

NOTICE OF MEETING (•) OF THE

SCANNED

COMMISSIONERS COURT OF JACK COUNTY, TEXAS

• Assistive Listening Devices Available on Request for Use During Court Session

Notice is hereby given that a Meeting of the above named Commissioners Court will be held on Monday the 10th day of June, 2013 at 10:00 o'clock a.m., in the County Courthouse, Jacksboro, Texas, at which time the following subjects* will be discussed and appropriate action taken, to-wit:

These subjects may or may not be discussed in the order shown. All items listed below as part of the called "Consent Agenda Items" require no deliberation by the Court. Each Court member has the prerogative of removing an item from this agenda so that it may be considered separately.

FILED FOR RECORD

O'CLOCK M.

JUN 06 2013

JANICE ROBINSON, County Clerk
JACK COUNTY, TEXAS

BY Texas Facilities DEPUTY

1. PUBLIC FORUM (Limited to 5 minutes per person);
2. PAYMENT OF CLAIMS;
3. CONSENT AGENDA ITEMS:
 - (a) Approval of Minutes of Meeting of May 24, 2013;
 - (b) Approval of Application for Eligibility for participation/purchasing through the Texas Facilities Commission/Federal Surplus Property Program;
4. TIMED AGENDA:
 - (a) 10:00 a. m.: Presentation by the Extension Department and 4-H Parents on need for County Agents' travel and other expenses in program interpretation;
 - (b) 10:30 a. m.: Consider presentation by Keechi Wind, LLC regarding the creation of a new reinvestment zone and review of steps necessary to create a zone along with any measure for property tax abatement under Chapter 312, Texas Tax Code;
5. Discussion of Commissioner Precinct Operations;
6. Update on Courthouse Repair Project 2012 and 2013 details;
7. Update/Consider of steps and measures for restoration/renovation of courthouse lawn, sprinkler system and landscaping;
8. Discussion of status of Commissioners' preparation of sworn annual report;
9. Update by County Judge on purchase of new window blinds in courthouse renovation;
10. Discussion of seeking appointment of new County Health Officer;
11. Update on Surplus Property Online Auction;
12. FUTURE AGENDA ITEMS; AND;
13. ADJOURNMENT.

Dated this the 6th day of June, 2013

Commissioners Court of Jack County, Texas

Mitchell G. Davenport

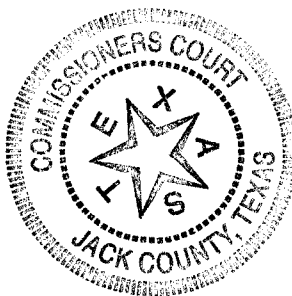
Mitchell G. Davenport, Judge of Commissioners Court

I, the undersigned County Clerk, do hereby certify that the above Notice of Meeting of the above named Commissioners Court, is a true and correct copy of said Notice, and that I posted a true and correct copy of said Notice on the bulletin board at the Courthouse door of Jack County, Texas, at a place readily accessible to the general public at all times on the 6th day of June, 2013, and said Notice remained so posted continuously for at least 72 hours preceding the scheduled time of said meeting.

Dated this the 6th day of June, 2013

Janice Robinson

Janice Robinson, County Clerk of Jack County, Texas



By: _____
Deputy Clerk

MINUTES

On this the 10th day of June, 2013 the Commissioners Court of Jack County, Texas met in Regular session at 10:10 a.m. with the following elected officials present:

Fearl F. Smith, Commissioner Pct. 1
James L Brock, Commissioner Pct. 2
James L. Cozart, Commissioner Pct. 3
Terry Ward, Commissioner Pct. 4
Mitchell G. Davenport, County Judge

FILED FOR RECORD

_____ O'CLOCK _____ M.

JUN 24 2013

JANICE ROBINSON, County Clerk
JACK COUNTY, TEXAS

BY _____ DEPUTY

PUBLIC FORUM

No members from the public spoke.

PAYMENT OF ACCOUNTS AND CLAIMS

All accounts and claims were submitted to the Court for approval. Those submitted were approved and entered into the computer of the County Treasurer. Commissioner Cozart made a motion to pay all bills. Judge Davenport seconded and the motion carried unanimously.

CONSENT AGENDA ITEMS

- (a) Approval of Minutes of Meeting of May 24, 2013;
- (b) Approval of Application for Eligibility for participation/purchasing through the Texas Facilities Commission/Federal Surplus Property Program;

Judge Davenport made a motion to approve the Consent Agenda items. Commissioner Cozart seconded and the motion carried unanimously.

4-H PARENTS PRESENTATION

Concerned 4-H parents spoke about the need for County Ag Agents' travel and other expenses in program being increased. Speaking in support of Extension Agent John Villalba were Staci Hines, Georgia Cryer, James Frazier, Janie Mathias, and Melanie Berry. Each person is concerned that Extension Agent John Villalba may be approached about a job within the public school system that would pay him more. According to this group he goes to many of the 4-H kids homes to help with their animal projects. Making many home visits throughout Jack County puts him over his vehicle allowance as well as many miles on his personal vehicle. Excess costs come out of his personal funds. The group stated that he is a great asset to the Jack County 4-H and the Jack County Community.

KEECHI WIND, LLC

Consider presentation by Keechi Wind, LLC regarding the creation of a new reinvestment zone and review of steps necessary to create a zone along with any measure for property tax abatement under Chapter 312, Texas Tax Code. Dale Cummings and Chad Horton spoke to the Court on behalf of Keechi Wind, LLC.

Commissioner Brock made a motion to begin the process on submission of a formal application to consider calling for a hearing to designate a reinvestment zone. Commissioner Ward seconded and the motion carried. Commissioner Smith opposed.

RECESS FOR LUNCH AT 12:30 P. M. / RESUMED AT 1:30 P.M.

PRECINCT OPERATIONS

Commissioner Brock received complaints of speeding on Elenburg and Two Bush Road. The Intersection of Shawver and Elenburg Roads needs a stop sign or a three way stop. Sheriff Mayo states the County Road should be 30 miles per hour. Judge Davenport will further look at the records. Commissioner Smith has concerns with people removing speed limit signs. He also has concerns about trees/shrubs obstructing view of roads on private property. He was advised to speak with the landowners. Commissioner Ward may have someone bringing a motor grater and if any wants to look they need to notify Judge Davenport about a quorum.

COURTHOUSE REPAIR PROJECT 2012 AND 2013

Judge Davenport discussed roof damage and sewer damage.

COURTHOUSE LAWN, SPRINKLER SYSTEM AND LANDSCAPING

The lawn has been mowed. Commissioner Ward will talk to someone about further scalping and re-seeding the Courthouse Lawn.

COMMISSIONERS SWORN ANNUAL REPORT

Precincts 2, 3, & 4 turned their reports in to the District Clerk on Friday, June 7, 2013 for the Grand Jury. Precinct 1 turned in his report today and it will be delivered to the District Clerk later today.

UPDATE ON PURCHASE OF NEW WINDOW BLINDS FOR COURTHOUSE

Judge Davenport stated that blinds have been ordered for windows in offices/rooms that have completed the renovation process. Judge Davenport stated that Mill Wood was best for blinds from Lowe's.

COUNTY HEALTH OFFICER

Discussion was open regarding the appointment of a new County Health Officer for the Jack County Jail/Jack County. Sheriff Mayo spoke explaining for the Jack County Jail with 108 beds (100+) it is required by law to test for TB and they must have a County Health Officer to sign off on TB Test, oversee diet and kitchen inspections. The County Health Officer could also oversee conditions for mass gatherings, and/or possible needs for the nursing home.

SURPLUS PROPERTY ONLINE AUCTION

All Commissioners signed the Surplus Agreement. Sheriff May pulled one (1) truck from the auction list. One deputy hit a cow on 2210 with his truck and wrecked. If owner of the cow has insurance and payment for the truck Sheriff Mayo wants to buy back the vehicle for the transmission.

ADJOURN

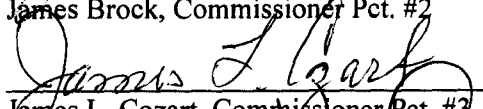
There being no further business motion was made by Commissioner Cozart to adjourn and seconded by Commissioner Brock. The motion carried unanimously.




Pearl F. Smith, Commissioner Pct. #1



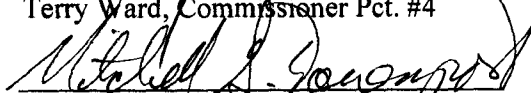
James Brock, Commissioner Pct. #2



James L. Cozart, Commissioner Pct. #3

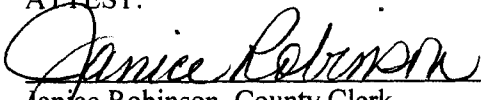


Terry Ward, Commissioner Pct. #4



Mitchell G. Davenport, County Judge

ATTEST:



Janice Robinson, County Clerk



TEXAS FACILITIES COMMISSION
FEDERAL SURPLUS PROPERTY PROGRAM (FSP)
P.O. Box 13047, Austin, Texas 78711
TEL: (512) 463-4551 - FAX: (512) 236-6173
EMAIL: federal.surplus@tfc.state.tx.us
www.tfc.state.tx.us/surplus/index.html

FILED FOR RECORD

O'CLOCK _____ M.

JUN 20 2013

JANICE ROBINSON, County Clerk
JACK COUNTY, TEXAS

BY _____ DEPUTY

APPLICATION FOR ELIGIBILITY

INSTRUCTIONS FOR COMPLETING THE APPLICATION FOR ELIGIBILITY FORM TO RECEIVE FEDERAL SURPLUS PROPERTY (41 CFR 101-44.207)

See pages 7-11 for list of required supporting documentation that must be submitted with application.

All donees must reapply every three (3) years. To reapply, a donee must submit a completed Application for Eligibility along with all required supporting documentation.

SECTION I: Provide the full legal name of your organization on the first line of this section. Provide the Federal Employer ID#. Provide the complete mailing address of your organization as recognized by the U.S. Postal Service, including the nine-digit Zip Code. Provide the street address, if different from mailing address, or provide directions if located on a rural route or in other remote area. List a business telephone number with area code, and a fax number. Provide the fiscal year ending date and an email address. **E-mail addresses provided will receive broadcast e-mails about account status, new arrivals, specials, and any discounts.**

SECTION II: Check the appropriate box that describes your organization. (If you are unable to determine which status to check, please contact this office for assistance.)

SECTION III: Check the appropriate box or boxes (check as many as apply) that indicate the type or purpose of your organization. Please see pages 7-11 for additional requirements for specific types of organizations.

SECTION IV: Provide a comprehensive written description of all programs or services and a description of the operational facilities. Be sure to include hours of operation, services and programs offered, population or enrollment, fee charges, etc. Include samples of pamphlets, catalogs, brochures, posters, or other printed materials. Please see pages 7-11 to determine if this requirement applies to your organization.

SECTION IV: Indicate source(s) of funding for your organization and provide supporting documentation if appropriate.

SECTION V: Provide Copy of IRS Tax Exemption Letter under Section 501(C) of Internal Revenue Code; Articles of Incorporation; Bylaws; and State Certificate of Incorporation. The name of the organization on this IRS letter must match the name provided in Section I of this application. If not, applicant must include sufficient evidence such as amendments to Articles of Incorporation, or Assumed Name filing certificates to establish an audit trail or names showing the legal connection. Please see pages 7-11 to determine if this requirement applies to your organization.

SECTION VI: Nonprofit, tax exempt organizations are required to submit evidence that they are currently approved, accredited or licensed by a nationally recognized accrediting or licensing organization. Recreation, social service, referral only, religious and counseling service programs are not eligible to participate in the program. Please see pages 7-11 to determine if this requirement applies to your organization.

SECTION VII: Annotate date and provide an *original* signature of applicant's Authorizing Official (President, Chairman of the Board, County Judge, Mayor, City Manager, Executive Director, Administrator, Superintendent, Fire Chief or other person with authority to execute legal documents for the applicant). Applications submitted by counties must be signed by the County Judge. Type or print the name and title of authorizing official on the lines provided.

NOTE: INCOMPLETE APPLICATIONS WILL NOT BE PROCESSED. IF YOU HAVE QUESTIONS OR NEED ASSISTANCE, PLEASE CALL (512) 463-4551.

SEND ALL APPLICATIONS TO:

TEXAS FACILITIES COMMISSION
FEDERAL SURPLUS PROPERTY PROGRAM
P.O. BOX 13047, AUSTIN, TX 78711-3047
TEL: 512-463-4551 FAX: 512-236-6173
EMAIL: federal.surplus@tfc.state.tx.us

(*NEW* accounts - *originals* must be mailed;
Existing accounts - may be faxed or emailed)

SIGNATURE IS REQUIRED ON PAGES 2 - 6

APPLICATION FOR ELIGIBILITY

PLEASE TYPE OR PRINT LEGIBLY IN BLUE OR BLACK INK WHERE APPROPRIATE

I. ORGANIZATION NAME & INFORMATION: Payments must be in the name of donee or parent company.

<u>County of Jack</u>		<u>75-6001025</u>	
LEGAL NAME OF ORGANIZATION		FEDERAL EMPLOYER ID	
<u>100 N. Main St.</u>	<u>Jacksboro</u>	<u>TX</u>	<u>76458-1746</u>
STREET ADDRESS	CITY	STATE	ZIP CODE
<u>100 N. Main St., Ste. 202</u>	<u>Jacksboro</u>	<u>TX</u>	<u>76458-1746</u>
MAILING ADDRESS (P.O. Box #)	CITY	STATE	ZIP CODE
<u>Jack</u>	<u>940 - 567 - 2663</u>	<u>940 - 567 - 5978</u>	
COUNTY	TELEPHONE #	FAX #	

FISCAL YEAR END DATE: September 30 EMAIL: erhoades@jackcounty.org

II. APPLICANT STATUS (CHECK ONE):

- Public Agency, including Public Schools (Tax Supported) SBA 8(a) Business Development Program
 Nonprofit, tax-exempt Organization

III. TYPE OR PURPOSE OF ORGANIZATION: (see pages 7-11 for requirements for specific types of organizations)

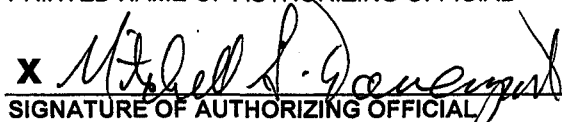
- | | | |
|---|--|---|
| <input type="checkbox"/> State Agency | <input type="checkbox"/> School District | <input type="checkbox"/> Program Funded for Older Americans |
| <input checked="" type="checkbox"/> County | <input type="checkbox"/> Preschool | <input type="checkbox"/> Provider of Assistance to the Homeless |
| <input type="checkbox"/> City | <input type="checkbox"/> Elementary School | <input type="checkbox"/> Provider of Assistance to the Impoverished |
| <input type="checkbox"/> Medical Institution | <input type="checkbox"/> Middle or High School | <input type="checkbox"/> Emergency Services District |
| <input type="checkbox"/> Health Center | <input type="checkbox"/> College or University | <input type="checkbox"/> Volunteer Fire Dept., EMS or Rescue Squad |
| <input type="checkbox"/> Clinic/Hospital | <input type="checkbox"/> School for Students With Disabilities | <input type="checkbox"/> Public Safety (specify) _____ |
| <input type="checkbox"/> Child Care Center | <input type="checkbox"/> Museum | <input type="checkbox"/> SBA 8(a) Business |
| <input type="checkbox"/> Radio/TV Station | <input type="checkbox"/> Library | <input type="checkbox"/> Service Educational Activity |
| <input type="checkbox"/> Economic Development | <input type="checkbox"/> Conservation (soil, water, or utility district) | <input type="checkbox"/> Other _____ |

IV. SOURCE(S) OF FUNDING: Tax-supported Grants Contributions Other _____

V. (For non-profit organizations only) HAS THE ORGANIZATION BEEN DETERMINED TO BE TAX EXEMPT UNDER SECTION 501 OF THE INTERNAL REVENUE CODE OF 1986? Yes No

VI. IS THE ORGANIZATION APPROVED, ACCREDITED, OR LICENSED? Yes No
 IF YES, BY WHAT AUTHORITY? (attach supporting documents) _____

VII. SIGNATURE & TITLE OF AUTHORIZING OFFICIAL FOR ORGANIZATION (ex. Mayor, County Judge, Superintendent, President, CEO)

<u>Mitchell G. Davenport</u>	<u>County Judge</u>
PRINTED NAME OF AUTHORIZING OFFICIAL	TITLE
	<u>June 5, 2013</u>
SIGNATURE OF AUTHORIZING OFFICIAL	DATE

AUTHORIZED REPRESENTATIVES

- I. An "Authorized Representative" is a person from your organization that has been authorized to sign for the release of property on the organization's behalf. **All authorized representatives must have a signature on file with our office.** All others listed below may visit our warehouse locations and will be included in email broadcasts from our office, but will not be able to sign for the release of property until a signature is obtained.
- II. All representatives listed in any prior applications or account updates will be deleted from the account. Only those representatives listed on this application will be allowed to acquire property.
- III. If you wish to have the Authorizing Official included as an Authorized Representative on your account, please be sure to include him/her in the list below.

<u>NAME</u>	<u>TITLE</u>	<u>TELEPHONE and EMAIL ADDRESS</u>	<u>Authorized Representative's Signature</u>
(example) John Doe	County Judge	(512) 123-4567 John.doe@gmail.com	<i>John Doe</i>
Fearl Smith	Commissioner #1	940.567.5318 jackcountypct1@att.net	<i>Fearl Smith</i>
James Brock	Commissioner #2	940.798.2781 jbrock328@yahoo.com	<i>James Brock</i>
James L. Cozart	Commissioner #3	940.567.3981 cozart@brazosnet.com	<i>James L. Cozart</i>
Terry Ward	Commissioner #4	940.567.2971 tjward@gmail.com	<i>Terry Ward</i>
Melvin Mayo	Sheriff	940.567.2161 mmayo@jackcountylec.com	<i>Melvin Mayo</i>
Melissa Wade	Deputy Sheriff	940.567.2161 mwade@jackcountylec.com mwigington@jackcountylec.com	<i>Melissa Wade</i>
Mitchell Davenport	County Judge	940.567.2241 countyjudge@jackcounty.org	<i>Mitchell G. Davenport</i>

Valid driver's license or state issued photo identification required prior to entering state or federal facilities.

The applicant hereby certifies the information provided is correct and complete and he/she understands and agrees to all terms and conditions.

County Judge

Mitchell G. Davenport

NAME OF APPLICANT ORGANIZATION

PRINTED NAME OF AUTHORIZED OFFICIAL

X *Mitchell G. Davenport - Judge*
SIGNATURE OF AUTHORIZING OFFICIAL & TITLE (e.g., Mayor, Director, Superintendent, Judge)

June 5, 2013

DATE

SEND ALL APPLICATIONS TO:

TEXAS FACILITIES COMMISSION
FEDERAL SURPLUS PROPERTY PROGRAM
P.O. BOX 13047
AUSTIN, TX 78711-3047
TEL: (512) 463-4551 - FAX: (512) 236-6173
EMAIL: Federal.surplus@tfc.state.tx.us

NONDISCRIMINATION ASSURANCE

County of Jack _____ the donee, agrees that the program for or in connection with
(Legal Name of Organization)

which any property is donated to the donee will be conducted in compliance with, and the donee will comply with and will require any other person (any legal entity) who through contractual or other arrangements with the donee is authorized to provide services or benefits under said program to comply with all requirements imposed by or pursuant to the regulations of the General Services Administration (41 C.F.R., 101-6.2 and 101-8) issued under the provisions of Title VI of the Civil Rights Act of 1964, as amended, Section 606 of Title VI of the Federal Property and Administrative Services Act of 1949, as amended, Section 504 of the Rehabilitation Act of 1973, as amended, Title IX of the Education Amendments of 1972, as amended, Section 303 of the Age Discrimination Act of 1975, and the Civil Right Restoration Act of 1987, to the end that no person in the United States shall on the ground of race, color, national origin, sex, or age, or that no otherwise qualified handicapped person shall solely by reason of the handicap, be excluded from participation in, be denied benefits of, or be subjected to discrimination under any program or activity for which the donee received Federal assistance from the General Services Administration; and hereby gives assurance that it will immediately take any measures necessary to effectuate this agreement.

The donee further agrees (1) that this agreement shall be subject in all respects to the provisions of said Federal statutes and regulations (2) that this agreement obligates the donee for the period during which it retains ownership or possession of the property, (3) that the United States shall have the right to seek judicial enforcement of this agreement, and (4) that this agreement shall be binding upon any successor in interest of the donee and the word "donee" as used herein includes any such successor in interest.

COUNTY/COUNTIES SERVED BY APPLICANT ORGANIZATION: Jack

Mitchell S. Davenport — Judge June 5, 2013
SIGNATURE OF AUTHORIZING OFFICIAL & TITLE (e.g., Mayor, Director, Superintendent, Judge) DATE

SEND ALL APPLICATIONS TO: TEXAS FACILITIES COMMISSION
FEDERAL SURPLUS PROPERTY PROGRAM
P.O. BOX 13047
AUSTIN, TX 78711-3047
TEL: (512) 463-4551 - FAX: (512) 236-6173
EMAIL: Federal.surplus@tfc.state.tx.us

DONEE CERTIFICATIONS & AGREEMENTS

(a) THE DONEE CERTIFIES THAT:

- (1) It is a public agency or a nonprofit institution or organization, exempt from taxation under section 501 of the Internal Revenue code of 1954; within the meaning of section 203(j) of the Federal Property and Administrative Services Act of 1949, as amended, and/or the regulations of the General Services Administration (GSA).
- (2) If a public agency, the property is needed and will be used by the recipient for carrying out or promoting for the residents of a given political area one or more public purposes, or if a nonprofit tax-exempt institution or organization, the property is needed for and will be used by the recipient for educational or public health purposes, including research for any such purpose, or for programs for older individuals, or SBA or SEA organizations, or assistance to homeless/ impoverished. The property is not being acquired for any other use or purpose, or for sale or other distribution; or for permanent use outside the State, except with prior approval of the State agency and GSA.
- (3) Funds are available to pay all costs and charges incident to donation.
- (4) This transaction shall be subject to the nondiscrimination regulations governing the donation of surplus personal property issued under Title VI of the Civil Rights Act of 1964, Title VI Section 606 of the Federal Property and Administrative Services Act of 1949, as amended, and Section 504 of the Rehabilitation Act of 1973, as amended, Title IX of the Education Amendments of 1972, as amended, and Section 303 of the Age Discrimination Act of 1975 and the Civil Right Restoration Act of 1987.
- (5) In accordance with 28 C.F.R. Section 42.401-42.415, the Federal Surplus Property Program collects information related to a donee's race and national origin in order to provide GSA officials, upon request, with enough information for determining compliance with applicable civil rights laws. Data is collected for those donees who: (1) are eligible to participate in the FSP Program; (2) those actually participating in the recipient's programs and activities; (3) those denied participation in the recipient's program.
- (6) Does your organization have any knowledge and/or information regarding pending lawsuits, claims, charges, complaints filed with or against your organization? If yes, please explain: _____ (you may use a separate sheet, if needed.)

(b) THE DONEE AGREES TO THE FOLLOWING FEDERAL CONDITIONS:

- (1) All items of property shall be placed in use for the purpose(s) for which acquired within one year of receipt and shall be continued in use for such purposes for one year from the date the property was placed in use. In the event the property is not so placed in use, or continued in use, the donee shall immediately notify the State agency, and at the donee's expense, return such property to the State agency, or otherwise make the property available for transfer or other disposal by the State agency, provided the property is still usable as determined by the State agency.
- (2) Such special handling or use limitations as are imposed by General Services Administration (GSA) on any item(s) or property.
- (3) In the event the property is not used or handled as required by (b)(1) and (2), title and right to the possession of such property shall at the option of GSA revert to the United States of America and upon demand the donee shall release such property to such person as GSA or its designee shall direct.

(c) THE DONEE AGREES TO THE FOLLOWING CONDITIONS, IMPOSED BY THE STATE AGENCY, APPLICABLE TO ITEMS WITH A UNIT ACQUISITION COST OF \$5,000 OR MORE AND PASSENGER MOTOR VEHICLES, REGARDLESS OF ACQUISITION COST, EXCEPT VESSELS 50 FEET OR MORE IN LENGTH AND AIRCRAFT, FOREIGN GIFTS OR OTHER ITEMS OF PROPERTY REQUIRING SPECIAL HANDLING OR USE LIMITATIONS, REGARDLESS OF THE ACQUISITION COST OR PURPOSE FOR WHICH ACQUIRED:

- (1) The property shall be used only for the purpose(s) for which acquired and for no other purpose(s).
- (2) There shall be a period of restriction which will expire after such property has been used for the purpose(s) for which acquired for a period of 18 months from the date the property is placed in use.
- (3) In the event the property is not used as required by (c)(1) and (2) and Federal restrictions (b)(1), (b)(2) and (f) have expired then right to the possession of such property shall at the option of the State agency revert to the State of Texas and the donee shall release such property to such person as the State agency shall direct.

(d) THE DONEE AGREES TO THE FOLLOWING TERMS, RESERVATIONS, AND RESTRICTIONS:

- (1) From the date it receives the property and through period(s) of time the conditions imposed by (b), (c) and (f) remain in effect, the donee shall not sell, trade, lease, lend, bail, cannibalize, encumber, or otherwise dispose of such property, or remove it permanently, for use outside the State, without the prior approval of GSA under (b) and (f), or the State agency under (c) and (f). The proceeds from any sale, trade, lease, loan, bailment, encumbrance or other disposal of the property, when such action is authorized by GSA or by the State agency, shall be remitted promptly by the donee to GSA or the State agency, as the case may be.
- (2) In the event any of the property is sold, traded leased, loaned, bailed, cannibalized, encumbered, or otherwise disposed of by the donee from the date it receives the property through the period(s) of time the conditions imposed by (b), (c) and (f) remain in effect, without prior approval of GSA or the State agency, the donee, at the option of GSA or the State agency shall pay to GSA or the State agency, as the case may be, the proceeds of the disposal or the fair market value or the fair rental value of the property at the time of such disposal, as determined by GSA or the State agency.
- (3) If at any time, from the date it receives the property through the period(s) of time the conditions imposed by (b), (c) and (f) remain in effect, any of the property is no longer suitable, usable, or further needed by the donee for the purpose(s) for which acquired, the donee shall promptly notify the State agency, and shall, as directed by the State agency, return the property to the State agency, release the property to another donee or another State agency, a department or agency of the United States, sell or otherwise dispose of the property. The proceeds from any sale shall be remitted promptly by the donee to the State agency.
- (4) The donee shall make reports to the State agency on the use, condition, and location of the property and on other pertinent matters as may be required time to time by the State agency.
- (5) At the option of the State agency, the donee may abrogate the State conditions set forth in (c) and the State terms, reservations, and restrictions pertinent thereto in (d) by payment of any amount as determined by the State agency.

(e) THE DONEE AGREES TO THE FOLLOWING CONDITIONS, APPLICABLE TO ALL ITEMS OF PROPERTY:

- (1) The property acquired by the donee is on an "as is, where is" basis, without warranty of any kind, and the Government of the United States of America, the State of Texas, its agencies or assigns, and employees thereof will be held harmless from any or all debts, liabilities, judgments, costs, demands, suits, actions, or claims of any nature arising from or incident to the donation of the property, its use, or final disposition.
- (2) Where a donee carries insurance against damages to or loss of property due to fire or other hazards and where loss of or damage to donated property with unexpired terms, conditions, reservations or restrictions occurs, GSA or the State agency, as the case may be, will be entitled to reimbursement from the donee out of the insurance proceeds, of any amount equal to the unamortized portion of the fair market value of the damaged or destroyed donated items.

(f) THE DONEE AGREES TO THE FOLLOWING ADDITIONAL TERMS AND CONDITIONS APPLICABLE TO THE DONATION OF AIRCRAFT AND VESSELS (50 FEET OR MORE IN LENGTH) HAVING AN ACQUISITION COST OF \$5,000 OR MORE, AND FOREIGN GIFTS OR OTHER ITEMS OF PROPERTY REQUIRING SPECIAL HANDLING OR USE LIMITATIONS, REGARDLESS OF THE ACQUISITION COST OR THE PURPOSE FOR WHICH ACQUIRED:

- (1) The donation shall be subject to the additional special terms, conditions, reservations, and restrictions set forth in the Conditional Transfer Document or other agreements executed by the authorized donee representative.

(g) THE DONEE CERTIFIES by signing and submitting this lower tier proposal, the prospective lower tier participant, as defined in 41 CFR105-68, certifies to the best of its knowledge and belief that it and its principals: (a) Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any Federal department or agency. (b) Where the prospective lower tier participant is unable to certify to any of the above, such prospective participant shall attach an explanation to this proposal.

(h) THE DONEE UNDERSTANDS that by execution of this document, it is considered a sub recipient of federal financial assistance pursuant to the Single Audit Act of 1984 and further agrees to provide the State agency with results of the audit required by OMB Circular A-133.

X  - Judge
SIGNATURE OF AUTHORIZING OFFICIAL & TITLE (e.g., Mayor, Director, Superintendent, Judge)

June 5, 2013
DATE

PROPERTY COMPLIANCE PERIOD

Participating organizations (referred to as "donees" by the federal government) are required to use the property obtained through the program for a specific amount of time before the property can be sold or transferred.

- Property must be used for the program approved for participation in the Federal Surplus Property program.
- Property valued at less than \$5,000 in original cost - the compliance period is 12 months from the date put into use.
- All vehicles and property valued at more than \$5,000 in original cost - the compliance period is 18 months.
- Aircraft and vessels longer than 50 feet - the compliance period is 60 months (5 years).
- Donee organizations do not obtain title or ownership to property designated "perpetual use" by the federal government. The compliance period is considered to be "perpetual" or ongoing on these items.
- All property must be placed into use within the first year of possession.
- State and federal program staff performs scheduled and unscheduled onsite property compliance visits to ensure the property is being used as represented.
- If the property is not paid for in full or is not being used or handled as required, the donee (program participant) will be required, at its expense, to return the property to TFC or another donee, as instructed by TFC.
- The property may not be sold, transferred or otherwise disposed of during the compliance period. If property is sold, transferred, or otherwise disposed of during the compliance period, the donee may be subject to penalties and fines, as well as possible state or federal prosecution.
- Program participants are required to complete reports regarding property use as a condition of participating in the program.

I understand and agree to the above terms and conditions regarding property compliance and reporting and the Certifications & Agreements on page five.

If applying as an SBA 8(a) business I understand that the property compliance terms identified above do not apply to my business and that as an SBA 8(a) business I must follow SBA property compliance guidelines.

Michael J. Donagan - Judge
SIGNATURE OF AUTHORIZING OFFICIAL & TITLE (e.g., Mayor, Director, Superintendent, Judge)

June 5, 2013
DATE

DETAILED REQUIREMENTS FOR SPECIFIC TYPES OF ORGANIZATIONS

Please review this section to determine which (if any) of the following eligibility categories your organization falls under. You may be required to submit additional documentation with the application. If you have any questions, please contact us at (512) 463-4551 or federal.surplus@tfc.state.tx.us.

Government or Public (Tax-Supported) Agency

1. Public agency includes:
 - a. State or department, agency, or instrumentality thereof;
 - b. Political subdivision of the state, including any unit of local government or economic development district or any department, agency or instrumentality thereof; or,
 - c. Instrumentality created by contract or other agreement between states or political subdivisions.
 - d. Examples: city, county, state agency, public library, appraisal district, and public school district
2. Public agency purposes include, but are not limited to, programs such as conservation, economic development, education, parks and recreation, public health and public safety.
3. Most tax-supported public agencies, including cities, counties, and public schools, are not required to submit any additional documentation.

Conservation

1. Includes soil, water and other utility districts.
2. Required Additional Documentation:
 - a. Certificate of approval or charter from proper authority (i.e. Texas Commission on Environmental Quality)
 - b. Articles of incorporations, bylaws, charter or other organizing document (*optional*)

Non-Profit Education Organization

1. Must be tax exempt under IRS 501(C).
2. Must be accredited or approved by nationally recognized accrediting agency.
3. Required Additional Documentation:
 - a. Complete narrative about your organization, including:
 - i. course levels
 - ii. enrollment
 - iii. facilities
 - iv. staff information
 - b. Letter from IRS certifying your status as a 501(C) non-profit. IRS ruling letter must include current name and address.
 - c. Certificate of accreditation or letter of approval from a nationally recognized accrediting agency.
 - d. Articles of incorporations, bylaws, charter or other organizing document (*optional*)
 - e. List of research grants awarded (*optional*)

Museums & Libraries

1. Must be open to the public a minimum of 1,000 hours per year (1,000 hours **cannot** be by appointment).
2. Must be tax exempt under IRS 501(C).
3. Must have a minimum of one fulltime staff member or the equivalent (for example, one staff member who works 40 hours per week or two staff members who work 20 hours each per week).
4. Required Additional Documentation:
 - a. Staff roster, number of hours each staff member works per week (volunteer or paid)
 - b. Letter from IRS certifying your status as a 501(C) non-profit. IRS ruling letter must include current name and address
 - c. Complete narrative about your museum, including
 - i. brochures, pamphlets or website
 - ii. types of exhibits (if applicable)
 - iii. pictures of exhibits, facilities, and posted museum hours
 - iv. days and hours open to the public
 - v. location (must provide street address)
 - d. Articles of incorporations, bylaws, charter or other organizing document (*optional*)
 - e. Organizational Memberships (*optional*)

DETAILED REQUIREMENTS FOR SPECIFIC TYPES OF ORGANIZATIONS

Volunteer Fire Department / Rescue Squad / Emergency Medical Services

1. Must be funded annually in whole or part by state, county, city or emergency service district. Approved organizations in this category must submit the above funding information annually.
2. Required Additional Documentation:
 - a. Letter from the fire chief/president that contains information on the department, including:
 - i. number of fireman
 - ii. training schedule
 - iii. areas covered
 - b. Evidence that your department is endorsed by the state, county, city or emergency services district. This could be a letter of endorsement from the head of the proper government authority (i.e. county judge, city mayor/administrator) or a copy of current contract.
 - c. Evidence that your department currently receives public funding. Acceptable supporting documentation includes:
 - i. Line item budget from the state/city/county/ESD,
 - ii. Contract with the state/city/county/ESD to provide services, or
 - iii. Letter of endorsement from the head of the proper government authority (i.e. county judge, city mayor/administrator).
3. Articles of incorporations, bylaws, charter or other organizing document (*optional*)

Emergency Services District or Fire Prevention District (Tax-Supported)

1. Must receive dedicated tax funds.
2. Required Additional Documentation:
 - a. Letter from the chief/president that contains information on the department, including:
 - i. number of fireman
 - ii. training schedule
 - iii. areas covered
 - b. Evidence that your department is endorsed by the state, county, or city. This could be a letter of endorsement from the head of the proper government authority (i.e. county judge, city mayor/administrator) or a copy of current contract.
 - c. Evidence that your department currently receives public funding. Acceptable supporting documentation includes:
 - i. Line item budget from the state/city/county,
 - ii. Contract with the state/city/county to provide services, or
 - iii. Letter of endorsement from the head of the proper government authority (i.e. county judge, city mayor/administrator).
3. Articles of incorporations, bylaws, charter or other organizing document (*optional*)

Nonprofit Health Organization

1. Must be tax exempt under IRS 501(C).
2. Must be licensed, accredited or approved by nationally recognized accrediting or licensing agency.
3. Required Additional Documentation:
 - a. Complete narrative about your organization, including:
 - i. Description of services provided
 - ii. Number and type of patients served
 - iii. Description of facilities/number of beds
 - iv. Overview of key staff and their qualifications
 - b. Letter from IRS certifying your status as a 501(C) non-profit. IRS ruling letter must include current name and address.
 - c. Certificate of accreditation, license, or letter of approval from a nationally recognized accrediting or licensing agency.
 - d. Articles of incorporations, bylaws, charter or other organizing document (*optional*)
 - e. List of research grants awarded (*optional*)

DETAILED REQUIREMENTS FOR SPECIFIC TYPES OF ORGANIZATIONS

Housing Authorities

1. Must be funded in whole or part by state, county, city or federal grants/contracts
2. Must be tax exempt under IRS 501(C).
3. Must be recognized by the U.S. Department of Housing & Urban Development (HUD) or Texas Department of Housing.
4. Required Additional Documentation:
 - a. Letter from IRS certifying your status as a 501(C) non-profit. IRS ruling letter must include current name and address.
 - b. Public Recognition as a Homeless Assistance Provider - Letter from a local city official (i.e. Mayor, Head of Welfare Dept., Social Services Director, etc.) indicating services provided by applicant.
 - c. Evidence of endorsement from the U.S. Department of Housing & Urban Development (HUD) or Texas Department of Housing.
 - d. Complete narrative about your organization, including:
 - i. Comprehensive description of services provided
 - ii. Number of individuals receiving assistance and frequency of assistance (daily, weekly or monthly)
 - iii. Description of facilities
 - iv. Hours/days of operation
 - v. Description of funding source(s) with supporting documentation
 - vi. Overview of staff (paid or volunteer/full-time or part-time) including a list of key staff and their qualifications
 - e. Articles of incorporations, bylaws, charter or other organizing document (*optional*)

Provider of Assistance to Homeless Persons

1. Must be tax exempt under IRS 501(C).
2. Must be publicly recognized as a provider of assistance to the homeless.
3. Services to the homeless must be the primary function of the organization. If any activity operates a broad spectrum of programs through which assistance to the homeless is peripheral and incidental, the entity would not be eligible. Property donated must be used in a program primarily for homeless persons.
4. Eligible Homeless Assistance Provider Programs include:
 - a. Overnight, daytime and around-the-clock shelters.
 - b. Shelters for battered spouses, abused children, and orphans.
 - c. Halfway houses or transitional housing for temporary residence of homeless parolees, mental patients, and/or substance abusers.
 - d. Food banks must be determined on a case-by-case basis. Food banks that provide food directly to facilities where homeless people are fed may be eligible.
5. Required Additional Documentation:
 - a. Public Recognition as a Homeless Assistance Provider. Acceptable forms of documentation include:
 - i. Letter from a local city official (i.e. Mayor, Head of Welfare Dept., Social Services Director, etc.) indicating services provided by applicant. The letter must indicate that assistance to the impoverished is the organization's primary focus, and the name must match the IRS document.
 - ii. Occupancy permit or fire and safety inspection certificate.
 - iii. Documented receipt of FEMA funds for Federal/State Block Grant Funds for homeless programs
 - b. Complete narrative about your organization, including:
 - i. Comprehensive description of services provided (assistance to homeless must be the primary mission)
 - ii. Number of individuals receiving assistance and frequency of assistance (daily, weekly or monthly)
 - iii. Any requirements for clients to be eligible to receive services
 - iv. Description of facilities
 - v. Hours/days of operation
 - vi. Description of funding source(s) with supporting documentation
 - vii. Overview of staff (paid or volunteer/full-time or part-time) including a list of key staff and their qualifications
 - c. Letter from IRS certifying your status as a 501(C) non-profit. IRS ruling letter must include current name and address.
 - d. Proof of current accreditation, approval or licensing if appropriate (i.e. child care center, medical clinic, health center).
 - e. Signed Articles of Incorporation, Bylaws, Charter or other organizing document (*Optional*)
 - f. Brochures (or other printed materials) or link to website (*Optional*)

DETAILED REQUIREMENTS FOR SPECIFIC TYPES OF ORGANIZATIONS

Provider of Assistance to Older Americans

1. Must be tax exempt under IRS 501(C).
2. Required Additional Documentation:
 - a. Letter from IRS certifying your status as a 501(C) non-profit. IRS ruling letter must include current name and address
 - b. Certification establishing that applicant is receiving state, federal or local government-appropriated funds for operation of older individual program under the Older American Act.
 - c. Complete narrative about your organization, including:
 - i. Description of services provided,
 - ii. Description of facilities,
 - iii. Overview of key staff and their qualifications,
 - iv. Number of individuals served
 - d. Proof of current accreditation, approval or licensing if appropriate (i.e. medical clinic, health center)
 - e. Articles of incorporations, bylaws, charter or other organizing document (*optional*)

Provider of Assistance to Impoverished

1. Must be tax exempt under IRS 501(C).
2. Must be publicly recognized as a provider of assistance to the impoverished.
3. Required Additional Documentation:
 - a. Letter from IRS certifying your status as a 501(C) non-profit. IRS ruling letter must include current name and address
 - b. Latest Annual Financial Statement
 - c. Public Recognition as an Impoverished Assistance Provider. Acceptable forms of documentation include:
 - i. Letter from an official (i.e. Mayor, Head of Welfare Dept., Social Services Director, county supervisor, head of agency that oversees program, etc.) indicating services provided by applicant. The letter must indicate that assistance to the impoverished is the organization's primary focus, and the name must match the IRS document, or
 - ii. Documented receipt of Federal/State Block Grant Funds for poverty programs, or
 - iii. Proof of membership or affiliation with a national organization or group that provides support for the impoverished (ex. Second Harvest National Food Bank Network, Habitat for Humanity, Salvation Army).
 - d. Complete narrative about your organization, including:
 - i. Comprehensive description of services provided (assistance to impoverished must be the primary mission)
 - ii. Number of individuals receiving assistance and frequency of assistance (daily, weekly or monthly)
 - iii. Any requirements for clients to be eligible to receive services
 - iv. Description of facilities
 - v. Hours/days of operation
 - vi. Description of funding source(s) with supporting documentation
 - vii. Overview of staff (paid or volunteer/full-time or part-time) including a list of key staff and their qualifications
 - e. Description of how your organization determines if a person is eligible to receive assistance, and how your organization determines if that person is impoverished. If recipients are required to complete an application before receiving services, please attach a blank or sample application.
 - f. Proof of current accreditation, approval or licensing if appropriate (i.e. child care center, medical clinic, health center)
 - g. Signed Articles of Incorporation, Bylaws, Charter or other organizing document
 - h. Brochures (or other printed materials) or link to website (*Optional*)

DETAILED REQUIREMENTS FOR SPECIFIC TYPES OF ORGANIZATIONS

Service Educational Activities

1. Per General Services Administration, the following specific Service Educational Activities (SEA) are eligible for the program: American National Red Cross, Armed Services, YMCA of the USA, Big Brothers/Big Sisters of America, Boys and Girls Clubs of America, Boy Scouts of America, Camp Fire, Inc., Center for Excellence in Education, Girl Scouts of the USA, Little League Baseball, Inc., Marine Cadets of America, National Association for Equal Opportunity in Higher Education, National Civilian Community Corps, National Ski Patrol System, Inc., Naval Sea Cadet Corps, Operation Raleigh, United Service Organizations, Inc., U.S. Olympic Committee, Young Marines of the Marine Corps, League/Marine Corps League.
2. Service Educational Activities applicants are required to submit proof of association with the national organization (ex. copy of current charter from the Boy Scouts of America).

SBA 8(a) Business

1. Businesses that are currently part of the U.S. Small Business Administration's 8(a) Business Development Program may participate in the FSP program.
2. SBA 8(a) businesses are only eligible to receive property during their nine (9) year membership in the 8(a) program.
3. Required Additional Documentation:
 - a. Letter from the U.S. Small Business Administration certifying your company as a member of the 8(a) Business Development Program.

Texas Association of Counties

FILED FOR RECORD
O'CLOCK M.

SCANNED

Certificate of Attendance

JUN 10 2013

presented to

JANICE ROBINSON, County Clerk
JACK COUNTY, TEXAS
BY _____ DEPUTY

Honorable Kim Gibby

Jack County

for completion of 5 hours of instruction specific to the statutory requirements of the Texas

Government Code Chapter 2256.008 of the Public Funds Investment Act

41st Annual County Treasurers' Continuing Education Seminar

May 13-16, 2013 • Sheraton Austin at the Capitol • Austin, Texas



Honorable Dolores Ortega-Carter, President
County Treasurers' Association of Texas



Honorable Sharon L. Reynolds, Chair
Certification and Validation Committee

FILED FOR RECORD
_____ O'CLOCK _____ M.

Texas Association of Counties

SCANNED

Certificate of Attendance

JUN 10 2013

presented to

JANICE ROBINSON, County Clerk
JACK COUNTY, TEXAS
BY _____ DEPUTY

Honorable Kim Gibby

Jack County

for completion of 20 hours of educational instruction during the

41st Annual County Treasurers' Continuing Education Seminar

May 13-16, 2013 • Sheraton Austin at the Capitol • Austin, Texas



*Honorable Dolores Ortega-Carter, President
County Treasurers' Association of Texas*



*Honorable Sharon L. Reynolds, Chair
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