





# TYLER COUNTY COMMISSIONERS COURT

July 2, 2007  
8:30 A.M.

Tyler County Courthouse, Room 101  
Woodville, Texas

**NOTICE** Is hereby given that a *Special Meeting* of the Tyler County Commissioners Court will be held on the date stated above, at which time the following subjects will be discussed;

## AGENDA

### ➤ CALL TO ORDER

- Establish quorum
- Invocation

1. CONSIDER/APPROVE: Commissioners' Court Minutes. – June 15, 2007 (Special Meeting); June 22, 2007 (Special Meeting) – *Correct Joe as presiding Judge*

2. CONSIDER/APPROVE: Emergency Watershed Program (EWP) Project Agreement. – National Resources Conservation Services (NRCS) Philip Stewart (Terry McFall)

3. CONSIDER/APPROVE: Relocation of DRS 06 0089 Funds in order for these funds to be used as local match funds for USDA-NRSC Project.

4. INFORMATIONAL REPORTS (This item if included on the Agenda to receive announcements from the Court members and/or other Elected Officials and Department Heads of Tyler County.)

### ➤ ADJOURN

  
JACQUES L. BLANCHETTE  
County Judge

I do hereby certify that the above Notice of Meeting of the Tyler County Commissioners Court is a true and correct copy of said Notice and that I posted a true and correct copy of said Notice in the Tyler County Courthouse at a place readily accessible to the general public at all times and that said Notice remained so posted continuously for at least 72 hours preceding the scheduled time of said meeting, as is required by Article 6252-17, V.T.C.S.

Executed on June 28 2007

Donece Gregory, Tyler County Clerk

By: Jean Jordan (Deputy)

NO. \_\_\_\_\_ TIME 8:00 AM

JUN 28 2007

DONECE GREGORY, COUNTY CLERK  
TYLER COUNTY, TEXAS  
By: Jean Jordan

Monday, July 2, 2007

Called to Order -

1. Correct on June 22 meeting then approved  
M - Joe Marshall 2 Rusty Hughes !

2. moved from 73 funding to 100% funding  
M - M. Wash 2<sup>nd</sup> R. Hughes (yes)  
copy of minutes

350,000.00  
2415  
time period

\* 3. David Waxman addressed the court  
ORCA funded our request then NRCS  
found some money. 25% local match  
(CDBG can match any other funds)  
NRCS suggests we take the match.  
That isn't exactly what we wanted to  
do. So he went back and looked at  
another way. See attached #1

If we amend will be able to make matching funds out  
of the <sup>RITA</sup> Disaster Relief Fund Grant Application  
See attached #2 without ever touching  
as local funds.

M. Nash - stated David Waxman had done  
an excellent job.

David Waxman Requested to Amend the Rita Disaster Relief Fund  
Grant Application to take care of matching  
money  
Motion M. Wash all voted  
2<sup>nd</sup> Jack Walston yes

4. Informational Reports - Judge asked any depts.  
if they wished to address the court  
Melissa Rutland hired by Auditor

Meeting Adjourned @ 9:20 Am  
M J Walston 2 R Hughes

## COMMISSIONER'S COURT MINUTES

Monday, July 2, 2007

8:30 a.m.

Meeting was called to order by Judge Blanchette. A quorum was established and invocation was given by Judge Blanchette.

1. Consider and approve Commissioner's Court minutes from June 15 & June 17, 2007. A Motion was made by **JOE MARSHALL** and seconded by **RUSTY HUGHES** to approve the **Commissioner's Court Minutes of June 15<sup>th</sup> & 17<sup>th</sup>, 2007** with corrections. All voted yes and none no.
2. Consider and approve Emergency Watershed Program (EWP) Project Agreement. A presentation was made by David Waxman & Terry McFall explaining why the request. A Motion was made by **MARTIN NASH** and seconded by **RUSTY HUGHES** to approve Agreement. All voted yes and none no.
3. Consider and approve **Relocation of DRS 06 0089** Funds in order for these funds to be used as local match funds for USDA-NRSC Project. David Waxman addressed the court and stated that ORCA funded our request then the NRCS found some money. CDBG can match any other funds NRCS suggests we take the match. David Waxman stated that wasn't the way he had intended for it to go so he went back and looked at another way. (See Attached #1). He said that if we amend we will be able to make matching funds out of the Rita Disaster Relief Fund Grant Application without ever touching any local funds (See Attached #2). Martin Nash commended David Waxman for all his hard work. A motion was made by **MARTIN NASH** and seconded by **JACK WALSTON** to approve the relocation of DRS 06 0089 Funds. All voted yes and none no.
4. **INFORMATIONAL REPORTS** – Judge Blanchette asked if any Departments wished to address the court. County Auditor Joyce Moore said Melissa Rutland had been hired.

A motion was made by **JACK WALSTON** and seconded by **RUSTY HUGHES** to adjourn the meeting. Meeting was adjourned at 9:20 a.m

#1

**TYLER COUNTY**

NRCS TOTAL PROJECT - \$925,000.00

Local Match	\$231,250.00	
4a. Street Projects		\$156,599.00
5a. Flood & Drainage – Debris Removal		\$74,651.00

**Result:**

1a. Water Facilities	No change	-\$1,075,000.00
4. Street	Reduced to	-\$60,120.00
5a. Flood & Drainage	Increased to	-\$231,250.00 (NRCS Match)
6. Neighborhood Facilities	No change	-\$110,000.00
14. Specially Authorized Public Facilities	No Change	-\$295,650.00
30. Engineering	No Change	-\$51,000.00
33. Planning/Project Delivery	No Change	-\$95,900.00
	No Change	-\$1,918,920.00 Total

**Assumes:**

- 1.) No Change to \$350,000.00 ORCA Grant – Materials
- 2.) Leverages \$693,750.00 of NRCS funds

## EXHIBIT A

CONTRACT NO. DRS 060089

### PERFORMANCE STATEMENT

#### Tyler County

Contractor shall carry out the following activities in the target area identified in its 2006 Texas CDBG Disaster Recovery Grant application to aid areas most impacted and distressed by Hurricane Rita. The persons to benefit from the activities described in this Performance Statement must be receiving service or a benefit from the use of the new or improved facilities and activities for the contract obligations to be fulfilled. The Contractor shall ensure that the amount of funds expended for each activity described does not exceed the amount specified for such activity in Exhibit B, Budget.

Hurricane Rita caused 14 water supply corporations to fail to function due to loss of electrical power. Public shelters for evacuees failed to function due to loss of power. Tyler County Hospital could not fully function due to loss of power. County roads in Precincts 1, 2, 3 and 4 were damaged by falling debris and heavy equipment. Tyler County EMS lacked power and failed to provide service to remote communities.

#### Water Facilities

Contractor shall purchase and permanently install generators at water supply corporation locations throughout Tyler County. Water supply corporations, locations, and generator specifications are:

##### A. Tyler County Water Supply Corporation

1. Fred Water Plant – one (1) one hundred fifty kilowatt (150 kW) generator;
2. Spurger Water Plant – one (1) one hundred thirty kilowatt (130 kW) generator;
3. Dam B Water Plant – one (1) one hundred twenty kilowatt (120 kW) generator;
4. Highway 190 Water Plant – one (1) seventy kilowatt (70 kW) generator;
5. Roland Water Plant – one (1) one hundred kilowatt (100 kW) generator;
6. Hillister Water Plant – one (1) one hundred kilowatt (100 kW) generator;
7. New Rockland Water Plant – one (1) one hundred seventy-five kilowatt (175 kW) generator; and
8. Dies Water Plant – one (1) forty kilowatt (40 kW) generator.

##### B. Cypress Creek Water Supply Corporation

1. County Road 2050 Water Plant – one (1) one hundred kilowatt (100 kW) generator.

##### C. Seneca Water Supply Corporation

1. Water Well #1 on Seneca Rd. – one (1) one hundred kilowatt (100 kW) generator; and
2. Water Well #2 on River Tower Rd. – one (1) one hundred kilowatt (100 kW) generator.

##### D. Warren Water Supply

1. Main Well at 11248 Hwy 69 S – one (1) one hundred kilowatt (100 kW) generator; and
2. Well #3 Hwy 69 N – one (1) sixty kilowatt (60 kW) generator.

##### E. Ivanhoe Water

1. Lancelot Dr. #1 well – one (1) seventy kilowatt (70 kW) generator; and
2. Durwood St. #3 well – one (1) seventy-five kilowatt (75 kW) generator.

This activity shall benefit twenty thousand eight hundred seventy-one (20,871) persons, of which eight thousand seven hundred seventy-eight (8,778) or forty-two percent (42%) are of low to moderate income.

### Street Facilities

Contractor shall use contract funds to repair approximately twelve (12) miles of county roads and bridges damaged by fallen trees and heavy operating equipment. Construction shall occur in Precincts 1, 2, and 4.

This activity shall benefit twenty thousand eight hundred seventy-one (20,871) persons, of which eight thousand seven hundred seventy-eight (8,778) or forty-two percent (42%) are of low to moderate income.

### Flood & Drainage Facilities - Debris

Contractor shall use contract funds as FEMA match toward a Public Assistance award for debris removal and disposal of vegetative and construction/demolition debris resulting from Hurricane Rita.

This activity shall benefit twenty thousand eight hundred seventy-one (20,871) persons, of which eight thousand seven hundred seventy-eight (8,778) or forty-two percent (42%) are of low to moderate income.

### Neighborhood Facilities/Community Centers

Contractor shall purchase and permanently install one (1) sixty kilowatt (60 kW) generator to be located at the Ivanhoe Community Center/Public Shelter and one (1) one hundred twenty-five kilowatt (125 kW) generator to be located at the Senior Citizen's/Special Needs Shelter.

This activity shall benefit twenty thousand eight hundred seventy-one (20,871) persons, of which eight thousand seven hundred seventy-eight (8,778) or forty-two percent (42%) are of low to moderate income.

### Electrically Authorized Public Facilities and Improvements

Contractor shall purchase and permanently install one (1) nine hundred kilowatt (900 kW) generator to maintain the operating function of the Tyler County Hospital.

This activity shall benefit twenty thousand eight hundred seventy-one (20,871) persons, of which eight thousand seven hundred seventy-eight (8,778) or forty-two percent (42%) are of low to moderate income.

### Engineering

Contractor shall ensure that the amount of the Office funds expended for all eligible project-related engineering services, including preliminary and final design plans and specifications, all interim and final inspections, and all special services does not exceed the amount specified for engineering in Exhibit B, Budget.

### Planning / Project Delivery - Rita

Contractor shall ensure that the amount of the Office funds expended for all eligible project-related "planning / project delivery" administration activities, including the required annual program compliance and fiscal audit does not exceed the amount specified for Planning / Project Delivery - Rita in Exhibit B, Budget.

EXHIBIT B

CONTRACT NO. DRS 060089

BUDGET

Tyler County

<u>LINE</u>	<u>CATEGORIES</u>	<u>CONTRACT FUNDS</u>	<u>OTHER FUNDS</u>	<u>TOTAL</u>
1a.	Water Facilities	\$ 1,075,000	\$ 0	\$ 1,075,000
1b.	Sewer Facilities	\$	\$	\$
2.	Solid Waste Disposal Facilities	\$	\$	\$
3.	Other Public Utilities (Gas)	\$	\$	\$
4.	Street Improvements	\$ 216,719	\$ 0	\$ 216,719
5.	Flood and Drainage Facilities	\$	\$	\$
5a.	Flood and Drainage – Debris Removal	\$ 74,651	\$ 671,860	\$ 746,511
6.	Neighborhood Facilities/ Community Centers	\$ 110,000	\$ 0	\$ 110,000
7.	Senior Centers	\$	\$	\$
8.	Centers for the Handicapped/ Sheltered Workshops	\$	\$	\$
9.	Parks, Playgrounds, and Other Recreational Facilities	\$	\$	\$
10.	Fire Protections Facilities and Equipment	\$	\$	\$
11.	Parking Facilities	\$	\$	\$
12.	Pedestrian Malls and Walkways	\$	\$	\$
13.	Specially Authorized Assistance to Privately Owned Utilities	\$	\$	\$
14.	Specially Authorized Public Facilities and Improvements	\$ 295,650	\$ 0	\$ 295,650
15.	Public Services (LIMITED TO 15% OF REQUEST)	\$	\$	\$
16.	Interim Assistance	\$	\$	\$



<u>LINE</u>	<u>CATEGORIES</u>	<u>CONTRACT FUNDS</u>	<u>OTHER FUNDS</u>	<u>TOTAL</u>
7.	Rehabilitation of Private Properties (Housing)	\$	\$	\$
17a.	Rehabilitation of Private Properties (Water Service)	\$	\$	\$
17b.	Rehabilitation of Private Properties (Sewer Service)	\$	\$	\$
17c.	Rehabilitation – Housing Reconstruction	\$	\$	\$
17d.	Rehabilitation – Emergency Repairs	\$	\$	\$
18.	Rehabilitation of Public Residential Structures	\$	\$	\$
19.	Public Housing Modernization	\$	\$	\$
19a.	Homeownership Assistance	\$	\$	\$
19b.	Affordable New Housing	\$	\$	\$
20.	Clearance Demolition Activities	\$	\$	\$
1.	Historic Preservation	\$	\$	\$
22.	Removal of Architectural Barriers	\$	\$	\$
23.	Code Enforcement	\$	\$	\$
24.	Acquisition	\$	\$	\$
25.	Relocation Payments & Assistance	\$	\$	\$
26.	Economic Development Loan	\$	\$	\$
27.	Economic Devel. Interest Subsidy	\$	\$	\$
28.	Economic Devel. Loan Guarantee	\$	\$	\$
29.	Special Activities by Local Devel Corporations, Etc.	\$	\$	\$
30.	Engineering/Architectural Serv. (Total for all construction accounts)	\$ 51,000	\$ 0	\$ 51,000
31.	Planning & Urban Env. Design (NOT TO EXCEED 16%)	\$	\$	\$
31a.	COG Planning – Rita	\$	\$	\$

<u>LINE</u>	<u>CATEGORIES</u>	<u>CONTRACT FUNDS</u>	<u>OTHER FUNDS</u>	<u>TOTAL</u>
1a.	COG Planning – Rita	\$	\$	\$
32.	General Administration	\$	\$	\$
32a.	COG Administration – Rita	\$	\$	\$
33.	Planning / Project Delivery – Rita	\$ 95,900	\$ 0	\$ 95,900
<b>TOTALS</b>		<b>\$ 1,918,920</b>	<b>\$ 671,860</b>	<b>\$ 2,590,780</b>

FEMA Match total of \$671,860

**PROJECT SUMMARY**

In the space provided below, each applicant must provide a description of the proposed activities by answering all five (5) of the questions, listed under **"PROJECT SUMMARY - PAGE 3" on PAGE 11**, for each project activity included in the application. The applicant must provide a detailed and accurate description of the proposed facilities with specific information such as number of units, types of materials, standards of performance, locations, & proposed acquisition (if any) for each activity included in the application. Please review Page 11 for further instructions.

**TYLER COUNTY  
DISASTER RELIEF FUND APPLICATION  
COUNTY ROAD IMPROVEMENT PROJECT**

Tyler County shall utilize Disaster Relief Funds from the Texas Community development Block Grant Program to purchase and install the following road materials:

1,250 barrels of road oil to be mixed with sand from County's inventory, and 12,474 tons of road base-glaucanite rock to be delivered to the County.

The County shall utilize County Road & Bridge Crew members and equipment from the four County Road & Bridge Precincts to install the materials.

The following County Roads shall be improved:

County Road	Length	Type of Material
CR 4260	1.3 miles	650 barrels of cracked oil
CR 1300	0.63 miles	315 barrels of cracked oil
CR 4265	0.38 miles	190 barrels of cracked oil
CR 1515	0.19 miles	95 barrels of cracked oil
CR 2600	1.67 miles	4,400 tons of road base
CR 3930	1.6 miles	4,224 tons of road base
CR 4440	0.2 mile	550 tons of road base
CR 4970	0.1 mile	300 tons of road base
CR 4600	0.2 mile	550 tons of road base
CR 4595	0.2 mile	550 tons of road base
CR 4563	0.2 mile	550 tons of road base
CR 4760	0.1 mile	300 tons of road base
CR 4646	0.05 mile	200 tons of road base
CR 4350	0.1 mile	300 tons of road base
CR 4415	0.2 mile	550 tons of road base

There will be no acquisition of Road Right-of-Ways. The County shall utilize existing Road Right-of-Ways. The County shall utilize \$350,000.00 of TCDP funds for the purchase of material, engineering and administration. County shall provide labor and equipment to install the road material.

**TABLE 1 - BENEFIT TO LOW AND MODERATE INCOME PERSONS**

Tyler County Revised 6/7/07

A. ACTIVITY NUMBER	B. ACTIVITY NAME	C. METHOD TYPE TO COMPLETE ACTIVITY	D. NUMBER OF PERSONS TO BENEFIT	E. NUMBER OF LOW/MOD PERSONS TO BENEFIT	F. PERCENT LOW/MOD BENEFIT	G. TCDBG FUNDS	H. OTHER FUNDS (SHOW SOURCE)	I. TOTAL FUNDS
4	Street Improvements	3	16,084	6,567	40.83%	\$ 299,334.00	\$ 0.00	\$ 299,334.00
30	ENGINEERING/ARCHITECTURAL SERVICES		N/A	N/A	N/A			
	BASIC SERVICES					\$ 12,000.00	\$ 0.00	\$ 12,000.00
	SPECIAL SERVICES					\$ 4,000.00	\$ 0.00	\$ 4,000.00
32	GENERAL ADMINISTRATION		N/A	N/A	N/A	\$ 34,666.00	\$ 0.00	\$ 34,666.00
	TOTALS	N/A	16,084	6,567	N/A	\$ 350,000.00	\$ 0.00	\$ 350,000.00

**ADMINISTRATIVE FUNDS ARE LIMITED TO 16% OF THE TOTAL TCDBG CONSTRUCTION AND ACQUISITION/RELOCATION DOLLARS REQUEST  
METHOD TYPE TO COMPLETE ACTIVITY: CONTRACT=1 FORCE ACCOUNT LABOR=2 COMBINATION=3**

**TABLE 2**

**BUDGET JUSTIFICATION**

Act	Material/Facility	Labor or Unit Price	Unit	Quantity	Total Const. Cost	Acquisition Cost	Eng / Arch Costs	Total Activity Costs	Annual Projected O&M Costs
4	<b>Street / Road Improvements</b>								\$ 3,000.00
	PCT. 1								
	ROAD OIL - CR 4260 Seneca Rd. (1.3 Miles)	60.00	BBL	650	39,000.00	Cracked Fuel Oil			
	ROAD OIL - CR 1300 (0.63 Miles)	60.00	BBL	315	18,900.00				
	ROAD OIL - CR 4265 (0.38 Miles)	60.00	BBL	190	11,400.00				
	ROAD OIL - CR 1515 (0.19 Miles)	60.00	BBL	95	5,700.00				
					\$ 75,000.00	2.5 Mi.			
	PCT. 2								
	ROAD BASE - CR 2600 (1.67 Miles)	19.00	TNS	4,400	83,600.00	Glauconite - Delivered to County			
					\$ 83,600.00	1.67 Mi.			
	PCT. 3								
	ROAD BASE - CR 3930 (1.6 Miles)	16.00	TNS	4,224	67,584.00	Glauconite - Delivered to County			
					\$ 67,584.00	1.6 Mi.			
	PCT. 4								
	ROAD BASE - CR 4440 (0.2 Miles)	19.00	TNS	550	10,450.00	Glauconite - Delivered to County			
	ROAD BASE - CR 4970 (0.1 Miles)	19.00	TNS	300	5,700.00				
	ROAD BASE - CR 4600 (0.2 Miles)	19.00	TNS	550	10,450.00				
	ROAD BASE - CR 4595 (0.2 Miles)	19.00	TNS	550	10,450.00				
	ROAD BASE - CR 4563 (0.2 Miles)	19.00	TNS	550	10,450.00				
	ROAD BASE - CR 4760 (0.1 Miles)	19.00	TNS	300	5,700.00				
	ROAD BASE - CR 4646 (0.05 Miles)	19.00	TNS	200	3,800.00				
	ROAD BASE - CR 4350 (0.1 Miles)	19.00	TNS	300	5,700.00				
	ROAD BASE - CR 4415 (0.2 Miles)	19.00	TNS	550	10,450.00				
					\$ 73,150.00	1.35 Mi.		\$ 299,334.00	
30	Basic Engineering Services						\$ 12,000.00		
	Bid Phase Services						2,000.00		
	Construction Phase Services						2,000.00		
								\$ 16,000.00	

Totals:	\$ 299,334.00	\$ 16,000.00	\$ 315,334.00	\$ 3,000.00
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*[Handwritten Signature]*

SIGNATURE OF REGISTERED ENGINEER RESPONSIBLE FOR BUDGET JUSTIFICATION  
 PHONE NUMBER: (936) 637-4900 DATE: 5-23-07

**TYLER COUNTY - DISASTER RELIEF FUND GRANT APPLICATION  
 (2006 Floods)**