

PANOLA COUNTY COMMISSIONERS COURT
ORDER NO. 2016-11

**ORDER ADOPTING AN OPTIONAL COUNTY FEE FOR CHILD SAFETY
PURSUANT TO TEXAS TRANSPORTATION CODE SECTION 502.403;
PROVIDING FOR DISBURSEMENT OF SUCH FEES TO ENTITIES ENTITLED
TO A PORTION OF THE FEES; PROVIDING FOR PANOLA COUNTY'S USE
OF ITS PORTION OF SUCH FEES; GRANTING AN EXEMPTION FROM
COMPETITIVE BIDDING TO PRESERVE AND PROTECT THE PUBLIC
HEALTH AND SAFETY OF PANOLA COUNTY RESIDENTS; AND PROVIDING
FOR OTHER MATTERS INCIDENTAL THERETO**

WHEREAS, Texas Transportation Code Section 502.403 ("Section 502.403") authorizes the commissioners court of a county to impose by order an additional fee of not more than \$1.50 for registering a vehicle in the county; and

WHEREAS, a county may retain for administrative costs an amount of not more than 10 percent of the revenue it receives from the fee, and may also retain an amount of the fee revenues proportional to the percentage of county residents who live in unincorporated areas of the county; and

WHEREAS, a county is required to send the remainder of the fee revenue to the municipalities in the county according to their population; and

WHEREAS, a county may use its share of the fee revenues only for a purpose permitted by Texas Code of Criminal Procedure Art. 102.014(g), which include: a school crossing guard program; programs designed to enhance child safety, health, or nutrition, including child abuse prevention and intervention and drug and alcohol abuse prevention; or programs designed to enhance public safety and security; and

WHEREAS, under the authority granted by Section 502.403 the Panola County Commissioners Court desires to adopt an additional fee of \$1.50 for registering a vehicle in the County for the purpose of providing child safety and child abuse prevention and intervention services to residents of Panola County; and

WHEREAS, the Commissioners Court finds and determines that such child safety and child abuse prevention and intervention services are necessary to preserve and protect the public health or safety of the residents of the County and that the Commissioners Court under the provisions of Texas Local Government Code Section 262.024(a)(2) shall grant an exempt from competitive bidding for procurement of such services; and

WHEREAS, the Commissioners Court determines and finds that.

- a. The County will not retain a portion of the fee revenues for administrative costs,
- b. Based on the U.S. Census for 2010, the percentage of County residents who live in unincorporated areas of the County is 65.52%;
- c. Based on the U.S. Census for 2010, the population within the County of each of the municipalities in the County as a percentage of the total population for the municipalities

is: (i) Carthage — 82.63%; (ii) Gary — 3.79%; (iii) Beckville — 10.32%; and (iv) Tatum — 3.25%.

NOW, IT IS THEREFORE ORDERED by the Commissioners Court of Panola County, Texas that:

1. The Commissioners Court hereby adopts an additional fee of \$1.50 for registering a vehicle in the County as authorized by Texas Transportation Code Section 502.403, such fee to take effect on January 1, 2017
2. The County shall not deduct any portion of the fee revenues for administrative costs.
3. The County shall deduct and retain 65.52% of the fee revenues which is an amount proportional to the percentage of County residents who live in unincorporated areas of the County.
4. After deducting the fee revenues allocated to the County pursuant to item 3 above, the County shall within a reasonable time after the end of the County's fiscal year send the remainder of the fee revenue to the municipalities in the County according to their population in accordance with the methodology set forth in Attachment "A" hereto.
5. The County shall use its portion of the fee revenues for the purpose of procuring child safety and child abuse prevention and intervention services for residents of the County. The Commissioners Court hereby finds and determines that such services are necessary to preserve and protect the public health or safety of the residents of the County and pursuant to the provisions of Texas Local Government Code Section 262.024(a)(2), hereby grants an exempt from competitive bidding for procurement of such services.
6. Revenues from the fee adopted by this Order shall be deposited in a Child Safety Fee account in the General Fund. Disbursement to service providers shall be pursuant to contracted amounts. No contract is required for disbursements to municipalities of their shares of fee revenue to which they are entitled pursuant to Texas Transportation Code Section 502.403.
7. The findings, determinations, and acts contained in the preamble to this Order are adopted by the Commissioners Court as part of this Order.
8. This order shall be effective from and after the date of its passage and shall be incorporated into the minutes of the Commissioners Court for all purposes

PASSED, APPROVED, AND ADOPTED this 22nd day of August, 2016

LeeAnn Jones
County Judge LeeAnn Jones

By: Ronnie LaGrone
Ronnie LaGrone
Precinct 1 Commissioner

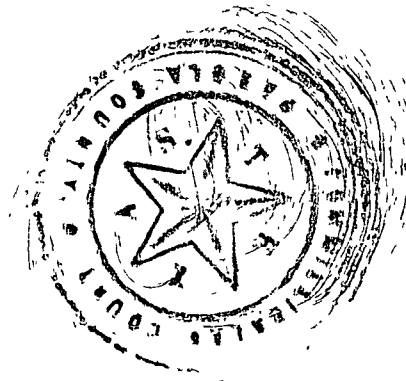
By: John Gradberg
John Gradberg
Precinct 2 Commissioner

By: Frank R. Langley, Jr.
Frank R. Langley, Jr.
Precinct 3 Commissioner

By: Dale LaGrone
Dale LaGrone
Precinct 4 Commissioner

ATTEST

Barrie Davis
Clerk, Panola County Commissioners Count



ATTACHMENT "A"

Calculation of Child Safety Fee Allocable to Panola County and Municipalities

These calculations are based on the 2010 U.S. Census data attached hereto. In this calculation, "TR" means total Child Safety Fee revenue for the County fiscal year.

1. $TR \times .6552 = \text{"CR"}$, the total amount of fee revenues retained by the County based on residents in unincorporated areas of the County.
2. $TR - CR = \text{"MR"}$, the total amount of fee revenues to be distributed to the municipalities
3. Distributions for municipalities are:
 - Carthage distribution = $MR \times .8263$
 - Beckville distribution = $MR \times .1032$
 - Gary City distribution = $MR \times .0379$
 - Tatum distribution = $MR \times .0325$

Panola County
2010 Census Total Population
for Incorporated Cities

U.S. Census Bureau



P2 HISPANIC OR LATINO AND NOT HISPANIC OR LATINO BY RACE
Universe: Total population
2010 Census Redistricting Data (Public Law 94-171) Summary File

Note This is a modified view of the original table
NOTE For information on confidentiality protection, nonsampling error and definitions, see <http://www.census.gov/prod/cen2010/p04-171.pdf>
NOTE Change to the California, Connecticut, Mississippi, New Hampshire, Virginia, and Washington P L 94-171 Summary Files as delivered

	Panola County Texas	Beckville city, Texas	Carthage city, Texas	Gary City town Texas	Tatum city Texas
Total	23,796	817	6,779	311	1,385
Hispanic or Latino	1,970	117	746	8	326
Not Hispanic or Latino	21,826	730	6,033	303	1,059
Population of one race	21,554	714	5,943	301	1,043
Two or More Races	272	16	90	2	16

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Beckville city	817
Carthage city	6,779
Gary City town	311
Tatum city (part)	267

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Panola County
23,796

Incorporated City	2010 Population	Percent of Total City Population
Beckville	817	10.32%
Carthage	6,779	82.63%
Gary City	311	3.79%
Tatum	267	3.25%
Total City Population	8,204	

Portion of County Population Outside
Incorporated Areas
(23,796-8,204) 15,592 65.52%