

## **West Texas County Judges and Commissioners Association 2023 Resolutions**

*The following resolutions were passed by the West Texas County Judges and Commissioners Association representing 118 counties in the State of Texas on April 27, 2023, during the Association's Annual Business Meeting.*

### **1. Thanks to the Lubbock County Commissioners Court**

**WHEREAS**, the Annual Conference of the West Texas County Judges and Commissioners Association was conducted in Lubbock County, Texas, on April 25-28, 2023; and

**WHEREAS**, the Honorable Commissioners Court of Lubbock County has welcomed the West Texas County Judges and Commissioners Association in the most entertaining and excellent manner;

**NOW, THEREFORE, BE IT RESOLVED** that the West Texas County Judges and Commissioners Association expresses its wholehearted thanks and deep appreciation to the Honorable Court of Lubbock County for its courteous and warm hospitality extended to each of us.

### **2. Thanks to the Conference Sponsors and Exhibitors**

**WHEREAS**, the Annual Conference of the West Texas County Judges and Commissioners Association was conducted in Lubbock County, Texas, on April 25-28, 2023; and

**WHEREAS**, the many sponsors and exhibitors provide significant financial support for the conference and the Association; and

**WHEREAS**, the sponsors and exhibitors provide valuable information to our members;

**NOW, THEREFORE, BE IT RESOLVED** that the West Texas County Judges and Commissioners Association expresses its deep appreciation to our generous conference sponsors and exhibitors.

### **3. Thanks to State and Local Associations and Friends of County Government**

**WHEREAS**, the Annual Conference of the West Texas County Judges and Commissioners Association was conducted in Lubbock County, Texas, on April 25-28, 2023; and

**WHEREAS**, the members of the West Texas County Judges and Commissioners Association wish to acknowledge the expertise of and thank the staff of: Jim Allison of Allison, Bass & Magee, LLP; the Texas Association of Counties and Executive Director Susan Redford; the Texas Association of Regional Councils and Executive Director Ginny Lewis Ford; the V.G. Young Institute of County Government, a part of Texas A&M AgriLife Extension Service, and Executive Director Peter McGuill, Ph.D.; the Texas A&M AgriLife Extension Service agents' professional associations; *County Progress* Magazine and Editor Julie Anderson; and the many other state and local associations and people who have all been so helpful to county government;

**NOW, THEREFORE, BE IT RESOLVED** that this Association thanks all of these individuals and their staffs for their past, present, and future help on behalf of county government.

#### **4. Memorial to Deceased Officials and Special Friends**

**WHEREAS**, the following highly regarded members and friends of the West Texas County Judges and Commissioners Association are deceased; and

**WHEREAS**, the Association desires to pay appropriate respect to these members and friends; and

**WHEREAS**, since our last conference, the West Texas County Judges and Commissioners Association has mourned the passing of:

*Former Glasscock County Judge Wilburn Eldon Bednar*

*Former Lampasas County Commissioner Jack B. Cox*

*Glasscock County Commissioner Brian Frerich*

*Former Floyd County Judge William "Bill" Hardin*

*Clay County Commissioner Richard Lowery*

*Callahan County Commissioner Rick McGowen*

*Former Ector County Commissioner Julian Pressly*

*Former Scurry County Commissioner Jim Robinson*

*Former Lampasas County Commissioner Jerry Hubert Skiles*

*Former Oldham County Judge Jack L. Wolf*

**NOW, THEREFORE, BE IT RESOLVED** that the West Texas County Judges and Commissioners Association members pause for a moment of silence and meditation to honor the memory of these respected individuals.

#### **5. Opposition to Unfunded Mandates**

**WHEREAS**, Texas counties are responsible for the operation and management of many and various governmental programs as required or authorized by state law; and

**WHEREAS**, some county government programs are fully or partially supported with funds disbursed by the State of Texas pursuant to the state appropriations process; and

**WHEREAS**, the State of Texas, acting through the Texas Legislature or through a state agency or executive order, may enact laws or promulgate rules that have the effect of imposing mandatory financial obligations upon Texas counties; and

**WHEREAS**, the State of Texas, through the Texas Legislature or through a state agency or executive order, mandates that counties implement certain governmental programs or perform certain duties and obligations including financial commitments by a county to expend county funds in connection therewith; and

**WHEREAS**, every unfunded mandate results in a mandatory increase in property taxes; and

**WHEREAS**, during each regular session of the Texas Legislature, all state funds that support county programs are reviewed through the state appropriation process and by other state budgetary review systems; and

**WHEREAS**, the aforementioned review process may result in a reduction, or cessation, of state financial support of county government programs causing an unforeseeable disruption and reduction of the county budget and operations; and

**WHEREAS**, Texas counties cannot achieve reliable financial planning and the necessary bond ratings sufficient to support county-related obligations when the state

mandates a new program that is not fully funded or under conditions where the state reduces or fully withdraws prior funding and disbursement for county government programs;

**NOW, THEREFORE**, the West Texas County Judges and Commissioners Association and its current member counties do hereby resolve that for the foregoing reasons, it is in the best interests of Texas counties and their taxpayers to support and favor the passage of legislation in the form of an amendment to the Constitution of the State of Texas that would expressly prohibit the imposition of a mandatory governmental program on Texas counties, whether by an act of the Texas Legislature or a state agency or by executive order, unless the State of Texas has fully funded and disbursed all necessary funds to enable Texas counties to operate said governmental program.

## **6. Support for Local Decision-Making and Opposition to Revenue Caps**

**WHEREAS**, 52 percent of the average taxpayer's property tax burden is due to school taxes while only 16 percent is due to county taxes; and

**WHEREAS**, revenue caps diminish local decision-making and tie the hands of county officials and limit their ability to provide essential services to address the needs and emergencies of their citizens; and

**WHEREAS**, county government is already struggling to meet the demands of under-funded and unfunded state mandates such as backlogs of state prison inmates, mental health patients, and felony juvenile offenders; emergency management programs; appointed attorneys in CPS cases; indigent health care and indigent defense; and federal mandates such as the Help America Vote Act and the Clean Air Act; and

**WHEREAS**, the demands on county budgets continue to increase including health care, motor fuel, road materials, and all other products and services purchased by counties; and

**WHEREAS**, artificial revenue caps result in a shift of taxes from fluctuating properties, such as volatile mineral values, to those remaining relatively stable in value, such as residential properties; and

**WHEREAS**, additional revenue caps will result in a severe impact on essential county services including public safety and transportation infrastructure; and

**WHEREAS**, it is inequitable for the Texas Legislature to impose additional revenue caps on local governments without alternative funding sources and unfunded mandate relief;

**NOW, THEREFORE, BE IT RESOLVED** that the West Texas County Judges and Commissioners Association does hereby express its opposition to limits to local decision-making and does hereby oppose any further unreasonable revenue caps upon Texas counties, and the West Texas County Judges and Commissioners Association expresses its deep appreciation to all legislators who oppose these unsound measures.

## **7. County Local Option Revenue Sources**

**WHEREAS**, county revenue sources are extremely limited; and

**WHEREAS**, under current statutes, counties are forced to rely upon property taxes to fund necessary services; and

**WHEREAS**, county taxpayers should have the option to adopt a local sales tax, a local severance tax, a local motor fuel tax, an increase in local vehicle registration fees, and other revenue sources to reduce property taxes;

**NOW, THEREFORE, BE IT RESOLVED**, that the West Texas County Judges and Commissioners Association requests that the Legislature amend the tax statutes to allow the adoption of a county local option sales tax, a local option severance tax, a local option motor fuel tax, an increase in local vehicle registration fees, and other revenue sources for the reduction of property taxes without imposing any additional revenue caps.

#### **8. State Funds for Indigent Criminal Defense and Magistration Costs**

**WHEREAS**, the right to assistance by legal counsel is guaranteed by the U.S. Constitution; and

**WHEREAS**, the State of Texas is required to implement this right and provide legal counsel to indigent criminal defendants; and

**WHEREAS**, the Texas Fair Defense Act, adopted by the Texas Legislature in 2001, implements this right and requires certain procedures and attorney appointments; and

**WHEREAS**, the Texas Legislature has failed to provide sufficient funding to offset the additional costs of the Fair Defense Act and has shifted this cost to county taxpayers; and

**WHEREAS**, county expenditures for indigent criminal defense have increased over 200 percent since the adoption of the Fair Defense Act; and

**WHEREAS**, the state funding is totally inadequate, providing approximately 12 percent of the indigent defense costs and none of the costs for criminal magistration and bail proceedings; and

**WHEREAS**, indigent criminal defense and criminal magistration are state responsibilities that should be adequately funded on a statewide basis, not a burden overwhelmingly borne by local property taxpayers; and

**WHEREAS**, the recent passage of legislation to require additional bail bond proceedings have increased the costs to local taxpayers without state funding;

**NOW, THEREFORE, BE IT RESOLVED** that the West Texas County Judges and Commissioners Association does hereby request that the Texas Legislature fully fund the cost of indigent criminal defense, which has cost local taxpayers over \$3.2 billion from 2001 through 2021, and fully fund the additional cost for criminal magistration imposed by the Special Session of the 87th Texas Legislature.

#### **9. Juvenile Probation, Commitment, and Detention Funding**

**WHEREAS**, the supervision of juvenile offenders is a responsibility of the State of Texas; and

**WHEREAS**, the Texas Legislature has consistently failed to appropriate sufficient funding to meet this responsibility; and

**WHEREAS**, Texas counties have increasingly met this burden by funding juvenile probation services and facilities; and

**WHEREAS**, Texas counties and their local taxpayers are now providing over 75 percent of the costs of juvenile probation, commitment, and detention; and

**WHEREAS**, current state funding formulas will continue to shift additional costs to county taxpayers unless addressed by the State of Texas; and

**WHEREAS**, the Texas Juvenile Justice Department has closed its facilities for additional juvenile offenders without any reimbursement of this cost to counties;

**NOW, THEREFORE, BE IT RESOLVED** that the West Texas County Judges and Commissioners Association does hereby request that the Texas Legislature fully fund the costs of supervision of juvenile offenders, including the costs for juvenile probation, commitment, and detention, and immediately reimburse counties for the costs incurred for offenders committed to state facilities.

#### **10. Mental Health Patients**

**WHEREAS**, Texas counties are being forced to hold mentally incompetent prisoners for up to six months while awaiting court-ordered transfer to a state mental facility for treatment; and

**WHEREAS**, each of these pre-trial inmates costs the local taxpayer approximately \$9,000 during this period of incarceration; and

**WHEREAS**, the county jail is not an appropriate facility for the mentally ill, and these prisoners pose a high risk of injury to themselves, the jail staff, and other prisoners; and

**WHEREAS**, the North Texas Mental Hospital has refused to accept any additional court-ordered mental patients without providing any financial assistance to counties for this state responsibility; and

**WHEREAS**, this delay and refused admissions by the state are increasing the cost to our taxpayers and continuing this improper practice;

**NOW, THEREFORE, BE IT RESOLVED** that the West Texas County Judges and Commissioners Association hereby requests that the State of Texas implement additional funding for mental health services and implement the state mental health plan to ensure the efficient and effective use of these resources, and immediately reimburse counties for the cost of incarceration of offenders who have been committed to state facilities.

#### **11. Opposition to Diversion of Dedicated Funds for 9-1-1 and Other Services**

**WHEREAS**, citizens of Texas desire access to 9-1-1 emergency services in an efficient manner, as evidenced by approval of the monthly fee on business and residential phone bills; and

**WHEREAS**, the 9-1-1 emergency services dispatch and response depend on equipment which must function reliably on a continuous basis; and

**WHEREAS**, older equipment reaches a point of being high maintenance and becomes unreliable; and

**WHEREAS**, technology continues to improve, necessitating upgrading hardware and software for reverse 9-1-1 services and other needs; and

**WHEREAS**, the Legislature has committed certain funds for dedicated purposes; and

**WHEREAS**, unfortunately these funds have been improperly withheld from these needed functions and used to balance the general state budget;

**NOW, THEREFORE, BE IT RESOLVED** that the West Texas County Judges and Commissioners Association urges our state legislators to provide full funding to the Emergency 9-1-1 Services Program for maintenance and improvement; and

**BE IT FURTHER RESOLVED** that funds generated by the 9-1-1 surcharge will not be used by the Legislature as money set aside to balance the state budget; and

**BE IT ALSO RESOLVED** that any such funds set aside be fully appropriated for the Emergency 9-1-1 Services Program; and

**BE IT ALSO RESOLVED** that the West Texas County Judges and Commissioners Association expresses its opposition to any state diversion of dedicated funds.

## **12. Opposition to Granting Powers to Municipal Utility Districts and Special Utility Districts**

**WHEREAS**, Texas is one of the fastest-growing states in the Union; and

**WHEREAS**, city government and county government should have appropriate authority to regulate growth in their respective counties and cities; and

**WHEREAS**, special water districts and private water corporations have the means to furnish water and provide for growth in rural areas of the counties; and

**WHEREAS**, municipal utility districts and special utility districts have been improperly used by certain developers to avoid compliance with county and city infrastructure plans;

**NOW, THEREFORE, BE IT RESOLVED** that the West Texas County Judges and Commissioners Association opposes the granting of additional powers to municipal utility districts, special utility districts, and any special districts, and requests that the approval of the county be required before any further districts are created.

## **13. Support for County Road Grant Fund**

**WHEREAS**, constitutional amendments have been approved by the voters to increase dedicated funding for public roadways; and

**WHEREAS**, these constitutional amendments provide additional funding to be used only for constructing, maintaining, and acquiring right of way for public roadways other than toll roads; and

**WHEREAS**, these constitutional amendments provide needed support for public highways without increasing taxes; and

**WHEREAS**, the county road system is eligible for assistance from this funding; and

**WHEREAS**, county roads are being devastated by overweight trucks to enhance the production of oil and gas; and

**WHEREAS**, the oil and gas severance tax should be equitably shared with counties to repair this damage; and

**WHEREAS**, the Economic Stabilization (Rainy Day) Fund has reached record levels through deposits from the oil and gas severance tax; and

**WHEREAS**, the appropriations from this Fund can be utilized to fund the repair and rehabilitation of county roads;

**NOW, THEREFORE, BE IT RESOLVED** that the West Texas County Judges and Commissioners Association does hereby express appreciation for the additional funding appropriated to support the county road grant program and requests continued support for the county road system.

## **14. Uranium Mining Regulation**

**WHEREAS**, uranium mining creates a special hazard for local groundwater; and

**WHEREAS**, uranium mining places a high demand upon local groundwater resources; and

**WHEREAS**, groundwater pollution by uranium mining cannot be recovered or rehabilitated and creates a permanent loss of groundwater; and

**WHEREAS**, county and groundwater conservation districts have very limited power to regulate uranium mining under current law;

**NOW, THEREFORE, BE IT RESOLVED** that the West Texas County Judges and Commissioners Association requests that state law be amended to require a due process permit proceeding and approval by the local Commissioners Court and groundwater conservation district before any permit is granted for uranium mining.

### **15. Sludge Waste and Biosolid Disposal**

**WHEREAS**, human waste and other toxic materials are contained in municipal, domestic, and commercial sludge and biosolids; and

**WHEREAS**, this sludge and biosolid waste contains harmful bacteria, viruses, and chemicals that may contaminate local water supplies; and

**WHEREAS**, the current rules of the Texas Commission on Environmental Quality are inadequate to protect the water supply and adjacent landowners from the improper disposal of sludge and biosolid waste; and

**WHEREAS**, disposal of these materials should be a matter of local regulation;

**NOW, THEREFORE, BE IT RESOLVED** that the West Texas County Judges and Commissioners Association hereby requests that no permits be issued for the disposal of sludge and biosolid waste without the approval of the Commissioners Court and that the Texas Legislature clearly authorize local control of all sludge and biosolid waste permits.

### **16. Fireworks Regulations**

**WHEREAS**, counties currently have limited authority to regulate fireworks; and

**WHEREAS**, due to the continued danger of drought and the concern for public safety, such regulations are necessary to protect life and property;

**NOW, THEREFORE, BE IT RESOLVED** that the West Texas County Judges and Commissioners Association is opposed to any legislative action that would remove or limit current county authority to regulate fireworks.

### **17. Oil and Gas Waste Disposal Facilities**

**WHEREAS**, the Texas oil and gas industry is a vital part of our economy; and

**WHEREAS**, this industry requires the use of disposal facilities to operate in an efficient manner; and

**WHEREAS**, the operation of these disposal facilities can pose a substantial risk to the groundwater supply; and

**WHEREAS**, protection of the groundwater is also essential to the economy and health and safety of Texas citizens; and

**WHEREAS**, adequate information should be provided to Texas counties and their citizens to ensure the safe operation of oil and gas waste facilities and protection of the groundwater;

**NOW, THEREFORE, BE IT RESOLVED** that the West Texas County Judges and Commissioners Association does hereby request that the Texas Legislature and the Texas Railroad Commission require that Texas counties, their citizens, and groundwater conservation districts be provided all available information concerning proposed oil and

gas waste facilities in their area and a full opportunity to participate in the evaluation of any application for additional facilities; and

**BE IT FURTHER RESOLVED** that the Texas Railroad Commission be required to evaluate and consider the full local infrastructure impact and effect on local communities before voting on any such permit.

### **18. Rural Public Transit**

**WHEREAS**, 37 Rural Transit Districts serve all the counties throughout Texas; and

**WHEREAS**, Rural Transit Districts provide access to needed goods and services, jobs, and medical services throughout the rural counties of Texas; and

**WHEREAS**, Rural Transit Districts traveled 36,056,467 miles and provided 4,624,135 one-way trips to the citizens of rural Texas in 2018; and

**WHEREAS**, on average, bus fleets for Rural Transit Districts are at 130 percent of their established lifecycle; and

**WHEREAS**, funding opportunities for large federal and state grants have historically left qualified rural projects underfunded; and

**WHEREAS**, without increased funding to meet increasing service demands and costs in rural areas, services to those most in need in rural Texas will suffer;

**NOW, THEREFORE, BE IT RESOLVED** that the West Texas County Judges and Commissioners Association expresses its support for a meaningful increase in funding for Rural Transit Districts.

### **19. Support for Funding Authority for County Transportation Projects**

**WHEREAS**, on November 2, 2021, the voters approved Proposition 2, a constitutional amendment authorizing county financing for transportation projects; and

**WHEREAS**, Proposition 2 authorized counties to participate in needed transportation projects without increasing property taxes; and

**WHEREAS**, under Proposition 2, counties will be authorized to pledge the revenues from increased values of properties that benefit from a transportation project to fund the cost of the project; and

**WHEREAS**, this financing method will equitably allocate the cost of such projects to the improved properties, rather than all county taxpayers; and

**WHEREAS**, this financing method has been successfully implemented by Texas cities to finance essential transportation improvements;

**NOW, THEREFORE, BE IT RESOLVED** that the West Texas County Judges and Commissioners Association does hereby support the passage of enabling legislation for Proposition 2 to authorize county financing for transportation projects.

### **20. Full Funding of DPS Labs**

**WHEREAS**, the State of Texas through the Texas Department of Public Safety (DPS) provides for the testing of controlled and illegal substances for criminal cases; and

**WHEREAS**, while the service is valuable to the prosecutorial process, it is not timely as most tests require six-nine months before results are rendered; and

**WHEREAS**, many alleged and formerly convicted violators must be released after 90 days with the high probability that they will reoffend and further endanger the public and further burden law enforcement; and



**WHEREAS**, the recent reduction in state funding will reduce the effectiveness of the DPS labs and result in further delays in the administration of justice;

**NOW, THEREFORE, BE IT RESOLVED** that the West Texas County Judges and Commissioners Association requests full funding, staffing, and equipping of the DPS labs to return results in the required legal time to serve justice.

### **21. County Homestead Exemption**

**WHEREAS**, the current constitutional provisions limit the ability of counties to a percentage of the appraised value of homesteads; and

**WHEREAS**, the current limitations prevent the adoption of a homestead exemption to provide greater benefit to lower-priced properties; and

**WHEREAS**, additional discretion should be granted to counties to determine the homestead exemption;

**NOW, THEREFORE, BE IT RESOLVED** that the West Texas County Judges and Commissioners Association requests that a constitutional amendment be adopted to allow counties to grant discretionary homestead exemptions based upon a dollar amount of the taxable value of the property.

### **22. Texas Department of Criminal Justice Inmates**

**WHEREAS**, currently counties are required to hold inmates who have been committed to the Texas Department of Criminal Justice (TDCJ) for up to 45 days; and

**WHEREAS**, TDCJ has failed to timely accept its inmates during the COVID-19 epidemic, forcing this additional expense on county taxpayers; and

**WHEREAS**, counties are required to hold parolees who are awaiting a revocation hearing before the TDCJ Parole Board; and

**WHEREAS**, TDCJ does not provide adequate transportation of its inmates from county jails to its facilities; and

**WHEREAS**, the cost to county taxpayers for the failure of the State of Texas to meet its responsibilities for state inmates is over \$100 million per year;

**NOW, THEREFORE, BE IT RESOLVED** that the West Texas County Judges and Commissioners Association requests that the State of Texas fully reimburse counties for all costs incurred for the confinement and transport of TDCJ inmates.

### **23. Optional County Road and Bridge Fee**

**WHEREAS**, the current maximum county optional road and bridge fee has been frozen at \$10 since 1991; and

**WHEREAS**, the cost of construction and maintenance of the county road system has increased tremendously in recent years; and

**WHEREAS**, as the population of Texas continues to grow, the need for efficient county transportation systems will increase;

**NOW, THEREFORE, BE IT RESOLVED** that the West Texas County Judges and Commissioners Association requests that the maximum county optional road and bridge fee be raised to \$20 per vehicle.

#### **24. Voting Machine Costs**

**WHEREAS**, the Federal Help America Vote Act requires that counties provide an electronic voting system at each voting location; and

**WHEREAS**, the current voting systems have serious security and maintenance issues; and

**WHEREAS**, replacement of these systems will require a great expenditure of public funds; and

**WHEREAS**, the purchase, programming of, and maintenance of these systems are state and federal responsibilities; and

**WHEREAS**, the legislature has now required that all voting machines produce an auditable “paper trail” but appropriated insufficient funds for this cost;

**NOW, THEREFORE, BE IT RESOLVED** that the West Texas County Judges and Commissioners Association requests full funding from the federal and state government for the replacement of all voting systems, programming, and maintenance.

#### **25. Limitations on Registered Sex Offenders in Counties**

**WHEREAS**, home rule municipalities have the authority by ordinance to provide for the public safety of their citizens to restrict a registered sex offender from going in, on, or within a specified distance of a child safety zone in the municipality; and

**WHEREAS**, general law municipalities now have the authority with the passage of H.B. 1111, enacted by the 85th Texas Legislature, effective September 1, 2017, to provide for the public safety of their citizens to restrict a registered sex offender from going in, on, or within a specified distance of a child safety zone in the municipality; and

**WHEREAS**, Texas counties should also be able to provide for the public safety of their citizens living outside the boundaries of any municipality by restricting a registered sex offender from going in, on, or within a specified distance of a child safety zone in the county; and

**WHEREAS**, no current statute authorizes a Texas county to enact an ordinance or order establishing a “Child Safety Zone” and restricting a registered sex offender from going in, on, or within a specified distance of a child safety zone in the county; and

**WHEREAS**, legislation is necessary to authorize counties to enact an ordinance or order to provide public safety for its citizens by placing limitations on registered sex offenders in the county;

**NOW, THEREFORE, BE IT RESOLVED** that the West Texas County Judges and Commissioners Association respectfully requests that the Texas Legislature pass legislation providing Texas counties the authority to enact an ordinance or order regarding limitations on registered sex offenders in counties.

#### **26. Opposition to Efforts to Prohibit County Legislative Communications**

**WHEREAS**, certain legislative proposals would prohibit the use of county funds to retain experts, consultants, and lobbyists to influence legislation, pay dues to associations that influence legislation, and to reimburse county officials for influencing legislation; and

**WHEREAS**, any bills that would prohibit the use of county funds would effectively silence the voice of local officials and prevent effective communication and representation of their citizens and taxpayers; and

**WHEREAS**, county officials require the ability to collectively develop and express their positions and information through associations; and

**WHEREAS**, the inability to retain experienced representation before the federal and state legislative bodies and agencies would place our communities at a distinct disadvantage in efforts to obtain and retain federal and state projects and military bases; and

**WHEREAS**, smaller counties especially need to be able to combine their resources to efficiently and effectively present their unique issues to state and federal government; and

**WHEREAS**, requiring elected officials to personally expend personal resources to present the views of their citizens would impose an extreme hardship upon these public servants; and

**WHEREAS**, such prohibition would stifle the basic tenets of democracy and open government;

**NOW, THEREFORE, BE IT RESOLVED** that the West Texas County Judges and Commissioners Association does hereby express its opposition to any legislation that attempts to silence the combined voices of the county officials of this state.

#### **27. Damage to County Roads by Oil and Gas Activity**

**WHEREAS**, counties impacted by oil and gas activity experience significant and costly damages to the county road system; and

**WHEREAS**, the Texas Legislature has created the County Transportation Infrastructure Fund (CTIF) which has received two appropriations from the state revenues; and

**WHEREAS**, local tax revenue must be appropriated to repair the damages when the CTIF grant appropriation is insufficient; and

**WHEREAS**, the 86th Texas Legislature enacted Senate Bill 2 which restricts property tax revenue growth and provides for a local referendum on property tax increases; and

**WHEREAS**, the needs of the oil and gas industry may not be met, and public safety may deteriorate if local elections for tax revenue increases are vetoed by local taxpayers;

**NOW, THEREFORE, BE IT RESOLVED** that the West Texas County Judges and Commissioners Association hereby requests that the Texas Legislature relieve local taxpayers of the burden of repairing county roads damaged by oil and gas activity by enacting a permanent statewide funding solution for repairing the damage to county roads caused by oil and gas activity.

#### **28. County Land Use Authority**

**WHEREAS**, counties have no significant land use authority; and

**WHEREAS**, substandard and obnoxious development can reduce the value and investment of adjacent property owners; and

**WHEREAS**, counties should have a limited ability to protect the current landowners and public health and safety; and

**WHEREAS**, appropriate development is inhibited and discouraged by substandard and inappropriate development;

**NOW, THEREFORE, BE IT RESOLVED** that the West Texas County Judges and Commissioners Association requests that the Texas Legislature grant limited, local option authority to Texas counties to ensure more compatible development within the county to protect our landowners, public health and safety, and prevent overuse of natural resources.

### **29. Texas Broadband Infrastructure Fund**

**WHEREAS**, the West Texas County Judges and Commissioners Association recognizes the need to connect our community to greater economic opportunity; and

**WHEREAS**, broadband, or high-speed internet access, is essential in our homes, schools, work, public safety, and across our community in West Texas; and

**WHEREAS**, far too many Texans in our 118-county area and almost 1 million rural Texans still lack access to the broadband connections required to fully participate in and benefit from today's educational, professional, economic, and civic opportunities; and

**WHEREAS**, our West Texas county officials understand that broadband networks require significant investments of billions of dollars to build, maintain, and operate, especially in rural and hard to reach areas; and

**WHEREAS**, an effort to connect Texas to broadband will require the combined effort of public and private entities, including billions in state funding to support public-private partnership investment;

**NOW, THEREFORE, BE IT RESOLVED** that the West Texas County Judges and Commissioners Association, the state's largest regional association of Commissioners Courts, encourages the Texas Legislature to support the creation and funding of the Texas Broadband Infrastructure Fund to truly connect every Texan to the promise and progress that broadband access delivers.

### **30. Proposed By-Laws Amendment**

**WHEREAS**, the Commissioners Court of Gillespie County has requested that it be approved for membership in the West Texas County Judges and Commissioners Association; and

**WHEREAS**, this county shares common interests with the current members of the West Texas County Judges and Commissioners Association; and

**WHEREAS**, it will require an amendment to the By-Laws of the West Texas County Judges and Commissioners Association to admit this county to membership;

**NOW, THEREFORE, BE IT RESOLVED** that the By-Laws of the West Texas County Judges and Commissioners Association are hereby amended to include Gillespie County as a fully eligible member of the West Texas County Judges and Commissioners Association.

**West Texas County Judges and Commissioners Association**  
**2023 Resolutions Committee**

*Chairman: Mason County Commissioner Reggie Loeffler*

*Bailey County Judge Basil Nash*

*Irion County Commissioner John Nanny*

*Pecos County Commissioner Mickey Perry*

*Sterling County Judge Deborah H. Horwood*

*Upton County Commissioner Pete Jackson*

*Wise County Judge J.D. Clark*

**In addition to the above-adopted resolutions, the West Texas County Judges and Commissioners Association Resolutions Committee requests that the following items be recommended for future study and consideration.**

1. State funding to fully implement all state recommendations for adequate school security.
2. State funding to meet county cost of transport, autopsy, and disposition of dead bodies.
3. Maintain local control and recovery of cost of reproduction of clerk's digitized records and e-filing.
4. Require vehicles to reduce speed and/or yield a traffic lane to county road and bridge vehicles and equipment.
5. Require Commissioners Court representation on Regional Water Planning Groups.
6. Request legislation to require state reimbursement for court-appointed attorneys in child protective services cases.
7. Restore full funding for the Texas Historic Courthouse Preservation Grant Program.
8. State funding for all state special elections.
9. Additional funding for sales tax support on fireworks dedicated for local use.
10. More local authority on the regulation of fireworks.
11. Additional county authority over vehicle inspection and licensing procedures.
12. Local retention of asset forfeiture funds.
13. Prohibit abuse of the Public Information Act by excessive and burdensome requests.
14. Support and restore county authority to regulate all county buildings and property.
15. Support an exemption from state motor fuel taxes for county equipment and vehicles.
16. Support full state funding for lost revenue from disabled veterans and surviving spouses exemption.
17. Review of the equity of ad valorem tax exemptions, tax rate calculation, and the property appraisal process to facilitate a more equitable tax system.
18. Allow the county to retain the child protection and family preservation fees for distribution to family and child agencies unless the city requests its distribution.
19. Allow for the return of the 2 percent fireworks sales tax to the county to distribute to its volunteer fire departments.
20. Broaden the use of the Texas Forest Service insurance fund to assist Volunteer Fire Departments with equipment and buildings.
21. Prohibit the inclusion of optional road and bridge and other elective taxes and interest and sinking fund taxes in Tax Increment Financing agreements and projects.
22. Redistribute the cost for special probate judge appointments to assess the cost against the estate when feasible.
23. Reimburse the county for the actual transport expense of female prisoners to TDCJ facilities.
24. Support state funding for emergency medical services.



