

TYLER COUNTY COMMISSIONERS COURT
SPECIAL MEETING
December 28, 2011 ---- 8:30 a.m.

SCANNED
Date: 12/28/12

THE STATE OF TEXAS ON THIS THE 28th day of December, 2011 the
Commissioners' Court in and for Tyler County, Texas convened in a Special Meeting at
the Commissioners' Courtroom in Woodville, Texas, the following members of the Court
present, to wit:

JACQUES L. BLANCHETTE	COUNTY JUDGE
MARTIN NASH	COMMISSIONER, PCT. #1
RUSTY HUGHES	COMMISSIONER, PCT. #2
MIKE MARSHALL	COMMISSIONER, PCT. #3
JACK WALSTON	COMMISSIONER, PCT. #4
DONECE GREGORY	COUNTY CLERK, EX OFFICIO

The following were absent: none thereby constituting a quorum. In addition to the
above were:

JACKIE SKINNER	COUNTY AUDITOR
SHARON FULLER	COUNTY TREASURER
JOE SMITH	CRIMINAL DISTRICT ATTORNEY
AUDREY PELLY	COURT COORDINATOR
DALE FREEMAN	EMERGENCY MGT. COORDINATOR
DAVID HENNIGAN	SHERIFF

Commissioner Marshall motioned to approve the minutes of December 12, 2011. The
motion was seconded by **Commissioner Hughes**. All voted yes and none no.

A motion was made by **Commissioner Walston** to approve the changes to **Voting
Precincts 1, 2 and 17**, in accordance with the adoption of the redistricting plan
previously adopted. **Commissioner Nash** seconded this motion. All voted yes and none
no. SEE ATTACHED MAPS

A motion was made by **Judge Blanchette** to conduct auction for equipment such as light
bars, cages, sirens that must be removed from **Sheriff's office vehicles** before sale to the
public. **Commissioner Walston** seconded the motion. All voted yes and none no.

Commissioner Hughes motioned to adopt the **Fund Balance Policy** for **GASB 54** to be
in compliance, as presented by the **County Auditor**. **Commissioner Marshall** seconded
the motion. The County Auditor stated this was being done already but needed to be in a
written policy. Commissioner Nash wanted assurance that taxes would not have to be
increased to maintain a certain fund balance. Mrs. Skinner agreed. All voted yes and
none no. SEE ATTACHED POLICY

Commissioner Walston motioned to engage the firm of Gabriel Roeder Smith and
Company to perform a **GASB Statement 45 actuarial valuation** regarding post
employment benefits, to be paid out of Contingency line-item. The motion was seconded
by **Commissioner Marshall**. All voted yes and none no. SEE ATTACHED

A motion was made by **Commissioner Hughes** to approve the **standard permit** granting
utility crossings of county roads. The motion as seconded by **Commissioner
Marshall**. Mr. Smith stated the requirements would be the same as pipeline permits. All
voted yes and none no.

A motion was made by **Commissioner Marshall** to adopt the final **FHAST form**
approved by the General Land Office and having completed the public hearing
compliance process. **Commissioner Nash** thanked Audrey Pelly for all the work she has
done with this laborious project, and then seconded the motion. All voted yes and none
no. SEE ATTACHED

Commissioner Marshall recommended that Audrey Pelly keep a "good watch on this", since she has worked through the process and knows what to look for. Mrs. Pelly accepted this position for the implementation of **FHAST**. Judge Blanchette recommended a job description for future clarification of this position. A motion was made by **Commissioner Marshall** and seconded by **Commissioner Nash** to assign this accountability to the court for the "action plan" to Audrey Pelly, Court Coordinator to Judge Blanchette. All voted yes and none no.

Judge Blanchette explained Senate Bill 917 brought some painful yet responsible understandable changes to **Emergency Management Districts (ESD)**. He explained the court has to insure the appointments to the board have to either be a registered voter or property owner in the district, also the board member can not hold a dual office such as fire chief. Additionally, if the district is not compliant in presenting an audit to the court, there is a mandate from the state to automatically remove the President and Treasurer of the board of commissioners.

A motion was made by **Commissioner Marshall** and seconded by **Commissioner Walston** to approve the appointments to the **ESD Board #1, Ivanhoe and part of Hillister:**

John Jenkins, Sr.	1/1/12 through 12/31/13
Troy Conner	1/1/12 through 12/31/13
Richard Marion Coker	1/1/12 through 12/31/13
Mark Jackson	1/1/12 through 12/31/12
Jill Dinger	1/1/12 through 12/31/12

Commissioner Nash stated he was not happy with the requirements and that he did not have a problem with fire fighters serving on the boards. Commissioner Walston also disagreed with the conflict of a firemen serving on the board of commissioners, yet he agreed with the concern of the audits. Judge Blanchette added that four out of the seven emergency service districts were not in compliance with audits. This reflects back on the responsibility the court being charged with overseeing the best interest of the taxpayers' money flowing through the ESDs. This is no reflection on the individuals but the responsibility of the positions. All voted yes for the replacement of members with the exception of Commissioner Nash abstained due to his disagreement with the policy. SEE ATTACHED *Also, see action taken on page 3 of the minutes.*

Judge Blanchette reported that ESD#2 is in compliant with their audit. A motion was made by **Commissioner Walston** and seconded by **Commissioner Marshall** to approve the re-appointments to the **ESD Board #2, Spurger:**

Henry Earl Sawyer, Sr.	1/1/12 through 12/31/13
Kevin Watts	1/1/12 through 12/31/13
Robert Mott	1/1/12 through 12/31/13

Commissioner Walston clarified it is Henry Sawyer, Sr. not Jr. who is a board commissioner; he is a fireman but not the fire chief, therefore no conflict. All voted yes and none no. SEE ATTACHED

Judge Blanchette reported that **ESD#3, White Tail Ridge** is not in compliant with the required audit. Also, they have not posted agendas required by law during this year. Currently there are no recommendations for replacement commissioners; however the current board is removed effective immediately. No action was taken. The Auditor recommended the tax office be notified to withhold checks to this ESD. The County Clerk asked for clarification for the minutes being that if there was no action to remove the present commissioners then they will remain the commissioners. Joe Smith advised that the removal of commissioners will need to be a posted agenda item for those that have unexpired terms. He was also of the opinion that they should have some form of "notice by being posted". Mr. Smith advised those appointments that run out at the end of 2011, the court can reappoint, but any that are being taken off for lack of due diligence should be posted on an agenda indicating removal. *Also, see further discussion on page 3 of the minutes.*

The court then went back to item #I- Appointments to **ESD #1**: The court, by direction of Counsel, has brought corrective action to the attention of the court that the only three that the court has the authority, based upon the agenda, to act upon today are:

John Jenkins, Sr. 1/1/12 through 12/31/13

Troy Conner 1/1/12 through 12/31/13

Richard Marion Coker 1/1/12 through 12/31/13

Jack Walston left the meeting for another appointment and was not present for the motion nor the vote. **Commissioner Marshall** motioned to amend the prior action appointing the commissioners to ESD#1 reflecting only the appointments that are expiring. This motion was seconded by **Commissioner Hughes**. Commissioner Nash abstained from the vote however the other members voted yes to amend the motion.

No further action was taken concerning **ESD#2, Spurger**. The court can not take action concerning removal of commissioners on the **ESD#3, White Tail Ridge** board at this time.

Judge Blanchette reported that **ESD#4, Warren** is in compliant with their audit. However, there is a dual office holder conflict with Ryan Knott, being the fire chief. A motion was made by **Commissioner Nash** to approve the appointment of Rodney Krebs to replace Mr. Knott and reappoint David Norton and Randy Gibson. The motion as seconded by **Commissioner Marshall**. All voted yes and none no. SEE ATTACHED

Judge Blanchette reported that **ESD#5, Dam B** is in compliant with their audit. However, there is a dual office holder conflict with Eugene Ladeau, being the fire chief. Mr. Ladeau and Mr. Gunter were present for this meeting. A motion was made by **Commissioner Marshall** to approve the re-appointment of Thomas Eller and James Gunter; and to appoint Larry Walden to replace Mr. Ladeau. The motion as seconded by **Commissioner Hughes**. These appointments are for the term 1/1/2012 to 12/31/2013. Mr Ladeau stated that Walden should be replacing Eller; that Eller was not going to run for a second term. Judge Blanchette explained that if Mr. Eller wishes to resign he would need to submit a letter of resignation to the court. All voted yes and none no. SEE ATTACHED

Judge Blanchette reported that **ESD#6, Fred** is not in compliant with the required audit. Johnny Risinger requested to be replaced. A motion was made by **Commissioner Hughes** to approve the re-appointment of James Alfaro and Douglas Miranda; and to appoint Sam Jeffcoat to replace Johnny Risinger; all for the term 1/1/2012 to 12/31/2013. The motion was seconded by **Commissioner Marshall**. All voted yes and none no. SEE ATTACHED

Judge Blanchette reported that **ESD#7, Colmesneil** is not in compliant with the required audit. The records did not reveal which members hold the office of President and Treasurer. The board was previously replaced in 2011. A motion was made by **Commissioner Marshall** to approve the re-appointment of Lance Seamans, John England and Donald Schulze for the term 1/1/2012 to 12/31/2013. The motion was seconded by **Commissioner Hughes**. All voted yes and none no. SEE ATTACHED

The 2012 adopted budget is proposed to be presented in January.

REPORTS: Judge Blanchette listed the departments that need to submit their acknowledgement form of the purchasing procedures: Sheriff and employees, Tax Assessor, Milton Powers, Stevan Sturrock and Robin Leal. He also summarized other events during 2011.

County Clerk: the Primary election dates have changed to April 3 and the runoff will be in June.

Sheriff: the sheriff's department will receive grant for computers for patrol cars. This grant was approved a year ago.

Commissioners' Court
December 28, 2011

Mr. Gunter expressed his discontent with not being notified about persons proposing to be appointed to ESD#5.

Executive session was not held.


Commissioner Nash motioned the meeting adjourned. Commissioner Marshall seconded the motion. All voted yes and none no.

THERE BEING NO FURTHER BUSINESS, THE MEETING ADJOURNED: 11:30 a.m.

I, Donece Gregory, County Clerk and ex officio member of the Tyler County Commissioners Court, do hereby certify to the fact that the above is a true and correct record of the Tyler County Commissioners Court session held on December 28, 2011.

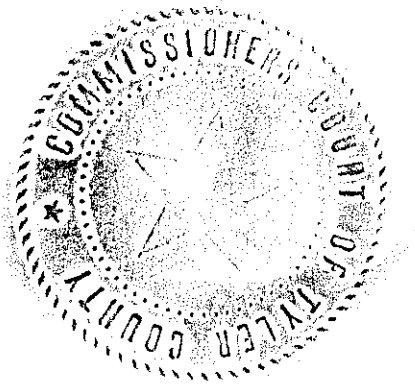
Witness my hand and seal of office on this the 9th day of January, 2012.

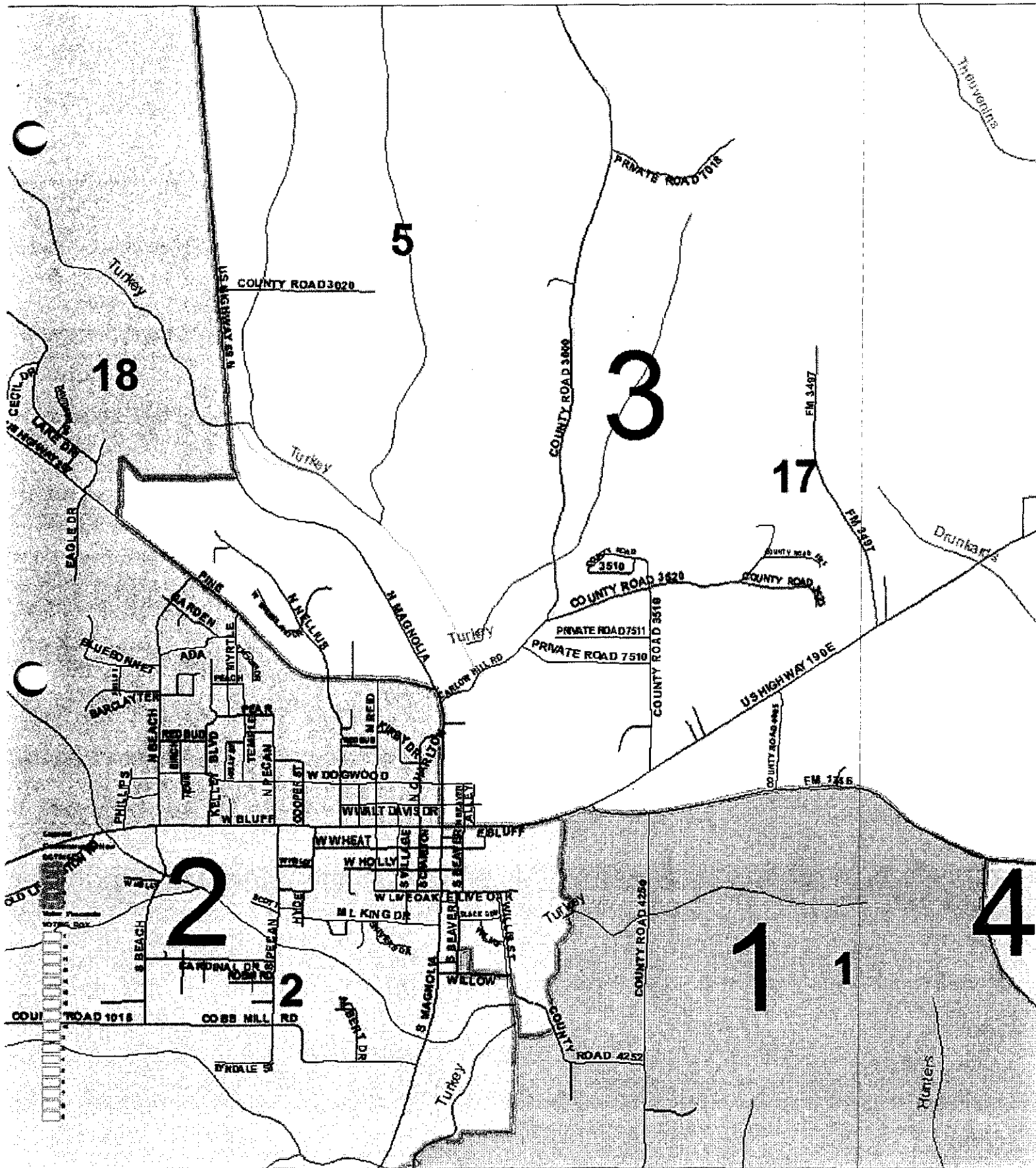
Attest:



Donece Gregory, County Clerk

Tyler County, Texas

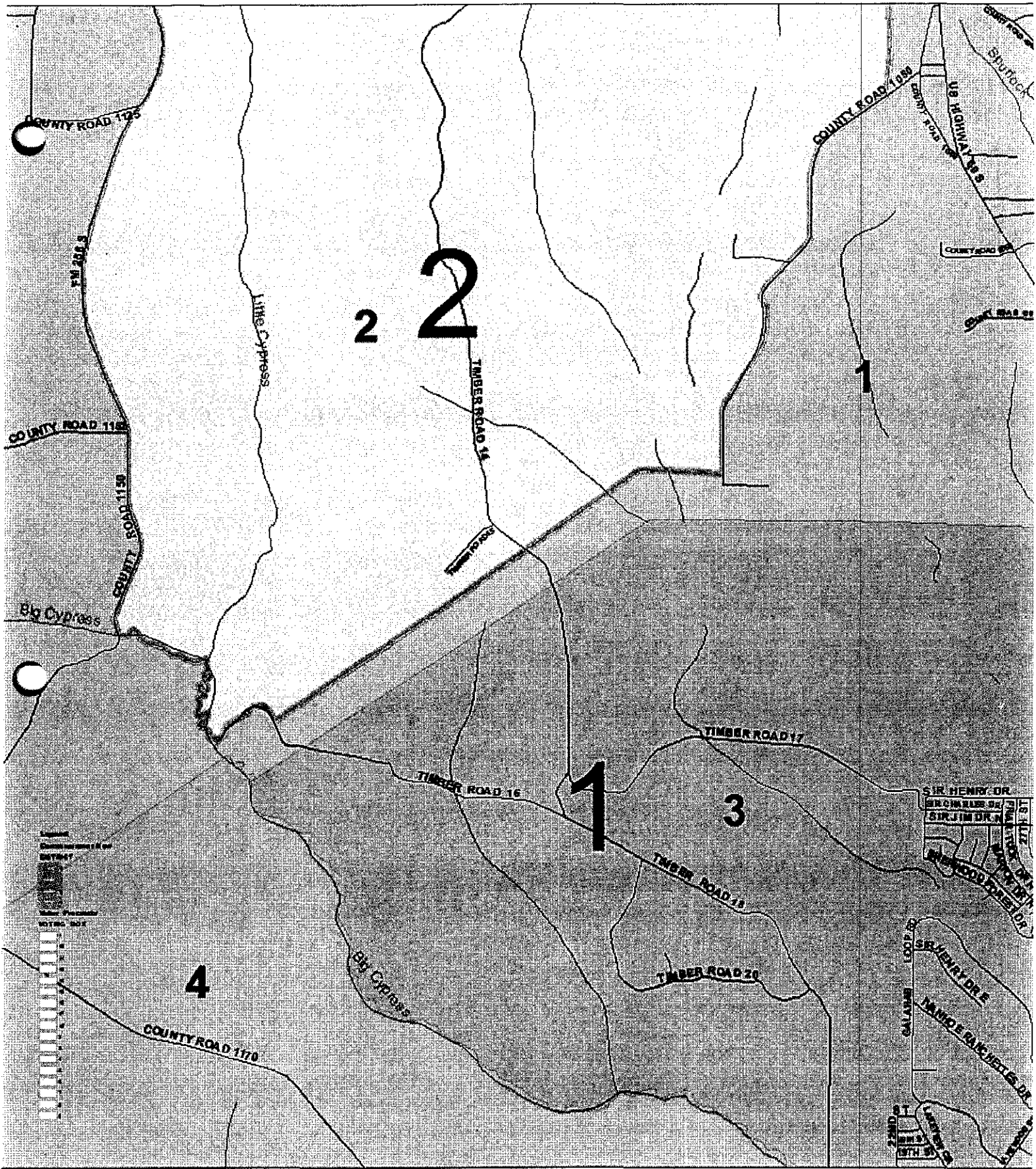




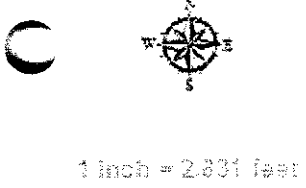
1 inch = 2,000 feet

DISCLAIMER

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Tyler County Fund Balance Policy

Revised For GASB 54

Purpose

The purpose of this policy is to establish a key element of the financial stability of the County by setting guidelines for fund balance. Unassigned fund balance is an important measure of economic stability. It is essential that the County maintain adequate levels of unassigned fund balance to mitigate financial risk that can occur from unforeseen revenue fluctuations, unanticipated expenditures, and similar circumstances. The fund balance also provides cash flow liquidity for the County's general operations.

Definitions

Fund Equity – A fund's equity is generally the difference between its assets and its liabilities.

Fund Balance – An accounting distinction is made between the portions of fund equity that spendable and nonspendable. These are broken up into five categories:

- 1) **Nonspendable fund balance** – includes amounts that are not in a spendable form or are required to be maintained intact. Examples are inventory or permanent funds.
- 2) **Restricted fund balance** – includes amounts that can be spent only for the specific purposes stipulated by external resource providers either constitutionally or through enabling legislation. Examples include grants and child safety fees.
- 3) **Committed fund balance** – includes amounts that can be used only for the specific purposes determined by a formal action of the government's highest level of decision-making authority. Commitments may be changed or lifted only by the government taking the same formal action that imposed the constraint originally.
- 4) **Assigned fund balance** – comprises amounts *intended* to be used by the government for specific purposes. Intent can be expressed by the governing body or by an official or body to which the governing body delegates the authority. In governmental funds other than the general fund, assigned fund balance represents the amount that is not restricted or committed. This indicates that resources in other governmental funds are, at a minimum, intended to be used for the purpose of that fund.
- 5) **Unassigned fund balance** – is the residual classification of the general fund and includes all amounts not contained in other classifications. Unassigned amounts are technically available for any purpose.

Policy

Committed Fund Balance

- The Commissioners' Court is the County's highest level of decision-making authority and the formal action that is required to be taken to establish, modify, or rescind a fund balance commitment is a resolution approved by the Commissioners' Court. The resolution must either be approved or rescinded, as applicable, prior to the last day of the fiscal year for which the commitment is made. The amount subject to the constraint may be determined in the subsequent period.

Assigned Fund Balance

- The Commissioners' Court has authorized the County Judge as the official authorized to assign fund balance to a specific purpose as approved by this fund balance policy.

Minimum Unassigned Fund Balance

It is the goal of the County to achieve and maintain an unassigned fund balance in the general fund equal to 25% of expenditures.

Order of Expenditure of Funds

When multiple categories of fund balance are available for expenditure (for example, a construction project is being funded partly by a grant, funds set aside by the County, and unassigned fund balance), the County will start with the most restricted category and spend those funds first before moving down to the next category with available funds.

Dec 20, 2011

Mrs. Jackie Skinner
County Auditor
Tyler County
100 West Bluff, Room 110
Woodville, TX 75979

Re: Pricing Estimate for GASB OPEB Valuation for Tyler County

Dear Mrs. Skinner,

You have requested a pricing quote for a GASB 45 actuarial valuation under the Shared Services arrangement provided by Gabriel, Roeder, Smith & Co (GRS) and North Central Texas Council of Governments (NCTCOG).

Based on the information you provided, the estimated cost of services for Tyler County is \$4,885. This price is based on receiving data in the standard GRS format and using the following assumptions:

Number of Participants	100 - 999
Insured or Self-Funded	Insured*
Retirement Plans	1. TCDRS
Health Plans	1. BC/BS through TAC

* An additional fee of \$1,630 will be added if claims experience is required

If other assumptions are identified, a revised proposal letter will be prepared by GRS. Also, additional fees may apply if the data is not received in standard format.

Basic Services

Basic services provided through the Shared Services program will include:

- Actuarial valuation of employer OPEB in compliance with the requirements of paragraphs 11-27 of GASB 45. Valuations can be performed annually or biennially and will include:
 - > A measurement of the actuarial liability, present value of projected benefits and normal cost as of the valuation date
 - > The estimated actuarially determined contribution for the applicable fiscal years

- > The estimated annual required contribution and accounting expense for the applicable fiscal years as required under GASB Statement Nos. 43 and 45
 - > Information needed to complete the "Notes to the Financial Statement" and "Required Supplementary Information" as defined in paragraphs 30 and 31 of GASB No. 43
 - > Information needed to complete the "Notes to the Financial Statement" and "Required Supplementary Information" as defined in paragraphs 24, 25 and 26 of GASB No. 45
 - > Required Supplementary Information as defined in paragraph 26 of the GASB 45
 - > Sensitivity analysis for health care trend rates, providing valuation results based on a higher and a lower health care trend
 - > A hypothetical set of actuarial results using an alternative discount rate based on pre-funding
- Two in person or conference call meetings as mutually agreed upon by Tyler County and GRS. Out of pocket travel expenses for governments located 100 miles or more from downtown Houston or DFW Airport will be charged to the government.
 - Access to GRS' web based Aggregate Reporting Module. This module allows for benchmarking of valuations for all members of the Shared Services program. The Aggregate Reporting Module includes current and historical information on plan provisions, assumptions, and actuarial results.

Billing Schedule

Pricing assumes 20% paid upon acceptance by the government of the engagement, 50% upon receipt of the draft report and 30% upon acceptance of the final report. Pricing also assumes annual valuations. For Biennial valuations, an additional \$1,090 is added to the price and GRS will provide the OPEB cost for the off year as a percentage of covered payroll and will walk forward the Net OPEB Obligation.

Prices will be adjusted annually in January based on changes in the Consumer Price Index, All Urban Consumers, on a December over December basis.

Options Study

It is anticipated that Tyler County may want to consider what the options are for mitigating their OPEB liability either in the first year or first two years. These Options studies would include alternative discount rates, alternative healthcare trend rates, benefit capitations, changes in retiree

Mrs. Jackie Skinner
Dec 20, 2011
Page 3

cost sharing, and possibly changes in eligibility requirements. The cost for this Options study will be \$820 per study.

Other studies may not be covered under the fixed fee amount above. If a study is not included in the fixed fee pricing, the hourly rates shown in "Additional Services" below will apply. GRS will provide written documentation of our understanding of the service(s) requested, the estimated number of hours by employee class, total costs and project timeline.

Additional Services

Fees for additional consulting services not included under Basic Services or included in the fixed fee Options studies will be priced separately upon request and will be based on the following hourly rates:

<i>GRS Resource Classification</i>	<i>Hourly Rates</i>
Senior Consultant	\$384
Consultants	\$302
Senior Analysts	\$192
Actuarial Analysts	\$164
Systems Analysts and Programmers	\$220
Administrative Support Staff	\$121

A copy of this proposal letter will be made a part of the engagement agreement between Tyler County and GRS.

If you have any questions or need additional information please don't hesitate to e mail us at NCTCOG.sharedservices@gabrielroeder.com or call either Mehdi Riazi at 469-524-1343 or Jack Beam at 469-524-1819.

Thank you for your interest in the Shared Services program.

Gabriel, Roeder, Smith & Company

Gabriel Roeder Smith & Company

MASTER AGREEMENT

Pursuant to the award of Joint Actuarial Services by the North Central Texas Council of Governments (NCTCOG), this agreement confirms the terms under which the

_____ (name of government) hereinafter referred to as "CONTRACTING GOVERNMENT" has engaged Gabriel, Roeder, Smith & Co. hereinafter referred to as "GRS" to perform actuarial consulting services. In as much as this relationship will involve several actuarial reviews and other services that will be governed by the Request for Proposal issued by NCTCOG on May 31, 2006 and our subsequent response to that proposal, we have agreed to establish this "master agreement" defining the general terms and conditions for all work performed.

This agreement will not, by itself, authorize the performance of any services. Rather specific services will be authorized through a separate engagement letter that references this master agreement and details the services to be provided and the timeframe and fees required. In the event of an inconsistency between this master agreement and an individual engagement letter, the master agreement will be followed.

As described in the above referenced Request for Proposal the following terms apply:

- A. **Tax Exempt Entities.** CONTRACTING GOVERNMENT is exempt from manufacturer's federal excise tax and states sales tax. Tax exemption certificates will be issued upon request.
- B. **Role of NCTCOG.** NCTCOG has served as a facilitator to the RFP and award process but the contractual relationship is between GRS and the CONTRACTING GOVERNMENT.
- C. **Aggregate Information.** GRS agrees to supply NCTCOG with the specified results from the valuations and to aggregate that information with that of other governments for the purpose of benchmarking.
- D. **Fees.** GRS agrees to follow the attached pricing schedule ("Attachment A") for pricing of its services.
- E. **Review of Charges.** CONTRACTING GOVERNMENT has the right to review the supporting documentation for any hourly charges or out of pocket expenses assessed to the CONTRACTING GOVERNMENT under the fee schedule.
- F. **Termination.** Both CONTRACTING GOVERNMENT and GRS will have the right to terminate this agreement through written notice. CONTRACTING GOVERNMENT will pay any charges or prorate fees incurred to the date the termination notice is received and actuary will cease any in progress work unless specific stopping points are provided in the letter.

- G. **Work Product.** The final work product will be the property of the CONTRACTING GOVERNMENT to be used as stated in the specific engagement letter. Ancillary use of the product is permitted but GRS is not responsible for the reliability of those projections. It is understood that all reports are subject to the open records laws of the State of Texas and the contracting jurisdiction.
- H. **Independent Contractor.** All the services provided by GRS will be as an independent contractor. None of the terms in the engagement letter will be interpreted to create an agency or employment relationship.
- I. **Biennial Reviews.** CONTRACTING GOVERNMENT agrees to provide census data in off years using the same cut off date and delivery dates as used for the year of review. Actuary agrees to review the off year census data and provide CONTRACTING GOVERNMENT with timely feedback regarding deficiencies in the data.
- J. **Term.** The term of this master agreement will be governed by the afore referenced NCTCOG RFP and will expire on September 30, 2012.
- K. **Complete Agreement.** This letter combined with the specific engagement letter and as clarified by the RFP and Proposal set forth the entire agreement between the CONTRACTING GOVERNMENT and GRS.
- L. **Indemnification.** GRS covenants and agrees to indemnify and hold harmless and defend and does hereby indemnify, hold harmless, and defend NCTCOG and CONTRACTING GOVERNMENTS, its officers and employees, from and against any and all suits or claims for damages or injuries, including death, to persons or property, whether real or asserted, arising out of any negligent act or omission on the part of the contractor, its officers, agents, servants, employees, or subcontractors, and the contractor does hereby assume all liability for injuries, claims or suits for damages to persons, property, or whatever kind of character, whether real or asserted, occurring during or arising out of the performance of this contract as a result of any negligent act or omission on the part of the contractor, its officers, agents, servants, employees, or subcontractors to the extent permitted by law. Please review this master agreement letter and the attached schedules and indicate your acceptance by having an official of CONTRACTING GOVERNMENT sign below.
- M. **Force Majeure.** A force majeure event shall be defined to include governmental decrees or restraints, acts of God (except that rain, wind, flood or other natural phenomena normally expected for the locality, shall not be construed as an act of God), work stoppages due to labor disputes or strikes, fires, explosions, epidemics, riots, war, rebellion, and sabotage. If a delay or failure of performance by either party to this contract results from the occurrence of a force majeure event, the delay

shall be excused and the time fixed for completion of the work extended by a period equivalent to the time lost because of the event.

- N. **Professional Standards.** GRS will provide qualified personnel for each engagement and follow all professional standards ascribed by the American Academy of Actuaries and the Governmental Accounting Standards Board.

GABRIEL, ROEDER, SMITH & CO.

By: _____

Date: _____

Title: _____

CONTRACTING GOVERNMENT

By _____

Date: _____

Title: _____

Attachment A

Pricing of Services – Calendar Year 2007*

Employer					
	Governments by Total OPEB Participants	Annual	Biennial	First Year Options Study	Hourly Rate for Additional Services
1	Less than 100-Insured 1 health plan	\$4,000	\$5,000	\$750/Study	See Below
1a	Less than 100-per additional health or retirement plan	\$1,000	\$1,000	\$750/Study	See Below
2	Between 100 and 249-Insured 1 health plan	\$4,500	\$5,500	\$750/Study	See Below
2a	Between 100 and 249-per additional health or retirement plan	\$1,000	\$1,000	\$750/Study	See Below
3	Between 100 and 249-Self Insured 1 health plan	\$6,000	\$7,000	\$750/Study	See Below
3a	Between 100 and 249-per additional self insured health or retirement plan	\$1,000	\$1,000	\$750/Study	See Below
4	Between 250 and 499-Insured 1 health plan	\$4,500	\$5,500	\$750/Study	See Below
4a	Between 250 and 499-per additional health or retirement plan	\$1,000	\$1,000	\$750/Study	See Below
5	Between 250 and 499-Self Insured 1 health plan	\$6,000	\$7,000	\$750/Study	See Below
5a	Between 250 and 499-per additional self insured health or retirement plan	\$1,000	\$1,000	\$750/Study	See Below
6	Between 500 and 749-Insured 1 health plan	\$4,500	\$5,500	\$750/Study	See Below
6a	Between 500 and 749-per additional health or retirement plan	\$1,000	\$1,000	\$750/Study	See Below
7	Between 500 and 749-Self Insured 1 health plan	\$6,000	\$7,000	\$750/Study	See Below
7a	Between 500 and 749-per additional self insured health or retirement plan	\$1,000	\$1,000	\$750/Study	See Below
8	Between 750 and 999-Insured 1 health plan	\$4,500	\$5,500	\$750/Study	See Below
8a	Between 750 and 999-per additional health or retirement plan	\$1,000	\$1,000	\$750/Study	See Below
9	Between 750 and 999-Self Insured 1 health plan	\$6,000	\$7,000	\$750/Study	See Below
9a	Between 750 and 999-per additional self insured health or retirement plan	\$1,000	\$1,000	\$750/Study	See Below
10	Between 1000 and 1499-Insured 1 health plan	\$5,000	\$6,000	\$750/Study	See Below
10a	Between 1000 and 1499-per additional health or retirement plan	\$1,000	\$1,000	\$750/Study	See Below

11	Between 1000 and 1499-Self Insured 1 health plan	\$6,500	\$7,500	\$750/Study	See Below
11a	Between 1000 and 1499-per additional self insured health or retirement plan	\$1,000	\$1,000	\$750/Study	See Below
12	Between 1500 and 1999-Insured 1 health plan	\$5,000	\$6,000	\$750/Study	See Below
12a	Between 1500 and 1999-per additional health or retirement plan	\$1,000	\$1,000	\$750/Study	See Below
13	Between 1500 and 1999-Self Insured 1 health plan	\$6,500	\$7,500	\$750/Study	See Below
13a	Between 1500 and 1999-per additional self insured health or retirement plan	\$1,000	\$1,000	\$750/Study	See Below
14	Between 2000 and 2499-Insured 1 health plan	\$5,000	\$6,000	\$750/Study	See Below
14a	Between 2000 and 2499-per additional health or retirement plan	\$1,000	\$1,000	\$750/Study	See Below
15	Between 2000 and 2499-Self Insured 1 health plan	\$6,500	\$7,500	\$750/Study	See Below
15a	Between 2000 and 2499-per additional self insured health or retirement plan	\$1,000	\$1,000	\$750/Study	See Below
16	Between 2500 and 5000-Self Insured 1 health plan	\$7,000	\$8,000	\$750/Study	See Below
16a	Between 2500 and 5000-per additional self insured health or retirement plan	\$1,500	\$1,500	\$750/Study	See Below

Plans (if applicable)					
	Governments by Total OPEB Participants	Annual	Biennial	First Year Options Study	Hourly Rate for Additional Services
1	Less than 100-Insured 1 health plan	\$0	\$0	\$750/Study	See Below
1a	Less than 100-per additional health or retirement plan	\$0	\$0	\$750/Study	See Below
2	Between 100 and 249-Insured 1 health plan	\$0	\$0	\$750/Study	See Below
2a	Between 100 and 249-per additional health or retirement plan	\$0	\$0	\$750/Study	See Below
3	Between 100 and 249-Self Insured 1 health plan	\$0	\$0	\$750/Study	See Below
3a	Between 100 and 249-per additional self insured health or retirement plan	\$0	\$0	\$750/Study	See Below
4	Between 250 and 499-Insured 1 health plan	\$0	\$0	\$750/Study	See Below
4a	Between 250 and 499-per additional health or retirement plan	\$0	\$0	\$750/Study	See Below
5	Between 250 and 499-Self Insured 1 health plan	\$0	\$0	\$750/Study	See Below
5a	Between 250 and 499-per additional self insured health or retirement plan	\$0	\$0	\$750/Study	See Below
6	Between 500 and 749-Insured 1 health plan	\$0	\$0	\$750/Study	See Below
6a	Between 500 and 749-per additional health or retirement plan	\$0	\$0	\$750/Study	See Below
7	Between 500 and 749-Self Insured 1 health plan	\$0	\$0	\$750/Study	See Below
7a	Between 500 and 749-per additional self insured health or retirement plan	\$0	\$0	\$750/Study	See Below
8	Between 750 and 999-Insured 1 health plan	\$0	\$0	\$750/Study	See Below
8a	Between 750 and 999-per additional health or retirement plan	\$0	\$0	\$750/Study	See Below
9	Between 750 and 999-Self Insured 1 health plan	\$0	\$0	\$750/Study	See Below
9a	Between 750 and 999-per additional self insured health or retirement plan	\$0	\$0	\$750/Study	See Below
10	Between 1000 and 1499-Insured 1 health plan	\$0	\$0	\$750/Study	See Below
10a	Between 1000 and 1499-per additional health or retirement plan	\$0	\$0	\$750/Study	See Below
11	Between 1000 and 1499-Self Insured 1 health plan	\$0	\$0	\$750/Study	See Below
11a	Between 1000 and 1499-per additional self insured health or retirement plan	\$0	\$0	\$750/Study	See Below
12	Between 1500 and 1999-Insured 1 health plan	\$0	\$0	\$750/Study	See Below

4812 a	Between 1500 and 1999-per additional health or retirement plan	\$0	\$0	\$750/Study	See Below
13	Between 1500 and 1999-Self Insured 1 health plan	\$0	\$0	\$750/Study	See Below
13a	Between 1500 and 1999-per additional self insured health or retirement plan	\$0	\$0	\$750/Study	See Below
14	Between 2000 and 2499-Insured 1 health plan	\$0	\$0	\$750/Study	See Below
14a	Between 2000 and 2499-per additional health or retirement plan	\$0	\$0	\$750/Study	See Below
15	Between 2000 and 2499-Self Insured 1 health plan	\$0	\$0	\$750/Study	See Below
15a	Between 2000 and 2499-per additional self insured health or retirement plan	\$0	\$0	\$750/Study	See Below
16	Between 2500 and 5000-Self Insured 1 health plan	\$0	\$0	\$750/Study	See Below
16a	Between 2500 and 5000-per additional self insured health or retirement plan	\$0	\$0	\$750/Study	See Below

- ❖ For the first valuation, the prices above include a mandatory kick-off meeting to begin the project and a meeting to present the findings. If the second meeting can take place either via web cast or through a conference call, we will discount the above valuation fees by \$500.
- ❖ For subsequent valuations, we anticipate the kickoff meeting to be via conference call or web cast. For any participant, if the meeting to present the results can take place either via web cast or through a conference call, we will discount the above valuation fees by \$500.
- ❖ Pricing assumes 20% paid upon acceptance by the government of the engagement, 50% upon receipt of the draft report and 30% upon acceptance of the final report.
- ❖ Fees for additional services and optional services that are not determined as 'basic' will be based on the following rates:

GRS Position Title	Hourly Rates
Senior Consultant	\$350
Consultants	\$275
Senior Analysts	\$175
Actuarial Analysts	\$150
Systems Analysts and Programmers	\$200
Administrative Support Staff	\$110

*Prices will be adjusted annually beginning in January 2008 based on changes in the Consumer Price Index, All Urban Consumers, on a December over December basis. Current rates for your plan are reflected in the engagement agreement sent with this document.

**INTERLOCAL AGREEMENT
FOR
COOPERATIVE PURCHASING
FOR
ACTUARIAL SHARED SERVICES**

THIS INTERLOCAL AGREEMENT ("Agreement"), made and entered into pursuant to the Texas Interlocal Cooperation Act, Chapter 791, Texas Government Code (the "Act"), by and between the North Central Texas Council of Governments, hereinafter referred to as "NCTCOG," having its principal place of business at 616 Six Flags Drive, Arlington, Texas 76011, and (name of entity) _____ a local government, created and operated to provide one or more governmental functions and services, hereinafter referred to as "Participant," having its principal place of business at:

WITNESETH

WHEREAS, NCTCOG is a regional planning commission and political subdivision of the State of Texas operating under Chapter 391, Texas Local Government Code; and

WHEREAS, pursuant to the Act, NCTCOG is authorized to contract with eligible entities to perform governmental functions and services, including the development of a standard approach for acquiring actuarial services; and

WHEREAS, in reliance on such authority, NCTCOG has a cooperative purchasing program under which it contracts with eligible entities under the Act; and

WHEREAS, Participant has represented that it is an eligible entity under the Act, that by Administrative Action has authorized this Agreement on (Date)* _____ and that it desires to contract with NCTCOG on the terms set forth below;

NOW, THEREFORE, NCTCOG and the PARTICIPANT do hereby agree as follows:

ARTICLE 1: LEGAL AUTHORITY

The Participant represents and warrants to NCTCOG that (1) it is eligible to contract with NCTCOG under the Act because its a local government, as defined in the Act, and (2) it possesses adequate legal authority to enter into this Contract.

ARTICLE 2: APPLICABLE LAWS

NCTCOG and the Participant agree to conduct all activities under this Agreement in accordance with all applicable rules, regulations, and ordinances and laws in effect or promulgated during the term of this Agreement.

ARTICLE 3: WHOLE AGREEMENT

This Agreement and any attachments, as provided herein, constitute the complete contract between the parties hereto, and supersede any and all oral and written agreements between the parties relating to matters herein.

ARTICLE 4: BILLINGS

Billings will be generated for the Actuarial Shared Services through Gabriel Roeder Smith & Company and will include an Administrative Fee of \$100 per valuation cycle (annually or biennially) payable to NCTCOG.

ARTICLE 5: CHANGES AND AMENDMENTS

This Agreement may be amended only by a written amendment executed by both parties, except that any alternations, additions, or deletions to the terms of this Agreement which are required by changes in Federal and State law or regulations are automatically incorporated into this Agreement without written amendment hereto and shall become effective on the date designated by such law or regulation.

NCTCOG reserves the right to make changes in the scope services offered through the Cooperative Purchasing Program to be performed hereunder.

THIS INSTRUMENT HAS BEEN EXECUTED IN TWO ORIGINALS BY THE PARTIES HERETO AS FOLLOWS:

**Denotes required fields*

NOTE: Facsimile copies of this document shall not be acceptable as ORIGINALS.

Interstate v1 rev. 10/05

*

Name of Participant (*local government, agency, or non-profit corporation*)

*

Mailing Address

*

City State ZIP Code

*By: _____
Signature of Authorized Official

*

Typed Name of Authorized Official

*

Typed Title of Authorized Official Date

North Central Texas Council of Governments
616 Six Flags Drive, Arlington, Texas 76011

*By: _____
Signature of Authorized Official

*

Typed Name of Authorized Official

*

Typed Title of Authorized Official Date

**Appendix A – FFAST Form Guide
Step Four – Requirements**

Background:

By September 23, 2011, Tyler County must submit completed FFAST Form to GLO.
Timeline dates begin upon approval of County's FFAST Form from GLO.

Timeline Date	Schedule	Requirement
		Step 1 Public Comment Process: Approved FFAST Form, including the address and contact information where comments can be submitted, published on County's website in English and Spanish
		Step 2 County must notify GLO when notice is published
		Step 3 Open Meeting Process: Not fewer than 10 days (or more than 30 days) after the FFAST Form has been published, the County will hold a public meeting in which the FFAST Work Group present their recommended FFAST Form
		Step 4 County reviews, amends as necessary, and adopts the final FFAST Form
		Step 5 Adopted FFAST Form becomes the County's Fair Housing Action Plan (Action Plan) <i>8/29 Adopted to work group</i>
		Step 6 Action Plan assigned to county staff for implementation <i>This is different</i>
		Step 7 Adopted Action Plan published on County website in a downloadable format
		Step 8 If any changes from preciously submitted Action Plan, submit adopted Action Plan to GLO
	Annually	Work Group reconvenes at least once a year to review the progress of the Action Plan
	Semi-annually	The Work Group's Chair, Secretary, and Data Collection Chair confer at least every six months to determine if reconvening earlier than the twelve-month deadline. The date, time, location and results of this meeting documented and submitted to the GLO.
	Unspecified	County's staff tasked with implementing the Action Plan files ongoing progress reports with the Work Group's Chair and provides copies upon request. This report must be submitted according to the State's prescribed format.
	Annually	In advance of its annual convening, the Work Group's Data Collection Chair obtains updated data, as available, for us in reviewing the progress on the Action Plan
	Annually	Copies of any updated information distributed at least two weeks in advance to all members of the Work Group
	Annually	Following each annual convening, steps 1, 2, 3, 4, 7, & 8 are repeated

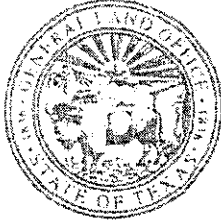
NOTE:

1. Completed and approved FFAST Form is mandatory for IKE 2.2 applications.
2. According to the answer to question posed at the June 10, 2011 AFFH Training, compliance requirements of FFAST Form will be a component of all future grant activity.

Will the FFAST form have to be used by all jurisdictions in the future?

Yes – the FFAST form is essential to implement fair housing and will walk you through the process. After you develop you plan, it is essential to keep it updated.

TEXAS



GENERAL LAND OFFICE

JERRY PATTERSON, COMMISSIONER

FHAST FORM APPROVAL LETTER

November 9, 2011

The Honorable Jacques L. Blanchette
County Judge for Tyler County
100 W. Bluff, Rm #102
Woodville, Tx 75979

RE: FHAST Form Submission for Tyler County

Dear Judge Blanchette:

Thank you for your cooperation in submitting a FHAST form for the disaster recovery program. We understand this was additional time on your staff, and we appreciate your commitment to help your communities. Based upon the review process, your FHAST Form has been approved and your jurisdiction has completed the required FHAST Form process for Round 2.2 funding. The FHAST Form is for Round 2.2 funding, and we encourage you to reference this document as you apply for projects. We appreciate the effort and focus your Working Group made in promoting fair housing in your community. While this form was designed for the disaster recovery funding, any action items can be applied to future funding and other community activities.

A final copy of your approved FHAST Form is attached as part of this notification. We respectfully request that you, if applicable, acknowledge receipt of this notification via email confirmation at txdrfhast@HNTB.com.

Sincerely,

A handwritten signature in black ink, appearing to read "Jorge Ramirez".

Jorge Ramirez
Director, Disaster Recovery Program

CC: Mr. Gary Hagood, GLO Deputy Commissioner, Financial Management
Phillip Hampsten, GLO Disaster Recovery
Leslie Waxman

Stephen F. Austin Building • 1700 North Congress Avenue • Austin, Texas 78701-1495

Post Office Box 12873 • Austin, Texas 78711-2873

512-463-5001 • 800-998-4GLO

www.glo.state.tx.us

Fair Housing Activity Statement – Texas

Recognizing that each jurisdiction is unique, this Fair Housing Activity Statement - Texas is intended to be used in conjunction with the Analysis of Impediments, Phase I as a form to help the applying jurisdictions perform assessments of their impediments to fair housing choice, plan actions to address identified impediments, and communicate their plans to the State of Texas and HUD.

BEFORE beginning to fill out this form, each jurisdiction should:

- (1) Participate in the regional FFAST Form training.
- (2) Review the 2010 Texas Interim Phase I AI in detail;
- (3) Gather relevant information (see instructions in Appendix A);
- (4) Convene a FFAST Working Group to assess the data collected in #2 and fill out the FFAST form (see instructions in Appendix A.)

Impediment #1	Protected classes may experience disparities in home mortgage lending and high cost loans.
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No local action is required at this time.

Impediment #2	There is inadequate information available to the real estate community, governments and the public about fair housing requirements and enforcement procedures.
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No local action is required at this time.

Impediment #3	The public is not sufficiently aware of their Fair Housing rights and how to obtain the assistance necessary to protect those rights.
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1. Consistent with the Fair Housing Act, the State of Texas, and funded sub-recipients should continue to promote and conduct events to celebrate April as Fair Housing Month, and direct sub-recipients to do the same. These events can demonstrate support for fair housing and build awareness.
 - We will commit to undertake Fair Housing Month activities. (Check all that apply.)
 - Passage of a resolution by our governing body.
 - Activities in schools.
 - Placing posters in public buildings.
 - Governing body will hold a special hearing to solicit input from the community.
 - Other. (2010 Demographic Data Set with Poverty Place Data) [Attachment 1]

When will you undertake these activities? 2011 2012 2013

Not Applicable (Explain)

2. Consistent with the Fair Housing Act, the State of Texas and funded sub-recipients have historically conducted fair housing activities at various times of the year and should continue to fund, depending on sufficient appropriations, or collaborate with public and private agencies, organizations and groups to plan and conduct fair housing activities.

We will conduct/sponsor/fund in fair housing activities at various times of the year other than "April as Fair Housing Month".

When will you do this? 2011 2012 2013

Not Applicable (Explain)

Impediment #4 "Not in my Backyard" (NIMBY) may be an impediment to fair housing in Texas communities.
--

1. NIMBY opposition needs to be anticipated and planning and outreach should occur on the front end of projects. To mitigate defensive and reactive responses, planning should include strategies for education, outreach and marketing that provide accurate information and promote the positive aspects and benefits of affordable housing to build support among community residents.⁽¹⁾
 2. The Department of Housing and Urban Development (HUD) provides extensive information about Fair Housing and examples at www.hud.gov. Generally communities should consider:
 - Working with local officials, editorial boards, religious and civic organizations and other community leaders to initiate education programs.
 - Seeking opportunities to present information to community organizations by requesting to be placed on their meeting agendas.
 - Including a visit to the Group Home residence as part of an education program.
 - Answering all questions.
 - Talking with local neighborhood leaders, including elected representatives, and setting up a neighborhood meeting.
 - Setting up a liaison committee consisting of advocates, group residents, and neighborhood residents to discuss issues.
 - Identifying areas that meet AFFH targets where the community supports development, has worked with community groups and potentially uses funds to assist the development of multi-family affordable housing.
- We have developed an anti-NIMBYism action plan. [Attachment 2 – County of Tyler AFFH Policy, Section II]

- We will develop an anti-NIMBYism action plan. [Designate who will be responsible for developing this plan.]
When will you do this? 2011 2012 2013
- Not Applicable (Explain)

Impediment #5 Certain governmental policies and practices may not meet current HUD policy concerning affirmatively furthering fair housing. Jurisdictions should act to ensure that their policies and procedures affirmatively further fair housing, address mal-distribution of resources, and that they do not unnecessarily impact housing choice.

1. As part of certifying that a community is affirmatively furthering fair housing, jurisdictions that have long-term infrastructure plans should review them to determine if the plan promotes racial concentrations or otherwise inadvertently results in disparate treatment of members of protected classes. While not intended to direct a community to hire a consultant, it is anticipated that a community will review its long-term infrastructure plans as part of this recommended action. In reviewing the project list (Appendix F of the Phase 1 AI) there are many projects that are listed as being of community-wide benefit. The records do not indicate the actual location of projects or provide adequate discussion of how the projects benefit the entire community.

- We have a long-term infrastructure plan and will review the plan to determine if it promotes racial concentrations or otherwise inadvertently results in disparate treatment of members of protected classes as it relates to the availability of housing. (The county has hired a consulting firm to review and update its Hazard Mitigation Plan which will include determining that it is AFFH compliant. The county has reviewed its subdivision guidelines and found that it does not promote racial concentration or otherwise inadvertently results in disparate treatment of members of protected classes as it relates to the availability of housing.)

When will you do this? 2011

- Not Applicable (Explain)
- We have already collected information on the locations of protected populations and have adequate information for insuring that new projects with "citywide benefits" will not perpetuate illegal differences in treatment.
- We will use the information in the AI to ensure that proposed projects do not perpetuate illegal differences in treatment.

When will you do this? 2011

- Not Applicable (Explain)

2. As it has been determined under federal law that Fair Housing applies to all federal housing and community development funds, to reduce "siloeing" the fair housing component into only housing-related programs, fair housing should be considered in all activities for all local community planning staff.

- We have determined that consideration of Fair Housing implications has already been incorporated into all aspects of planning in this jurisdiction. [Examples: Attachment 3]
- We will review and insure that Fair Housing implications are addressed in all aspects of planning in this jurisdiction in a manner consistent with the guidelines provided by the state at the FFAST form training and maintain documentation of that review.

When will you do this? 2011 2012 2013

Not Applicable (Explain)

3. It would be beneficial for local elected officials to require senior staff of any subrecipient such as a city or county—including managers and attorneys—to receive available Fair Housing training within the first 12 months of their employment or engagement.

We have a policy in place providing for all senior staff – including managers and attorneys – to receive Fair Housing training within their first 12 months on the job, and for long-term senior staff to receive regular updated training. [Attach policy]

We do not have such a policy and will develop and implement one.

When will you do this? 2011 2012 2013

- Not Applicable (Since it will place excessive financial burden upon the county to require all senior staff – chief deputies and attorneys – to receive Fair Housing training within their first twelve months on the job and for long-term senior staff to receive regular updated training, the county will maintain a designated Office/Staff Position for the purpose of AFFH oversight. This position will be required to receive training and updated training.) [Attachment 2 - County of Tyler AFFH Policy, Section III]

4. As part of what is usually a common initial training by the associations that provide education opportunities for newly-appointed board members or newly-elected council or commissioners court members of cities and counties, the state should request that training include specific information on the Fair Housing Act—with a discussion of affirmatively furthering fair housing obligations.

No local action is required at this time.

5. Local communities should consider limiting the concentration of infrastructure improvements like wastewater treatment, solid waste disposal, or similar necessary but not desirable infrastructure projects in residential areas where there are concentrations of protected classes.

We have an official policy that limits the concentration of certain infrastructure improvements. [Attach a copy.]

- We have official policies and procedures that take the location of protected classes into account when deciding where to locate undesirable infrastructure improvements. [Attachment 2 – County of Tyler AFFH Policy, Section III]
- We do NOT have limits on the concentration of undesirable infrastructure improvements or policies and procedures that take the residential location of members of protected classes into account, but will develop formal limits or official policies and procedures.

When will you do this? 2011 2012 2013

- Not Applicable (Explain)

6. Communities electing to provide publicly financed housing incentives should be requested to call for recipients to engage in affirmative marketing.

- We have a policy requiring Affirmative Marketing Plans from developers seeking tax abatements or other supports for new housing.
- We do not have such a policy and will develop and implement one.

When will you do this? 2011

- Not Applicable (Tyler County does not have a policy allowing consideration for tax abatements for housing developers.)

7. If a jurisdiction is a non-entitlement community, when working in LMI areas to replace roads or other infrastructure, the jurisdiction should consider making application for additional sources of funding to provide assistance to repair substandard housing associated with the project (i.e., TDHCA or HUD.)

- We formally consider accessing supplementary funds when infrastructure proposals are developed. [Attachment 2 – County of Tyler AFFH Policy, Section III]
- We have not consistently done this in the past and we will develop a process to formally consider making housing funding applications when funds for infrastructure projects are sought.

When will you do this? 2011 2012 2013

- Not Applicable (Explain)

8. Most infrastructure projects take into account items like curb cuts, sidewalks, hearing and visually impaired indicators at intersections. When approving non-federally funded projects, similar special needs construction should be required for infrastructure improvements. Projects should also address other legacy discrimination issues, such as accessibility in public areas like courthouses, community centers and other high traffic areas.

- We currently require that applications for non-federally-funded infrastructure projects are ADA compliant and address other legacy discrimination issues.
- We do not have such a requirement. We will develop one.

When will you do this? 2011

- Not Applicable (Explain)

9. Each jurisdiction applying for Community Development Block Grant funds or other federal housing and community development funds should submit a Fair Housing Activities Statement – Texas (FHAST) with their application, reviewing their infrastructure needs and housing needs and how the proposed activity promotes fair housing or results in more equitable treatment of protected classes. Projects with community-wide benefits should be accompanied by explicit commitments on the part of the local jurisdictions to undertake additional activities to affirmatively further fair housing along with a monitoring and reporting process.

- We submit a FHAST form.

When will you begin to do this? 2011

- Not Applicable (Explain)

10. As part of the non-housing disaster recovery program, jurisdictions should consider low-income areas and areas populated principally by members of protected classes to determine the potential for flooding and consider making infrastructure expenditures to help protect the impacted communities—including colonias.

- We have reviewed LMI areas and areas populated principally by members of protected classes, and prioritized infrastructure expenditures to help protect the impacted communities—including colonias.
- We have not done this in the past but will conduct such a review and consider these infrastructure projects in the future.

When will you do this? 2011

- Not Applicable (Explain)

11. If applicable, all policies should be reviewed regarding denying applicants' access to disaster recovery CDBG funds if their residence is located in the flood plain. If the policy does not allow participation by restricting building in flood plains, then the policy should be assessed to see if alternative housing programs could be implemented for the residents. Local jurisdictions should analyze the results and see if protected classes are more frequently harmed by flood plain restrictions. This action does not apply to the GLO CDBG Disaster Relief Fund that limits property purchase "unless TXCDBG receives satisfactory evidence that the property to be purchased was not constructed or purchased by the current owner after the property site location was officially mapped and included in a designated flood plain."

- We have completed this review and analysis and will take action on our findings.
- We have not completed this review and analysis. We will do so and take appropriate actions based on our findings for Round 2 programs.

When will you do this? 2011

- Not Applicable (County acts in compliance of its FEMA approved Flood Plain Ordinance and "Action Plan") [Attachments 4 and 5]

12. When an entire community is in a flood plain, the community should establish clear standards that allow for proper elevation or relocation, and that also allows for visitability/special needs considerations consistent with state^[3] and federal law.

- We have established clear standards that allow for proper elevation of homes or for relocation, and also allow for visitability/special needs considerations consistent with state and federal law.
- We have not developed these standards but will do so for Round 2 programs.

When will you do this? 2011

- Not Applicable (The county does not have entire communities in the flood plain.)

13. Local jurisdictions that accommodated the relocation of disaster survivors resulting in concentrations of protected class survivors in specific areas should establish Moving to Opportunity Programs and include renters in their Moving to Opportunity Programs as defined under Round 2.

- This action step applies to our jurisdiction. We will establish a Moving to Opportunity Program for disaster survivors as part of our Round 2 housing recovery program.

When will you do this? 2011

- Not Applicable (Tyler County did not accommodate the relocation of disaster survivors.)

14. Consistent with the process established in the Conciliation Agreement, local jurisdictions and state agencies should work together to determine a demographic and economic profile of victims of the natural disaster and establish goals for assisting these populations in no less that the proportions they were impacted by the disaster. These goals should be performance goals and disaster recovery funds should be extended incrementally in a manner to ensure that these populations are equitably assisted with benefits.

- We will cooperate with state agencies to carry out this action step.

When will you do this? 2011

³ Texas Government Code Section 2306.514

Not Applicable (Explain)

15. All infrastructure programs funded with disaster recovery funds should be designed so that any publicly accessible infrastructure projects and associated facilities are fully accessible to persons with disabilities.

We have established clear policies and procedures to insure that all infrastructure programs funded with disaster recovery funds will be designed so that any publicly accessible infrastructure projects and associated facilities are fully accessible to persons with disabilities. [Attachment 2 – County of Tyler AFFH Policy, Section III]

We have not developed these standards and policies; we will do so for Round 2 infrastructure projects. The person or entity responsible for developing these standards will be _____

When will you do this? 2011

Not Applicable (Explain)

16. Consistent with the Conciliation Agreement, family and elderly public housing units damaged or destroyed by the disaster should be reconstructed or repaired in a manner that affirmatively furthers fair housing utilizing disaster recovery funds within 24 months of approval of the initial application for disaster recovery assistance for the local jurisdiction.

We affirm that family and elderly public housing units damaged or destroyed by the disaster will be reconstructed or repaired in a manner that affirmatively furthers fair housing utilizing disaster recovery funds within 24 months of submission of the initial application for disaster recovery assistance by the local jurisdiction.

Not Applicable (Tyler County did not have public housing units damaged or destroyed by the disaster.)

Impediment #6

Governmental entities at all levels do not appear to have been proactive in the enforcement of both the Fair Housing Act and the obligation to affirmatively further fair housing. The State and subrecipients should implement a robust and effective structure for identifying and pursuing suspected violations.

1. Given the potential for increase in Fair Housing enforcement action by federal and state agencies and private organizations, an ongoing fair housing testing program for areas that receive federal housing and community development funds could be beneficial to protect state agencies and sub-recipients from potential repayment. Fair housing enforcement is a valid use of CDBG funding and can be used to establish testing programs by agencies trained in HUD testing procedures. The state, or local jurisdictions combining together, should consider conducting tests in areas that include the following: steering in sales and rental; the denial of and different terms and conditions based on race, national origin, familial status, and disability in sales and rental; predatory and disparate terms and conditions in lending and insurance; and

foreclosure modification schemes targeting minority neighborhoods. The state should also consider education to applicable entities on self-testing and self-correction.

- We currently have a testing program for Fair Housing violations. For more information.
- We do not have a testing program for Fair Housing violations and plan to establish one.

When will you do this? 2011 2012 2013

- Not Applicable (The county recognizes the value of a testing program but establishing one would create an excessive financial burden. A regional program through the COGs could be a viable alternative.)

2. TDHCA should, as a pilot program, allocate funds to independent third parties or a combined jurisdiction team identified in point 1 of this section to provide similar testing to determine if additional enforcement is necessary.

No local action is required at this time.

3. Impacted agencies that provide certification that they are affirmatively furthering fair housing as required by federal law, should consider publishing a public document on enforcement that provides the public and communities with a clear description (and chart) of the state and Federal Fair Housing Act.

- On documents concerning housing and community development programs that are provided to the public, we will list fair housing enforcement contacts and procedures consistent with the State suggested language when it is provided in 2011.

When will you do this? 2011

- Not Applicable (Explain)

4. Each community should place on its website (if one is available) the contact, at the local, state, and federal levels, for reporting a Fair Housing complaint, if citizens believe they were victims of housing discrimination.

- We have published the contact information – at the local, state and federal levels – for reporting a Fair Housing complaint. [Attachment 6]
- We have not done so but will do so.

When will you do this? 2011

- Not Applicable (Explain)

5. Each local jurisdiction should publish on its website a clear statement, approved jointly by TDHCA, expressing the jurisdiction's obligation to affirmatively further fair housing and providing a method for reporting suspected noncompliance to the state and to

HUD. The jurisdiction's contact person should be able to refer to clear local Fair Housing procedures for the complaint process, keep logs and records of all inquiries, allegations, complaints and referrals. These reports should be sent to the appropriate funding agency. Where these reports show that a jurisdiction has administered programs inconsistently with the AI and had the effect of discouraging applications from members of protected classes who are deemed eligible under the plan for assistance, affirmative marketing plans should be developed and submitted to the appropriate agency.

- We have published a policy statement expressing our jurisdiction's obligation to Affirmatively Further Fair Housing. [Attach a copy or URL.]
- We will publish a policy statement consistent with the language the State provides in 2011.

When will you do this? 2011

Not Applicable (Explain)

- We have developed clear procedures for the Fair Housing complaint process. [Attachment 2 – County of Tyler AFFH Policy, section IV]
- We will develop clear procedures for the Fair Housing complaint process once more guidance is given by the State in 2011.

When will you do this? 2011

Not Applicable (Explain)

- We keep complete logs and records of all Fair Housing inquiries, allegations, complaints and referrals and have a policy statement about these legal records.
- We will begin keeping required logs and records.

When will you do this? 2011

Not Applicable (Explain)

- We have remedial procedures for developers, landlords, home sellers and others whose actions may be inconsistent with Fair Housing laws and regulations. [Attachment 2 – County of Tyler AFFH Policy, section IV]
- We do not have remedial procedures but will develop them. The agency or person who will be responsible for developing these procedures is

When will you do this? 2011

Not Applicable (Explain)

Impediment #7

Many local jurisdictions have zoning codes, land use controls, and administrative practices that may impede fair housing choice and fail to affirmatively further fair housing.

1. The law anticipates that ordinances creating disparate impact should also be reviewed for change. If a disparate impact is determined to exist by the local jurisdiction, it could repeal or amend the restriction, use public funds to offset the cost through homebuyer assistance programs, or waive fees or other offsets to make the home more affordable.

- We recently conducted or updated a Fair Housing Review of our ordinances and codes.
- We have not done so but will conduct a review
- We have a policy statement/guidance for those responsible for developing codes/ordinances that reminds them to consider and document the Fair Housing/AFFH implications of any new rule.
- We do not have such a policy/guidance but will develop one when suggested guidelines are provided by the State in 2011.

When will you do this? 2011

- Not Applicable (With the exception of FEMA approved Flood Plain Zone requirements, Tyler County does not have county specific zoning codes, land use controls, or administrative practices. In each of these areas, the county requires only that individuals, organizations, and businesses act in accordance with State requirements and practices.)

2. To help limit concentrations that could be considered impediments to affirmatively furthering fair housing, jurisdictions that have long term planning documents for housing growth or redevelopment, or revitalization plans, should consider allowing or encouraging mixed income affordable housing in the plan and provide incentives for development of this type of housing in areas that are not concentrated.

- We recently conducted a Fair Housing Review and took/are taking appropriate action concerning our planning documents. [Attach a list of plans reviewed, a summary of findings, and actions you will take to remove impediments]
- We have not done so but will conduct a Fair Housing Review after the State provides suggested guidelines in 2011.

When will you do this? 2011

- Not Applicable (Tyler County does not currently have long term planning documents for housing growth or development, or revitalization plans. However according to the county's Affirmatively Further Fair Housing Policy Section V, should the county develop a long term plan it will consider allowing or encouraging mixed

income affordable housing in the plan and provide incentives for development of this type of housing in areas that are not concentrated.)

- We have identified residential areas that show concentrations or underrepresentation of protected groups, and we encourage mixed-income affordable housing and other strategies to widen housing choice throughout our jurisdiction.
- We have not done so but will include this in our FFAST plan once guidelines are provided by the State in 2011.

When will you do this? 2011 2012 2013

Not Applicable (Explain)

3. Local jurisdictions seeking CDBG Disaster Recovery funds from the state should consider offering expedited permitting and review processes for affordable housing projects within high opportunity target zones.

- We currently offer incentives to developers to locate affordable housing projects in high opportunity neighborhoods and prevent overconcentration.
- We have not done so but will.

When will you do this? 2011 2012 2013

- Not Applicable (With the exception of FEMA approved and required Flood Plain permits, the county does not require county specific permits. The county requires only that permits and inspections required by the State are obtained according to the guidelines of the State.)

Impediment #8

Inadequate planning for re-housing after an emergency situation creates a situation where persons who are uninsured or under-insured, low income, or special needs can be displaced for long periods of time.

1. Some legislators, the Sunset Commission, and communities acknowledge that while temporary disaster housing is a federal program, Texas should continue to provide guidance to local governments on additional planning that needs to be done as part of the emergency preparedness planning to most efficiently work with FEMA.

No local action is required at this time.

2. As much of what FEMA has previously offered is travel trailers or manufactured housing, local governments should review their zoning requirements or other land use provisions that restrict temporary housing or housing on an existing lot during the building process and look at potential waivers that do not risk or negatively impact health, safety, and welfare during a period after disasters so that low income persons can move back to their existing communities with temporary housing while waiting for redevelopment.

- We have reviewed our zoning requirements and other land use provisions and have provided waivers or other accommodations for post-disaster housing.
- We have not done so but will review our zoning and look at potential waivers.

When will you do this? 2011 2012 2013

- Not Applicable (Except for any requirements in the FEMA approved Flood Plain Plan the county does not restrict temporary housing.)

Impediment #9

There are impediments in public and private actions and private attitudes to housing choice for persons with disabilities.

1. To meet federal Fair Housing requirements for zoning and neighborhood uses, jurisdictions should look to determine if there are direct or indirect limitations in codes that would prevent facilities or personal residences from providing assistance or communities of choice or service-enriched environments that directly impact special needs persons.
2. Local jurisdictions should work to ensure that zoning or code requirements do not unnecessarily impose stricter commercial building requirements, such as emergency access or protection services, on group homes, thereby dramatically increasing housing costs for persons with special needs.

- We have reviewed our codes and ordinances and have addressed/are addressing any impediments relating to special needs persons, including (1) rules that might prevent facilities or personal residences from providing assistance or communities of choice or service-enriched environments that directly impact special needs persons, and (2) rules that might unfairly increase the costs to special needs persons.
- We have not done so but will conduct a review and address any impediments identified once guidelines are provided by the State in 2011.

When will you do this? 2011

- Not Applicable (With the exception of the FEMA approved Flood Plain Ordinance, Tyler County does not have county specific codes or ordinances relative to building or construction. The county only requires that State Codes are adhered to.)
3. Local jurisdictions should consider coordinating with the legislatively created Housing and Health Services Coordination Council for best practices on working with supportive services.
 - We agree to coordinate with the legislatively created Housing and Health Services Coordination Council staffed by TDHCA for best practices on working with supportive services.

When will you do this? 2011 2012 2013

Not Applicable (Explain)

Impediment #10

There are barriers to mobility and free housing choice for Housing Choice Voucher holders including: inadequate tenant counseling services and mobility assistance, failure of PHAs to apply for the FMR pilot demonstration funds, and government policies, procedures, and regulations that tend to decrease participation by private housing providers and to restrict available housing to "racially or low-income populated neighborhoods" with little access to economic, educational, or other opportunity.

No local action beyond compliance with Round 2 Housing Guidelines is currently required but communities are encouraged to work with local public housing authorities to understand and overcome these impediments.

Impediment #11

Loss of housing stock in Hurricanes Dolly and Ike compounded the shortage of affordable housing in disaster recovery areas. This shortage is particularly acute in safe, low-poverty neighborhoods with access to standard public services, job opportunities and good schools.

No local action is required at this time. TDHCA will develop a statewide strategic plan including guidance for local jurisdictions on the following Action Steps in 2011.

1. To help offset the costs of developments that feature reduced rents without government support, local jurisdictions should consider establishing density bonuses to allow for higher levels of units per site for multifamily developments and single-family developments that propose increased affordability.
2. TDHCA and HUD have developed programs that preserve affordable housing. Continuing in this vein, the state and local jurisdictions should work to preserve existing affordable housing development and discourage them from converting to market rate housing. Requirements should be included in all publicly funded developments providing tenants with early and clear notification of the intention of management to convert to market rate housing and providing first right of refusal to nonprofit and public entities and organizations to purchase units to maintain affordability.
3. The state and local jurisdictions should consider using CDBG funds to buy down the cost of land in high-cost and high-opportunity development areas to increase affordable housing options in these areas.

Impediment #12

Lack of financial resources for both individuals and housing providers limits Fair Housing choice. Using an effective program under Section 3 of the Housing and Urban Development Act of 1968 may help members of

protected classes gain economic opportunities necessary to allow them to exercise fair housing choice.

1. The state is maximizing its resources in Round 2 of the Ike/Dolly funding to affirmatively further fair housing in single family and multi-family developments. As called for in the Conciliation Agreement, the state is looking to provide more integrated housing options for persons in racially concentrated or poverty concentrated neighborhood groups. In single-family programs, the state should require subrecipients to offer the opportunity to relocate out of floodplain areas, concentrations of racial minorities, or concentrations of poverty—through the Homeowner Opportunity Program. Any relocation should be into an area that does not result in simply relocating the high-concentration from one area to another.

Local jurisdictions will be responsible for complying with Section 3 as part of their contract with the state.

2. Jurisdictions receiving federal funds from HUD, directly or indirectly, should ensure they have a compliant Section 3 program to meet HUD requirements regarding notification to LMI eligible persons of potential job creation at the impacted neighborhood level with federal funds.
 - We have in place a Section 3 program that meets the requirements of federal law and regulations regarding potential job creation at the impacted neighborhood level and the use of federal funds to hire local LMI eligible persons. We confirm that appropriate staff persons in this jurisdiction have already received training on Section 3, regarding job creation for local LMI persons including members of protected classes. [Attachment 7 – Section 3 Policy for Tyler County; Attachment 2 – County of Tyler AFFH Policy, Section VI]
 - We have not done so but will develop a Section 3 program that meets the requirements of federal law and regulations and that ensure appropriate staff receive training.

When will you do this? 2011

Impediment #13 Location and lack of housing accessibility and visitability standards within political jurisdictions limits fair housing choice for persons with disabilities.

1. Local jurisdictions should consider establishing incentives for affordable housing applicants to create an increased set-aside of housing units for persons with disabilities or persons who are elderly without violating the existing TDHCA integrated housing rule.
2. TDHCA and local jurisdictions should consider adding proximity to medical facilities as a scoring incentive for competitive programs using federal funds for proximity to medical facilities.
3. TDHCA should require that all federally funded housing construction be built to accessibility standards found in Texas Government Code §2306.514.
 - We have formally considered: 1) establishing incentives for affordable housing developers to create an increased set-aside of housing units for persons with

disabilities or persons who are elderly without violating the existing TDHCA Integrated Housing Rule; 2) providing point incentives for units in proximity to medical facilities for competitive programs using federal funds; and 3) requiring new housing built with federal funds to be built with structures that allow for accessible features, regardless of whether the original occupant needs the features, as called for by state law. [Attach documentation of the review and resulting actions.]

- We have not undertaken the above review, but plan to do so.

When will you do this? 2011 2012 2013

- Not Applicable (Explain)

Impediment #14	Many colonias residents live in developments that have insufficient infrastructure and protections against flooding and are impacted by flooding beyond events like Hurricanes Dolly and Ike.
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1. The state, COGs, and local jurisdictions should examine the infrastructure needs in colonias, in particular the use of CDBG disaster recovery funds to provide drainage improvements to correct flooding problems in the wake of Hurricane Dolly, and the historical provision of public infrastructure and housing assistance to meet those needs in border and non-border colonias.

- We have identified the unserved infrastructure needs of colonias within our jurisdiction and whether these infrastructure improvements are eligible for disaster recovery funding and, if so, whether those projects will be funded.
- We have not undertaken the above review, but plan to do so.

When will you do this? 2011

- Not Applicable (Tyler County does not have colonias.)

Impediment #15	Minority neighborhoods in disaster areas are primarily served by non-regulated insurance companies that do not adhere to underwriting guidelines and may be discriminated against in the provision of insurance. Texas has passed aggressive statutes to prevent insurance "redlining." National research indicates that protected classes face unwarranted disparities in the cost of insurance, the amount of coverage, and cancellation of policies without notice to the homeowner.
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No local action is required at this time.

Impediment #16	Many jurisdictions do not have adequate Analysis of Impediments to Fair Housing or Fair Housing Plans, and do not keep sufficient records of their activities.
-----------------------	--

1. Recipients of CDBG funds from HUD for housing should maintain records as required by the Fair Housing Act, HUD regulations, and the Conciliation Agreement in order to

document that they are carrying out their commitments and affirmatively furthering fair housing.

- We currently maintain all required records to document our AFFH actions and compliance with Fair Housing laws, HUD and State regulations, and the Conciliation Agreement. [Attach details of the records now kept and identify the person or entity responsible for keeping these records.]
- We have not done so but do so in compliance with GLO guidance.

When will you do this? 2011 2012 2013

Not Applicable (Explain)

2. As required under the Conciliation Agreement, the State will conduct a new Statewide AI after HUD approval of the Phase 1 AI. Entitlement communities should conduct new AIs or update current AIs to ensure that they address all recommended data and issues and specifically address issues related to all protected classes under the Fair Housing Act. Race and national origin, as well as the other protected classes, must be identified independent of low and moderate-income categories in order to understand the impact of actions, practices, regulations, ordinances, and other factors on them.

- We recently completed a formal Analysis of Impediments, are currently updating an existing AI, or are conducting our first AI. [Attach most recent AI or draft.]
- We are using the FFAST form process to analyze our impediments to fair housing and plan how to address them.

When will you do this? 2011

Not Applicable (Explain)

Alternative or additional Local Action Steps developed by this jurisdiction: To address unique impediments to fair housing within each community, local jurisdictions are encouraged to develop alternative action steps to be adopted in lieu of or in addition to those set out in the State of Texas Interim Analysis of Impediments to fair housing. If your jurisdiction elects to propose alternative or additional action steps, please describe them below.

- We plan to take additional Action Steps, described in an Attachment.
- We will not take additional FH Action Steps at this time.

When will you do this? 2011 2012 2013

Not Applicable (Explain)



JACQUES L. BLANCHIETTE
County Judge

November 3, 2011

Katy Sellers
Post Office Box 12873
Austin, Texas 78711-2873
Katy.sellers@glo.texas.gov

RE: FHAST Form Information Request Response for Tyler County Submission

Dear Ms. Sellers:

Thank you for the opportunity to address the issues that have been identified with the Tyler County FHAST Form Submission. The County has modified its FHAST Form in response to the issues identified.

The FHAST Form has been amended as follows (bold blue areas identify changes):

Impediment # 5

3. It would be beneficial for local elected officials to require senior staff of any subrecipient such as a city or county including managers and attorneys to receive available Fair Housing training within the first 12 months of their employment or engagement.

- We have a policy in place providing for all senior staff – including managers and attorneys – to receive Fair Housing training within their first 12 months on the job, and for long-term senior staff to receive regular updated training. [Attach policy]
- We do not have such a policy and will develop and implement one.

When will you do this? 2011 2012 2013

- Not Applicable (Since it will place excessive financial burden upon the county to require all senior staff – chief deputies and attorneys – to receive Fair Housing training within their first twelve months on the job and for long-term senior staff to receive regular updated training, the county will maintain a designated Office/Staff Position for the purpose of AFFH oversight. This position will be required to receive training and updated training. **The time frame in which the trained person should begin monitoring the County officials activities and informing same of Fair Housing concerns is identified as 2012.**) [Attachment 2 - County of Tyler AFFH Policy, Section III]

Impediment # 6

1. Given the potential for increase in Fair Housing enforcement action by federal and state agencies and private organizations, an ongoing fair housing testing program for areas that receive federal housing and community development funds could be beneficial to protect state agencies and sub-recipients from potential repayment. Fair housing enforcement is a valid use of CDBG funding and can be used to establish testing programs by agencies trained in HUD testing procedures. The state, or local jurisdictions combining together, should consider conducting tests in areas that include the following: steering in sales and rental; the denial of and different terms and conditions based on race, national origin, familial status, and disability in sales and rental; predatory and disparate terms and conditions in lending and insurance; and foreclosure modification schemes targeting minority neighborhoods. The state should also consider education to applicable entities on self-testing and self-correction.

- We currently have a testing program for Fair Housing violations. For more information.
- We do not have a testing program for Fair Housing violations and plan to establish one.


When will you do this? 2011 2012 2013

- Not Applicable (The county recognizes the value of a testing program but establishing one would create an excessive financial burden. A regional program through the COGs could be a viable alternative. **The County should actively reach out to State and regional agencies to create a testing program and the timeframe for implementation is 2013.**)

It is our belief this additional information provided regarding the County's FFAST Form responses fulfills the requirements necessary for the document to be finally reviewed; however, should further information be needed it will be provided in as timely a manner as possible.

We will be expecting notification of the FFAST Form approval and once approval has been received, we are prepared to move forward with the next requirement activity.

Respectfully,


Jacques L. Blanchette
County Judge

JLB/amp

TYLER COUNTY EMERGENCY SERVICES DISTRICTS
COMMISSIONERS COURT APPOINTMENTS
December 2011

ESD # 1

Mirrors Ivanhoe Volunteer Fire Department Service Area

Current Board

John Paul Feeley, Chief	1/1/10 through 12/31/11
Tommie Hamilton, Sr.	1/1/10 through 12/31/11
Mary Ann Rosier	1/1/10 through 12/31/11
B. A. Smith	1/1/11 through 12/31/12
Joe McIntire (replaced Ray LaGrappe)	2/11 through 12/31/12

2010 Audit Compliant: NO

2010 President & Treasurer: John Paul Feeley; Mary Ann Rosier

By order of SB 917: If an ESD is non-compliant in providing mandated Annual Audit to the Commissioners Court, the president and treasurer of the ESD are removed from the Board.

Other ineligible members: Joe McIntire for the reason of Dual Office Holder

As required the following recommendations for appointment have been verified as eligible to serve: Each has been confirmed to own taxable property in the District and/or be a registered voter in the District.

** John Jenkins, Sr.	1/1/12 through 12/31/13
** Troy Conner	1/1/12 through 12/31/13
** Richard Marion Coker	1/1/12 through 12/31/13
* ** Byron Holley	1/1/12 through 12/31/12
** Jill Dinger	1/1/12 through 12/31/12

* Reappointments

** New appointments

* Not confirmed yet per Dale Freeman DS
Mark Jackson had been contacted & willing to serve. DS

**TYLER COUNTY EMERGENCY SERVICES DISTRICTS
COMMISSIONERS COURT APPOINTMENTS**

December 2011

ESD # 2

Mirrors Spurger Volunteer Fire Department Service Area

Current Board

Joe English	1/1/11 through 12/31/12
Robert (Pete) Perkins	1/1/11 through 12/31/12
Henry Sawyer, Fr Sr.	1/1/10 through 12/31/11
Kevin Watts	1/1/10 through 12/31/11
Robert Mott	1/1/10 through 12/31/11

2010 Audit Compliant: YES

2010 President & Treasurer: Not applicable

By order of SB 917: If an ESD is non-compliant in providing mandated Annual Audit to the Commissioners Court, the president and treasurer of the ESD are removed from the Board.

Other ineligible members: None

As required the following recommendations for appointment have been verified as eligible to serve: Each has been confirmed to own taxable property in the District and/or be a registered voter in the District.

* Joe English	1/1/11 through 12/31/12
* Robert (Pete) Perkins	1/1/11 through 12/31/12
* Henry Sawyer, Fr Sr.	1/1/12 through 12/31/13
* Kevin Watts	1/1/12 through 12/31/13
* Robert Mott	1/1/12 through 12/31/13

* Reappointments

** New appointments

**TYLER COUNTY EMERGENCY SERVICES DISTRICTS
COMMISSIONERS COURT APPOINTMENTS
December 2011**

ESD # 3

Mirrors White Tail Ridge Volunteer Fire Department Service Area

Current Board

Fred Fails	1/1/10 through 12/31/11
Misty Fails	1/1/10 through 12/31/11
John Lafayette	1/1/11 through 12/31/12
Nelson Delcour	1/1/11 through 12/31/12
Kelly Fields	1/1/10 through 12/31/11

2010 Audit Compliant: NO

2010 President & Treasurer: Fred Fails; Misty Fails

By order of SB 917: If an ESD is non-compliant in providing mandated Annual Audit to the Commissioners Court, the president and treasurer of the ESD are removed from the Board.

Other ineligible members: John Lafayette, Nelson Delcour, Kelly Fields for the reason of negligence of duty *- No posted meetings - Checks not cashed*

As required the following recommendations for appointment have been verified as eligible to serve: Each has been confirmed to own taxable property in the District and/or be a registered voter in the District.

**	1/1/12 through 12/31/13
**	1/1/12 through 12/31/13
**	1/1/11 through 12/31/12
**	1/1/11 through 12/31/12
**	1/1/12 through 12/31/13

* Reappointments

** New appointments

TYLER COUNTY EMERGENCY SERVICES DISTRICTS
COMMISSIONERS COURT APPOINTMENTS
December 2011

ESD # 4
Mirrors Warren Volunteer Fire Department Service Area

Current Board

Durwood Fails	1/1/11 through 12/31/12
Mark Hatch	1/1/11 through 12/31/12
Ryan Knott, Chief	1/1/10 through 12/31/11
David Norton	1/1/10 through 12/31/11
Randy Gibson	1/1/10 through 12/31/11

2010 Audit Compliant: YES

2010 President & Treasurer: Not applicable

By order of SB 917: If an ESD is non-compliant in providing mandated Annual Audit to the Commissioners Court, the president and treasurer of the ESD are removed from the Board.

Other ineligible members: Ryan Knott for the reason of Dual Office Holder

As required the following recommendations for appointment have been verified as eligible to serve: Each has been confirmed to own taxable property in the District and/or be a registered voter in the District.

* Durwood Fails	1/1/11 through 12/31/12
* Mark Hatch	1/1/11 through 12/31/12
** Rodney Krebs	1/1/10 through 12/31/11
* David Norton	1/1/10 through 12/31/11
* Randy Gibson	1/1/10 through 12/31/11

* Reappointments

** New appointments

1/3/2012

Kyle Sperry - November
replaced Durwood Fails per Audrey

**TYLER COUNTY EMERGENCY SERVICES DISTRICTS
COMMISSIONERS COURT APPOINTMENTS**

December 2011

ESD # 5

Mirrors Dam B Volunteer Fire Department Service Area

Current Board

Thomas Ray Eller	1/1/10 through 12/31/11
Eugene Ralph Ladaeau	1/1/10 through 12/31/11
James R. Gunter	1/1/10 through 12/31/11
Johnny Lee Page	1/1/11 through 12/31/12
Jimmy Walker	1/1/11 through 12/31/12

2010 Audit Compliant: YES

2010 President & Treasurer: Not Applicable

By order of SB 917: If an ESD is non-compliant in providing mandated Annual Audit to the Commissioners Court, the president and treasurer of the ESD are removed from the Board.

Other ineligible members: Eugene Ralph Ladaeau for the reason of Dual Office Holder

As required the following recommendations for appointment have been verified as eligible to serve: Each has been confirmed to own taxable property in the District and/or be a registered voter in the District.

* Thomas Ray Eller	1/1/12 through 12/31/13
** Larry Walden	1/1/12 through 12/31/13
* James R. Gunter	1/1/12 through 12/31/13
* Johnny Lee Page	1/1/11 through 12/31/12
* Jimmy Walker	1/1/11 through 12/31/12

* Reappointments

** New appointments

**TYLER COUNTY EMERGENCY SERVICES DISTRICTS
COMMISSIONERS COURT APPOINTMENTS
December 2011**

ESD # 6

Mirrors Fred Volunteer Fire Department Service Area

Current Board

Douglas Gore (replaced Ginger Moore)	8/11 through 12/31/12
Chevette Jackson (replaced Douglas Moore)	8/11 through 12/31/12
James Alfaro	1/1/10 through 12/31/11
Douglas Miranda (replaced Carolyn Moore)	4/11 through 12/31/11
Johnny Risinger	1/1/10 through 12/31/11

2010 Audit Compliant: NO

2010 President & Treasurer: Douglas Moore; Carolyn Moore

By order of SB 917: If an ESD is non-compliant in providing mandated Annual Audit to the Commissioners Court, the president and treasurer of the ESD are removed from the Board.

Other ineligible members: None

As required the following recommendations for appointment have been verified as eligible to serve: Each has been confirmed to own taxable property in the District and/or be a registered voter in the District.

* Douglas Gore (replaced Ginger Moore)	8/11 through 12/31/12
* Chevette Jackson (replaced Douglas Moore)	8/11 through 12/31/12
* James Alfaro	1/1/12 through 12/31/13
* Douglas Miranda (replaced Carolyn Moore)	1/1/12 through 12/31/13
* Johnny Risinger <i>Sam Jeffcoat</i>	1/1/12 through 12/31/13

* Reappointments

** New appointments

**TYLER COUNTY EMERGENCY SERVICES DISTRICTS
COMMISSIONERS COURT APPOINTMENTS
December 2011**

ESD # 7

Mirrors Colmesneil Volunteer Fire Department Service Area

Current Board

Jamie Wilkins (replaced Phillip Darsey)	10/11 through 12/31/12
Lance Seamans (replaced Sara Irwin)	10/11 through 12/31/11
John England (replaced Pat Sykes)	10/11 through 12/31/11
Kirk Brown (replaced Tobi Russell)	10/11 through 12/31/12
Donald Schulze (replaced Billy Vaughn)	10/11 through 12/31/11

2010 Audit Compliant: NO

2010 President & Treasurer: Unknown (The entire board was replaced during 2011.)

By order of SB 917: If an ESD is non-compliant in providing mandated Annual Audit to the Commissioners Court, the president and treasurer of the ESD are removed from the Board.

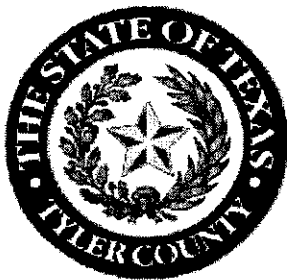
Other ineligible members: None

As required the following recommendations for appointment have been verified as eligible to serve: Each has been confirmed to own taxable property in the District and/or be a registered voter in the District.

* Jamie Wilkins (replaced Phillip Darsey)	10/11 through 12/31/12
* Lance Seamans (replaced Sara Irwin)	1/1/12 through 12/31/13
* John England (replaced Pat Sykes)	1/1/12 through 12/31/13
* Kirk Brown (replaced Tobi Russell)	10/11 through 12/31/12
* Donald Schulze (replaced Billy Vaughn)	1/1/12 through 12/31/13

* Reappointments

** New appointments



TYLER COUNTY COMMISSIONERS COURT

County Courthouse, Room 102 / Woodville, Texas

Wednesday
December 28, 2011
8:30 AM

MARTIN NASH
Commissioner, Pct. 1

RUSTY HUGHES
Commissioner, Pct. 2

JACQUES L. BLANCHETTE
County Judge

MIKE MARSHALL
Commissioner, Pct. 3

JACK WALSTON
Commissioner, Pct. 4

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

"the wisdom to know what's right...the courage to do it"

NO. _____ TIME 10:00

➤ **CALL TO ORDER**

- Establish quorum

I. CONSIDER/APPROVE:

- A. Minutes from previous meetings – *D. Gregory*
- B. Changes to Voting Precincts #1, #2, and #17 in accordance with the adoption of the redistricting plan – *D. Gregory*
- C. To Conduct Auction for equipment (light bars, cages, sirens) that must be removed from Sheriff's Office vehicles before sale to public – *David Hennigan, Sheriff*
- D. Adopt Fund Balance Policy for GASB 54 to be in compliance – *Jackie Skinner, Auditor*
- E. Engaging Gabriel Roeder Smith & Company to come in compliance with GASB Statement 45 regarding other post employment benefits – *J. Skinner*
- F. Standard Permit Granting Utility Crossing of county roads – *R. Hughes*
- G. Adopt Final FFAST Form approved by GLO and having completed the Public Hearing compliance process – *M. Marshall*
- H. Assign FFAST Form to county staff position for implementation – *M. Marshall*
- I. Appointments to ESD Board # 1 serving the Ivanhoe Area – *J. Blanchette*
- J. Appointments to ESD Board # 2 serving the Spurger Area – *J. Blanchette*
- K. Appointments to ESD Board # 3 serving the White Tail Ridge Area – *J. Blanchette*
- L. Appointments to ESD Board # 4 serving the Warren Area – *J. Blanchette*
- M. Appointments to ESD Board # 5 serving the Dam B Area – *J. Blanchette*
- N. Appointments to ESD Board # 6 serving the Fred Area – *J. Blanchette*
- O. Appointments to ESD Board # 7 serving the Colmesneil Area – *J. Blanchette*

2011
DONECE GREGORY, COUNTY CLERK
TYLER COUNTY, TEXAS

II. PRESENTATIONS

- A. 2012 Adopted Budget

III. REPORTS: Receive from staff and/or given by member of court without action or deliberation information concerning items of community interest (Pursuant 2011 Amendment of the Open Meetings Act)

III. EXECUTIVE SESSION: Consult with District Attorney, Joe Smith, in executive session held in accordance with Texas Government Codes 555.071(1)(A), (2) regarding pending and/or contemplated litigation, and/or 551.074, regarding personnel matters, and/or property acquisition.

➤ **ADJOURN**

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 at the Tyler County Courthouse in 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 Section 551.002 & 551.041.

Executed on December 2011 Time 10:00

Donece Gregory, County Clerk/Ex Officio Member of Commissioners Court

By: Jack Walston (Deputy)



TYLER COUNTY COMMISSIONERS COURT

County Courthouse, Room 102 / Woodville, Texas

Wednesday
December 28, 2011
8:30 AM

MARTIN NASH
Commissioner, Pct. 1

RUSTY HUGHES
Commissioner, Pct. 2

JACQUES L. BLANCHETTE
County Judge

MIKE MARSHALL
Commissioner, Pct. 3

JACK WALSTON
Commissioner, Pct. 4

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

"the wisdom to know what's right...the courage to do it"

➤ **CALL TO ORDER**

- Establish quorum

I. CONSIDER/APPROVE:

- ✓ **A. TAB 1 Minutes** from previous meetings – *D. Gregory*

- ✓ **B. TAB 2 Changes to Voting Precincts #1, #2, and #17** in accordance with the adoption of the redistricting plan – *D. Gregory*

- ✓ **C. To Conduct Auction** for equipment (light bars, cages, sirens) that must be removed from Sheriff's Office vehicles before sale to public – *David Hennigan, Sheriff*

- ✓ **D. Adopt Fund Balance Policy** for GASB 54 to be in compliance – *Jackie Skinner, Auditor*

- E. TAB 3 Engaging Gabriel Roeder Smith & Company** to come in compliance with GASB Statement 45 regarding other post employment benefits – *J. Skinner*

- F. Standard Permit Granting Utility Crossing** of county roads – *R. Hughes*

- G. TAB 4 Adopt Final FFAST Form** approved by GLO and having completed the Public Hearing compliance process – *M. Marshall*

H. TAB 4 Assign FFAST Form to county staff position for implementation - M. Marshall

m/w I. TAB 5 Appointments to ESD Board # 1 serving the Ivanhoe Area - J. Blanchette

Section Amended
sh remaining
minutes m/h
All yes
Nash abst

Nash not happy w/ requirements fireman serving on board
Nash abstained
ESD not in compliance w/ Audits.
policy
Walden agreed Judge 4 of 7

J. Blanchette
TAB 5 Appointments to ESD Board # 2 serving the Spurger Area - J. Blanchette

K. TAB 5 Appointments to ESD Board # 3 serving the White Tail Ridge Area - J. Blanchette

No Action

Smith - adv - removal needs to be underway & they need to be

N/m L. TAB 5 Appointments to ESD Board # 4 serving the Warren Area - J. Blanchette

m/H M. TAB 5 Appointments to ESD Board # 5 serving the Dam B Area - J. Blanchette

- Discussion - Gunter

H/m N. TAB 5 Appointments to ESD Board # 6 serving the Fred Area - J. Blanchette

m/H O. TAB 5 Appointments to ESD Board # 7 serving the Colmesneil Area - J. Blanchette

II. PRESENTATIONS

A. 2012 Adopted Budget

MAY be presented in January

III. REPORTS: Receive from staff and/or given by member of court without action or deliberation information concerning items of community interest (Pursuant 2011 Amendment of the Open Meetings Act)

Blanchette -> received purchasing forms - ~~Shan~~

Co Clerk - moved Primary dates

Sheriff - received contact that SD will receive grant for computers for SD centers

Gunter - indicated his

III. EXECUTIVE SESSION: Consult with District Attorney, Joe Smith, in executive session held in accordance with Texas Government Codes 555.071(1)(A), (2) regarding pending and/or contemplated litigation, and/or 551.074, regarding personnel matters, and/or property acquisition.

➤ **ADJOURN**

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 at the Tyler County Courthouse in 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 Section 551.002 & 551.041.

Executed on _____ 2011 Time _____

Donece Gregory, County Clerk/Ex Officio Member of Commissioners Court

By: _____ (Deputy)



TYLER COUNTY COMMISSIONERS COURT

County Courthouse, Room 102 / Woodville, Texas

Wednesday
December 28, 2011
8:30 AM

MARTIN NASH
Commissioner, Pct. 1

RUSTY HUGHES
Commissioner, Pct. 2

JACQUES L. BLANCHETTE
County Judge

MIKE MARSHALL
Commissioner, Pct. 3

JACK WALSTON
Commissioner, Pct. 4

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

NO. _____ TIME 10:00am

"the wisdom to know what's right...the courage to do it"

➤ CALL TO ORDER

- Establish quorum

28 2011

DONECE GREGORY, COUNTY CLERK
TYLER COUNTY, TEXAS

By _____

I. CONSIDER/APPROVE:

- My H* ✓ **A. Minutes** from previous meetings – D. Gregory
- w/n* ✓ **B. Changes to Voting Precincts #1, #2, and #17** in accordance with the adoption of the redistricting plan – D. Gregory *Part of 2 went bad at Pet 1 (Tile Plant Road) - Turkey Creek Rd*
- By w/v* ✓ **C. To Conduct Auction** for equipment (light bars, cages, sirens) that must be removed from Sheriff's Office vehicles before sale to public – David Hennigan, Sheriff
- H/m/v* ✓ **D. Adopt Fund Balance Policy** for GASB 54 to be in compliance – Jackie Skinner, Auditor
- w/m* ✓ **E. Engaging Gabriel Roeder Smith & Company** to come in compliance with GASB Statement 45 regarding other post employment benefits – J. Skinner *PAID out of contingency*
- H/m/v* ✓ **F. Standard Permit Granting Utility Crossing** of county roads – R. Hughes
- m/n* ✓ **G. Adopt Final FFAST Form** approved by GLO and having completed the Public Hearing compliance process – M. Marshall *Mandated for Fed's State grants? laborous*
- m/n* ✓ **H. Assign FFAST Form** to county staff position for implementation – M. Marshall *Audrey Pelly - Judge public job description*
- my w* ✓ **I. Appointments to ESD Board # 1** serving the Ivanhoe Area – J. Blanchette
- ✓ **J. Appointments to ESD Board # 2** serving the Spurger Area – J. Blanchette
- No action* ✓ **K. Appointments to ESD Board # 3** serving the White Tail Ridge Area – J. Blanchette *- Put on next agenda*
- ✓ **L. Appointments to ESD Board # 4** serving the Warren Area – J. Blanchette
- ✓ **M. Appointments to ESD Board # 5** serving the Dam B Area – J. Blanchette
- ✓ **N. Appointments to ESD Board # 6** serving the Fred Area – J. Blanchette
- ✓ **O. Appointments to ESD Board # 7** serving the Colmesneil Area – J. Blanchette

II. PRESENTATIONS

A. 2012 Adopted Budget

III. **REPORTS:** Receive from staff and/or given by member of court without action or deliberation information concerning items of community interest (Pursuant 2011 Amendment of the Open Meetings Act) *April 3*

III. **EXECUTIVE SESSION:** Consult with District Attorney, Joe Smith, in executive session held in accordance with Texas Government Codes 555.071(1)(A), (2) regarding pending and/or contemplated litigation, and/or 551.074, regarding personnel matters, and/or property acquisition.

N/H ➤ **ADJOURN** *10:00 AM*

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 at the Tyler County Courthouse in 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 Section 551.002 & 551.041.

Executed on December 28, 2011 Time 10:00AM

Donece Gregory, County Clerk/Ex Officio Member of Commissioners Court

By: Katrina Walston (Deputy)