (the same resolution may be used for any HAVA funds awarded to the county provided the statements remain true and correct):</p> <p>_____ Commissioners Court agrees that the expenditure of the funds will be in accordance with applicable federal and state law and any agreement between _____ County and the State of Texas, Office of the Secretary of State as authorized under Section 101 of the Help America Vote Act of 2002 and in consultation and agreement with the county election official(s) as defined in Sections 12.001 and 31.091 of the Texas Election Code.</p> <p>_____ Commissioners Court agrees to assign a single point of contact (SPOC) to act on behalf of the county in communicating with the Office of the Secretary of State, including the submission of reimbursement requests and any other required reports.</p> <p>_____ Commissioners Court agrees claims against the fund shall be audited and approved in the same manner as other claims against the county before they are paid.</p> <p>_____ Commissioners Court agrees that it will not consider the availability of the funds in adopting the county budget.</p> <p>_____ Commissioners Court agrees 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.</p>
Financial Management Standards
<p>The financial management system of the county must meet the following standards:</p> <ol style="list-style-type: none"> 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. 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.

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.
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.
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.
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.
7. The Secretary of State 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.

Procurement

The county shall use its 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.

Property Management

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:

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 Secretary of State 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.
2. A physical inventory of the property must be taken and the results reconciled with the property records at least once every two years.
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.
4. Adequate maintenance procedures must be developed to keep the property in good condition.
5. Counties should attempt to get trade-in value or sell HAVA-funded equipment after it is no longer needed for its original intended purpose, and use the proceeds toward replacement equipment or other related activities. Proper sales procedures must be established to ensure the highest possible return.

Records Retention

1. The county must maintain records for at least three years following the submission of the final expenditure report.
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.

Compliance Reviews

1. Compliance reviews include programmatic and financial auditing.
2. The Secretary of State reserves the right to conduct its own audit or contract with another entity to audit the county.
3. The Secretary of State or its designee may conduct compliance 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 Secretary of State or its representatives unless the information is sealed by law.
4. Compliance reviews may be on-site or desk reviews and may include any information that the Secretary of State deems relevant to the project.

Remedies for Noncompliance

If a county fails to comply with any term or condition of this award agreement or any applicable statutes, rules, regulations, or guidelines, Secretary of State may take one or more of the following actions:

1. Require the return of funds if disbursements have already been made.
2. Temporarily withhold all payment to the county pending correction of the deficiency by the county.