



FEB 23 2024

FILED FOR RECORD
AT 8:39 A.M.

NOTICE OF REGULAR MEETING

DELTA COUNTY COMMISSIONERS COURT

Notice is hereby given that a regular meeting of the Delta County Commissioners Court will be held on Tuesday, the 27th day of February, 2024 at 9:00 A.M. in the City Council Chambers at the City of Cooper City Hall, located at 91 North Side Square, Cooper, Texas, 75432, at which time the Commissioners Court will consider, discuss, and possibly act upon the following agenda items at-wit:

1. Call to Order, Establishment of a Quorum, and Declaration of Public Notices Legally Posted Pursuant to the Open Meetings Act, Texas Government Code, Chapter 551.
 - a. Pledge of Allegiance
 - i. United States of America Flag
 - ii. State of Texas Flag
 - b. Invocation
2. Public Comments
(The Commissioners' Court shall allow public comment with the submission of a Public Participation Form to the County/District Clerk prior to the start of the meeting. The Court is unable to deliberate on non-agenda items. If you desire to request a matter on a future agenda, you may make the request to a member of Commissioners Court. Public Comment will be governed by the adopted Rules of Procedure, Conduct, and Decorum.)
3. General Announcements
4. Proclamations
5. Discuss and take possible action related to the approval of the minutes for the January 23, 2024 regular meeting.
6. Discuss and take possible action to approve and ratify the payment of financial obligations, including claims, payroll and personnel expenses, and bills.
7. Discuss and take possible action related to the SB 22 Rural Prosecutor's Office Salary Assistance Grant Program eligible uses for the County Attorney's office, pursuant to §130.913 of the Texas Local Government Code - Edgar J. Garrett, County Attorney
8. Discuss and take possible action to consider the approval of budget amendment(s) related to the SB 22 Rural Prosecutor's Office Salary Assistance Program, authorized by the 88th Legislative Session of the State of Texas, and consider the approval of job descriptions and compensation for any new positions requested by the County Attorney, eligible to be funded by the SB 22 Rural Prosecutor's Office Salary Assistance Program grant funds - Edgar J. Garrett, County Attorney
9. Discuss and take possible action to consider approving the enrollment into the Texas Association of Counties (TAC) Cybersecurity Training Course, pursuant to Texas Government Code §2054.5191 and certified by the Texas Department of Information Resources (DIR), naming the County Judge, County Treasurer, Deputy Treasurer, and County Sheriff as course administrators and authorizing the County Judge to sign and execute the enrollment form - Tanner Crutcher, County Judge
10. Discuss and take possible action to consider the reappointment of Cynthia Humphries to serve as the Delta County representative on the ArkTex Council of Governments Regional Criminal Justice Advisory Committee (RCJAC) to a two-year term expiring December 31, 2025 - Tanner Crutcher, County Judge
11. Discuss and take possible action to adjust the credit limit amount of the credit card issued to the Civic Center Manager to \$2,000.00 - Debbie Huie, County Treasurer

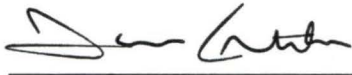
12. Discuss and take possible action to authorize the County Judge to issue a public notice in the newspaper of general circulation, pursuant to and in accordance with Texas Local Government Code Section §263.152, advertising the sale of surplus property from various offices within the Delta County Courthouse - Tanner Crutcher, County Judge
13. Record into the minutes and accept as a matter of record the annual submission of the 2023 Racial Profiling Report for the Delta County Sheriff's Office, required by the Texas Commission on Law Enforcement (TCOLE) to be submitted to the Commissioners' Court - Charla Singleton, Sheriff
14. Record into the minutes and accept as a matter of record the annual submission of the 2023 Racial Profiling Report for the Delta County Fire Marshal's Office, required by the Texas Commission on Law Enforcement (TCOLE) to be submitted to the Commissioners' Court - Duane Sprague, County Fire Marshal
15. Record into the minutes and accept as a matter of record the annual submission of the 2023 Racial Profiling Report for the Delta County Constable's Office, required by the Texas Commission on Law Enforcement (TCOLE) to be submitted to the Commissioners' Court - Marshall Lynch, Constable
16. Record into the minutes and accept as a matter of record a certificate of continuing education completed by Precinct 4 County Commissioner Mark Brantley for attendance at the Texas A&M AgriLife Extension Service's 2023 District 4 Northeast Texas Continuing Education Conference for Judges and Commissioners in Mt. Pleasant, Texas on December 7, 2023, presented by County Extension Agent Kara Petty - Kara Petty, County Extension Agent
17. The Commissioners Court to receive program updates from County Extension Agent Kara Petty - Kara Petty, County Extension Agent
18. Discuss and take possible action to receive a presentation regarding the Estonian Solar Project – County Road Update situated in Precinct 4 - Mark Brantley, County Commissioner, Precinct 4
19. Record into the minutes and accept as a matter of record updates to the Delta County Emergency Management Plan *Annex U - Legal* and *Annex J - Recovery* - Robert Hurst, Emergency Management Coordinator
20. Discuss and take possible action related to the development of the Courthouse Master Plan by Komatsu Architecture - Tanner Crutcher, County Judge
21. Discuss and take possible action to update the Commissioners Court on Courthouse facility repairs and related projects - Tanner Crutcher, County Judge
22. Sheriff's Jail Report – Charla Singleton, Sheriff
23. Discuss and take possible action, the Commissioners Court to convene into executive session, pursuant to section 551.071 of the Texas Government Code, to consult with legal counsel regarding litigation related to the matter of Texas Opioid Litigation, *County of Delta v. Purdue Pharma, Inc., et al.*, in the 152nd District Court of Harris County, Texas; MDL Master Cause No. 2018-63587 - Tanner Crutcher, County Judge
24. Discuss and take possible action to reconvene back into open session - Tanner Crutcher, County Judge
25. Discuss and take possible action on items discussed in executive session related to settlement offers or other necessary action in the matter of Texas Opioid Litigation; in the 152nd District Court of Harris County, Texas; MDL Master Cause No. 2018-63587, including consideration of authorizing the County Judge or other authorized officials to execute the Settlement participation and release forms regarding settlement offers from defendants in the matter of Texas opioid multi-district litigation for the County in the matter of *County of Delta v. Purdue Pharma, L.P. et al.*

26. Adjourn

The Commissioners Court reserves the right to adjourn into Executive Session at any time during the course of this meeting to discuss any of the matters listed in this agenda, in the order deemed appropriate, as authorized by Chapter 551, Open Meetings, Texas Government Code, Sections 551.071, 551.072, 551.073, 551.074, 551.0745, 551.075 and 551.076, or to seek the advice of its attorney and/or other attorneys representing Delta County on any matter in which the duty of the attorney to the Commissioners Court under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with chapter 551 of the Texas Government Code or as otherwise may be permitted under chapter 551.

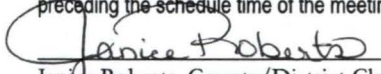
In accordance with Title III of the American with Disabilities Act, we invite all attendees to advise us of any special accommodations due to disability. Please submit your request to the County Judge's office as far as possible in advance of the meeting you wish to attend.

Signed this 23rd day of February, 2024



Tanner Crutcher, County Judge
Delta County, Texas

I, the undersigned County Clerk, do hereby certify that the above Notice of the Regular Meeting of the Delta County Commissioners Court is a true and correct copy of the said Notice, that I received said Notice, and it was posted at the doors of the Delta County Courthouse, a place readily accessible to the general public at all times on the 23 day of February 2024 at 8:39 AM and said Notice remained so posted continuously for at least 72 hours preceding the schedule time of the meeting.



Janice Roberts, County/District Clerk
Delta County, Texas





DELTA COUNTY COMMISSIONERS COURT MINUTES

Notice is hereby given that a regular meeting of the Delta County Commissioners Court was held on Tuesday, the 13th day of February, 2024 at 9:00 A.M. in the City Council Chambers at the City of Cooper City Hall, located at 91 North Side Square, Cooper, Texas.

THOSE THEY WERE IN ATTENDANCE:**Tanner Crutcher, County Judge****Morgan Baker, Commissioner, Precinct 1****Mark Brantley, Commissioner, Precinct 4**

1. Call to Order, Establishment of a Quorum, and Declaration of Public Notices Legally Posted Pursuant to the Open Meetings Act, Texas Government Code, Chapter 551. **Meeting was called to order by Judge Tanner Crutcher @ 9:00am**
 - a. Pledge of Allegiance **was led by Judge Tanner Crutcher**
 - i. United States of America Flag
 - ii. State of Texas Flag
 - b. Invocation **was given by Joe Adams**
2. Public Comments **None**
(The Commissioners' Court shall allow public comment with the submission of a Public Participation Form to the County/District Clerk prior to the start of the meeting. The Court is unable to deliberate on non-agenda items. If you desire to request a matter on a future agenda, you may make the request to a member of Commissioners Court. Public Comment will be governed by the adopted Rules of Procedure, Conduct, and Decorum.)
3. General Announcements
Benefit for Jimmy and Lucille Sweat March 2, 2024 @ 12pm – 5pm Fish Fry in Klondike, Early Voting begins Feb 20TH THRU March 1ST, Debbie advised if you have not set up your retirement online you need to talk to her, Mark stated that Enloe is a very busy town with the Solar Farms, Charla advised that Carol King would be moving to a Rehab in Paris today.
4. Proclamations **None**
5. Discuss and take possible action related to the approval of the minutes for the January 23, 2024 regular meeting.
I Commissioner Baker make the motion to approve the minutes for January 23, 2024 as presented to the court and Commissioner Brantley
Second COURT VOTES –3 TO 0 - AYES HAVE IT, MOTION CARRIED.

6. **VOL RR** Discuss and take possible action to approve and ratify the **PAGE 167** payment of financial obligations, including claims, payroll and personnel expenses, and bills.

I Commissioner Baker make the motion to approve the payment of all bills and financial obligations as presented to the court and Commissioner Brantley Second

COURT VOTES -3 TO 0 - AYES HAVE IT, MOTION CARRIED.

7. Discuss and take possible action related to the SB 22 Rural Prosecutor's Office Salary Assistance Grant Program eligible uses for the County Attorney's office, pursuant to

§130.913 of the Texas Local Government Code - Edgar J. Garrett, County Attorney

Discussion was conducted regarding the uses of these funds, County Attorney Jay Garrett wants to use them for a assistant County Attorney and a Attorney Criminal Investigator.

8. Record into the minutes and accept as a matter of record an Order of Assessment, pursuant to §74.051 and §74.043 of the Texas Government Code for the salary of the Presiding Judge of the Tenth Administrative Judicial Region of the State of Texas to be paid proportionally by the counties within the Region for the fiscal year commencing October 1, 2023 and ending September 30, 2024 - Tanner Crutcher, County Judge **Accepted as a matter of record and recorded into the minutes.**

9. Discuss and take possible action to consider the approval of a budget line-item transfer from 010-510-352 Repairs (Courthouse) to 010-403-203 Retirement (County/District Clerk) in the amount of \$11,033.31 - Debbie Huie, County Treasurer

**I Commissioner Brantley make the motion to approve the budget line-item transfer as presented to the court and Commissioner Baker Second
COURT VOTES - 3 TO 0 - AYES HAVE IT, MOTION CARRIED**

10. Discuss and take possible action to consider the approval of an Interlocal Cooperation Contract between the County Court of Delta County, Texas and the State of Texas Department of Public Safety for participation in the Failure to Appear Program pursuant to Chapter 706 of the Texas Transportation Code and Chapter 791 of the Texas Government Code - Tanner Crutcher, County Judge

**I Commissioner Brantley make the motion to approve a contract with Interlocal Cooperation and Delta County Court for the Failure to Appear Program as presented to the court and Commissioner Baker Second
COURT VOTES - 3 TO 0 - AYES HAVE IT, MOTION CARRIED**

11. Discuss and take possible action to consider authorizing the County Judge to issue requests for proposals for administrative services (RFP) and requests for qualifications (RFQ) for engineering services for the Hazard Mitigation Assistance Program administered by the Texas Division of Emergency Management for DR 4485 grants entitled *Delta County Warning Sirens, Delta County Residential Safe Room Rebate, and Delta*

I Commissioner Baker make the motion to approve the County Judge to issue requests for proposals for administrative services (RFP) and requests for qualifications (RFQ) for engineering services for the Hazard

COURT VOTES -3 TO 0 - AYES HAVE IT, MOTION CARRIED.

12. Discuss and take possible action to record into the minutes and accept as a matter of record the filing annual financial audit for the Delta County Emergency Services District No. 1 for Fiscal Year 2022, pursuant to §775.082 of the Texas Health & Safety Code - Tanner Crutcher, County Judge *County Critical Facility Generators* - Tanner Crutcher,

I Commissioner Baker make the motion to accept into the minutes the filing of the annual financial audit for the Delta County Emergency Services District No. 1 for Fiscal Year 2022 as presented to the court and Commissioner Brantley Second

COURT VOTES - 3 TO 0 - AYES HAVE IT, MOTION CARRIED

13. Bring from the table, discuss and take possible action related to the investment of American Rescue Plan Act (ARPA) funds in interest-yielding investment accounts in accordance with the U.S. Department of the Treasury guidance - Tanner Crutcher, County Judge

I Commissioner Brantley make the motion to approve to move the American Rescue Funds to TEXPOOL standard account as presented to the court and Commissioner Baker Second

COURT VOTES - 3 TO 0 - AYES HAVE IT, MOTION CARRIED

14. Discussion and take possible action to establish a maximum prima facie reasonable and prudent speed limit on all county roads, including those which are located in a residence district, as defined by statute, in accordance with §545.355 of the Texas Transportation Code and authorize the County Judge to draft and publish a notice of public hearing on the matter, pursuant to §251.152 of the Texas Transportation Code - Tanner Crutcher, County Judge

I Commissioner Brantley make the motion to have a hearing on March 12th, 2024 as presented to the court and Commissioner Baker Second

COURT VOTES - 3 TO 0 - AYES HAVE IT, MOTION CARRIED

15. Record into the minutes and accept as a matter of record the completion of required continuing education hours for County Tax Assessor/Collector Dawn Moody, pursuant to §6.231 of the Texas Tax Code - Dawn Moody, County Tax Assessor/Collector **NO ACTION NEEDED**

16. Discuss and take possible action on the date, times, location, and rules for County Cleanup Week for Fiscal Year 2024-Tanner Crutcher, County Judge

I Commissioner Baker make the motion to approve the County Clean Week to be April 20-28; No tires or batteries will be accepted as presented to the court and Commissioner Brantley Second

COURT VOTES - 3 TO 0 - AYES HAVE IT, MOTION CARRIED

- VOL RR** **PAGE 169**
17. Discuss and take possible action to review and authorize the issuance of a request for proposals (RFP), drafted by the County Attorney, to solicit the services of a real estate broker to sell county-owned real property located at 30 TX SH 24, Cooper, Texas, 75432 (Delta County Appraisal District Property ID: 4433) and 26 TX SH 24, Cooper, Texas, 75432 (Delta County Appraisal District Property ID: 4432) in accordance with Texas Local Government Code §263.008 - Edgar J. Garrett, County Attorney

I Commissioner Brantley make the motion authorize the proposal from the County Attorney as presented to the court and Commissioner Baker Second

COURT VOTES – 3 TO 0 - AYES HAVE IT, MOTION CARRIED

18. Discuss and take possible action to approve audit engagement letters with Mike Ward Accounting & Financial Consulting, PLLC for professional services related to the Fiscal Year 2022 and Fiscal Year 2023 external financial audits, and authorize the County Judge to sign and execute the agreement - Tanner Crutcher, County Judge

I Commissioner Brantley make the motion to accept into the minutes the filing of the annual financial audit for the Delta County Emergency Services District No. 1 for Fiscal Year 2022 as presented to the court and Commissioner Baker Second

COURT VOTES – 3 TO 0 - AYES HAVE IT, MOTION CARRIED

19. Discuss and take possible action to consider the approval of an Order authorizing the County Treasurer to remit a one-time excess lump-sum contribution to the Texas County & District Retirement System (TCDRS) of funds budgeted in the FY 2024 Adopted Budget in the amount of 1.43% more than the required rate for the 2024 Plan Year, - Debbie Huie, County Treasurer

I Commissioner Baker make the motion to approve an Order authorizing the County Treasurer to remit a onetime excess lump sum contribution to Texas County & District Retirement System in the amount \$32,433.86 as presented to the court and Commissioner Brantley Second

COURT VOTES – 3 TO 0 - AYES HAVE IT, MOTION CARRIED

20. Discuss and take possible action to consider approving an Order adopting regulations for the Permitting and Inspection of Boarding Home Facilities in the unincorporated areas of Delta County, pursuant to §260.004 and §260.005 of the Texas Health and Safety Code - Duane Sprague, County Fire Marshal

I Commissioner Brantley make the motion to approve the Order adopting regulations for the Permitting and Inspection of Boarding Home Facilities and the application fee of \$1,000.00 as presented to the court and Commissioner Baker Second

COURT VOTES – 3 TO 0 - AYES HAVE IT, MOTION CARRIED

21. Discuss and take possible action related to the development of the Courthouse Master Plan by Komatsu Architecture - Tanner Crutcher, County Judge

NO ACTION NEEDED Hopefully we can designate our Courthouse as 50 years old. Could be eligible for Planning Grant and Emergency Grant. The plan should be approved by April 22, 2024

22. Discuss and take possible action to update the Commissioners Court on Courtroom facility repairs and related projects - Tanner Crutcher, County Judge **NO ACTION NEEDED**
Deposit has been made for the Elevator in the amount of \$78,000.00, Waiting on more estimates more the repair of the Commissioner Courtroom, need to do an asbestos test in the Commissioner Courtroom and the cost is around \$1500.00 HVAC estimates are around \$28,000.00, need estimates on the windows, working with the City of Cooper about the road, Bulletin Board for Public notices should be up next week.

23. Sheriff's Jail Report - Charla Singleton, Sheriff **Total of 16 Inmates in jail; New air unit has been installed.**

24. Discuss and take possible action, the Commissioners Court to convene into executive session, pursuant to section 551.071 of the Texas Government Code, to consult with legal counsel regarding litigation related to the matter of Texas Opioid Litigation, *County of Delta v. Purdue Pharma, Inc., et al.*, in the 152nd District Court of Harris County, Texas; MDL Master Cause No. 2018-63587 -Tanner Crutcher, County Judge **NO ACTION NEEDED**

25. Discuss and take possible action to reconvene back into open session - Tanner Crutcher, County Judge **NO ACTION NEEDED**

26. Discuss and take possible action on items discussed in executive session related to settlement offers or other necessary action in the matter of Texas Opioid Litigation; in the 152nd District Court of Harris County, Texas; MDL Master Cause No. 2018-63587, including consideration of authorizing the County Judge or other authorized officials to execute the Settlement participation and release forms regarding settlement offers from defendants in the matter of Texas opioid multi-district litigation for the County in the matter of *County of Delta v. Purdue Pharma, L.P et al.*

NO ACTION NEEDED

27. Adjourn@**10:17 AM**

I Commissioner Baker I make the motion to adjourn this meeting and Commissioner Roberts Second

COURT VOTES - 4 TO 0 - AYES HAVE IT, MOTION CARRIED



Janice Roberts, County/District Clerk
Delta County, Texas

SCHEDULE OF BILLS BY FUND

FUND	DESCRIPTION	DISBURSEMENTS
010	GENERAL FUND	58,777.64
021	ROAD & BRIDGE PCT#1	1,566.39
022	ROAD & BRIDGE PCT#2	2,028.19
023	ROAD & BRIDGE PCT#3	2,005.71
024	ROAD & BRIDGE PCT#4	1,712.93
030	RECORDS MANAGEMENT	246.88
032	PRESERVATION	96.87
TOTAL OF ALL FUNDS		66,434.61

THE PRECEDING LIST OF BILLS PAYABLE WAS REVIEWED AND APPROVED FOR PAYMENT BY COMMISSIONER'S COURT.

DATE: 2-27-2021
[Signature]
[Signature]
[Signature]
Mark Brantley
Debbie Huie

TANNER CRUTCHER
MORGAN BAKER
JIMMY SWEAT
ANTHONY ROBERTS
MARK BRANTLEY
DEBBIE HUIE

VOL RR RURAL LAW ENFORCEMENT GRANTS

Senate Bill (SB) 22

Subscribe to SB 22 News

Senate Bill (SB) 22 establishes a grant program that will provide financial assistance to sheriff's departments, constable's offices and district and county attorney's offices in eligible counties to ensure professional law enforcement and legal representation of the people's interests throughout the state.

The new law provides supplemental salaries for different positions in rural areas. Eligible counties can apply for grant funds beginning Jan. 1, 2024, regardless of a particular county's fiscal start-date. Eligible counties may apply electronically beginning Jan. 1, 2024. In future years, counties and prosecutor's offices will apply according to the start of their fiscal year.

Eligibility

The Comptroller's office will use the federal decennial census as the source for the population counts (2020 census data).

A qualified county or prosecutor's office means the office meets the standards provided by the law.

- Offices must serve counties with overall populations of 300,000 or less.
- If a constable is already making above the minimum annual salary, the county is not eligible for grant funding to increase the salary.
- If a county already pays the minimum salary levels for the sheriff, deputies and jailers, the county may still apply for funds for additional personnel or equipment.

Minimum salaries and other eligible expenditures are detailed in Local Government Code (LG) 130.911.

▼ **Sherriff's Offices**

For sheriff's offices, a qualified county is eligible for the following:

- \$250,000 if the county has a population of less than 10,000;
- \$350,000 if the county has a population of 10,000 or more and less than 50,000; or
- \$500,000 if the county has a population of 50,000 or more and 300,000 or less.

Salaries for sherriff's office employees must be given priority over other uses.

Counties awarded money for sheriff's offices must use the grant funds to:

- provide a minimum annual salary of:
 - \$75,000 for a county sheriff;
 - \$45,000 for each deputy who makes motor vehicle stops in the routine performance of their duties;
 - \$40,000 for each jailer whose duties include the safekeeping of prisoners and the security of a jail operated by the county;
- increase the salary of those listed above;
- hire additional deputies or staff for the sheriff 's office; and,
- purchase vehicles, firearms and safety equipment for the sheriff's office.

Before it can authorize the use of the grant money for the other allowable expenses, **the county must first use the grant money to meet minimum annual salaries** of the county sheriff, deputies who make motor vehicle stops in the routine performance of their duties and jailers whose duties include the safekeeping of prisoners and the security of a jail operated by the county.

Counties may use grant funds to increase salaries for those listed in Local Govt. Code Section 130.911(e)(1) above the established minimum amounts stated.

If a sheriff holds dual offices in the county, the portion of the salary attributable to the sheriff's duties must be increased to meet the minimum salary required in Local Government Code Section 130.911(e)(1).

If a sheriff's office employs part-time employees or pays its employees hourly rather than salary wages, the office must pay an hourly wage that would be the equivalent of the minimum annual salary as per Section 130.911(e) of the Local Government Code.

Additionally, if a county uses grant funds to increase the salary of the county sheriff, deputy sheriff, jailer or any additional staff hired under Local Government Code Sections 130.911(e)(1), (2) or (3), grant funds may be spent for the associated benefits that are incremental to the increase in salary. Benefits that are not tied to the increase in salary, such as longevity pay, cannot be paid for with grant funding.

For the purposes of this section, the definition of jailer has the same meaning as "county jailer" under Texas Occupations Code, Section 1701.001(2).

▼ Constable's Offices

For constable's offices, a county with a population of 300,000 or less must provide an annual salary of \$45,000 to a qualified constable. The county must contribute at least 75 percent of the money required to meet the minimum annual salary. The other 25 percent will come from the grant money provided by SB 22.

Counties awarded money for constable's offices may only use the grant funds to increase a constable's salary to a minimum annual salary of \$45,000.

If a county uses grant funds to increase the salary of a constable under Local Government Code Section 130.912(e), grant funds may be spent for the associated benefits that are incremental to the increase in salary. Benefits that are not tied to the increase in salary, such as longevity pay, cannot be paid for with grant funding.

For prosecutor's offices, the Comptroller's office will use the sum of the population in each county in the multi-county jurisdiction. A jurisdiction with a population of 300,000 or less is eligible for the following amounts for the prosecutor's office:

- \$100,000 if the jurisdiction has a population of less than 10,000;
- \$175,000 if the jurisdiction has a population of 10,000 or more and less than 50,000; or,
- \$275,000 if the jurisdiction has a population of 50,000 or more and 300,000 or less.

A prosecutor's office that is awarded grant funds from SB 22 must use the grant money to:

- increase the salary of an assistant attorney, an investigator or a victim assistance coordinator employed at the office; or,
- hire additional staff for the office.

If a rural prosecutor's office uses grant funds to increase the salary of an assistant attorney, investigator, a victim assistance coordinator or any additional staff hired under Local Government Code Sections 130.913(e)(1) or (2), grant funds may be spent for the associated benefits that are incremental to the increase in salary. Benefits that are not tied to the increase in salary, such as longevity pay, cannot be paid for with grant funding.

Application Deadlines

For initial implementation of the program, all eligible counties will be eligible to apply for grant funds beginning Jan. 1, 2024, regardless of a particular county's fiscal start date. The fiscal 2024 deadline for all qualified counties and prosecutor's office, if their fiscal year starts before Jan. 1, 2024, is 30 days after the application is available on Jan. 1, 2024.

If a county has encumbered funds for fiscal 2024 salaries before Jan. 1, 2024, the county will be able to backfill its budgeted funds over the months leading up to application using the grant funds. It

will be up to the county whether to adjust law enforcement salaries at the start of its fiscal year or to wait until grant funds are awarded to the county to adjust salaries.

After the first year of the program, a qualified county or prosecutor's office must apply for the grant **not more than 30 days after the first day of its fiscal year.**

By law, failure to meet this deadline means qualified county or prosecutor's office will have to wait until its next fiscal year to apply.

If you did not receive an email with a link to the application, please contact the Local Government team.

Sec. ~~130.911~~ **VOLRR** RURAL PROSECUTOR'S OFFICE SALARY ASSISTANCE GRANT **PAGE 177**

PROGRAM. (a) In this section:

(1) "Grant" means a grant authorized to be awarded by the comptroller under the rural prosecutor's office salary assistance grant program established by this section.

(2) "Qualified prosecutor's office" means, in a jurisdiction with a population of 300,000 or less, the office of a district attorney, criminal district attorney, or county attorney with criminal prosecution duties.

(b) The comptroller shall establish and administer the rural prosecutor's office salary assistance grant program to support the state purpose of ensuring professional legal representation of the people's interests throughout the state by providing financial assistance to qualified prosecutor's offices.

(c) Not later than the 30th day after the first day of a qualified prosecutor's office's fiscal year, the prosecutor's office may submit an application for a grant to the comptroller. A prosecutor's office may submit only one application each fiscal year.

(d) The comptroller shall award a grant to a qualified prosecutor's office that applies for the grant using money appropriated to the comptroller for that purpose. The grant must be in the following applicable amount:

(1) \$100,000 if the prosecutor's office's jurisdiction has a population of less than 10,000;

(2) \$175,000 if the prosecutor's office's jurisdiction has a population of 10,000 or more and less than 50,000; or

(3) \$275,000 if the prosecutor's office's jurisdiction has a population of 50,000 or more and 300,000 or less.

(e) A prosecutor's office that is awarded a grant shall use or authorize the use of the grant money only:

(1) to increase the salary of an assistant attorney, an investigator, or a victim assistance coordinator employed at the office; or

(2) to hire additional staff for the office.

(f) A county may not reduce the amount of funds provided to a prosecutor's office because of grant funds provided under this section.

(g) The comptroller shall adopt rules necessary to implement this section, including rules that establish:

(1) a standardized application process, including the form to be used to apply for a grant and the manner of submitting the form;

(2) deadlines for:

VOL RR

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- (A) applying for the grant;
- (B) disbursement of grant money; and
- (C) spending grant money; and

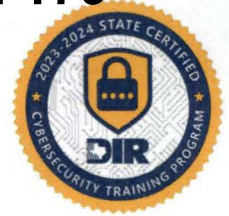
(3) procedures for:

(A) monitoring the disbursement of grant money to ensure compliance with this section; and

(B) the return of grant money that was not used by a qualified prosecutor's office for a purpose authorized by this section.

Added by Acts 2023, 88th Leg., R.S., Ch. 370 (S.B. 22), Sec. 1, eff. September 1, 2023.

TEXAS ASSOCIATION *of* COUNTIES



Cybersecurity Course Enrollment Form for Counties

Texas Government Code § 2054.5191 requires all county employees, elected officials, and appointed officials who have access to a local government computer system or database and use a computer to perform at least 25 percent of their duties to complete an annual cybersecurity training that has been certified by the Texas Department of Information Resources (DIR).

In response to the cybersecurity training mandate and in furtherance of our continued commitment to our county family, TAC is offering a cybersecurity course that has been certified by DIR and fulfills the requirements of the law. This course is available to counties for an annual fee of \$5 per user.

Should your county choose to participate in TAC’s cybersecurity training program, **please have your Commissioners Court approve your county’s participation and complete the enclosed form and return it via email to SecurityTraining@county.org** or fax to (512) 477-1324. For more information about the underlying legislation and TAC’s cybersecurity training course, please visit county.org/cybersecurity.

Your course administrator will receive an email notification when your county is enrolled. Counties are required to report their compliance with the mandate by August 31, 2024. Enrollment is available on a rolling basis through July 31, 2024.

Printed Name

Tanner Crutcher

County Name

Delta

Authorized Signature



Date

February 27, 2024

Course Administrator (Required)

Please indicate the individual who will serve as the primary point of contact with TAC staff for purposes of enrolling participating county officials and employees in the cybersecurity training course. The designated individual will be asked to provide a list of all participating county employees and elected officials' names, email addresses and positions held. The designated individual will also be asked to regularly add or remove users from access to the training program upon separation from county employment.

The course administrator will have access to reports reflecting the course completion status of all participating county employees and elected officials. If your county would like multiple administrators, please include their contact information on the following page.

Name of Administrator: Tina Lien

Email of Administrator: tlien@deltacountytx.com

Phone Number of Administrator: 903-395-4400 ext. 245

Position/Office of Administrator: Deputy Treasurer

County IT Administrator (Required)

Please indicate the individual responsible for IT administration for your county. Upon request, TAC will coordinate with your IT administrator to facilitate smooth deployment of the cybersecurity training program for your personnel and elected officials.

Name of IT Administrator: Justin Holland

Email of Registrant: justin@essentialbs.com

Phone Number of Registrant: _____

Billing Contact (Required)

TAC will send an invoice in the amount of \$5 per user to the contact below. The number of users will be based on the highest number of users added to the platform between the time that your county completed enrollment and October 2024. Users who are added and later deleted will still be accounted for when billing. The invoice is due upon receipt.

Name of Contact: Tina Lien

Email of Contact: tlien@deltacountytx.com

Phone Number of Contact: 903-395-4400 ext. 245

Position/Office of Contact: Deputy Treasurer

Mailing Address: 200 West Dallas Avenue, Cooper, Texas, 75432

Preferred Delivery Method (Email/Mail): Email | tlien@deltacountytx.com

Additional Course Administrators (Optional)

Please indicate any additional county employees who will have access to regularly add/remove users from training according to employment changes within the county. Administrators will have access to reports reflecting the course completion status of all county employees.

Name of Administrator: Tanner Crutcher

Email of Administrator: tcrutcher@deltacountytx.com

Phone Number of Administrator: 903-395-4400 ext. 226

Position/Office of Administrator: County Judge

Additional Course Administrators (Optional)

Name of Administrator: Debbie Huie

Email of Administrator: dhuie@deltacountytx.com

Phone Number of Administrator: 903-395-4400 ext. 225

Position/Office of Administrator: County Treasurer

Name of Administrator: Charla Singleton

Email of Administrator: csingleton@deltacountytx.com

Phone Number of Administrator: 903-395-2146

Position/Office of Administrator: County Sheriff

Tanner Crutcher

From: Patricia Haley <phaley@atcog.org>
Sent: Tuesday, February 20, 2024 11:26 AM
To: Tanner Crutcher
Subject: RE: RCJAC Reappointment

Term would go through Dec. 31, 2025.

Patricia Haley
Criminal Justice Coordinator

From: Tanner Crutcher <tcrutcher@deltacountytx.com>
Sent: Tuesday, February 20, 2024 10:22 AM
To: Patricia Haley <phaley@atcog.org>
Subject: Re: RCJAC Reappointment

You don't often get email from tcrutcher@deltacountytx.com. [Learn why this is important](#)

CAUTION: External email. Do not click links or open attachments unless verified.

Is this a two-year term?

Tanner Crutcher,
County Judge

Delta County, Texas
200 West Dallas Avenue
Cooper, Texas, 75432
P: (903) 395-4400 ext. 226 | F: (903) 395-2178
www.deltacountytx.com

From: Patricia Haley <phaley@atcog.org>
Sent: Tuesday, February 20, 2024 9:46:33 AM
To: Tanner Crutcher <tcrutcher@deltacountytx.com>
Subject: RCJAC Reappointment

Hi Judge Crutcher,
I just called and left my number with your assistant. It is in regard to the Regional Criminal Justice Advisory Committee. The new term for the Regional Criminal Justice Advisory Committee is just beginning, with our first meeting coming up April 2nd. Cynthia Humphries, Attorney in Cooper, has been a faithful member of the RCJAC and has expressed her interest in continuing to serve for the next term. This is all that I was going to speak with you about. The full committee list with reappointments/appointments will be on the agenda for next Thursday's ATCOG Board Meeting. If you can give me a call back at 903-244-6884, it would be greatly appreciated. It will probably be your easiest conversation of the day! Ha

Thanks so much,

Patricia Haley
Criminal Justice Coordinator



VOL RR

PAGE 184

4808 Elizabeth St.
Texarkana, TX 75503
903-255-3531
phaley@atcog.org

Debbie Huie

From: TIB Credit <TIBCcredit@tib.bank>
Sent: Monday, January 8, 2024 11:10 AM
To: Debbie Huie
Subject: Delta County Pct 4 - New Cards

Good Morning,

We've received a request to add a new card to the business Delta County Pct 4. Currently you are at your limit that you have been approved for on the current loan approval. In order to complete the underwriting process, we will require the following information:

- Year-end 2022 business financials both Balance sheet & Income Statement
- 2023 Interim business financials both Balance sheet and Income Statement.

Thank you,



TIB Credit

TIBCcredit@tib.bank | O: 800-443-2819 | Fax: 877-809-9162

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COMMISSIONERS COURT
DELTA COUNTY, TEXAS

PUBLIC NOTICE OF SALE OF SURPLUS PROPERTY
PURSUANT TO TEXAS LOCAL GOVERNMENT CODE §263.153

Pursuant to Texas Local Government Code Chapter 263, notice is hereby given that the Commissioners Court of Delta County, Texas will be selling the following surplus property by sealed bids. Interested individuals may view the surplus property by contacting the Office of the County Judge at (903) 395-4400 ext. 226 and scheduling an appointment to view the surplus property. Sealed bids must be turned into the County Judge's office on the 1st floor of the Delta County Courthouse, 200 West Dallas Avenue, Cooper, Texas, 75432 or may be mailed to the Office of the County Judge, ATTN: Sealed Bid; 200 West Dallas Avenue, Cooper, Texas, 75432. Bids for all items must be received no later than March 22, 2024 at 5:00 p.m. and bids will be opened at a regular meeting of the Commissioners Court to be held on Tuesday, March 26, 2024, at 9:00 am. The Commissioners Court reserves the right to reject any and all sealed bids for any reason. If the bids are rejected by the Commissioners Court, the Court has the option to sell the surplus property at an auction or dispose of the property as salvage

Lot Number	Description	Make	Model
0001	Ecosystem	Kyocera	FS-4200 DN
0002	Beige Metal Desk - 2 cabinets		
0003	Gray Metal Desk-Black top		
0004	Electric Typewriter Wheel writer 3	IBM	Type 674X
0005	Metal Locker (one shelf)		
0006	Copier, printer, scanner	Canon	ImageClass D1320
0007	Laser Jet Printer	HP	4200/4300 Series
0008	Beige Metal Cabinet		JetSteel
0009	Brown Metal Desk - 3 drawer		
0010	Yellow & Brown Metal Desk - 6 drawer		
0011	Electric Heater	Steam Arvinair	30H2515
0012	Electric Heater	Heat steam	1000
0013	Wood Chair - brown		
0014	Wood Chair - brown		
0015	Wood Chair - brown		
0016	Wood Bench - 15' 4"		

00017	Metal Cabinet - brown, 16 drawers		
00018	Wood Bench - 15' 4"		
00019	42 Gallon wheeled storage tote	Rubbermaid	
0020	42 Gallon tote with wheels	Rubbermaid	
0021	42 Gallon tote with wheels	Rubbermaid	
0022	Brown Wood Desk -		
0023	Brown Leather Chair - NO Legs		
0024	Blue Cloth Chair - swivel with wheels		
0025	Black Leather Chair - swivel with wheels and arms		
0026	Black Leather Chair - swivel with wheels and arms		
0027	Grey Four Drawer File Cabinet		
0028	Brown File Organizer - metal		
0029	Time recorder	Widmer	TLED-3
0030	Black chair with arms		
0031	Brown chair - no arms		
0032	Cloth chair swivel no arms		
0033	Brown chair with no arms		
0034	Green chair with arms		
0035	Cloth Chair with Arms, swivel and wheels		
0036	Cloth Chair with Arms, swivel and wheels		
0037	Green chair with arms		
0038	Green chair with arms		
0039	Red chair with arms, swivel and wheels		
0040	Fifty-eight Antique Metal Ballot Boxes	some square; some round	
0041	White wood cabinet - 12 shelves		
0042	Black easel		
0043	Wood easel		
0044	File organizers: 4 green, 1 brown, 2 black		
0045	Box of 3-ring binders		
0046	2 drawer cabinet & desk		
0047	Desktop Computer	Dell	
0048	Color laser printer & copier	HP M281Fdu	T6B82A
0049	Copier	Canon	C7058A
0050	Surge Protector	UPS 650	
0051	Landline Phone	Northern Telecom	AR404134
0052	Laser Jet	HP	4200n
0053	Fujitsu	Jujitsu Fi	Fi-6130
0054	Laser fax	Intel	284d
0055	Digital Video Recorder	Watchdog	DW-VAONE 16
0056	Plasma Screen TV	JVC	GD-V501U

0057	Brown metal file organizer		
0058	Black file organizer		
0059	Gray file organizer		
0060	White 2 wire file organizer		
0061	Time recorder	Rapid Print	AR-E
0062	Time recorder	Rapid Print Time	AN-E
0063	Time recorder	Lathem	LTTC
0064	Small antenna - 2		
0065	Three-drawer desk		
0066	Green cabinet - 5 shelves		
0067	Brown desk - 2 drawer		
0068	Green cabinet - 5 shelves		
0069	TV with remote	Phillips	CCC190AT31
0070	Desk with drawers		
0071	Radio & wires - 2 boxes full		
0072	Pieces of tables		
0073	Desk with 3 drawers		
0074	Metal desk - 2 drawer		
0075	Fold up table		
0076	Brown chair with arms & swivel		
0077	Brown wood chair		
0078	TV with remote	Lintron	19NP48
0079	2 file clear organizer		
0080	Brothers fax, scanner & copier	MFC	MFC-L2690DW
0081	Laser Jet Printer	HP	4250/4350
0082	3 baskets		
0083	Brother Laser Fax	Brothers	2840
0084	Canon Imager	Canon	Images Class D320
0085	HP Laser Jet 4250dtn	HP	05403A
0086	Blue cloth swivel chair		
0087	Blue cloth swivel chair		
0088	Box of cables & remotes		
0089	9 windows		
0090	Tin Cans		
0091	9 doors		
0092	Metal desk		
0093	Soft Pull Dispensing System 7		
0094	Fencing Panels - 4		
0095	Dell computer	OptiPlex GX520	DCSM
0096	Scooby Laser Jet	HP	1200 series

APPENDIX A

0097	Brother fax, scanner & copier	Brother	MFC-J430W
0098	Commandeer Turbo computer	MAX 50x	840U-S3Pro-Mu
0099	Video system	MD	LTD2432MD
0100	Radio Shack Amplifier 20 watt	MpA-40	MPA-40
0101	Channel mix console	Behringer	Eurorack MX 2004A
0102	Fender Sub mixer amplifier	Sunn	SX4150-B
0103	Brother printer, copier, scanner	MFC	MFC-240C
0104	Commander Turbo Computer	Commander	Turb rbo
0105	Dell computer	Dell	Optiplex 745
0106	IBM wheel writer	Lexmark	3500
0107	IBM wheel writer 3 Electric Typewriter	IBM674X	Wheelwriter 3
0108	HP Laser Jet 2100	HP2100	C4170
0109	HP Office Jet printer, scanner & copier	HP	4620
0110	Commander Computer	Commander	Turbo
0111	Brother Fax, copier & Scanner	Brother	MFC-5490CN
0112	Box of calculators + telephones		
0113	Cannon Scanner, copier	Canon	PC940
0114	HP Laser Jet 5SI Copier	HP	C3166A
0115	Computer	Commander	Turbo 52MAX
0116	Cloth chair with arms & swivel		
0117	Cloth chair with arms & swivel		
0118	Cloth chair with arms & swivel		
0119	Box of miscellaneous office supplies		
0120	Epson LQ590 Printer	Epson	P363A
0121	OKO Microline Printer 320 Turbo	Microline	D228 00A
0122	Brother Printer	Brother	MFC-8480DN
0125	Laptop Computer	ACER	MS2180
0127	Two boxes of miscellaneous office supplies		
0128	Laptop computer	Dell	PPOIL
0129	Three boxes of magnetic signs		
0131	Metal Star		
0132	Allied Telesis 16 Port Ethernet Switch		AT-FS716
0133	Brown Wood Desk on Wheels		
0134	Two boxes of cables and wires		
0135	Wood desk - one drawer two shelves		
0136	Lap top Computer	Acer	MS2180
0137	4 ' Fluorescent light fixture	Metalux	
0138	6 Metal Drawers, individual		
0139	Computer monitor	Acer	AL1511
0140	Computer monitor	NOC	197S-1

APPENDIX A

0141	Computer monitor	Dell	E177FP1
0142	6 Computers, 1 shredder	Water damaged	
0143	Small wooden desk on wheels		
0144	Laptop computer	Gateway	M460
0145	Copier	HP	C4267A
0146	Small metal desk on wheels; 1 door and 2 shelves		
0151	Wooden Executive Office Desk		
0152	HP 4200 Laser Jet Printer	HP	4200
0153	Brother Printer/Fax/Copier/Scanner	Brother	MFC-L2700DW
0154	Quill Paper Shredder	Quill	QL-TXC15A
0155	Office Chair w/ arm rests		
0156	Office Chair w/ arm rests		
0157	Commercial Copier Machine	BizHub	227
0158	Executive Leather Office Chair		
0159	OptiPlex Desktop Computer with Asus Monitor	OptiPlex	780



RESOLUTION OF THE COURT

A RESOLUTION OF THE COMMISSIONERS COURT OF THE COUNTY OF DELTA, TEXAS, AUTHORIZING THE ADVERTISEMENT FOR THE NOTICE OF SALE OF SURPLUS PROPERTY

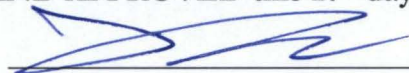
WHEREAS, Delta County, Texas is a County created by and operating under the laws of the State of Texas, which has the authority under the Local Government Code, as amended, to sell surplus property owned by Delta County, when such action is in the best interest of and serves the public purpose; and

WHEREAS, the Commissioners Court of Delta County, Texas desires to sell surplus property via the sealed bidding process as described in Chapter 263 of the Texas Local Government Code; and

WHEREAS, the Commissioners Court of Delta County, Texas, finds and declares that it is in the best interest of all of the citizens of Delta County, Texas that the surplus property be sold and eliminates the obligation of the County to maintain the same.

NOW, THEREFORE, BE IT RESOLVED by the Commissioners Court of Delta County (the "Governmental Agency"), at a duly called meeting of the governing body held on February 27, 2024 that the following surplus property, attached hereto as Appendix A, be advertise as surplus property for sale to the public, under the provisions of Chapter 263 of the Texas Local Government Code, and authorize the County Judge to advertise the property for sale as prescribed by law via the seal bidding process in the newspaper of general circulation.

PASSED AND APPROVED this 27th day of February, 2024.

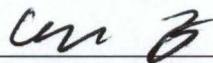


Tanner Crutcher, County Judge



Morgan Baker, Commissioner Precinct 1

Jimmy Sweat, Commissioner Precinct 2



Anthony Roberts, Commissioner Precinct 3



Mark Brantley, Commissioner Precinct 4

ATTEST:


Janice Roberts, County Clerk

vol RAR Racial Profiling Report | PAGE 192

Agency Name: DELTA CO. SHERIFF'S OFFICE

Reporting Date: 02/13/2024

COLE Agency Number: 119100

Chief Administrator: CHARLA F. ANDERSON-SINGLETON

Agency Contact Information:

Phone: (903) 395-2146

Email: csingleton@deltacountytx.com

Mailing Address:

200 W. BONHAM AVE.

COOPER, TX 75432

This Agency filed a full report

DELTA CO. SHERIFF'S OFFICE has adopted a detailed written policy on racial profiling. Our policy:

- 1) clearly defines acts constituting racial profiling;
- 2) strictly prohibits peace officers employed by the DELTA CO. SHERIFF'S OFFICE from engaging in racial profiling;
- 3) implements a process by which an individual may file a complaint with the DELTA CO. SHERIFF'S OFFICE if the individual believes that a peace officer employed by the DELTA CO. SHERIFF'S OFFICE has engaged in racial profiling with respect to the individual;
- 4) provides public education relating to the agency's complaint process;
- 5) requires appropriate corrective action to be taken against a peace officer employed by the DELTA CO. SHERIFF'S OFFICE who, after an investigation, is shown to have engaged in racial profiling in violation of the DELTA CO. SHERIFF'S OFFICE policy;
- 6) requires collection of information relating to motor vehicle stops in which a warning or citation is issued and to arrests made as a result of those stops, including information relating to:
 - a. the race or ethnicity of the individual detained;
 - b. whether a search was conducted and, if so, whether the individual detained consented to the search;
 - c. whether the peace officer knew the race or ethnicity of the individual detained before detaining that individual;
 - d. whether the peace officer used physical force that resulted in bodily injury during the stop;
 - e. the location of the stop;
 - f. the reason for the stop.
- 7) requires the chief administrator of the agency, regardless of whether the administrator is elected, employed, or appointed, to submit an annual report of the information collected under Subdivision (6) to:
 - a. the Commission on Law Enforcement; and
 - b. the governing body of each county or municipality served by the agency, if the agency is an agency of a county, municipality, or other political subdivision of the state.

The DELTA CO. SHERIFF'S OFFICE has satisfied the statutory data audit requirements as prescribed in Article

2.133(c), Code of Criminal Procedure during the reporting period.

VOL RR

PAGE 193

Executed by: CHARLA F. ANDERSON-SINGLETON
Sheriff

Date: 02/13/2024

VOL RR
 Total stops: 838

PAGE 194

Street address or approximate location of the stop

City street	125
US highway	11
County road	24
State highway	663
Private property or other	15

Was race or ethnicity known prior to stop?

Yes	3
No	835

Race / Ethnicity

Alaska Native / American Indian	5
Asian / Pacific Islander	16
Black	113
White	586
Hispanic / Latino	118

Gender

Female	293
Alaska Native / American Indian	4
Asian / Pacific Islander	2
Black	50
White	216
Hispanic / Latino	21
Male	545
Alaska Native / American Indian	1
Asian / Pacific Islander	14
Black	63
White	370
Hispanic / Latino	21

Reason for stop?

Violation of law	90
Alaska Native / American Indian	1
Asian / Pacific Islander	2
Black	12
White	65

Hispanic / Latino	10
Preexisting knowledge	17
Alaska Native / American Indian	0
Asian / Pacific Islander	1
Black	2
White	11
Hispanic / Latino	3
Moving traffic violation	582
Alaska Native / American Indian	4
Asian / Pacific Islander	13
Black	83
White	395
Hispanic / Latino	87
Vehicle traffic violation	149
Alaska Native / American Indian	0
Asian / Pacific Islander	0
Black	16
White	115
Hispanic / Latino	18

Was a search conducted?

Yes	68
Alaska Native / American Indian	1
Asian / Pacific Islander	0
Black	9
White	52
Hispanic / Latino	6
No	770
Alaska Native / American Indian	4
Asian / Pacific Islander	16
Black	104
White	534
Hispanic / Latino	112

Reason for Search?

Consent	30
Alaska Native / American Indian	1
Asian / Pacific Islander	0
Black	3
White	23

Hispanic / Latino 3

Contraband **VOL RR** 1

Alaska Native / American Indian 0

Asian / Pacific Islander 0

Black 0

White 1

Hispanic / Latino 0

Probable 26

Alaska Native / American Indian 0

Asian / Pacific Islander 0

Black 3

White 21

Hispanic / Latino 2

Inventory 7

Alaska Native / American Indian 0

Asian / Pacific Islander 0

Black 2

White 4

Hispanic / Latino 1

Incident to arrest 4

Alaska Native / American Indian 0

Asian / Pacific Islander 0

Black 1

White 3

Hispanic / Latino 0

Was Contraband discovered?

Yes 40

Alaska Native / American Indian 0

Asian / Pacific Islander 0

Black 2

White 33

Hispanic / Latino 5

No 28

Alaska Native / American Indian 1

Asian / Pacific Islander 0

Black 7

White 19

Hispanic / Latino 1

Did the finding result in arrest?

(total should equal previous column)

Yes 0 No 0

Yes 0 No 0

Yes 2 No 0

Yes 17 No 16

Yes 2 No 3

Description of contraband

Drugs	VOL RR	26
	Alaska Native / American Indian	0
	Asian / Pacific Islander	0
	Black	2
	White	22
	Hispanic / Latino	2
Weapons		0
	Alaska Native / American Indian	0
	Asian / Pacific Islander	0
	Black	0
	White	0
	Hispanic / Latino	0
Currency		0
	Alaska Native / American Indian	0
	Asian / Pacific Islander	0
	Black	0
	White	0
	Hispanic / Latino	0
Alcohol		7
	Alaska Native / American Indian	0
	Asian / Pacific Islander	0
	Black	0
	White	4
	Hispanic / Latino	3
Stolen property		0
	Alaska Native / American Indian	0
	Asian / Pacific Islander	0
	Black	0
	White	0
	Hispanic / Latino	0
Other		7
	Alaska Native / American Indian	0
	Asian / Pacific Islander	0
	Black	0
	White	7
	Hispanic / Latino	0
Result of the stop		
	Verbal warning	0

Alaska Native / American Indian 0
 Asian / Pacific Islander 0
 Black 0
 White 0
 Hispanic / Latino 0

Written warning 398

Alaska Native / American Indian 3
 Asian / Pacific Islander 7
 Black 38
 White 300
 Hispanic / Latino 50

Citation 412

Alaska Native / American Indian 2
 Asian / Pacific Islander 9
 Black 71
 White 265
 Hispanic / Latino 65

Written warning and arrest 0

Alaska Native / American Indian 0
 Asian / Pacific Islander 0
 Black 0
 White 0
 Hispanic / Latino 0

Citation and arrest 0

Alaska Native / American Indian 0
 Asian / Pacific Islander 0
 Black 0
 White 0
 Hispanic / Latino 0

Arrest 28

Alaska Native / American Indian 0
 Asian / Pacific Islander 0
 Black 4
 White 21
 Hispanic / Latino 3

Arrest based on

Violation of Penal Code 21

Alaska Native / American Indian 0
 Asian / Pacific Islander 0

Black	2
White	17
Hispanic / Latino	2

VOL RR

Violation of Traffic Law 4

Alaska Native / American Indian	0
Asian / Pacific Islander	0
Black	1
White	2
Hispanic / Latino	1

Violation of City Ordinance 0

Alaska Native / American Indian	0
Asian / Pacific Islander	0
Black	0
White	0
Hispanic / Latino	0

Outstanding Warrant 3

Alaska Native / American Indian	0
Asian / Pacific Islander	0
Black	1
White	2
Hispanic / Latino	0

Was physical force resulting in bodily injury used during stop?

Yes 0

Alaska Native / American Indian	0
Asian / Pacific Islander	0
Black	0
White	0
Hispanic / Latino	0

Resulting in Bodily Injury To:

Suspect	0
Officer	0
Both	0

No 838

Alaska Native / American Indian	5
Asian / Pacific Islander	16
Black	113
White	586
Hispanic / Latino	118

Number of complaints of racial profiling

Total **VOL RR** 0
Resulted in disciplinary action 0
Did not result in disciplinary action 0

Comparative Analysis

Use TCOLE's auto generated analysis
Use Department's submitted analysis

Optional Narrative

N/A

Submitted electronically to the



The Texas Commission on Law Enforcement

DELTA CO. SHERIFF'S OFFICE

01. Total Traffic Stops:	838	
02. Location of Stop:		
a. City Street	125	14.92%
b. US Highway	11	1.31%
c. County Road	24	2.86%
d. State Highway	663	79.12%
e. Private Property or Other	15	1.79%
03. Was Race known prior to Stop:		
a. NO	835	99.64%
b. YES	3	0.36%
04. Race or Ethnicity:		
a. Alaska/ Native American/ Indian	5	0.60%
b. Asian/ Pacific Islander	16	1.91%
c. Black	113	13.48%
d. White	586	69.93%
e. Hispanic/ Latino	118	14.08%
05. Gender:		
a. Female	293	34.96%
i. Alaska/ Native American/ Indian	4	0.48%
ii. Asian/ Pacific Islander	2	0.24%
iii. Black	50	5.97%
iv. White	216	25.78%
v. Hispanic/ Latino	21	2.51%
b. Male	545	65.04%
i. Alaska/ Native American/ Indian	1	0.12%
ii. Asian/ Pacific Islander	14	1.67%
iii. Black	63	7.52%
iv. White	370	44.15%
v. Hispanic/ Latino	21	2.51%
06. Reason for Stop:		
a. Violation of Law	90	10.74%
i. Alaska/ Native American/ Indian	1	1.11%
ii. Asian/ Pacific Islander	2	2.22%

iii. Black	12	13.33%
iv. White	65	72.22%
v. Hispanic/ Latino	10	11.11%
b. Pre-Existing Knowledge	17	2.03%
i. Alaska/ Native American/ Indian	0	0.00%
ii. Asian/ Pacific Islander	1	5.88%
iii. Black	2	11.76%
iv. White	11	64.71%
v. Hispanic/ Latino	3	17.65%
c. Moving Traffic Violation	582	69.45%
i. Alaska/ Native American/ Indian	4	0.69%
ii. Asian/ Pacific Islander	13	2.23%
iii. Black	83	14.26%
iv. White	395	67.87%
v. Hispanic/ Latino	87	14.95%
d. Vehicle Traffic Violation	149	17.78%
i. Alaska/ Native American/ Indian	0	0.00%
ii. Asian/ Pacific Islander	0	0.00%
iii. Black	16	10.74%
iv. White	115	77.18%
v. Hispanic/ Latino	18	12.08%
07. Was a Search Conducted:		
a. NO	770	91.89%
i. Alaska/ Native American/ Indian	4	0.52%
ii. Asian/ Pacific Islander	16	2.08%
iii. Black	104	13.51%
iv. White	534	69.35%
v. Hispanic/ Latino	112	14.55%
b. YES	68	8.11%
i. Alaska/ Native American/ Indian	1	1.47%
ii. Asian/ Pacific Islander	0	0.00%
iii. Black	9	13.24%
iv. White	52	76.47%
v. Hispanic/ Latino	6	8.82%
Reason for Search:		
a. Consent	30	3.58%

i. Alaska/ Native American/ Indian	1	3.33%
ii. Asian/ Pacific Islander	0	0.00%
iii. Black	3	10.00%
iv. White	23	76.67%
v. Hispanic/ Latino	3	10.00%
b. Contraband in Plain View	1	0.12%
i. Alaska/ Native American/ Indian	0	0.00%
ii. Asian/ Pacific Islander	0	0.00%
iii. Black	0	0.00%
iv. White	1	100.00%
v. Hispanic/ Latino	0	0.00%
c. Probable Cause	26	3.10%
ii. Alaska/ Native American/ Indian	0	0.00%
i. Asian/ Pacific Islander	0	0.00%
iii. Black	3	11.54%
iv. White	21	80.77%
v. Hispanic/ Latino	2	7.69%
d. Inventory	7	0.84%
i. Alaska/ Native American/ Indian	0	0.00%
ii. Asian/ Pacific Islander	0	0.00%
iii. Black	2	28.57%
iv. White	4	57.14%
v. Hispanic/ Latino	1	14.29%
e. Incident to Arrest	4	0.48%
i. Alaska/ Native American/ Indian	0	0.00%
ii. Asian/ Pacific Islander	0	0.00%
iii. Black	1	25.00%
iv. White	3	75.00%
v. Hispanic/ Latino	0	0.00%
09. Was Contraband Discovered:		
YES	40	4.77%
i. Alaska/ Native American/ Indian	0	0.00%
Finding resulted in arrest - YES	0	
Finding resulted in arrest - NO	0	
ii. Asian/ Pacific Islander	0	0.00%
Finding resulted in arrest - YES	0	
Finding resulted in arrest - NO	0	
iii. Black	2	5.00%

Finding resulted in arrest - YES	2	
Finding resulted in arrest - NO	0	
iv. White	33	82.50%
Finding resulted in arrest - YES	17	
Finding resulted in arrest - NO	16	
v. Hispanic/ Latino	5	12.50%
Finding resulted in arrest - YES	2	
Finding resulted in arrest - NO	3	
b. NO	28	3.34%
i. Alaska/ Native American/ Indian	1	3.57%
i. Asian/ Pacific Islander	0	0.00%
iii. Black	7	25.00%
iv. White	19	67.86%
v. Hispanic/ Latino	1	3.57%
10. Description of Contraband:		
a. Drugs	26	3.10%
i. Alaska/ Native American/ Indian	0	0.00%
ii. Asian/ Pacific Islander	0	0.00%
iii. Black	2	7.69%
iv. White	22	84.62%
v. Hispanic/ Latino	2	7.69%
b. Currency	0	0.00%
i. Alaska/ Native American/ Indian	0	
ii. Asian/ Pacific Islander	0	
iii. Black	0	
iv. White	0	
v. Hispanic/ Latino	0	
c. Weapons	0	0.00%
i. Alaska/ Native American/ Indian	0	
ii. Asian/ Pacific Islander	0	
iii. Black	0	
iv. White	0	
v. Hispanic/ Latino	0	
d. Alcohol	7	0.84%
i. Alaska/ Native American/ Indian	0	0.00%
ii. Asian/ Pacific Islander	0	0.00%
iii. Black	0	0.00%
iv. White	4	57.14%

v. Hispanic/ Latino	3	42.86%
e. Stolen Property	0	0.00%
i. Alaska/ Native American/ Indian	0	
ii. Asian/ Pacific Islander	0	
iii. Black	0	
iv. White	0	
v. Hispanic/ Latino	0	
f. Other	7	0.84%
i. Alaska/ Native American/ Indian	0	0.00%
ii. Asian/ Pacific Islander	0	0.00%
iii. Black	0	0.00%
iv. White	7	100.00%
v. Hispanic/ Latino	0	0.00%

11. Result of Stop:

a. Verbal Warning	0	0.00%
i. Alaska/ Native American/ Indian	0	
ii. Asian/ Pacific Islander	0	
iii. Black	0	
iv. White	0	
v. Hispanic/ Latino	0	
b. Written Warning	398	47.49%
i. Alaska/ Native American/ Indian	3	0.75%
ii. Asian/ Pacific Islander	7	1.76%
iii. Black	38	9.55%
iv. White	300	75.38%
v. Hispanic/ Latino	50	12.56%
c. Citation	412	49.16%
i. Alaska/ Native American/ Indian	2	0.49%
ii. Asian/ Pacific Islander	9	2.18%
iii. Black	71	17.23%
iv. White	265	64.32%
v. Hispanic/ Latino	65	15.78%
d. Written Warning and Arrest	0	0.00%
i. Alaska/ Native American/ Indian	0	
ii. Asian/ Pacific Islander	0	
iii. Black	0	
iv. White	0	
v. Hispanic/ Latino	0	

e. Citation and Arrest	0	0.00%
i. Alaska/ Native American/ Indian	0	
ii. Asian/ Pacific Islander	0	
iii. Black	0	
iv. White	0	
v. Hispanic/ Latino	0	
f. Arrest	28	3.34%
i. Alaska/ Native American/ Indian	0	0.00%
ii. Asian/ Pacific Islander	0	0.00%
iii. Black	4	14.29%
iv. White	21	75.00%
v. Hispanic/ Latino	3	10.71%

12. Arrest Based On:

a. Violation of Penal Code	21	2.51%
i. Alaska/ Native American/ Indian	0	0.00%
ii. Asian/ Pacific Islander	0	0.00%
iii. Black	2	9.52%
iv. White	17	80.95%
v. Hispanic/ Latino	2	9.52%
b. Violation of Traffic Law	4	0.48%
i. Alaska/ Native American/ Indian	0	0.00%
ii. Asian/ Pacific Islander	0	0.00%
iii. Black	1	25.00%
iv. White	2	50.00%
v. Hispanic/ Latino	1	25.00%
c. Violation of City Ordinance	0	0.00%
i. Alaska/ Native American/ Indian	0	
ii. Asian/ Pacific Islander	0	
iii. Black	0	
iv. White	0	
v. Hispanic/ Latino	0	
d. Outstanding Warrant	3	0.36%
i. Alaska/ Native American/ Indian	0	0.00%
ii. Asian/ Pacific Islander	0	0.00%
iii. Black	1	33.33%
iv. White	2	66.67%
v. Hispanic/ Latino	0	0.00%

13. Was Physical Force Used:

a. NO	838	100.00%
i. Alaska/ Native American/ Indian	5	0.60%
ii. Asian/ Pacific Islander	16	1.91%
iii. Black	113	13.48%
iv. White	586	69.93%
v. Hispanic/ Latino	118	14.08%
b. YES	0	0.00%
i. Alaska/ Native American/ Indian	0	
ii. Asian/ Pacific Islander	0	
iii. Black	0	
iv. White	0	
v. Hispanic/ Latino	0	
b 1. YES: Physical Force Resulting in Bodily Injury to Suspect	0	
b 2. YES: Physical Force Resulting in Bodily Injury to Officer	0	
b 3. YES: Physical Force Resulting in Bodily Injury to Both	0	

14. Total Number of Racial Profiling Complaints Received: 0

REPORT DATE COMPILED 02/13/2024

Agency Name: DELTA COUNTY FIRE MARSHAL'S OFFICE
Reporting Date: 01/02/2024
TCOLE Agency Number: 119160

Chief Administrator: MICHAEL D. SPRAGUE

Agency Contact Information:
Phone: (903) 335-2966
Email: dsprague@deltacountytx.com

Mailing Address:
200 W DALLAS AVE
COOPER, TX 75432-1724

FULL EXEMPTION RACIAL PROFILING REPORT

Article 2.132 CCP Law Enforcement Policy on Racial Profiling a.) In this article:

1.) "Law enforcement agency" means an agency of the state, or of a county, municipality , or other political subdivision of the state, that employs peace officers who make traffic stops in the routine performance of the officers' official duties.

I certify it is not the policy of this agency to make traffic stops in the routine performance of the officers' official duties.

Executed by: MICHAEL D. SPRAGUE
Fire Marshal

Date: 01/02/2024

Submitted electronically to the



The Texas Commission on Law Enforcement

Agency Name: DELTA CO. CONST. PCT. 5
Reporting Date: 01/14/2024
TCOLE Agency Number: 119105

Chief Administrator: MARSHALL A. LYNCH

Agency Contact Information:
Phone: (903) 203-5809
Email: constable@deltacountytx.com

Mailing Address:
200 W. Dallas
Cooper, TX 75432

FULL EXEMPTION RACIAL PROFILING REPORT

Article 2.132 CCP Law Enforcement Policy on Racial Profiling a.) In this article:

1.) "Law enforcement agency" means an agency of the state, or of a county, municipality , or other political subdivision of the state, that employs peace officers who make traffic stops in the routine performance of the officers' official duties.

I certify it is not the policy of this agency to make traffic stops in the routine performance of the officers' official duties.

Executed by: MARSHALL A. LYNCH
Constable

Date: 01/14/2024

Submitted electronically to the



The Texas Commission on Law Enforcement

CERTIFICATE OF PARTICIPATION

The Texas A&M AgriLife Extension Service

Awards This Certificate To

Mark Brantley

For Successfully Completing 6.5 Hours of Educational Training

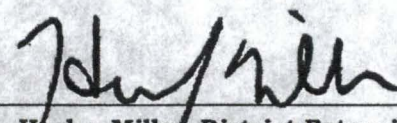
During the

District 4 County Judges and Commissioners Conference

December 7, 2023

Mount Pleasant, Texas

TEXAS A&M
AGRILIFE
EXTENSION



Hurley Miller, District Extension Administrator

Tanner Crutcher

From: Savage, Meredith (Enel North America - USA) <meredith.savage@enel.com>
Sent: Wednesday, February 21, 2024 12:36 PM
To: Tanner Crutcher; Sue Hommel
Cc: mbrantley1952@yahoo.com
Subject: RE: Estonian Solar Project - agenda item for 2/27/2024

INTERNAL

Hello Tanner,

We were not planning on having a representative there.

This item was per request of Commissioner Brantley- he said he would just like to read it to the court to get it in the minutes.

Thanks,
Meredith

Meredith Savage

Permitting Specialist
Engineering & Construction
M +1-978-409-7184
[Meredith.savage@enel.com](mailto:meredith.savage@enel.com)

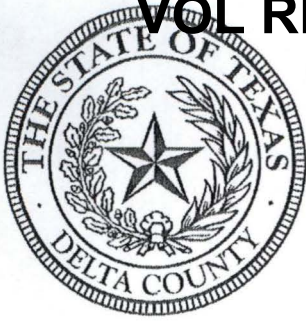
From: Tanner Crutcher <tcrutcher@deltacountytx.com>
Sent: Wednesday, February 21, 2024 10:32 AM
To: Savage, Meredith (Enel North America - USA) <meredith.savage@enel.com>; Sue Hommel <shommel@deltacountytx.com>
Cc: mbrantley1952@yahoo.com
Subject: Re: Estonian Solar Project - agenda item for 2/27/2024

INTERNAL

Meredith,

Will a representative of Enel be represented in-person to present the update?

Thanks,
Tanner



VOL RR Tanner Crutcher,

PAGE 213

County Judge

Delta County, Texas

200 West Dallas Avenue

Cooper, Texas, 75432

P: (903) 395-4400 ext. 226 | F: (903) 395 2178

www.deltacountytexas.com

From: Savage, Meredith (Enel North America - USA) <meredith.savage@enel.com>

Sent: Wednesday, February 21, 2024 12:20 PM

To: Sue Hommel <shommel@deltacountytexas.com>

Cc: Tanner Crutcher <tcrutcher@deltacountytexas.com>; mbrantley1952@yahoo.com <mbrantley1952@yahoo.com>

Subject: Estonian Solar Project - agenda item for 2/27/2024

INTERNAL

Hello Ms. Hommel,

Per request of Commissioner Brantley, I am requesting that "Estonian Solar Project – County Road Update" be placed on the agenda for the Feb. 27th Commissioners meeting.

County road update for Commissioner Brantley:

- Project is proceeding with lime stabilization of all county roads within the project area;
- Rock is completed on all roads; final observations of rock depth will take place after all deliveries are complete;
- All road improvements will be constructed with emphasis taken to maintaining existing ditch lines;
- Ditches: in the places where there are width constraints and no ditches, the ditches will take the place of the shoulders, but this will not compromise the 20ft travel way;
 - Ditches will be added to CRs 4815 & 4810
 - Approximately 5,534ft of ditch will be added to CR 4430;
 - Approx. 402ft of ditch to CR 4820;
 - Approx. 2,847ft of ditch to CR 4335;
- Culverts (in snip below, yellow arrows show locations):
 - Replace a single culvert between CR 4810 and 4343 with two 18in dia. CMP culverts at 30ft length; location: 33°26'58.35"N, 95°39'4.02"W;
 - Replace a 36in dia. culvert on CR 4345 with two 18in dia. CMP culverts; location: 33°26'54.79"N, 95°38'39.55"W;
 - Replace a damaged culvert on 4345 with same size CMP culvert; 33°26'49"N, 95°38'37"W
- Driveway construction ongoing



Thank you,
Meredith

Meredith Savage
Permitting Specialist
Engineering & Construction



Enel North America, Inc.
100 Brickstone Square, Suite 300 – Andover, MA 01810 – USA
M +1 978-409-7184
Meredith.savage@enel.com

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ANNEX J

Recovery



Delta County

RECORD OF CHANGES

CHANGE #	DATE OF CHANGE	DESCRIPTION	CHANGED BY
01	02/22/2024	Updated entire annex	Tanner Crutcher

APPROVAL & IMPLEMENTATION


Annex J
Recovery

This annex is hereby approved for implementation and supersedes all previous editions.



Tanner Crutcher,
County Judge

2-22-2024
Date



Robert D. Hurst,
Emergency Management Coordinator

2-22-2024
Date

ANNEX J
RECOVERY

I. AUTHORITY

- A. See Section I of the **Basic Plan**.
- B. Public Law 93-28, Robert T. Stafford Disaster Relief and Emergency Assistance Act, as amended.
- C. Title 44 (Emergency Management and Assistance), Code of Federal Regulations.

II. PURPOSE

The purpose of this annex is to define the operational concepts, organizational arrangements, responsibilities, and procedures to accomplish the tasks required for the local government and its citizens and businesses to recover from a major emergency or disaster.

III. EXPLANATION OF TERMS

A. Acronyms

CFR	Code of Federal Regulations
DC	District Coordinator
JFO	Joint Field Office
DRC	Disaster Recovery Center
DSO	Disaster Summary Outline
FEMA	Federal Emergency Management Agency
JIC	Joint Information Center
IA	Individual Assistance
PA	Public Assistance
PDA	Preliminary Damage Assessment
PIO	Public Information Officer
PW	Project Worksheet
SBA	Small Business Administration
SOP	Standard Operating Procedure
TDEM	Texas Division of Emergency Management

B. Definitions

1. Individual Assistance. Programs providing financial assistance to individuals, families, and business owners in declared disaster areas whose property has been damaged or destroyed and whose losses are not covered by insurance.
2. Public Assistance. Financial assistance to repair facilities and infrastructure provided to governments, public institutions, and certain private non-profit agencies that provide essential services of a governmental nature.

3. Stafford Act. The Robert T. Stafford Disaster Relief and Emergency Assistance Act.
4. Primary and Secondary Agents. The individuals who will be representing the jurisdiction in the grant process.
5. Project Worksheet. A FEMA document that lists the specifications of an approved PA project.

IV. SITUATION & ASSUMPTIONS
--

A. Situation

1. As identified in the Delta County Hazard Analysis, which is summarized in Section IV of the **Basic Plan**, this jurisdiction is at risk from various natural and man-made hazards that have the potential for causing extensive property damage. If such damage occurs, planned damage assessment and recovery procedures are essential for returning the community to normal after a major emergency or disaster.
2. The Stafford Act authorizes federal disaster assistance to individuals and to governmental entities in the aftermath of a major emergency or disaster and outlines the types of assistance that may be made available. Most federal disaster assistance programs are administered by state agencies.
3. The State of Texas does not have a specific disaster assistance program for individuals and local governments similar to the Stafford Act. Pursuant to provisions of the Texas Disaster Act, state agencies frequently provide assistance to local governments in the aftermath of a disaster.
4. Federal assistance is governed by the Stafford Act and 44 CFR, part 206.

B. Assumptions

1. Adopting and enforcing land use regulations can reduce much of the structural damage which would otherwise result from a disaster.
2. We must be prepared to deal with a major emergency or disaster until outside help arrives.
3. Timely and accurate damage assessment to private and public property forms the basis for requesting state and federal assistance for citizens (Individual Assistance or IA) and for repairs to infrastructure (Public Assistance or PA) and should be a vital concern to local officials following a disaster.
4. State and federal assistance may be requested to assist citizens or government entities. State assistance is typically in the form of operational support such as equipment, manpower, or technical assistance. Federal assistance, if approved, will generally be in the form of financial reimbursement and will require considerable paperwork and take some time to deliver.
5. Volunteer organizations will be available to assist citizens in meeting some basic needs, but they may not provide all needed assistance.

6. Damage assessment and recovery operations may commence while some emergency response activities are still underway.

V. CONCEPT OF OPERATIONS

A. General

Our disaster recovery program will be conducted in five steps:

1. **Pre-Emergency Preparedness.** Prior to an emergency, this annex shall be developed and maintained and key recovery staff members should be appointed, including the Damage Assessment Officer, Public Assistance Officer, and Individual Assistance Officer. These individuals should obtain training and develop operating procedures for recovery activities. Requirements for personnel to staff damage assessment teams and assist in recovery programs should be determined and basic training provided.
2. **Initial Damage Assessment.** An initial damage assessment is required to support our request for state and federal assistance. This assessment will be conducted as soon as possible, often while some emergency response activities are still underway. Local damage assessment teams will carry out the initial assessment under the direction of the Damage Assessment Officer. During this phase, the County Judge should declare a local state of disaster; as such a declaration allows local officials to invoke emergency powers to deal with the disaster and is required to obtain state and federal disaster recovery assistance. Guidance on issuing a local disaster declaration is provided in **Annex U, Legal**. Section V.B below provides amplifying information on the initial damage assessment process.
3. **Requesting Assistance.** State and federal disaster assistance must be requested in a letter to the Governor, which must be accompanied by a DSO reporting the results of the initial damage assessment and the local disaster declaration. Based on the information contained in the DSO and other information, the Governor may issue a state disaster declaration for the affected area and may request that the President issue a federal disaster declaration. Refer to Section V.C for specific procedures on requesting assistance.
4. **Short-Term Recovery Activities.** Prior to a federal disaster or major emergency declaration, state disaster response and recovery assistance, which typically consists of equipment, personnel, and technical assistance, may be deployed as soon as it is requested through the DDC in Mt. Pleasant. During the initial stages of recovery, state agencies and volunteer groups may assist disaster victims with basic needs, such as temporary shelter, food, and clothing. A local donations management program may be activated to distribute donated goods and funds to disaster victims and assign volunteer workers to assist victims and local government. See **Annex O, Human Services**, and **Annex T, Donations Management**, regarding these programs.
5. **Post-Declaration Recovery Programs.** Recovery programs authorized by the Stafford Act and other statutes begin when the President issues a disaster or major emergency declaration or other types of disaster declarations are issued. See Section V.D below regarding these programs.

B. Damage Assessment

1. An extensive detailed damage assessment is the basis of most recovery programs at the state and federal levels. The local government (County or City) is responsible for compiling the necessary information regarding the loss of life, injuries, and property damage. Appraised value information should be obtained from the Central Appraisal District.
2. The Damage Assessment Officer will manage the damage assessment function by organizing, training, and employing a Damage Assessment Team composed of local personnel.
3. Damage Assessment Teams

There will be two types of damage assessment teams. PA teams will survey damage to government property and private non-profit organizations. IA teams will assess impact on citizens and businesses. Each team will have a designated team leader who will compile and report team findings to the Damage Assessment Officer.

- a. PA Team. This team will assess damage to publicly owned property. Damage will be reported in terms of dollars and impacts in the following categories:

- 1) Emergency services
- 2) Debris removal and disposal
- 3) Roadways and bridges
- 4) Water control facilities
- 5) Buildings, equipment, and vehicles
- 6) Publicly owned utilities
- 7) Parks and recreational facilities

- b. IA Team. This team will survey damage to homes and businesses.

- 1) Homes. The DSO form (DEM-93), included in Appendix 1 to this annex and in the Forms section of the TDEM *Disaster Recovery Manual* (DEM-62) provides a matrix used to report the following information:

- a) Damage to homes will be categorized by:

- (1) Type of housing unit: single family, mobile homes, multi-family units.
- (2) Type of damage: destroyed, major damage, minor damage, affected

- b) For each type of housing unit, an estimate of average percent of units covered by insurance must be provided.

- 2) Businesses.

- a) The *Business Losses/Impacts* section of the DSO (see **Appendix 1**) should be used to report business damages to the state officials.

- b) In addition to the information on the DSO, the following should also be obtained using the Site Assessment-Business Losses form (see **Appendix 2**). This information will be needed should our jurisdiction not qualify for FEMA assistance.

- 1) Business name and address
- 2) Owner's name and phone number
- 3) Type of business
- 4) Estimated dollar loss
- 5) Amount of anticipated insurance
- 6) Value of business
- 7) Fair replacement value of
 - (a) Contents
 - (b) Structure
 - (c) Land
- 8) Number of employees
- 9) Number of employees for which unemployment insurance is carried
- 10) Estimated number of days out of operation
- 11) Percent of uninsured loss

C. Requesting Assistance

Requests for assistance should be forwarded to TDEM within 10 days of the disaster to allow state officials adequate time to prepare the necessary documentation required for a declaration.

1. If a Mayor determines that a disaster is of such severity as to be beyond the local capability to recover and that state or federal assistance is needed for long term recovery, he/she should:
 - a. Prepare a letter requesting disaster assistance. Sample letters are included in the *TDEM Disaster Recovery Manual*.
 - b. Attach a completed DSO and local disaster declaration. See **Annex U, Legal**, regarding the preparation of disaster declarations.
 - c. Forward the letter and its attachments to the County Judge.
2. The County Judge should:
 - a. Prepare a letter to the Governor requesting assistance (samples are included in the *Disaster Recovery Manual*) and attach:
 - 1) A DSO for incorporated areas of the county, if such areas suffered damage.
 - 2) A consolidated DSO reflecting data from all cities and unincorporated areas that suffered damage.
 - 3) A disaster declaration for the county if unincorporated areas suffered damage. See Annex U, Legal, for guidance on preparing a disaster declaration.
 - 4) All letters from mayors with their attached DSOs and disaster declarations.
 - b. Forward the foregoing to TDEM. Fax a copy of the package and send the original documents by mail. TDEM's address and fax number are printed on the DSO form.
3. TDEM will review the information submitted, coordinate with the Governor's Office regarding the request, and maintain contact with the County Judge as the request is processed.
4. If local damages appear to exceed the state and local capability to recover, TDEM will contact the FEMA regional office and arrange for federal, state, and local personnel to conduct a preliminary damage assessment. If the results of that assessment confirm that the severity of the disaster is beyond state and local capabilities and federal assistance

appears warranted, the Governor will forward a request for assistance to the President through FEMA.

D. Post-Declaration Emergency Programs

1. Presidential Disaster Declaration.

When a federal disaster declaration is issued, federal recovery programs are initiated, state and federal recovery staffs are deployed and recovery facilities are established. A JFO staffed by state and federal personnel will normally be established in the vicinity of the disaster area to administer recovery programs. One or more DRCs staffed by state and federal agency personnel may be established to assist disaster victims in obtaining assistance; mobile DRCs may also be employed.

a. Individual Assistance.

- 1) The FEMA Teleregistration System is activated so that disaster victims may register by phone for federal disaster assistance.
- 2) Federal, state, and local personnel conduct follow-up damage assessments.
- 3) State and federal Outreach programs for disaster victims are initiated.
- 4) Individual assistance activities for citizens and businesses may continue for months.

b. Public Assistance

- 1) Public assistance is provided to repair or rebuild public facilities affected by a disaster, including buildings, state or local roads and bridges, water supply and sewage treatment, flood control systems, airports, and publicly-owned electric utilities. Public assistance is also available to repair or rebuild schools and public recreation facilities.
- 2) As reconstructing infrastructure may require demolition and site cleanup, design and engineering work, the letting of bids, and a lengthy construction period, public assistance programs typically continue over a period of years.
- 3) Virtually all federal public assistance programs are on a cost share basis. The federal government picks up a large percentage of the costs, but local government must cover the remainder. Hence, it is particularly important to maintain complete and accurate records of local response and recovery expenses.

2. Other Assistance

a. SBA Disaster Declarations.

If the emergency does not meet the criteria for a Presidential disaster declaration, assistance in the form of loans may be available from the SBA. Information on SBA declarations is provided in the *Disaster Recovery Manual*.

b. Agricultural Disaster Declarations.

The Secretary of Agriculture is authorized to make agricultural disaster declarations for weather-related crop losses. When such declarations are made, farmers and ranchers become eligible for an emergency loan program. For information on agricultural disaster declarations, see the *Disaster Recovery Manual*.

c. Other State Programs.

Limited assistance may be available through other state agencies.

E. Actions by Phases of Emergency Management

1. Mitigation

- a. Develop and enforce adequate building codes.
- b. Develop and enforce adequate land use regulations.
- c. Develop hazard analysis.
- d. Develop potential mitigation measure to address the hazards identified in the analysis.

2. Preparedness

- a. Assess disaster risk to government facilities from likely hazards and take measures to reduce the vulnerability of facilities.
- b. Identify damage assessment team members.
- c. Train personnel in damage assessment techniques.
- d. Maintain pre-disaster maps, photos, and other documents for damage assessment purposes.
- e. Identify critical facilities requiring priority repairs if damaged.
- f. Ensure that key local officials are familiar with jurisdiction's insurance coverage.
- g. Conduct public education on disaster preparedness.
- h. Conduct exercises.

3. Response

- a. Gather damage reports.
- b. Compile damage assessment reports.
- c. Complete DSO.
- d. Keep complete records of all expenses.

4. Recovery

- a. Identify unsafe structures and recommend condemnation.
- b. Monitor restoration activities.
- c. Review building codes and land use regulations for possible improvements.
- d. Communicate effectively with disaster victims.

VI. ORGANIZATION & ASSIGNMENT OF RESPONSIBILITIES
--

A. Organization

1. The local organization for disaster recovery includes the general emergency structure described in Section VI of the **Basic Plan** and the additional recovery positions described in this annex.
2. The EMC shall coordinate recovery efforts. The EMC will serve as the Damage Assessment Officer or designate an individual to serve in that capacity.
3. All departments and agencies may be called on to provide staff support for damage assessment and recovery activities.

B. Assignment of Responsibilities

1. The County Judge or Mayor will:
 - a. Oversee the local disaster recovery program, including pre-disaster planning and post-disaster implementation.
 - b. Appoint an Individual Assistance Officer, Public Assistance Officer, and Recovery Fiscal Officer who will carry out specific recovery program activities and report to the EMC.
 - c. In the aftermath of a disaster:
 - 1) Review damage assessments and request state and federal disaster assistance if recovery from the disaster requires assistance beyond that which local government can provide.
 - 2) Participate in recovery program briefings and periodic reviews.
 - 3) Monitor and provide general guidance for the operation of the local recovery program when implemented.
2. The EMC will:
 - a. Serve as the Damage Assessment Officer or designate an individual to fill that position.
 - b. Participate in recovery program briefings, meetings, and work groups.
 - c. Supervise local recovery operations, coordinating as needed with state and federal agencies and maintaining required records.
 - d. Provide guidance to and supervise recovery activities of the Individual Assistance Officer, Public Assistance Officer, and Recovery Fiscal Officer.
 - e. Coordinate training for damage assessment team members and other individuals with disaster recovery responsibilities.
 - f. Assist the County Judge or Mayor in preparing documents to request state and federal recovery assistance.

- g. Develop appropriate public information relating to recovery programs, in coordination with the PIO.
 - h. Provide situation updates to the District Coordinator.
3. The Damage Assessment Officer will:
- a. Develop a damage assessment program.
 - b. Organize and coordinate training for damage assessment teams.
 - c. In the aftermath of a disaster:
 - 1) Collect damage assessments from all departments, agencies, other governmental entities, and private non-profit facilities that may be eligible for disaster assistance.
 - 2) Compile damage assessment information and complete the DSO.
 - 3) Participate with state and FEMA representatives in the PDA process.
 - 4) Coordinate with the Incident Commander to ensure that response activities have either terminated or are in a phase of transitioning to recovery, before deploying damage assessment teams.
4. The PA Officer will:
- a. Attend the following PA program meetings:
 - 1) Applicant's Briefing
 - 2) Kick-off Meeting.
 - 3) Other program meetings, as needed.
 - b. Obtain maps showing damage areas from PDA team leaders.
 - c. Prepare or assist state and federal teams in preparing recovery PWs for the local area.
 - d. Monitor all PA program activities and:
 - 1) Ensure deadlines are complied with or time extensions requested in a timely manner.
 - 2) Ensure the work performed complies with the description and intent of the PW.
 - 3) Ensure all environmental protection and historical preservation regulations are complied with.
 - 4) Request alternate or improved projects, when appropriate.
 - 5) Request progress payments on large projects, if appropriate.
 - 6) Provide quarterly reports to TDEM.
 - 7) Request final inspections and audit when projects are completed.
 - 8) Prepare and submit Project Completion and Certification Report (P.4) as appropriate.
 - 9) Provide insurance information when needed.
 - 10) Ensure costs are properly documented.
 - 11) Assist with final inspections and audits.
 - 12) Monitor contract for de-barred contractors.

The duties of the PA Officer are further explained in the *Disaster Recovery Manual*.

5. The IA Officer will:
 - a. Act as our liaison with state and federal Outreach and Public Relations programs.
 - b. Assist in locating a local facility for use as DRC, if needed.
 - c. Act as the local government representative at the DRC, when needed.
 - d. Coordinate with the state and federal Outreach staff to arrange community meetings.
 - e. Act as an advocate for disaster victims who need assistance in dealing with state, federal, and volunteer agencies.

The duties of the IA Officer are further explained in the *Disaster Recovery Manual*.

6. The PIO will establish a media site, sometimes referred to as a JIC, to ensure that accurate and current information is disseminated to the public.
7. The Chief Financial Officer will:
 - a. Administer fiscal aspects of the recovery program.
 - b. Ensure that the financial results of each project are accurate and fully disclosed.
 - c. Monitor the source and application of all funds.
 - d. Ensure that outlays do not exceed approved amounts for each award.
 - e. Maintain information establishing the local cost share.
 - f. Ensure that all laws, regulations, and grant requirements are complied with.
 - g. Coordinate between the grant managers (also known as Primary and Secondary Agents) and the accounting staff.

These duties are further explained in the *Disaster Recovery Manual*.

8. Chief Appraiser of the Central Appraisal District will provide estimates of value of damaged and destroyed property to support the damage assessment process.
9. The various Delta County Road & Bridge Precincts and/or Public Works Department of the applicable city will survey roads, bridges, traffic control devices, and other facilities and determine extent of damage and estimate cost of restoration.
10. The local Utilities, Water & Wastewater Department will:
 - a. Determine extent of damage to government-owned water and wastewater systems and other utilities and estimate the cost of restoration.
 - b. Coordinate with local public non-profit utility providers to obtain estimates of damage to their facilities and equipment and estimates of the cost of restoration.

11. Each Independent School District will:

- a. Assess and report damage to its facilities and equipment and the estimated cost of repairs.
- b. Estimate the effects of the disaster on the school district tax base.

12. The County Tax Assessor-Collector will:

- a. Estimate dollar losses to local government due to disaster.
- b. Estimate the effects of the disaster on the local tax base and economy.

13. All departments and agencies will:

a. Pre-emergency:

- 1) Identify personnel to perform damage assessment tasks.
- 2) Identify private sector organizations and individual with appropriate skills and knowledge that may be able to assist in damage assessment.
- 3) Participate in periodic damage assessment training.
- 4) Participate in using geographic information systems (GIS) that may be used in damage assessment.
- 5) Periodically review forms and procedures for reporting damage with designated damage assessment team members.

b. Emergency:

- 1) Make tentative staff assignments for damage assessment operations.
- 2) Review damage assessment procedures and forms with team members.
- 3) Prepare maps and take photos and videos to document damage.

c. Post-emergency:

- 1) Identify and prioritize areas to survey.
- 2) Refresh damage assessment team members on assessment procedures.
- 3) Deploy damage assessment teams.
- 4) Complete damage survey forms and forward to the Damage Assessment Officer.
- 5) Catalog and maintain copies of maps, photos, and videotapes documenting damage for further reference.
- 6) Provide technical assistance for preparation of recovery project plans.
- 7) Maintain disaster-related records.

VII. DIRECTION AND CONTROL

- A. The Commissioners Court or local City Council may establish local rules and regulations for the disaster recovery program and may approve those recovery programs and projects that require approval by the local governing body.
- B. The County Judge or local Mayor or City Manager shall provide general guidance for and oversee the operation of the local disaster recovery program and may authorize those programs and projects that require approval by the chief elected official or chief operating officer of the jurisdiction.
- C. The EMC shall direct day-to-day disaster recovery activities and shall serve as the Damage Assessment Officer or designate an individual to fill that position.
- D. The County Judge, local Mayor or City Manager shall appoint local officials to fill the positions of IA Officer, PA Officer, and Recovery Fiscal Officer. These individuals shall report to the EMC in matters relating to the recovery program.

VIII. INCREASED READINESS LEVELS**A. Readiness Level IV – Normal Conditions**

See the mitigation and preparedness activities in paragraphs V.E.1 and V.E.2.

B. Readiness Level III – Increased Readiness

1. Alert key staff and volunteer organizations of the current situation.
2. Fill vacancies on damage assessment teams; conduct refresher training; check team equipment such as cameras.

C. Readiness Level II – High Readiness

1. Notify District Coordinator of the situation.
2. Brief damage assessment teams and place on standby.
3. Brief senior staff on the damage assessment process and the need for detailed record keeping of emergency response and recovery activity expenses.

D. Readiness Level I – Maximum Readiness

1. Provide situation updates to the District Coordinator.
2. Have damage assessment teams ready for deployment.

IX. ADMINISTRATION & SUPPORT

A. Reports

1. Survey Team Reports

Each damage survey team will collect data using the Site Assessment forms (see **Appendix 2**) which can be found in the *Disaster Recovery Manual*. Once completed, these forms should be utilized to determine priorities for beginning repairs and evaluating the need for requesting state and federal assistance.

2. Disaster Summary Outline (DSO).

Totals from the Site Assessment forms and other reports will be compiled and transferred to the DSO. A copy of the DSO is provided in **Appendix 1** to this annex and in the *Disaster Recovery Manual*.

B. Records

Each department or agency will keep detailed records on disaster related expenses, including:

1. Labor
 - a. Paid (regular and overtime)
 - b. Volunteer
2. Equipment Used
 - a. Owned
 - b. Rented /leased
 - c. Volunteered
3. Materials
 - a. Purchased
 - b. Taken from inventory
 - c. Donated
4. Contracts (see below)
 - a. Services
 - b. Repairs

C. Contracts

1. The Recovery Fiscal Officer should monitor all contracts relating to the recovery process. Contracts that will be paid from federal funds must meet the following criteria:
 - a. Meet or exceed Federal and State Procurement Standards and must follow local procurement standards if they exceed the federal and state criteria.
 - b. Be reasonable.
 - c. Contain right to audit and retention of records clauses.
 - d. Contain standards of performance and monitoring provisions.
 - e. Fall within the scope of work of each FEMA project.
 - f. Use line items to identify each FEMA project, for multiple project contracts.
2. The following contract-related documents must be kept:

- a. Copy of contract
- b. Copy of PWs
- c. Copies of requests for bids
- d. Bid documents
- e. Bid advertisement
- f. List of bidders
- g. Contract let out
- h. Invoices, cancelled checks, and inspection records

D. Training

- 1. The individual assigned primary responsibility for the recovery function should attend disaster recovery training. A variety of disaster recovery training courses are offered by TDEM and FEMA.
- 2. Those individuals assigned duties as the IA Officer and PA Officer should also attend training appropriate to their duties.
- 3. The Damage Assessment Officer is responsible for coordinating appropriate training for local damage assessment teams.

E. Release of Information

- 1. Personal information, such as marital status, income, and Social Security numbers gathered during the damage assessment and recovery process is protected by state and federal privacy laws. Due care must be taken by all individuals having access to such information to protect it from inadvertent release.
- 2. General information, such as the numbers of homes damaged and their general locations, may be provided to private appraisers, insurance adjusters, etc.

X. ANNEX DEVELOPMENT & MAINTENANCE

A. Development

The EMC is responsible for developing and maintaining this annex.

B. Maintenance

This annex will be reviewed and updated in accordance with the schedule outlined in Section X of the **Basic Plan**.

C. Procedures

Those individuals charged with responsibilities for managing various recovery activities are also responsible for developing standard operating procedures for those activities.

XI. REFERENCES

- A. TDEM, *Disaster Recovery Manual* (DEM-62). (Available from TDEM in hard copy and online at the TDEM web site: www.txdps.state.tx.us/dem/documents.htm#recovery).
- B. FEMA, *Public Assistance Applicant Handbook* (FEMA-323).
- C. FEMA, *Debris Management Guide* (FEMA-325).
- D. Current FEMA Policy Letters. (Available online at www.fema.gov/r-n-r/pa/policy.htm)

APPENDIX

Appendix 1 Disaster Summary Outline
Appendix 2 Site Assessment Forms

<h2 style="margin: 0;">Disaster Summary Outline</h2>	Date: _____ Time: _____
--	----------------------------

I. GENERAL

Jurisdiction (*County/City*): _____ Population: _____

Type of Disaster (*Flood, Hurricane, Tornado, etc.*) _____

If this is a flood event, does the City/County participate in the National Flood Insurance Program (*NFIP*)?
 Yes/No

Inclusive dates of the disaster: _____

Was a local disaster declaration issued? Yes/ No (*Not applicable for Agriculture assistance only*)

Contact Person: _____ Title: _____

Address: _____ City: _____ Zip Code: _____

Phone () _____ Fax () _____

Pager () _____ 24-Hour Duty Officer/Sheriff's Office () _____

INDIVIDUAL ASSISTANCE

Casualties: (Contact local area hospitals)

- A. Number of Fatalities _____
- B. Number of Injuries _____
- C. Number Hospitalized _____

Number of homes isolated due to road closure (high water, etc.): _____

Agricultural Losses: (Contact the Farm Service Agency in your county)

Is agricultural assistance needed? Yes/ No If yes, please attach USDA flash situation report.

Residential Losses - Primary Residence Only: (*Local Damage Assessment*) See guidelines on page 4.

Type of Homes	Destroyed	Major Damage	Minor Damage	Affected	% Covered by Insurance
Single Family Homes					
Mobile Homes					
Multi-Family Units					
Totals					

Appendix 1 to Annex J

Estimated number of persons whose situation will not be satisfied by volunteer organizations (Contact local volunteer organizations) _____

Are shelters opened? Yes/No How many? _____

Name, location, capacity, and current occupancy of shelters?

Business Losses/Impacts:

	Number	# Covered by Adequate Insurance	Total estimated repair cost
Major Damage(greater than 40%)			\$
Minor Damage (less than 40%)			\$
Totals			\$

How many businesses have ceased operations: _____

How many businesses have experienced economic injury: _____

Estimated number of persons unemployed because of this disaster _____
(Contact affected businesses and the local Texas Workforce Commission Office)

PUBLIC ASSISTANCE

NOTE: All disaster related costs should be separated into the seven damage/work categories listed below:

Category	Subcategory	No. of Sites	Estimated Repair Costs	Anticipated Insurance *
Debris Clearance			\$	\$
Emergency (EMS, Fire, Police)			\$	\$
Road & Bridge	Roads - Paved		\$	\$
	Roads - Unpaved		\$	\$
	Bridges - Destroyed		\$	\$
	Bridges - Closed & Repairable		\$	\$
	Bridges - Damaged & Serviceable		\$	\$
	Culverts - Totally washed away		\$	\$
	Culverts - Damaged & still in place		\$	\$
Water Control Facilities (Dams, levees, dikes)			\$	\$
Buildings & Equipment			\$	\$
Public Utility Systems (Gas, Electric, Sewer, Water)			\$	\$
Other (Recreational Facilities, Airports, etc.)			\$	\$
Totals			\$	\$

* Anticipated insurance is normally calculated by subtracting any deductible, depreciation or uncovered loss from the estimated repair cost.

Appendix 1 to Annex J

Total annual maintenance budget (i.e. Public Works, Road & Bridge): \$ _____

Start of Fiscal Year: Month _____

Others (Contact non-profit or governmental, medical, emergency, utility, educational, custodial care facilities, etc.)

Organization/ Facility	No. of Sites	Estimated Repair Costs	Anticipated Insurance *
		\$	\$
		\$	\$
		\$	\$
		\$	\$
		\$	\$
		\$	\$
		\$	\$
		\$	\$
		\$	\$
		\$	\$
		\$	\$
		\$	\$
		\$	\$
		\$	\$
		\$	\$
		\$	\$
		\$	\$
Totals		\$	\$

This form is for damage assessment reporting purposes only. In accordance with the State Emergency Management Plan, if a Mayor/County Judge determines that a situation is of such severity and magnitude that an effective response is beyond the affected jurisdiction's capability to recover, a letter outlining the disaster impact and the need for supplemental State and/or Federal assistance must accompany this DSO.

Once this form is completed, submit pages 1-3 to your local Disaster District Committee, and to:

Texas Department of Public Safety
 Division of Emergency Management
 P.O. Box 4087
 Austin, Texas 78773 or FAX to: 512-424-2444

RESIDENTIAL LOSS GUIDELINES

Destroyed: Structure is permanently uninhabitable and cannot be repaired. Look for the following:

- Structure gone, only foundation remains;
- Major sections of walls missing or collapsed;
- Entire roof gone with noticeable distortion of the walls;
- Structure has shifted off of its foundation;
- More than 4 feet of water, over 12" for mobile homes.

Major: Structure is currently uninhabitable and extensive repair is required to make it habitable. Look for the following:

- Portions of the roof, including decking, missing;
- Twisted, bowed or cracked walls;
- Penetration of structure by trees or cars, etc.;
- 2 to 4 feet of water, 6" to 12" for mobile homes.

Minor: Structure is habitable with minor repairs. Look for the following:

- Many missing shingles, broken windows and doors;
- Siding loose, missing or damaged;
- Minor shifting or settling of foundation;
- Damaged septic systems (flood);
- 6" to 2 feet of water, less than 6" for mobile homes.

Affected: Structure is habitable. Some minor damage may be eligible for assistance. Look for the following:

- A few missing shingles;
- Some broken windows;
- Damage to cars;
- Damage to Air Conditioner Compressor only;
- Less than 6" of water.

Estimating Insurance: The following are general guidelines to estimating insurance coverage.

- Renters are less likely to have insurance.
- Low income residents are less likely to have insurance.
- Homeowners who are still paying off their mortgage will normally have the appropriate type of insurance.
- Residents who are flooded and reside in an area that does not participate in the NFIP or in an area that has been sanctioned for NFIP code enforcement violations will not have flood insurance.
- Residents who are flooded but whose property is not located in the Special Flood Hazard Area (SFHA) will probably not have flood insurance.

(1) COUNTY _____

(4) DAMAGE ASSESSMENT TEAM _____

(5) INCIDENT PERIOD: _____

(2) CITY _____

(6) DATE OF SURVEY: _____

(3) INCIDENT: _____

(7) PAGE ___ OF ___

REF NO. (8)	NAME OF BUSINESS NAME OF TENANT/OWNER TYPE OF BUSINESS STREET ADDRESS PHONE NO. (9)	ESTIMATED DAYS OUT OF OPERATION (10)	EMPLOYEES		FAIR REPLACEMENT VALUE (13)	ESTIMATED DOLLAR LOSS (14)	AMT OF ANTICIPATED INSURANCE (15)	% UNINSURED LOSS (16)	IF COL 16 IS:	
			NO. (11)	UI (12)					< 40% MIN (17)	> 40% MAJ (18)
					CONTENTS:\$ _____ STRUCTURE:\$ _____ LAND:\$ _____	\$ _____ \$ _____ \$ _____	\$ _____ \$ _____ \$ _____			
					CONTENTS:\$ _____ STRUCTURE:\$ _____ LAND:\$ _____	\$ _____ \$ _____ \$ _____	\$ _____ \$ _____ \$ _____			
					CONTENTS:\$ _____ STRUCTURE:\$ _____ LAND:\$ _____	\$ _____ \$ _____ \$ _____	\$ _____ \$ _____ \$ _____			
					CONTENTS:\$ _____ STRUCTURE:\$ _____ LAND:\$ _____	\$ _____ \$ _____ \$ _____	\$ _____ \$ _____ \$ _____			
					CONTENTS:\$ _____ STRUCTURE:\$ _____ LAND:\$ _____	\$ _____ \$ _____ \$ _____	\$ _____ \$ _____ \$ _____			
					CONTENTS:\$ _____ STRUCTURE:\$ _____ LAND:\$ _____	\$ _____ \$ _____ \$ _____	\$ _____ \$ _____ \$ _____			
					CONTENTS:\$ _____ STRUCTURE:\$ _____ LAND:\$ _____	\$ _____ \$ _____ \$ _____	\$ _____ \$ _____ \$ _____			
					CONTENTS:\$ _____ STRUCTURE:\$ _____ LAND:\$ _____	\$ _____ \$ _____ \$ _____	\$ _____ \$ _____ \$ _____			

(1) COUNTY _____

(4) INCIDENT PERIOD: _____

(7) ASSESSMENT TEAM: _____

(6) PAGE ____ OF ____

(2) MUNICIPALITY _____

(5) DATE OF SURVEY: _____

(3) TYPE OF INCIDENT: _____

REF NO. (8)	NAME ADDRESS PHONE	TYPE OF STRUCTURE SF MF MH	DAMAGE CATEGORY AFFECTED DESTROYED MAJOR MINOR	WATER LEVEL IN STRUCTURE (INCHES)	ESTIMATED INCOME HIGH MIDDLE LOW	IS STRUCTURE OCCUPIED Y/N	STATUS OWN RENT	RESIDENCE PRIMARY OR SECONDARY	FAIR REPLACEMENT VALUE STRUCTURE CONTENTS	ESTIMATED LOSS \$	ANTICIPATED INSURANCE \$	AMOUNT OF UNINSURED LOSS \$	PERCENT OF UNINSURED LOSS
									STRUCTURE CONTENTS				
									STRUCTURE CONTENTS				
									STRUCTURE CONTENTS				
									STRUCTURE CONTENTS				
									STRUCTURE CONTENTS				
									STRUCTURE CONTENTS				
									STRUCTURE CONTENTS				
									STRUCTURE CONTENTS				
									STRUCTURE CONTENTS				
	TOTALS	SF _____ MF _____ MH _____	AFF _____ MIN _____ MAJ _____ DEST _____		L _____ M _____ H _____	Y _____ N _____	O _____ R _____	P _____ S _____	STRUCTURE CONTENTS	\$	\$	\$	\$

Instructions for Site Assessment – Housing Losses

- (1) County where the damage is located
- (2) City if in the corporate limits
- (3) Note the type of incident
- (4) Identify the team members
- (5) Date(s) of the incident
- (6) Date(s) of the survey
- (7) Page number
- (8) Locally established reference number – 1, 2, 3...etc
- (9) Name of occupant, street address, phone number.
- (10) Type of Structure (SF – Single Family, MH – Mobile Home, MF – Multi-Family)
- (11) Damage Category – Destroyed, Major, Minor
- (12) Water Level in Structure (in feet)
- (13) Estimated income (High, Medium, Low)
- (14) Is structure occupied?
- (15) Own/Rent
- (16) Primary/Secondary Residence (If secondary structure is occupied; evaluate extent of damage and % of uninsured loss to the tenant" property and evaluate extent of damage and % of uninsured loss to the owner" property)
- (17) Fair Replacement Value (structure and contents)
- (18) Insurance coverage


State Planning Standards Checklist for Annex J, Recovery

Jurisdiction(s): Delta County, Texas, including the City of Cooper and City of Pecan Gap
Annex Date: February 22, 2024 **Date of most recent change, if any:** February 22, 2024
 (The date which appears on the signature page)

Note: The annex will be considered Deficient if the *italicized* standards are not met.

This Annex shall:	Section/paragraph
I. Authority	
J-1. Identify local, state, and federal legal authorities pertinent to the subject of the annex in addition to those cited in the Basic Plan.	I
II. Purpose	
J-2. Include a purpose statement that describes the reason for development of the annex.	II
III. Explanation of Terms	
J-3. Explain acronyms and define terms used in the annex.	III
IV. Situation & Assumptions	
J-4. <i>Include a situation statement related to the subject of the annex or refer to the general situation information contained in the Basic Plan.</i>	IV.A
J-5. <i>Include a list of assumptions used in planning for recovery operations in the aftermath of a disaster.</i>	IV.B
V. Concept of Operations	
J-6. <i>Describe the general phases of disaster recovery operations.</i>	V.A
J-7. <i>Outline the local concept of operations for damage assessment in the aftermath of a disaster.</i>	V.B
J-8. <i>Describe how the local jurisdiction will request state and federal disaster recovery assistance.</i>	V.C
J-9. <i>Summarize the types of disaster declarations that may be issued by federal officials and the types of assistance that may be made available pursuant to such declarations.</i>	V.D
J-10. <i>Include a list of actions by phases of emergency management to be taken to ensure effective disaster recovery.</i>	V.E
VI. Organization & Assignment of Responsibilities	
J-11. <i>Specify how the local disaster recovery function is organized.</i>	VI.A
J-12. <i>Include a listing of the responsibilities for recovery tasks assigned to individuals, departments, and other organizations.</i>	VI.B
VII. Direction & Control	
J-13. <i>Describe how the local disaster recovery program will be directed and coordinated.</i>	VII
VIII. Readiness Levels	
J-14. <i>Describe actions relating to the recovery functions to be taken at various readiness levels.</i>	VIII

IX. Administration & Support	
J-15. Describe reporting requirements relating to the recovery function.	IX.A
J-16. Describe policies on record keeping for the disaster recovery program.	IX.B
J-17. Include guidance on contracting for recovery projects.	IX.C
J-18. Outline training requirements relating to the recovery function.	IX.D
J-19. Highlight restrictions on the release of personal information obtained as part of recovery programs.	IX.E
X. Annex Development & Maintenance	
J-20. Specify the individual(s) by position responsible for developing and maintaining the annex.	X.A
J-21. Make reference to the schedule for review and update of annexes contained in Section X of the Basic Plan.	X.B
XI. References	
J-22. List references pertinent to the content of the annex.	XI
Other	
J-23. Include a copy of a Disaster Summary Outline (DSO) either utilizing the most current version of the DEM-93 provided in the sample annex or a DSO of your own that includes all the information provided for in the DEM-93.	Appendix 1
J-24. Include a copy of the Site Assessment Forms.	Appendix 2

FOR LOCAL GOVERNMENT USE		Signature	Date
This Checklist Completed By			02/22/2024

FOR DEM USE	Initials	Date
TDEM Preparedness Section Processing		

ANNEX U

LEGAL



Delta County

RECORD OF CHANGES

CHANGE #	DATE OF CHANGE	DESCRIPTION	CHANGED BY
01	11/09/2022	Updated entire annex	Tanner Crutcher
02	02/22/2024	Updated signature lines	Tanner Crutcher

APPROVAL & IMPLEMENTATION

Annex U

LEGAL

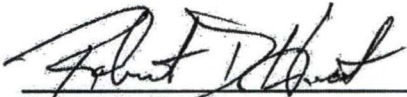
This annex is hereby approved for implementation and supersedes all previous editions.



Tanner Crutcher,
County Judge

2-22-2024

Date



Robert D. Hurst,
Emergency Management Coordinator

2-22-2024

Date

Edgar J. Garrett,
County Attorney

Date

ANNEX U

LEGAL

I. AUTHORITY

- A. See Section I of the **Basic Plan** for general authorities.
- B. Texas Local Government Code, Chapter 203 (Management and Preservation of Records), and Chapter 229 (Miscellaneous Regulatory Authority of Municipalities).

II. PURPOSE

The purpose of this annex is to make provision for legal services during emergency situations or when such situations appear imminent, and to provide guidance for invoking the emergency powers of government when necessary.

III. EXPLANATION OF TERMS

EOC	Emergency Operating Center
FEMA	Federal Emergency Management Agency
IC	Incident Commander
TAC	Texas Administrative Code
TGC	Texas Government Code

IV. SITUATION & ASSUMPTIONS

A. Situation

Delta County and its Cities face a number of hazards that could threaten public health and safety and personal and government property; see Section IV.A of the **Basic Plan** for a summary of these hazards. Legal issues requiring timely resolution may arise during pre-disaster hazard mitigation designed to lessen the effects of known hazards, during pre-disaster preparedness activities designed to enhance the local capability to respond to a disaster, during the actual response to a disaster, or during the post-disaster recovery process.

B. Assumptions

1. Local emergency preparedness plans and programs should have a sound legal basis.
2. In responding to major emergencies and disasters, local officials may be required to take extraordinary measures to protect public health and safety and preserve property. They will also require timely advice regarding the legality of proposed measures.

3. Implementation of measures to protect public health and safety and preserve property during emergency recovery and mitigation activities generally require issuance of appropriate legal documents. These should be prepared by competent legal service professionals.

V. CONCEPT OF OPERATIONS

A. General

1. Emergency Declaration

- a. Pursuant to Chapter 433, Texas Government Code (TGC), the chief elected official or the governing body of a city or county may request the Governor declare a state of emergency for a jurisdiction or a portion thereof. For purposes of this statute, an emergency exists in the following situations: riot or unlawful assembly by three or more persons acting together by use of force or violence, the existence of a clear and present danger of violence, or a natural or man-made disaster. The Governor may proclaim a state of emergency and issue directives to control and terminate the emergency and protect life and property. Directives issued by the Governor for a state of emergency expire 72 hours after issuance; however, successive states of emergency may be declared by the Governor. A sample request for an emergency declaration is provided in **Appendix 1**.
- b. The emergency declaration process is generally not used for natural or man-made disasters because: (1) it requires action by the Governor to resolve local problems rather than facilitating action by local officials, (2) the Governor's directives require advance notice before they become effective, and (3) directives are of very limited duration – 72 hours. Hence, a disaster declaration may be more appropriate for responding to natural or technological emergencies. An emergency declaration may be appropriate for security-related incidents where local law enforcement resources are inadequate to handle the situation.
- c. If the actions taken by the Governor after an initial emergency declaration do not resolve the emergency situation, the chief elected official or governing body may request that the emergency declaration be continued. If the local emergency situation that was the basis for an emergency declaration is resolved before the Governor's directives expire, it is desirable to advise the Governor that the emergency declaration is no longer required.

2. Disaster Declaration

- a. The Texas Disaster Act, Chapter 418, TGC, provides that the presiding officer of the governing body of a political subdivision (the County Judge of a county or the Mayor of a municipality) may declare a local state of disaster. A disaster declaration may be issued when a disaster has occurred or appears imminent. Chief elected officials, in order to respond to or recover from a significant natural or man-made disaster, typically use the disaster declaration process. A sample disaster declaration is provided in Appendix 2. Copies of a disaster declaration should be filed with the Texas Division of Emergency Management (TDEM) and the County Clerk or City Secretary.

- b. Chapter 418.108 of the Texas Government Code provides that county judges and mayors may, when a state of disaster has been declared, exercise similar powers on an appropriate local scale as have been granted to the Governor in the Disaster Act. Among those powers is the authority suspend procedural laws and rules, use public and private resources to respond to the disaster, control the movement of people, restrict the sale and transportation of certain items, and take a number of other actions. Once a state of disaster is declared, a city or county may enact an emergency ordinance or order describing the specific emergency regulations that are to be put into effect during the disaster. A sample emergency powers ordinance is provided in **Appendix 5**.
 - c. Texas statutes (Chapter 229 of the Local Government Code and Chapter 433 of the Texas Government Code) limit the seizure and/or confiscation of any firearm or ammunition from individuals, except under specific circumstances.
 - d. A disaster declaration may not be continued in force for more than seven days unless renewed by the Commissioners Court or City Council. A sample ordinance/court order extending a disaster declaration is provided in **Appendix 3**. The Commissioners Court or City Council may terminate a state of disaster at any time; this approach is typically used when the threat that gave rise to the disaster declaration has subsided. Alternatively, the Commissioners Court or City Council may choose to simply let the declaration expire by taking no action to extend it. A sample ordinance / court order terminating a disaster declaration is provided in **Appendix 4**.
3. Continuity of Government

Pursuant to Chapter 418 of the Texas Government Code, the Commissioners Court of Delta County has adopted a plan for the continuity of the functions of the County during a presidential and/or gubernatorial declared disaster or other catastrophic event. The County Continuity of Operations Plan provides for:

- a. The delegation of administrative duties of the Commissioners Court or any official or employee of the County to another appropriate person;
 - b. The establishment of orders of succession for performing essential functions of the County;
 - c. The establishment of meeting procedures for the Commissioners Court; and
 - d. The plan does not provide for the delegation of a duty required by the Texas Constitution.
 - e. The waiving of the requirement for a quorum for members of the Commissioners Court, except where otherwise prohibited by law, if:
 - 1) The County is wholly or partly in the area of a disaster declared by the presidential or governor; and
 - 2) A majority of the Commissioners Court are unable to be present at a meeting as a result of the disaster.
4. Authority for Evacuations

State law provides a County Judge or Mayor with the authority to order the evacuation of all or part of the population from a stricken or threatened area within their respective jurisdictions.

5. County Regulation of Outdoor Burning & Use of Fireworks

One of the effects of drought conditions is an increased threat of wildfires. Many municipalities have enacted ordinances that prohibit or restrict open fires within their corporate limits at all times. The Local Government Code gives counties authority to mitigate the risk of wildfire by restricting outdoor burning and the use of fireworks in unincorporated areas under certain circumstances.

- a. Pursuant to §240.906 of the Local Government Code, The Commissioners Court of a county by order may restrict outdoor burning in general or outdoor burning of a particular substance in all or part of the unincorporated area of the county if drought conditions have been determined by the Texas Forest Service to exist and county officials find that circumstances exist in all or parts of the unincorporated areas of the county such that outdoor burning would create a public safety hazard. The normal procedure for implementing restrictions on outdoor burning is for the County Judge to issue a disaster declaration pursuant to the Texas Disaster Act based on the imminent threat of wildfire. Then, the Commissioners Court issues an emergency order restricting outdoor burning in all unincorporated areas of the county or portions of those areas. A sample disaster declaration based on a threat of wildfire is provided in **Appendix 6**. A sample Commissioners Court order banning outdoor burning is provided in **Appendix 7**.
- b. Pursuant to §240.904 of the Local Government Code, counties may restrict the use of fireworks in unincorporated areas of the county if drought conditions have been determined to exist by the Texas Forest Service. An order adopted must specify the period during which outdoor burning is prohibited or restricted. The period may not extend beyond the 90th day after the date the order is adopted. **Such orders for the Fourth of July fireworks season must be issued by June 15th ending sales by midnight July 4th and by December 15th ending sales by midnight January 1st for the December fireworks season.**

B. Activities by Phases of Emergency Management

1. Prevention

- a. Brief the elected officials and department heads on possible liabilities arising from disaster operations, procedures for invoking the emergency powers of government, and legal documents relating to emergency powers.
- b. Maintain current copies of existing disaster-related laws, regulations, and orders.
- c. Develop local procedures for invoking emergency powers.
- d. Prepare sample legal documents (included in this annex) for approval by elected officials.

2. Preparedness

- a. Ensure that local emergency call-out rosters include the County or City Attorney, who should maintain current telephone numbers and addresses for the legal staff.

- b. Review plans and procedures.
 - c. Review mutual aid agreements submitted to the jurisdiction for approval and prepare mutual aid agreements to be submitted to other jurisdictions for approval.
3. Response
- a. Advise the County Judge or Mayor and emergency services staff on legal implications of response activities.
 - b. Prepare, have approved and signed, and disseminate legal documents declaring a disaster, terminating a disaster declaration, or invoking emergency powers, if required.
 - c. Advise the Incident Commander (IC) on legal matters, such as emergency proclamations, legality of evacuation orders, and legal rights and restrictions pertaining to media access.
4. Recovery
- a. Advise local officials on legal aspects of recovery operations.
 - b. Assist officials in preparing emergency ordinances, permits, applications for state or federal assistance, grant applications, and, if necessary, litigation.

VI. ORGANIZATION & ASSIGNMENT OF RESPONSIBILITIES

A. General.

Overall responsibility for providing legal services to the County Judge or Mayor, the Commissioners Court or City Council, department heads, and other local officials during an emergency rests with the County or City Attorney. The County or City Attorney will be assisted by his or her subordinates.

B. Task Assignments

1. The County Judge or Mayor
 - a. Will take such actions that are legal and necessary to manage the disaster at hand.
 - b. If the situation warrants, may declare a local state of disaster. Issuance of a local disaster declaration is advisable if an emergency situation has resulted in substantial damage to privately-owned or government property and state or federal assistance will be needed to recover from the incident. If a local disaster declaration is issued, it shall be given prompt and general publicity.
 - c. If the situation warrants, may request the Governor to declare a state of emergency.

- d. If requesting state assistance to cope with a local disaster, should attach copies of any local disaster declaration that has been issued to the request for state assistance. See **Annex J, Damage Assessment**, for further information.
2. The County or City Attorney will:
 - a. Advise elected officials and department heads regarding the emergency powers of local government and necessary procedures for invoking measures to:
 - 1) suspend procedural laws and rules
 - 2) establish curfews
 - 3) restrict or deny access to a disaster area
 - 4) control the movement of persons and occupancy of premises in a disaster area
 - 5) implement wage, price, and rent control;
 - 6) establish rationing for critical supplies
 - 7) limit or restrict use of water or other utilities
 - 8) use any publicly owned resource to respond to the disaster
 - 9) commandeer private property, subject to compensation requirements, to respond to the disaster
 - 10) remove debris from publicly or privately-owned property
 - 11) restrict outdoor burning and use of fireworks
 - b. Advise officials on possible liabilities arising from disaster operations, including the exercising of any or all of the above powers.
 - c. Prepare and recommend legislation to implement the emergency powers that may be required during an emergency.
 - d. Advise local officials and department heads on record keeping requirements and other documentation necessary for the exercising of emergency powers.
 - e. Prepare and keep current this annex.
 - f. During an emergency, report instances of overcharging for emergency supplies, equipment, and repair materials to the Consumer Affairs section of the Office of the Attorney General.
 3. The City Secretary or County Clerk will:
 - a. Publish the required agenda of all meetings.
 - b. Prepare a record of public meetings
 - c. Receive a copy of disaster declarations and documents extending or terminating a state of disaster.
 - d. Ensure proper protection of all records.

VII. DIRECTION & CONTROL

- A. General.** The County Attorney is responsible for providing legal services to the County Judge, Commissioners Court and department heads; and for preparing all legal documents necessary for the conduct of emergency operations and the exercise of emergency powers. Supervisors will exercise their usual supervisory responsibilities over legal personnel.
- B. Coordination.** The County Attorney will designate a person to coordinate with the County Judge and the EOC, if activated. The County Attorney will identify staff members to be called for emergency duty and will designate those responsible for contacting such staff members.
- C. Line of Succession.** The line of succession for legal services personnel will be:
1. City Attorney, Cooper
 2. City Attorney, Pecan Gap

VIII. READINESS LEVELS**A. Readiness Level IV – Normal Conditions**

See the prevention and preparedness activities in paragraphs V.B.1) and V.B.2) above.

B. Readiness Level III - Increased Readiness

1. The County or City Attorney will review the potential emergency situation, determine staff availability, and review emergency tasks assigned in the emergency management plan and this annex.
2. The County or City Attorney will designate the personnel on call for emergency duty.

C. Readiness Level II – High Readiness

1. Senior officials and department heads will be briefed on the legal ramifications, if any, of the potential emergency situation.
2. The County or City Attorney will brief the legal staff on the potential emergency situation and plans to deal with it should it occur and ensure that on-call staff members are available by telephone and ready to report duty if called.

D. Readiness Level I – Maximum Readiness

The designated on-call legal services representative will proceed to the EOC if requested.

IX. ADMINISTRATION & SUPPORT

- A. Maintenance of Records.** All records generated during an emergency will be collected and filed in an orderly manner so a record of events is preserved for use in determining response costs, settling claims, and updating emergency plans and procedures.

- B. **Preservation of Records.** Vital legal records should be protected from the effects of disaster to the maximum extent feasible. Should records be damaged during an emergency situation, professional assistance in preserving and restoring those records should be obtained from a firm specializing in these tasks as soon as possible.
- C. **Training.** Legal services personnel who will be participating in EOC operations shall receive training on the operating procedures for that facility.

X. ANNEX DEVELOPMENT & MAINTENANCE

- A. **Development.** The Delta County Attorney is responsible for developing and maintaining this annex.
- B. **Maintenance.** This annex will be reviewed annually and updated in accordance with the schedule outlined in Section X of the **Basic Plan**.

XI. REFERENCES

- A. Texas Division of Emergency Management *Local Emergency Management Planning Guide (DEM-10)*.
- B. FEMA *Comprehensive Preparedness Guide (CPG-101)*

APPENDICES:

Appendix 1	Sample Request for Emergency Declaration
Appendix 2	Sample Disaster Declaration
Appendix 3.....	Sample Extension of Disaster Declaration
Appendix 4.....	Sample Termination of Disaster
Appendix 5.....	Sample Emergency Powers
Appendix 6	Sample Disaster Declaration for Wildfire Threat
Appendix 7	Sample Burn Ban

SAMPLE REQUEST FOR EMERGENCY DECLARATION

The Honorable _____
Governor of Texas
c/o State Coordinator
Texas Division of Emergency Management
P. O. Box 4087
Austin, Texas 78773-0001

Date:

Dear Governor _____:

The [County of _____ /City of _____], Texas, is facing significant threats to life, health and property due to:

- [Provide a description of the threat and the area or areas affected. Threats may include:
- riot or unlawful assembly of three or more persons acting together by use of force or violence
 - the existence of a clear and present danger of the use of violence
 - a natural or man-made disaster
- (For these threats, a disaster declaration may be more appropriate.)]

The potential impact of this threat is:

[Provide an estimate of the impact on public health, safety, and property if the threat is not dealt with.]

I have determined that this incident is of such severity and magnitude that an effective response is beyond the capability of the [county/city] to control. Pursuant to §433.001 of the Texas Government Code, I am requesting that you declare a state of emergency for [county/city], Texas, and issue appropriate directives to deal with the emergency; including:

[Indicate what measures that you want the Governor to take.]

Furthermore, I am asking that successive proclamations be issued and remain in effect until the threat of loss of life, injury, or damage property is contained.

A timely response to this request would be appreciated.

signature
[County Judge/Mayor]*

* NOTE: The statute provides that either the chief elected or the governing body of a city or county may request the Governor issue an emergency declaration. If a governing body makes a request, this letter should be appropriately modified.

SAMPLE DISASTER DECLARATION

DECLARATION OF DISASTER

WHEREAS, the [County of _____/City of _____] on the ____ day of _____, 20__, has suffered widespread or severe damage, injury, or loss of life or property (or there is imminent threat of same) resulting from

[Briefly describe the disaster situation.] , and

WHEREAS, the [County Judge/Mayor] of _____ has determined that extraordinary measures must be taken to alleviate the suffering of people and to protect or rehabilitate property,

NOW, THEREFORE, BE IT PROCLAIMED BY THE [COUNTY JUDGE/MAYOR] OF _____:

1. That a local state of disaster is hereby declared for _____ pursuant to §418.108(a) of the Texas Government Code.
2. Pursuant to §418.018(b) of the Government Code, the state of disaster shall continue for a period of not more than seven days from the date of this declaration unless continued or renewed by the [City Council/Commissioners Court] of _____.
3. Pursuant to §418.018(c) of the Government Code, this declaration of a local state of disaster shall be given prompt and general publicity and shall be filed promptly with the [City Secretary/County Clerk].
4. Pursuant to §418.018(d) of the Government Code, this declaration of a local state of disaster activates the [county/city] emergency management plan.
5. That this proclamation shall take effect immediately from and after its issuance.

ORDERED this the ____ day of _____, 20__ .

signature
[County Judge/Mayor]

SAMPLE EXTENSION OF DISASTER DECLARATION

CITY ORDINANCE or COMMISSIONERS COURT ORDER

WHEREAS, on [___ date ___], the [County Judge/Mayor] issued a proclamation declaring a state of disaster for [jurisdiction name ___] resulting from

[Provide a brief description of the disaster];

WHEREAS, the conditions necessitating declaration of a state of disaster continue to exist; and

WHEREAS, §418.108(b) of the Texas Government Code provides that a local state of disaster may not be continued for a period of excess of seven days without the consent of the governing body of the political subdivision;

NOW THEREFORE, BE IT [ORDERED/ORDAINED] BY THE [COMMISSIONERS COURT/CITY COUNCIL] of _____:

1. That the state of disaster proclaimed for the _____ by the [County Judge/Mayor] on _____ shall continue until terminated by order of the [COMMISSIONERS COURT/CITY COUNCIL].

2. This ordinance is passed as an emergency measure and pursuant to [local authority for emergency measures] and shall become effective on the ___ day of _____, 20____.

PASSED AND ADOPTED, this ___ day of _____, 20____.

APPROVED, this ___ day of _____, 20____.

[County Judge/Mayor]

[Commissioners Court orders will normally include the signature of the County Judge and the County Commissioners.]

SAMPLE TERMINATION OF DISASTER

CITY ORDINANCE or COMMISSIONERS COURT ORDER

WHEREAS, on _____, the [County Judge/Mayor], pursuant to the Texas Government Code, Chapter 418, (the "Texas Disaster Act"), issued a proclamation declaring a local state of disaster for the [County of _____ / City of _____] resulting from:

[Describe the situation that occasioned the disaster declaration];

WHEREAS, the conditions necessitating the proclamation of a local state of disaster have ceased to exist; and

WHEREAS, the Texas Disaster Act provides that a local state of disaster may be terminated by the governing body of the political subdivision or by executive order of the [County Judge/Mayor],

NOW THEREFORE, BE IT [ORDERED/ORDAINED] BY THE [COMMISSIONERS COURT/CITY COUNCIL]:

1. The [Commissioners Court/City Council], as the governing body of _____, hereby terminates the proclamation of a local state of disaster described in the preamble above.

2. A public emergency exists requiring that this ordinance be passed formally on the date of its introduction; therefore, this [ordinance/order] shall take effect immediately upon its passage and approval by the [County Judge/Mayor].

PASSED AND ADOPTED, this ____ day of _____, 20__.

APPROVED, this ____ day of _____, 20__.

[County Judge/Mayor]

[Commissioners Court orders will normally include the signature of the County Judge and the County Commissioners.]

SAMPLE EMERGENCY POWERS

CITY ORDINANCE or COMMISSIONERS COURT ORDER

WHEREAS, by proclamation issued [date of disaster declaration], the [County Judge/Mayor] declared a state of disaster for _____] resulting from

[Briefly describe the situation]; and

WHEREAS, said state of disaster requires that certain emergency measures be taken pursuant to the Executive Order of the Governor Relating to Emergency Management; now, therefore, the following regulations shall take effect immediately upon issuance, and shall remain in effect until the state of disaster is terminated:

[Eliminate sections below describing measures that will not be used.]

1. CURFEW

- (a) A person shall not remain or travel upon any public or private property in the following area(s) between the hours of _____ and _____:

[Insert description of applicable areas]

- (b) Subsection (a) shall not apply to:

- (1) a person authorized by the Emergency Management Director to assist in the production of the health, safety, or welfare of the public; or
- (2) a person who remains or travels upon private property which is owned by him or upon which the person has been invited.

2. MOVEMENT OF PEOPLE AND OCCUPANCY OF PREMISES

- (a) A person shall not remain or travel upon any public or private property in the following area(s):

[Insert description of applicable areas]

- (b) Subsection (a) shall not apply to a person authorized by local government officials to assist in the protection of the health, safety, or welfare of the public.

3. UTILITIES

All utility services shall be discontinued in the following area(s):

[Insert description of applicable areas]

4. FLAMMABLE PRODUCTS

- (a) A person shall not sell or give away gasoline or other flammable or combustible products in the following area(s):

[Insert description of applicable areas]

- (b) All gasoline stations shall be closed in the following area(s):

[Insert description of applicable areas]

5. EXPLOSIVES

- (a) A person shall not sell, barter, loan, or give away arms, ammunition, dynamite, or other explosives in the following area(s):

[Insert description of applicable areas]

- (b) All establishments where arms, ammunition, dynamite, or other explosives are sold shall be closed in the following area(s):

[Insert description of applicable areas]

6. ALCOHOLIC BEVERAGES

- (a) A person shall not sell or distribute beer, wine, liquor, or alcoholic beverages of any kind in the following area(s):

[Insert description of applicable areas]

- (b) Subsection (a) shall not apply to the sale of medicine which contains alcohol.

7. PRICE CONTROLS

A person shall not sell any of the following goods or services for more than the price the person charged for the goods or services on (date of disaster declaration):

- (a) groceries, beverages, toilet articles, ice
- (b) construction and building materials and supplies, and earthmoving equipment and machinery
- (c) electrical and gas generating and transmission equipment, parts and accessories
- (d) charcoal briquettes, matches, candles, lamp illumination and heat unit carbides, dry batteries, light bulbs, flashlights, and hand lanterns
- (e) hand tools (manual and power), hardware and household supplies, and equipment rental
- (f) automotive parts, supplies, and accessories
- (g) plumbing and electrical tools and supplies
- (h) apartment, duplex, multi-family dwelling, rooming house, hotel and motel rental
- (i) gasoline, diesel oil, motor oil, kerosene, grease, and automotive lubricants

- (j) restaurant, cafeteria, and boarding-house meals
- (k) services of roofing and building contractors, plumbers, electricians, mechanics, tree surgeons, and automobile wrecker companies
- (l) medicine, pharmaceutical, and medical equipment and supplies
- (m) blankets, quilts, bedspreads, bed linens, mattresses, bedsprings, bedsteads, towels, and toilet paper
- (n) furniture and clothing

8. SUSPENSION AND MODIFICATION OF ORDINANCES

- (a) The following ordinances and regulations are hereby suspended or modified as indicated:

[List the relevant ordinances and regulations]

- (b) The suspension or modifications of the ordinances and regulations listed in Subsection (a) shall remain in effect until (date 60 days from the date these regulations are issued), or until the state of disaster is terminated, whichever is sooner.

9. PENALTIES

- (a) These regulations shall have the effect of ordinances when duly filed with the [County Clerk/City Secretary].
- (b) A person who violates any provision of these regulations, upon conviction, is punishable by a fine of not more than five hundred dollars (\$500.00).

10. EMERGENCY

This [ordinance/order] shall take effect immediately from and after its passage and publication, and it is accordingly so ordained.

PASSED AND ADOPTED, this ____ day of _____, 20__.

APPROVED, this ____ day of _____, 20__.

[County Judge/Mayor]

[Commissioners Court orders will normally include the signature of the County Judge and the County Commissioners.]

SAMPLE DISASTER DECLARATION FOR WILDFIRE THREAT

PROCLAMATION

WHEREAS, Delta County has not had rainfall for an extended period and weather forecasters offer little promise of a change in the hot, dry conditions in the near future; and

WHEREAS, these hot, dry conditions pose the threat of large, dangerous and fast-moving wildfires: and,

WHEREAS, such fires have the potential of endangering lives and damaging property on a large scale; and

WHEREAS, the Texas Disaster Act of 1975 authorized declaration of a state of disaster "if the threat of disaster is imminent" and

WHEREAS, the magnitude of the potential damage and the rapidity at which such a fire could escalate to major proportions constitute an imminent threat of disaster; and

WHEREAS, declaration of such disaster authorized the imposition of controls on activities which tend to increase the likelihood of fires; and

WHEREAS, such controls, once implemented, have the potential of protecting lives and property by mitigating the threat of dangerous fires;

BE IT THEREFORE PROCLAIMED, that I _____, County Judge of Delta County, do hereby declare a state of disaster based on the threat of large wildfires in Delta County, Texas; and

BE IT ALSO PROCLAIMED that this state of disaster will continue until rescinded in accordance with the above statute and order, but in no instance will this declaration continue for more than seven days without authorization by the Delta County Commissioners Court;

BE IT ALSO PROCLAIMED that this state of disaster is being declared solely for the purpose of implementing controls aimed at mitigating the hazard posed by wildfires during the current hot, dry weather.

BE IT ALSO ORDERED THAT the purpose of this order is the mitigation of the hazard posed by wildfires by curtailing the practice of outdoor burning, which purpose is to be taken into account in any enforcement action based upon this order

IN WITNESS WHEREOF, I affix my signature this ____ day of _____, 20__

County Judge

State Planning Standards Checklist for Annex U, Legal

Jurisdiction(s): Delta County, Texas, including the City of Cooper and City of Pecan Gap

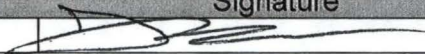
Annex Date: February 22, 2024 **Date of most recent change, if any:** February 22, 2024

(The date which appears on the signature page)

Note: The annex will be considered Deficient if the *italicized* standards are not met.

This Annex shall:	Section/paragraph
I. Authority	
U-1. Identify local, state, and federal legal authorities pertinent to the subject of the annex, in addition to those cited in the basic plan.	I.
II. Purpose	
U-2. Include a purpose statement that describes the reason for development of the annex.	II.
III. Explanation of Terms	
U-3 Explain and/or define terms and acronyms used in the annex.	III.
IV. Situation & Assumptions	
<i>U-4. Include a situation statement related to the subject of the annex or refer to the general situation information contained in the basic plan.</i>	IV.A
<i>U-5. Include a list of assumptions used in planning for legal services during emergency situations.</i>	IV.B
V. Concept of Operations	
<i>U-6. Outline the process for requesting an emergency declaration by the Governor for a local emergency situation.</i>	V.A.1
<i>U-7. Outline the process for issuing, extending, and terminating a local disaster declaration.</i>	V.A.2.a, d
<i>U-8. Outline the process for invoking the emergency powers of the chief elected official of the jurisdiction during a disaster.</i>	V.A.2.b
<i>U-9. Include a list of actions by phases of emergency management to be taken to ensure adequate legal services during emergency situations.</i>	V.B
VI. Organization & Assignment of Responsibilities	
<i>U-10. Describe or depict the legal services organization that will support the jurisdiction during emergency situations.</i>	VI.A
<i>U-11. Include a listing by organization and/or position of the legal service tasks to be performed.</i>	VI.B
VII. Direction & Control	
<i>U-12. Identify by position the individual who will oversee the provision of legal services during emergency situations.</i>	VII.A
VIII. Readiness Levels	
<i>U-13. Describe actions to be taken at various readiness levels.</i>	VIII
IX. Administration & Support	
U-14. Include policies on maintaining/preserving records and training.	IX
X. Annex Development & Maintenance	
U-15. Specify the individual(s) by position responsible for developing and maintaining the annex.	X.A

XI. References	
U-16. Identifies references pertinent to the content of the annex.	XI
Other	
U-17. <i>Includes sample documents for requesting an emergency declaration, issuing, extending or terminating a disaster declaration, and invoking emergency powers.</i>	Appendices 1-5
U-18. <i>Includes sample documents for prohibiting or restricting outdoor burning during periods of high wildfire threat (county and interjurisdictional plans only).</i>	Appendices 6-7

FOR LOCAL GOVERNMENT USE	Signature	Date
This Checklist Completed By		02/22/2024

FOR GDEM USE	Initials	Date
GDEM Regional Liaison Officer Review		
GDEM Preparedness Section Processing		

APPROVAL & IMPLEMENTATION

Annex U

LEGAL

This annex is hereby approved for implementation and supersedes all previous editions.



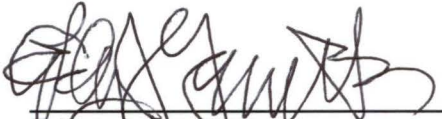
Tanner Crutcher,
County Judge

2-22-2024
Date



Robert D. Hurst,
Emergency Management Coordinator

2-22-2024
Date



Edgar J. Garrett,
County Attorney

2/27/2024
Date



4108 Glenview Dr.
Haltom City, TX 76117
(817) 274-1377
Email: levans@premier-cg.com

**PREMIER COMMERCIAL
GROUP**

PROPOSAL

To: Tom Glosup
Delta County Courthouse
Cooper, TX 75432

Project: Delta CCH - Commissioners Court Repairs
200 W. Dallas Ave.
Cooper Texas 75432

Architect:

PREMIER COMMERCIAL GROUP submits the following proposal for your consideration.

Base Bid : To furnish and install the following **\$28,500.00**

- 1 Demo delaminated plaster ceiling, replace lathe and plaster ceiling area, clean, prep, paint walls and ceilings.

Bid includes 150 sf of plaster removal.
Excludes: windows, doors, and plaster analysis

Unit Price: Additional plaster repairs will be \$30.00 per sf.

TERMS: NET 30

WARRANTIES: All warranties, if applicable, will be issued after receipt of final payment.

ADDITIONAL NOTES:

- I. Any alteration or deviation from above specifications involving extra costs will be executed upon written orders, and may become an extra charge over and above the estimate.
- II. All agreements contingent upon strikes, accidents or delays beyond our control.
- III. PMW carries Workers Compensation & GL insurance, owner to carry fire, tornado, and other necessary insurance for the work listed above.
- IV. This proposal may be withdrawn after 30 days if not accepted.

Customer - Print Name and Title

Signature

Date

PREMIER COMMERCIAL GROUP

Lee D Evans

Vice President

January 18, 2024

Date

12015 Shiloh Rd., Ste. 158 . Dallas, TX 75228

TO: Delta County Courthouse
RE: 200 W. Dallas Ave.
Cooper, TX 75432

Date
02/20/2024

SCOPE OF WORK

1. Remove and replace deteriorated plaster backer on ceiling
2. Remove and replace deteriorated plaster on ceiling
3. Paint ceilings and walls
4. Remove and replace raised floor at Commissioner's desk
5. Remove and rebuild Commissioner's desk per Delta County specifications
6. Remove and replace ceiling fans and speakers
7. Rewire Commissioner's desk

Labor and Materials total: \$ 53,600.00

Terms:

50% on signing:	<u>\$ 26,800.00</u>
50% on completion:	<u>\$ 26,800.00</u>

Warranties include:

2 year Horn Brothers labor warranty

Contracts are subject to management approval before execution. We hereby propose to furnish labor and materials in accordance with the specifications, set forth herein for the sum of \$53,600.00

BY SIGNING BELOW YOU ARE ENTERING A CONTRACT FOR PURCHASE OF MATERIALS & SERVICES AS DESCRIBED ABOVE. MAKE ALL CHECKS PAYABLE TO HORN BROTHERS ROOFING.

Mgmnt. Acceptance (office use) date
signed

Property agent (owner) date
signed

Thank you for your prompt payment!



ROBINSON BENAT CONSTRUCTION, INC.

PO Box 1460

Sulphur Springs, TX 75483

Customer: Delta County
Proposal: 200 W Dallas Ave, Cooper, TX 75432
Courthouse - Exterior Finishes

2/14/2024

ADA Ramp, Rails, Lettering, Historical Signage Posts:

Lift Equipment, Labor and Materials: Sandblast, paint with macropoxy primer and finish with polyurethane top coat.

Total \$11,015.00
\$7,215.00 Start
\$3,800.00 Completion

All change orders are due immediately.

RBC, Inc. proposes hereby to furnish material and labor - complete in accordance with above specifications.

All material is guaranteed to be specified. All work to be completed in a workmanlike manner according to standard practices. Any alteration or deviation from above specifications will involve extra charge over the above estimate. All agreements are contingent upon strikes, accidents or delays beyond our control. Owner to carry fire, tornado, and other necessary insurance for building. RBC, Inc. provides liability insurance for work specified in this proposal. All work outline above will carry a one (1) year warranty on work deemed at fault from improper installation. Warranty work not covered if problem was caused from abuse, neglect, natural disaster, or foundation movement and/or settlement.

Acceptance of Proposal - The above prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified. Payment will be made as outlined above.

Signature: _____

Printed: _____

Date: _____

Kyle N. Robinson
President
Robinson Benat Construction, Inc.

Tanner Crutcher

From: Marie Oehlerking <MOehlerking@komatsu-inc.com>
Sent: Friday, February 23, 2024 8:37 AM
To: Tanner Crutcher
Cc: Karl Komatsu; Tom Glosup
Subject: RE: Delta county revised estimate

Judge Crutcher –

I should have looked at the attachment before I responded. I thought there were shop drawings to review as well, but I'm assuming the price includes shop drawings?
New hardware should match the original or else we might end up replacing it in a future restoration. In the photos I have, the hardware is painted, so its hard to tell what the existing metal is.
Could B5 reuse any of the existing hardware? If paint could be removed from the locks, handles, chains, and pulleys, the metal maybe in good enough condition to reuse.
Also, the weights should also be reused.

Two things to note:

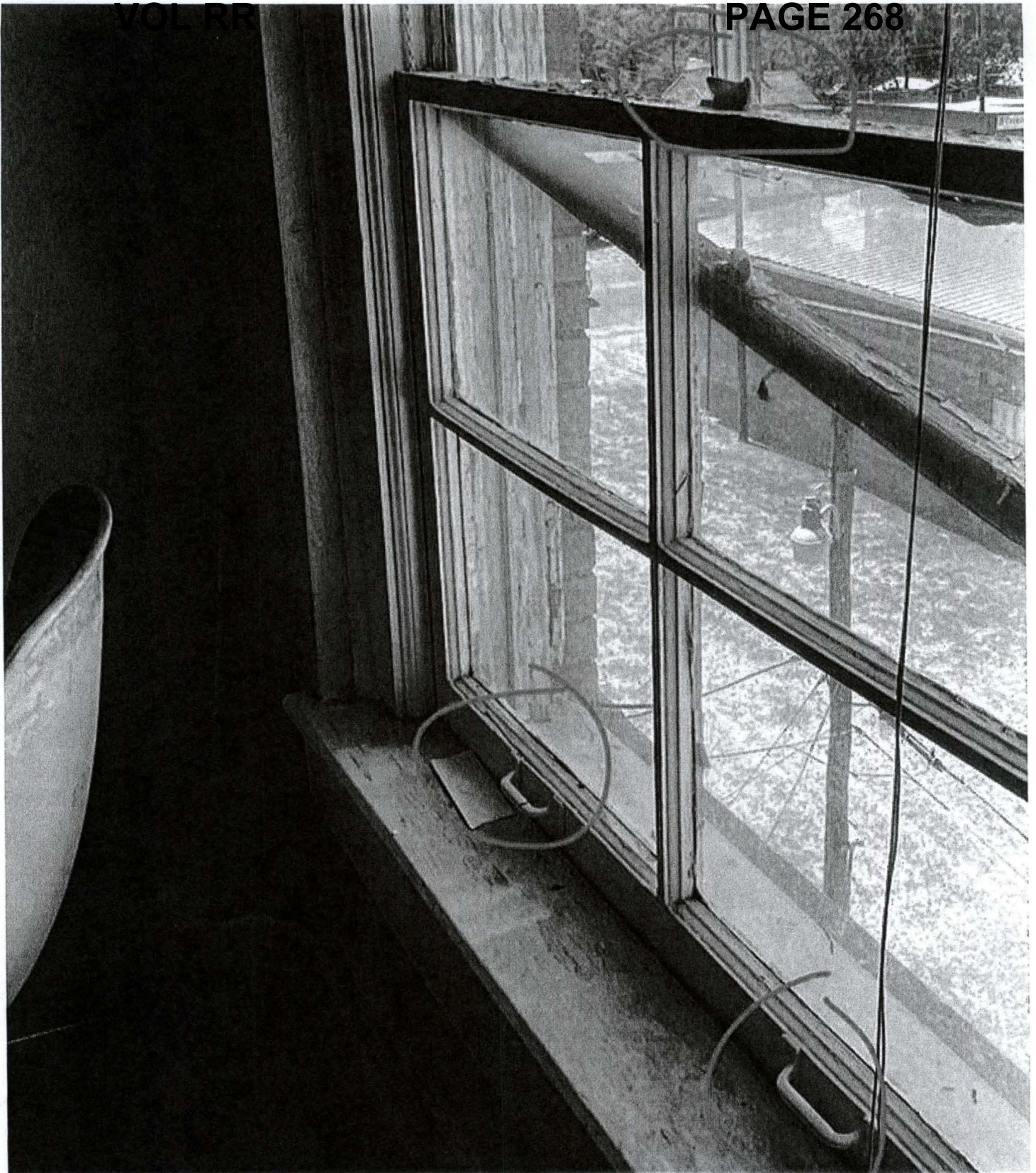
_It looks like B5 is recommending two different wood types, both of which are hardy enough for windows. However, THC typically requires that the new wood species match the original. In Texas, we rarely see Douglas Fir. Typically, we see oak or old growth long leaf pine (which was more durable than most pine on the market today). If this was a grant funded restoration, we would be sending a wood sample to a lab to confirm species, then our spec would require the contractor to match that.

_Could B5 provide a mockup of one window, but they fabricate and install all windows? This way we could see the quality of the work and the details in person, then adjustments if necessary?

_I see that B5 is including masonry and plaster repair adjacent to the windows. Again, in a full restoration, we would send the mortar out for lab testing to confirm the mixture, then require the contractor to use new mortar that matched the original. For this purpose, Type N with low or no Portland cement should work. If the mortar is higher strength, it could damage the masonry.

_All new wood elements should be primed and painted. All sides of the wood member, including end grain, should be primed.

I still owe Tom our typical wood window spec. I will send that out later today.



Best,
Marie

MARIE OEHLERKING-READ, RA



3880 Hulen Street, Suite 300, Fort Worth, Texas 76107
www.komatsu-inc.com desk: 817.710.1389
moehlerking@komatsu-inc.com

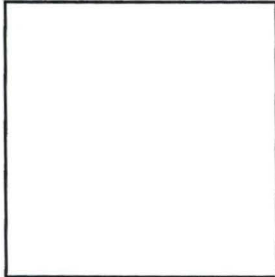
From: Tanner Crutcher <tcrutcher@deltacountytx.com>
Sent: Friday, February 23, 2024 8:14 AM
To: Marie Oehlerking <MOehlerking@komatsu-inc.com>
Cc: Karl Komatsu <KKomatsu@komatsu-inc.com>; Tom Glosup <tcglosup@gmail.com>
Subject: Fwd: Delta county revised estimate

Marie,

Here is the estimate from B5 Restorations regarding the window repairs/replacements, including their shop drawings.

A cost savings for us and questions that we need clarified is whether or not it is permissible to replace the brass hardware with steel hardware?

Thanks,
Tanner



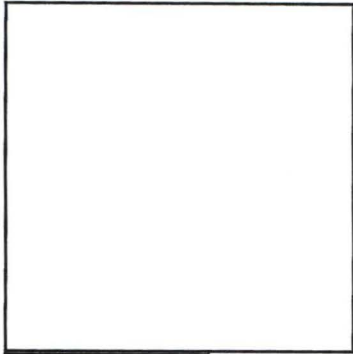
Tanner Crutcher,
County Judge
Delta County, Texas
200 West Dallas Avenue
Cooper, Texas, 75432
P: (903) 395-4400 ext. 226 | F: (903) 395-2178
www.deltacountytx.com

From: Tom <tcglosup@gmail.com>
Sent: Friday, February 23, 2024 8:12:11 AM
To: Tanner Crutcher <tcrutcher@deltacountytx.com>
Subject: Fwd: Delta county revised estimate

Sent from my iPhone

Begin forwarded message:

From: Micah Bedford <micah_bedford@hotmail.com>
Date: February 21, 2024 at 1:08:02 PM CST
To: tcglosup@gmail.com
Subject: Delta county revised estimate



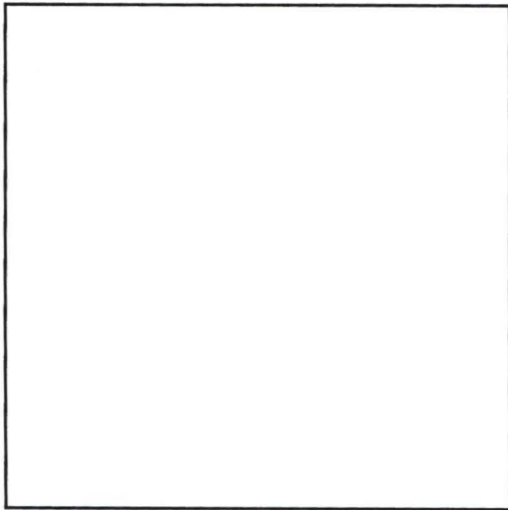
Micah Bedford

Owner, B5-Restorations, LLC

✉: micah_bedford@hotmail.com

☎: 903-715-3368

b5restorations.com





ESTIMATE

Micah Bedford
 975 33rd St. SE
 Paris, Texas 75460
 903-715-3368
micah_bedford@hotmail.com

Client: Tom Glosup
 Billing: 200 W Dallas Ave. Cooper,
 Tx. 75432
 Email: tcglosup@gmail.com
 Phone:(903) 348-1144

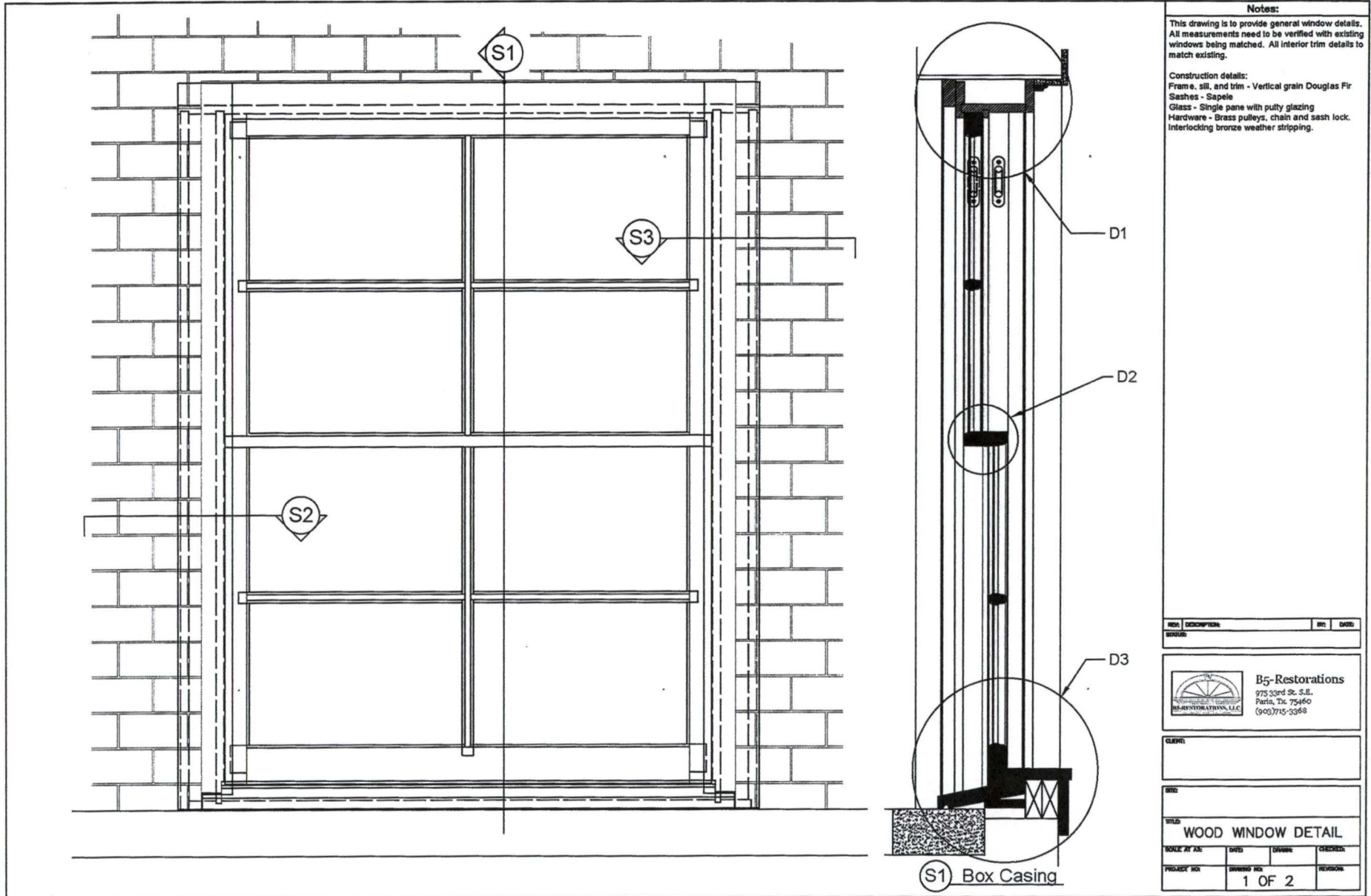
Date: 2-21-2024
 Project Address: 200 W Dallas
 Ave. Cooper, Tx. 75432
 Estimate Number: 1
 Terms: 30 Days

Project Description

Project includes. Removal and disposal of existing windows. Masonry plaster repair and brick repointing of window openings. Construction of new craftsman style mortis and tenon windows. Finished, installed and trimmed (Finish color to match existing)

Window Specification:
 Frame - VG Douglas Fir
 Sashes - Sapele
 Hardware - Cast Brass locks and pulleys
 Weather Stripping - Interlocking bronze
 Hanging Material - Brass Chain
 Glass - Single pane with putty glazing
 Finishing - Single Color.(Color match)
 Function - Double Hung

Description	Quantity	Unit Price	Cost
4' x 5' Window	1	\$3,360.00	\$3,360.00
Onsite work. (Demo and Installation)	1	\$995.00	\$995.00
			\$0.00
			\$0.00
			\$0.00
			\$0.00
			\$0.00
			\$0.00
			\$0.00
Sub-Total			\$4,355.00
Tax			
Project Total			\$4,355.00
Deposit			\$3,266.25



Notes:

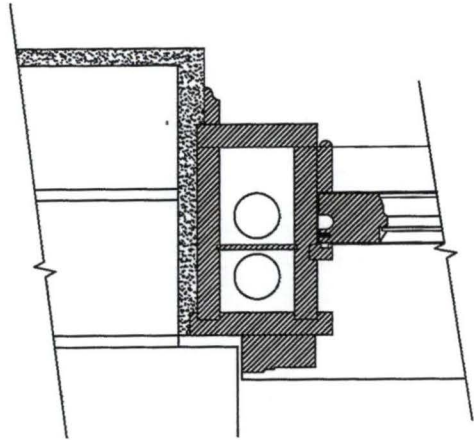
This drawing is to provide general window details. All measurements need to be verified with existing windows being matched. All interior trim details to match existing.

Construction details:
 Frame, sill, and trim - Vertical grain Douglas Fir
 Sashes - Sapele
 Glass - Single pane with putty glazing
 Hardware - Brass pulleys, chain and sash lock.
 Interlocking bronze weather stripping.

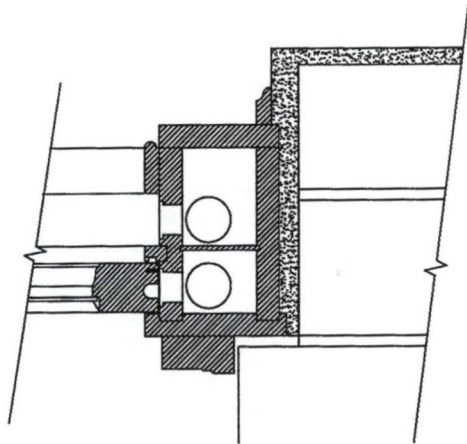
NO.	DESCRIPTION	BY	DATE

	B5-Restorations 973 33rd St. S.E. Paris, Tx. 75460 (903)715-3368
	CLIENT: _____ NO. _____ TITLE: _____

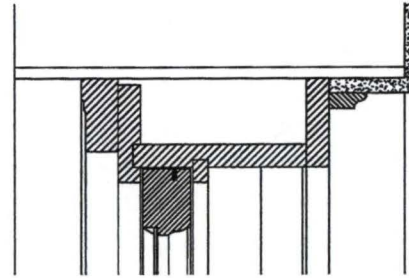
TITLE: WOOD WINDOW DETAIL			
SCALE BY AS:	DRAWN:	CHECKED:	DATE:
PROJECT NO:	DRAWING NO:	REVISIONS:	
	1 OF 2		



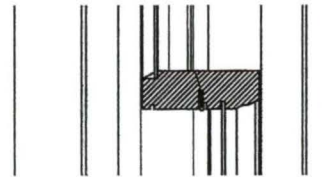
(S2) Lower Sash/Box Section



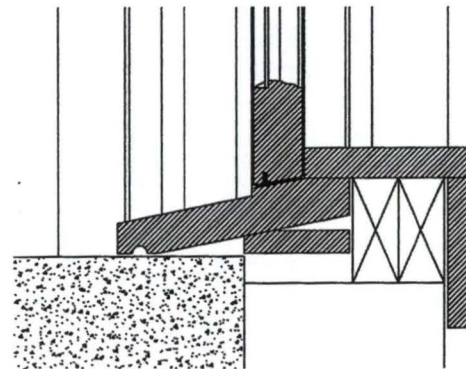
(S3) Upper Sash/Box Section



(D1) Box Casing Detail



(D2) Meeting Rail Detail



(D3) Sill Detail

Notes:

This drawing is to provide general window details. All measurements need to be verified with existing windows being matched. All interior trim details to match existing.

Construction details:
 Frame, sill, and trim - Vertical grain Douglas Fir
 Sashes - Sapele
 Glass - Single pane with putty glazing
 Hardware - Brass pulleys, chain and sash lock.
 Interlocking bronze weather stripping.

REV	DESCRIPTION	BY	CHKD



B5-Restorations
 975 33rd St. S.E.
 Paris, Tx. 75460
 (907)775-9368

CLIENT: _____

DATE: _____

WOOD WINDOW DETAIL

SCALE AT AS	DATE	ISSUED	CHECKED

THIS IS TO CERTIFY THAT I, JANICE ROBERTS, COUNTY CLERK DO HEREBY CERTIFY TO THE CORRECTNESS OF THE COMMISIONER MINUTES FOR THE REGULAR MEETING ON FEBRUARY 13th & February 27th , 2024 MEETING.

ON THIS DAY 12th OF March 2024.



TANNER CRUTCHER, COUNTY JUDGE


MORGAN BAKER, COMM. PCT. 1

JIMMY SWEAT, COMM. PCT. 2


ANTHONY ROBERTS, COMM. PCT. 3


MARK BRANTLEY, COMM. PCT. 4


JANICE ROBERTS, COUNTY CLERK