

Connected
BY CONNECTED NATION

Addressing
Your
Community's
Unique
Needs

**Montague
County, Texas**

Executive

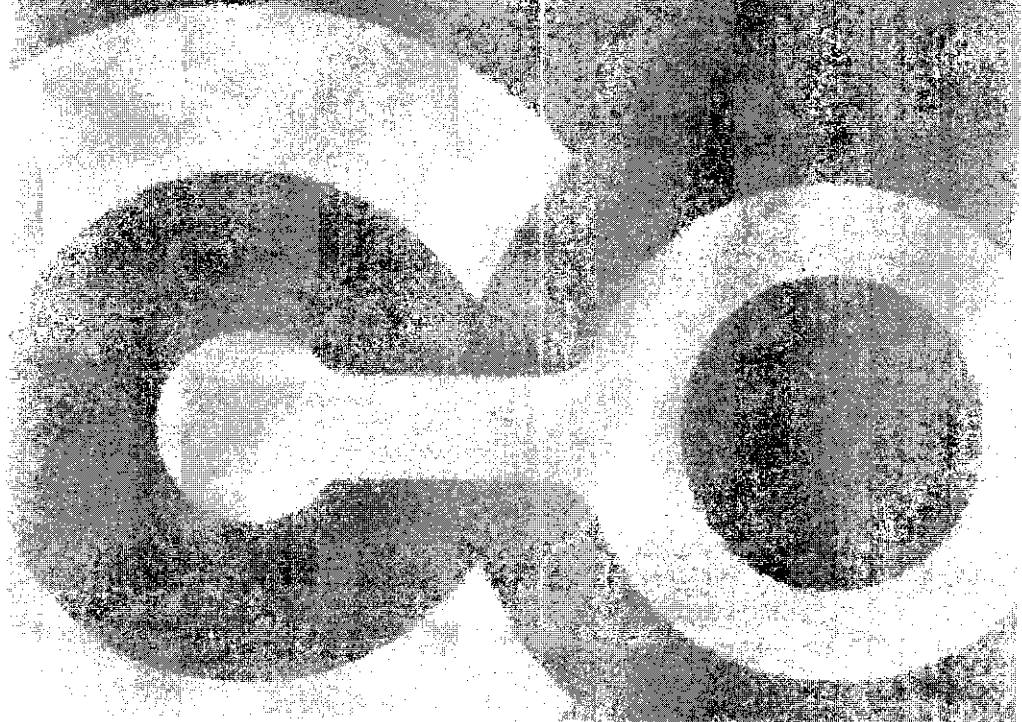


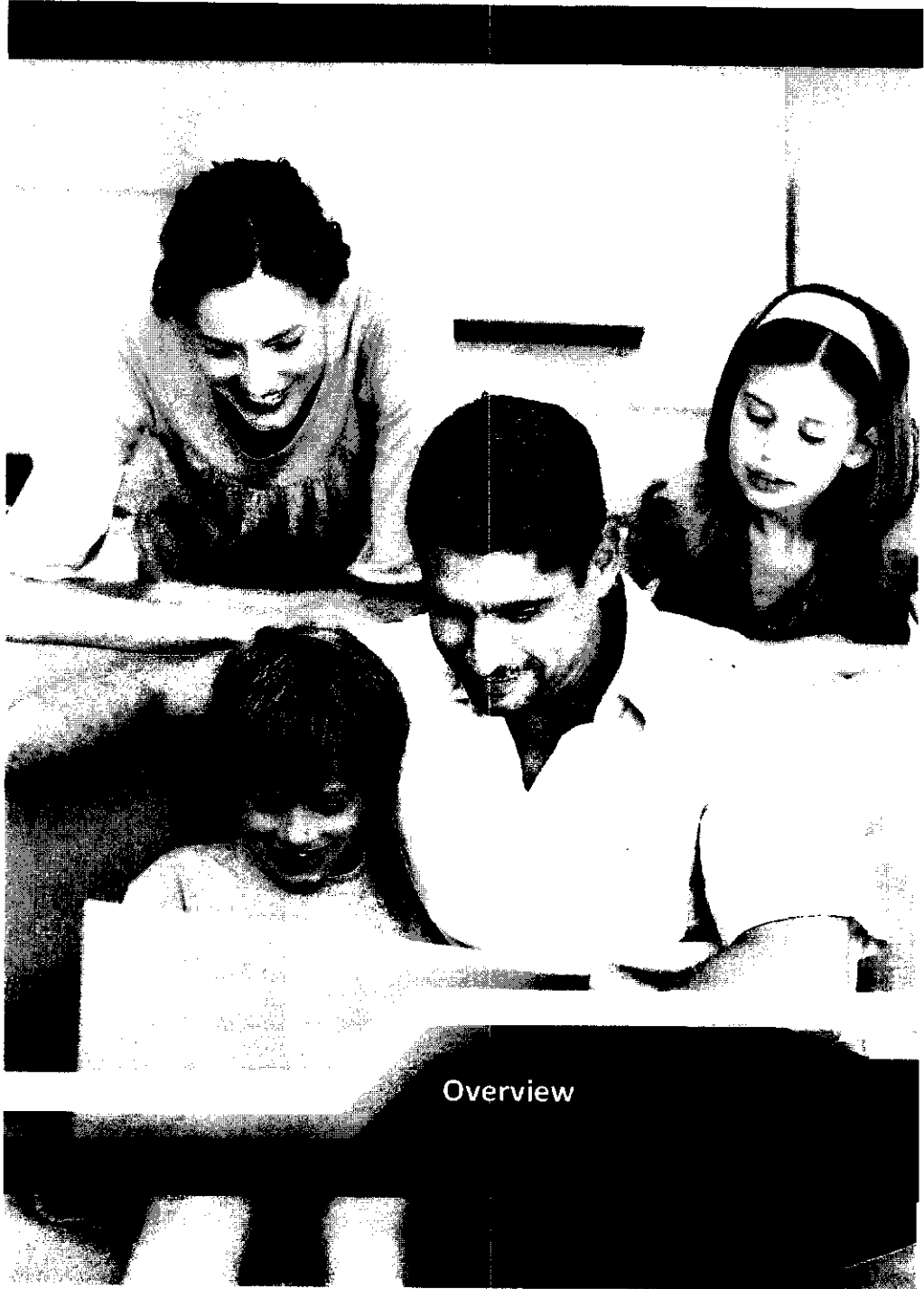
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Overview

Montague County Overview



Today, technology plays a pivotal role in how businesses operate, how institutions provide services, and where consumers choose to live, work, and play. A community's success has become dependent on how broadly and deeply it adopts technology resources, which include access to reliable, high-speed networks, the digital literacy of residents, and the use of online resources for local business, government, and leisure.

As such, Montague County stakeholders partnered with the Connected Nation Texas (CN Texas) Connected Community Engagement Program to conduct a study designed to determine the availability of broadband infrastructure, how county residents are adopting and using broadband services, and what action steps would have the greatest impact toward improving broadband access, adoption, and usage across every local sector.

Pursuant of this goal, between June and October 2022, Montague County conducted a comprehensive survey of broadband technology access and adoption across the community that collected responses from 198 households. CN Texas staff also met with community officials to determine community needs and gather qualitative data for consideration in the study.

This study approached broadband holistically – focusing on the quality of life offered when residents and community leaders alike access, adopt, and use broadband in a productive and meaningful capacity. With this approach, the assessment identified issues and action opportunities necessary to close the local Digital Divide.

Data collected as part of the engagement played an integral role in developing a unique, locally informed action plan for Montague County. This document provides a summary of that assessment, as well as recommendations for improving broadband and technology access, adoption, and usage. Additionally, CN Texas created an [interactive map](#).

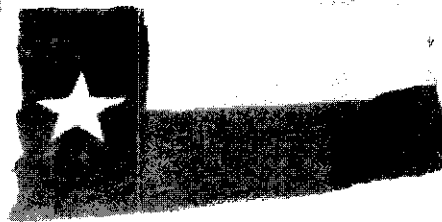
MONTAGUE COUNTY, TEXAS	
QUICK FACTS	
Population	19,965
Households	7,835
Median Household Income	\$59,127
Poverty Rate	12.4%
Adults with a Bachelor's Degree or Higher	17.5%
Hispanic or Latino	11.8%
Households with Broadband Access	93.56%

Source: Montague County US Census Profile
 * The current FCC definition of broadband is a minimum of 25 Mbps download and 3 Mbps upload. These data are derived from Connected Nation Texas and last updated in January 2022.
<https://connectednation.org/texas/planning/>



53.8%

of households in
Montague County
report subscribing to
fixed internet service



For households that do not subscribe to home internet service, the top barriers are a lack of broadband service availability and the cost of internet service.

90.4% of households in Montague County have access to internet service at speeds needed to run many modern applications (100 Mbps downstream and 10 Mbps upstream). Statewide, 93.6% of households have internet access at these speeds.

Nearly 2 out of 3 employed survey respondents in Montague County (63.6%) report teleworking in some capacity. Of those, 38% telework every day and 23% telework several days per week.

More than half the households surveyed (53%) and over 4 out of 5 businesses (85.7%) reported that they were dissatisfied with their current internet service. The top reasons for dissatisfaction were slow speeds, unreliable connections, and high prices.

More than 9 out of 10 households (91.8%) said they would like to have improved or additional options for home internet service.



Infrastructure Results



The first step in understanding the status of broadband infrastructure in Montague County and statewide is having accurate maps. Accordingly, CN Texas works with providers to develop a variety of broadband maps at the state and county level. Data shown on this map are derived from a combination of direct provider outreach and data collection, FCC Form 477 broadband deployment filings, and independent research conducted by CN Texas. If a provider was unable or unwilling to supply granular data and a detailed service area could not be developed, the provider's service is represented by Form 477 data alone – a format that tends to overstate the service territory.

To access the map as a PDF, click [here](#).





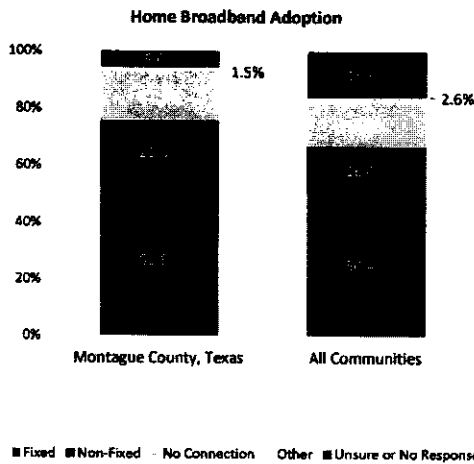
Household Survey Results

Household Survey Results



The following section provides an overview of results from a broadband survey conducted in Montague County between June and October 2022. Altogether, CN Texas received 198 survey responses from households across the county; respondents provided insights into their internet connectivity or lack thereof. Data from Montague County are compared to data from hundreds of other rural Connected communities that participated in the program across Michigan, Ohio, Texas, and Pennsylvania to benchmark and identify areas for improvement.

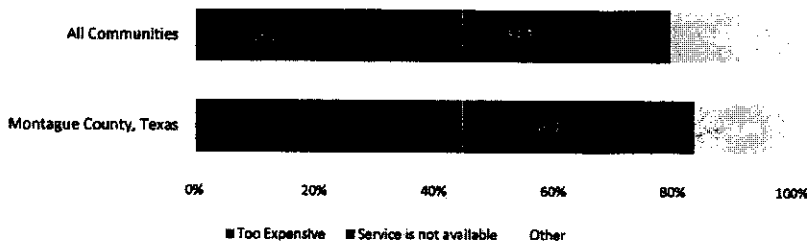
ADOPTION



In Montague County, 53.8% of households that took the survey subscribe to fixed broadband service delivered via a cable, DSL, fiber, or fixed wireless technology, while 21.8% indicate they have internet service delivered via dial-up, satellite, or a mobile wireless service. This leaves 17.3% without internet and 5.6% of survey respondents unsure of what service they have or provided no response.

Among those without a home internet connection, 36.7% said they did not have broadband because it was too expensive. An additional 46.7% say service is not available.

Primary Barrier

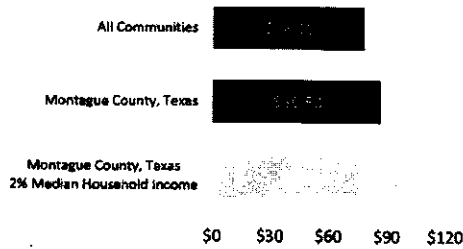




CONNECTION DETAILS

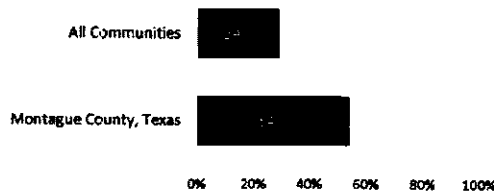
Two percent of monthly income is a recognized standard for measuring the affordability of a home internet connection. Respondents indicate that, on average, their internet connection costs about \$86.53 per month. This is higher than the monthly cost paid in other communities (\$78.16). Two percent of the median household income in Montague County is \$95.85 per month.

Average Monthly Cost

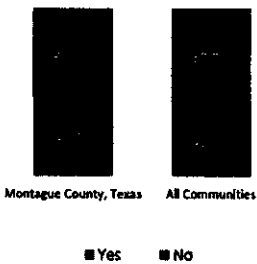


The FCC currently defines broadband as an internet connection with a download speed of at least 25 Mbps and upload speed of at least 3 Mbps. On average, respondents indicate that their connection's advertised download speed is 109.23 Mbps. In Montague County, 54% of internet-connected households subscribe to download speeds faster than 25 Mbps.

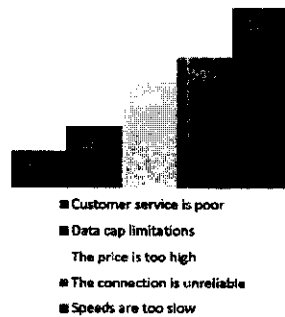
Percentage of Respondents with At Least 25/3 Mbps



Does Your Internet Meet Your Needs?

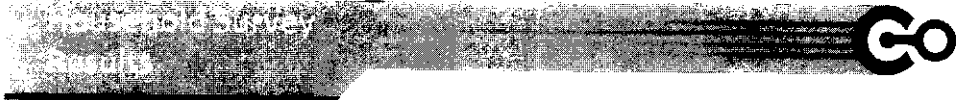


Why Doesn't Your Internet Meet Your Needs?



Are You Interested in More Choices at Home?





Competition provides residents with choices for service, allowing households the ability to switch providers if their current service does not meet their needs. Less than half (47%) of responding households indicate that their internet connection meets their needs. This is a lower rate of satisfaction than among households in other communities (42.3%).

When asked why their connection does not meet their needs, 82% of dissatisfied households indicate that their speed is too slow, 59% say their connections are unreliable, and 48% indicate that the price is too high. Respondents could choose more than one reason for dissatisfaction.

Finally, over 9 out of 10 respondents (91.8%) indicate that they are interested in additional internet choices for their home.

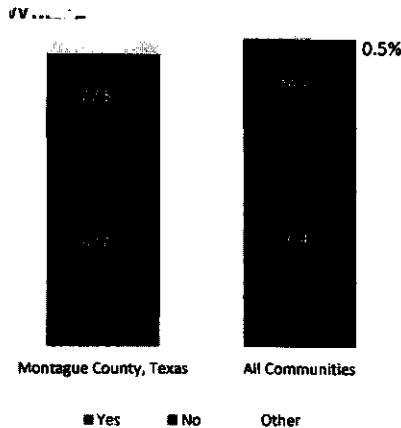
MOBILE CONNECTIVITY

Roughly 2 out of 3 households (67%) reported that they subscribe to mobile internet service that they access via a smartphone or similar mobile device. This is a little less than what is reported in other Connected communities (70.4%).

Additionally, 33.6% of mobile-connected households report that they either rely on those mobile connections as their primary source of home internet connectivity or use mobile service to connect other household devices to the internet.



Households Subscribing to Mobile Internet Service





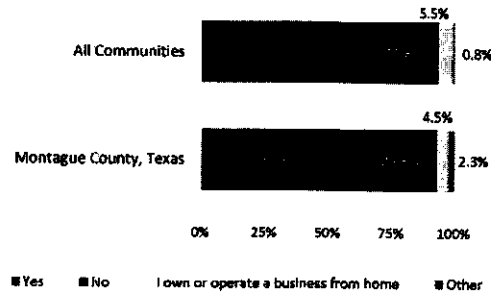
TELEWORK

Teleworking, or telecommuting, refers to working outside of the conventional workplace by way of telecommunications or computer-based technology. The COVID-19 pandemic forced many organizations to allow their staff to telework.

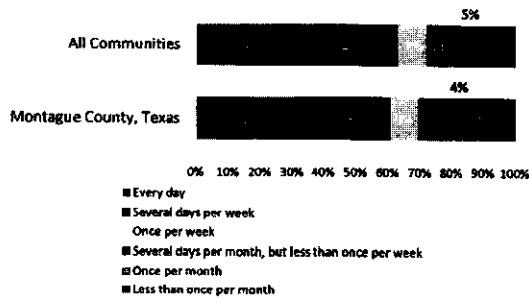
Teleworking is quickly becoming a critical part of growing a local economy because it represents an opportunity to attract and retain employees even when employees are not located in the same community as their employers. However, this only works if those employees have access to advanced broadband infrastructure.

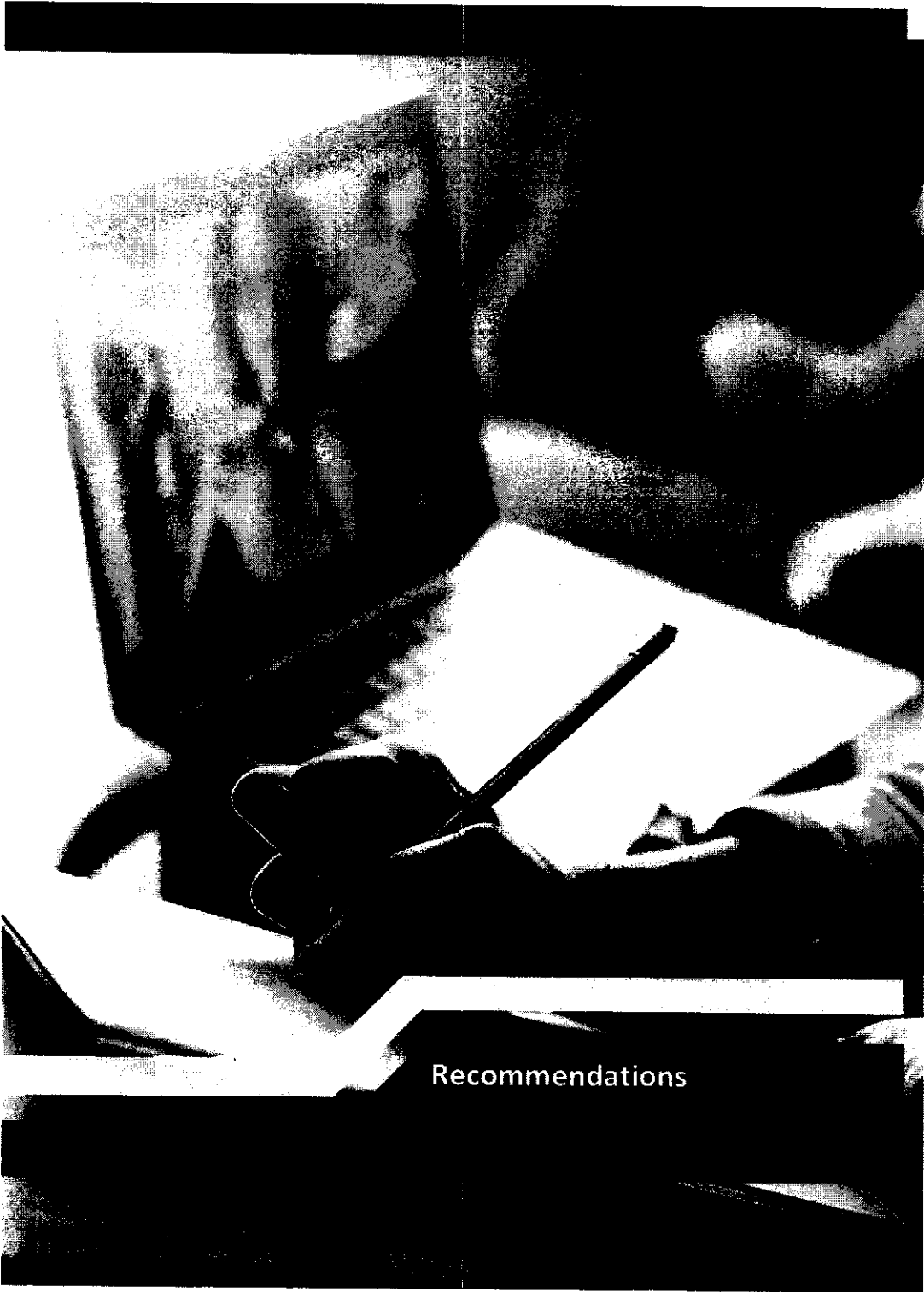
Just under 2 out of 3 employed respondents in Montague County (63.6%) telework at least part of the time. More than 1 out of 3 teleworkers (38%) work remotely every day, while approximately 70% telework at least once a week.

Do You Currently Telework?



How Frequently Do You Telework?





Recommendations



The following recommendations are presented to assist Montague County in expanding broadband access and adoption throughout the community.

Goal 1: Improve internet speeds and digital equity in Montague County by greater education, participation, and planning.

Objective: Establish broadband leadership and increase buy-in among community stakeholders.

90.37% of Montague County is served at 100 Mbps download and 10 Mbps upload, leaving 770 households unserved at 100/10, the internet speed needed to run most modern applications.

Montague County households reported an average download speed of 109.23 Mbps, with 47% satisfied and 53% unsatisfied with their current service. Of those dissatisfied, 82% think speeds are too slow, 59% find connection unreliable, and 48% find the price to be too high, 91.8% would like to have improved or additional options.

In the county, where fiber optic internet exists, speeds are good; but access to high-speed internet is not uniform throughout the county. Where access is limited, it does have an impact across all sectors.

While lack of internet access is not a countywide problem, there are areas of great need in the county. Community feedback indicates that there are areas of the county that are suffering from lack of access and residents would like to see improvement. Residents mention that slow internet affects their ability to do their jobs or stay in contact with work, or finish work or school assignments. Additionally, residents mention service unreliability necessitates having a backup ISP. Others have complaints of slow speeds, not having other internet options, and the price being too high. We list the full community feedback in the appendix of this report.

This shows that residents would like to see change and that in areas where the internet is unsatisfactory, it does have large consequences to residents and businesses.

The county should focus broadband expansion efforts on areas that do not have equitable access and work with ISPs to address the areas with greatest need. To address this, we recommend the following actions.

Action 1 – Establish a permanent Broadband Council to act as advisors to the county and appoint a Broadband Liaison to lead the effort.

Establishing leadership is essential. Whether paid or volunteer, part-time or full-time, the Broadband Liaison will be the point of contact for broadband in the county. They will stay up to date on broadband policy news, new construction projects in the region, new laws, and funding opportunities, as well as maintains a community presence to keep the community interested and engaged in internet adoption and expanded internet deployment. This leader will help regularly convene the Broadband Council.

Broadband Council advisory members should include representatives from a wide variety of community stakeholders, such as:

- **Healthcare:** Local physicians or hospital staff

Recommendations



- **Government:** County Judge, County Commissioners, Mayor, City Council, County IT Director
- **Education (K-12):** Superintendents, School IT Directors
- **Education (Higher-Education):** University, Community college, trade schools or workforce training
- **Public Safety:** County Sheriff's Office, Police Department, Fire and Rescue and surrounding Volunteer Fire Departments, Emergency Medical Services
- **Agriculture:** County Ag Agent, Leading Ag Producers
- **Business:** Chamber of Commerce, Economic Development
- **Community At-Large:** Someone from the community who is interested in broadband

Timeline Establish an official Broadband Council and select a countywide liaison immediately.

Responsible parties

- County Judge
- Commissioners Court

Broadband Council responsibilities should include:

- Keep abreast of state and national broadband policy initiatives and notable broadband news. Stay up to date on any publications, events, and policy briefs published by the Governor's Broadband Development Council (GBDC) and Broadband Development Office (BDO), as well as monitor notable broadband developments via industry newsletters and focused research.
- Keep the community informed of projects and progress and invite community participation to maintain buy-in and high adoption rates. Getting community buy-in is essential to the long-term success and sustainability of community initiatives. Success of local initiatives requires community support, transparency, and engagement. Not only will this help keep the momentum going but will show ISPs there is true interest for expanded service in the area, which will encourage greater investment in the region.
- Stay up to date on state and federal broadband legislation.
- Apply for applicable state and federal grant programs.
- Ensure digital engagement in all community sectors (telehealth, telework, education, commerce, etc.).
- Attend workshops, webinars, meetings, and general training that discuss telecommunications, and broadband specifically.
- Provide digital literacy and digital skills assistance to the community's at-risk populations.
- Hold regular meetings. The council should meet at least once a month. Meetings can be held virtually, in person, or in a hybrid capacity to accommodate members' needs. These meetings should provide updates on community activities, allow time for guest speakers and presentations, and offer an open forum for discussion about broadband advancements in the county.

Action 2 – Maintain open communications and positive relations with internet service providers (ISPs) working in the county, as well as any ISP with plans to work in the county or that has received federal funding to begin work in the county.

Open communication allows for ISPs to better understand community needs and for communities to better understand the obstacles and barriers they face. This should include regular check-ins with ISPs to stay abreast of construction and expansion progress or changes in plans, to identify any obstacles or challenges they are facing, and to communicate

Recommendations



community goals and objectives. This understanding can encourage creative problem solving, which can lead to finding solutions through public-private partnerships. Public-private partnerships are arrangements between public entities, such as local governments, and private entities, such as ISPs, to achieve a common goal. They are often, but not always, funding arrangements. Additionally, the county should strive to be an environment that is amenable to business by having easy to use websites that allow providers and vendors quick access to relevant information and fostering a business environment that rewards open communication and timely resolution of concerns.

Internet Service Providers working in Montague County, based on January 2022 FCC and CN data are AT&T Southwest, Comcell, Nextlink Residential, Nortex Communications, Rise Broadband, Speed of Light Broadband, Suddenlink Communications, Texas Windstream Inc., TGM Pinnacle Network Solutions, and T-Mobile.

There are federal subsidy programs that help ISPs in areas with high costs of deployment, such as low population density rural areas. Connect America programs, CAF, CAF II, and A-CAM are High-Cost programs. They have sent out billions of dollars of support to carriers annually beginning in 2014, but the service requirements for internet speed set by these programs are outdated. They set the minimum speed requirements very low (4/1, 10/1, 25/3) and gave ISPs until 2026 to offer these speeds. For this reason, communities should follow-up with any CAF winners in their area to determine the ISP's actual build-out schedule and progress. The good news is that many participating ISPs have achieved much higher than the minimum speeds required by the programs, and much sooner.

In Montague County, AMG Technology Investment Group LLC received \$1,482,077.50 in CAF II funds to provide service to 598 locations, AT&T has CAF II commitment areas, and Nortex Communications has A-CAM eligible areas.

The Rural Digital Opportunity Fund (RDOF) Phase I is a federal funding program for ISPs that auctioned off census blocks for internet deployment in 2020. To be eligible, a census block could not have had service of at least 25/3 Mbps (based on Form 477 data), or have an ISP already committed to providing service via the CAF II auction, the USDA ReConnect program, or state-specific programs.

RDOF winners in Montague County include LTD Broadband LLC who won bids for \$108,606 dollars to serve 13 locations, and AMG Technology Investment Group LLC, that won bids for \$69,120 dollars to serve 14 locations. Winning providers have eight years to fulfill deployment; the exact deployment schedule is determined by the carriers themselves, not the FCC.

The Broadband Council should meet with CAF and RDOF winners to discuss updates about their progress, remaining build-out plans, and deployment timeline.

Timeline Council should reach out to ISPs for an initial meeting with community stakeholders and decision makers as soon as Broadband Council leadership is established.

Action 3 – Incorporate broadband development and planning within local budgets.

Broadband expansion will bring expanded employment opportunities, innovation, and quality of life improvements. Under advisement from the Broadband Council, the county should commit funds to expand broadband access, adoption, and use, setting aside resources that reflect the broadband priorities of the community.

In March 2021, the American Rescue Plan Act of 2021 (ARPA) established the Coronavirus State and Local Fiscal Recovery



Funds (SLFRF) to provide state, local, and Tribal governments with the resources needed to respond to the Coronavirus pandemic and its economic effects.

Montague County is the recipient of \$3,849,414.00 in ARPA SLFRF funds. The SLFRF provide substantial flexibility for each government to meet local needs—including, **“to make necessary investments in water, sewer, or broadband infrastructure.”** The Final Rule for the program, released in 2022, made it even easier to use these funds for broadband if communities deemed it necessary and they had funds remaining.

Additionally, the county could seek broadband funding from existing revenue, planned contributions, and public or private grants, including broadband grants from the state of Texas Broadband Development Office (BDO).

Action 4 – Deploy a Request for Proposal (RFP) for a Field Validation audit and an Asset Inventory to confirm unserved areas of the county to focus on, and opportunities to address them.

Current FCC Form 477 data is often overstated because it defines served or unserved areas at the census block level, showing a wider internet coverage area than truly exists. CN data uses FCC 477 forms verified by ISPs to give the best projection of service coverage currently available. The new FCC maps, coming out in November 2022, will show served and unserved areas at the address level, which should be more precise. These maps will go through a challenge process to improve their accuracy. The only way to improve on this data is an on-the-ground asset inventory and field validation performed by technicians working in the county to determine actual infrastructure and coverage areas.

Based on current CN Montague County maps, [found here](#), broadband internet is least available in a large section of the southeast corner of the county, with additional areas of concern in the southwest corner, along the northwest county border with Oklahoma, and just northwest of Bowie.

A field validation would verify where installations actually exist. It entails locating, identifying, and documenting targeted wireline platforms such as digital subscriber lines (DSL), hybrid fiber coaxial (HFC), fiber-to-the-home (FTTH), middle mile fiber optic transport lines, and fixed wireless transmit locations, and then mapping infrastructure assets and provider service boundaries. Such work would allow the community to accurately assess, and map known broadband speeds and delivery platforms to verify the existing FCC data and to identify areas of need.

An Asset Inventory would map the county’s assorted assets that could be utilized by ISPs working in the area to offset deployment costs.

Assets could include:

- Anchor tenants
- Antennas
- Building rooftops
- Light poles
- Towers the cities or counties may own

Resources

- [The Rural Digital Opportunity Fund \(RDOF\)](#)

Recommendations



- [Coronavirus State and Local Fiscal Recovery Funds, Allocation by County](#)
- [ARPA SLFRF, Final Rule](#)
- [Governor's Broadband Development Council](#)
- [The Texas Statute](#)
- [The 2021 Governor's Broadband Development Council's Report](#)
- [The 2020 Governor's Broadband Development Council's Report](#)
- [The Texas Broadband Development Office](#)
- [The Texas Broadband Plan 2022](#)
- [Coronavirus State and Local Fiscal Recovery Funds, County Allocation](#)
- [Final Rule](#)
- [CN's list of Current Broadband Funding](#)
- [BroadbandUSA: Federal Funding Guide](#)
- [Guide to Federal Broadband Funding Opportunities in the U.S.](#)

Broadband readiness

- [Texas Broadband Providers by County](#)
- [Smart Cities Readiness Guide](#)
- [Next Century Cities Becoming Broadband Ready Toolkit](#)
- [Municipal Boards: Best Practices for Adoption Technology](#)

Broadband leadership

- [City of Memphis: Broadband Project Manager, Senior](#)
- [Letter: Do your part on broadband](#)
- [The Anatomy of a Community Broadband Manager](#)
- [TARA Leadership: Rondella Hawkins](#)

Goal 2: Ensure that Montague County residents have access to internet regardless of income level.

Objective: Assist Montague County's low-income residents by removing barriers to access and adoption.

In Montague County, 17.3% of survey respondents have no internet at home. Of those without internet at home, 46.7% said internet was not available, and 36.7% said it was too expensive. Affordability is a key challenge, the average monthly cost of internet in Montague County is higher than other Connected communities (\$86.53 in Montague versus \$78.16 in other Connected communities). Mobile device use is high in Montague County - 18% of survey respondents say that mobile internet is their primary internet connection and 15.6% say that they use their smart phone to connect other devices to the internet.

Montague County is also home to North Central Texas College, where approximately 300 Montague County residents take online-only classes in any given academic year. The college estimates that 60% of those students do not have adequate internet service at home to complete their coursework.



Action 1 – Montague County Libraries should share information with the community about the availability of public computers and free Wi-Fi at libraries.

Public Libraries can be a great resource for residents without internet at home. They can go to libraries to use public computers and Wi-Fi. Montague County is fortunate to have three libraries available to residents: Bowie Public Library, Saint Jo Public Library, and Nocona Public Library, all with public computers and free Wi-Fi available for residents.

Information about the availability of public computers, and public Wi-Fi should be shared widely with the community on a County Broadband Resources website, at the library, posted on social media, and promoted throughout the community.

Action 2 – Montague County Broadband Council should share information with the community about the availability of low-cost internet packages and internet subsidy programs to assist residents.

Low-income residents can be assisted with their internet expenses at home by low-cost internet packages, and subsidy programs to address internet affordability. There are two main federal internet subsidy programs and ISPs often have their own low-cost programs as well.

Lifeline is a federal program administered through the Federal Communication Commission (FCC) Universal Service Administrative Company that lowers the monthly cost of phone or internet services for eligible consumers. Eligible consumers can get up to \$9.25 off the cost of phone, internet, or bundled services each month. Households can qualify based on income or participation in Federal or Tribal assistance programs. More information can be found [here](#).

The Affordable Connectivity Program (ACP) was created to help households struggling to afford internet service. The ACP provides a \$30 a month credit toward internet coverage (\$75 a month for qualifying residents on tribal lands) and up to \$100 for the purchase of a device. Households can qualify based on income or participation in Federal or Tribal assistance programs. To receive the connected device discount, consumers need to enroll in the ACP with a participating provider that offers connected devices. The internet company will provide the discount to the consumer, then seek reimbursement. To find out which providers participate click [here](#). More information about the program can be found [here](#).

The [ACP tool kit](#) is a great resource that communities can use to promote the program to residents.

There are programs to assist low-income residents with the cost of internet, but ISPs need to participate in them for residents to benefit. Where ISPs do not participate in federal subsidy programs, the Broadband Council should find out why not and what can be done to encourage them to do so.

Internet service providers often have their own low-cost options or subsidized programs offering internet for consumers at a greatly reduced cost, so customers should always ask. The Bipartisan Infrastructure Law (BIL) of 2021 requires internet providers that receive federal grant money to offer low-cost service to eligible low-income households.

Free or low-cost internet programs available in Montague County by internet service providers are:

- [AT&T](#): Access from AT&T and ACP.
- [Comcell](#): ACP

Recommendations



- Nextlink: [ACP](#)
- Nortex: [Lifeline](#), [ACP](#)
- Rise Broadband: [Lifeline](#), [ACP](#)
- Suddenlink / Optimum: [ACP](#)
- Texas Windstream: [Lifeline](#), [ACP](#)
- T-Mobile: [ACP](#), [Project 10Million](#)

Information about the availability of internet subsidy programs and low-cost internet programs should be shared widely with the community on a County Broadband Resources website, at the library, posted on social media, and promoted throughout the community.

Timeline Broadband Council should share information about affordability programs immediately.

Goal 3: Ensure all Montague County K-12 schools and libraries have access to high-speed internet by utilizing all assistance programs at their disposal.

Objective: Help Montague County K-12 schools and libraries.

The average internet download speed for schools in Montague County is slower than other Connected communities (1145.8 Mbps versus 1624.7 Mbps). However, the average download speed of Montague County libraries is faster than other Connected communities (375 Mbps versus 56.54 Mbps). It is important that schools and libraries have the fastest internet available. Schools benefit most from high-speed internet, but libraries are where people who do not have internet at home go to get online, and where multiple people are online at the same time. Eighty percent of survey responding K-12 schools in Montague County indicated that they do participate in E-rate, 20% are unsure.

Action 1 – Broadband Council should inform schools and libraries about programs to assist them with internet expenses.

The E-Rate program is designed to make telecommunications and information services more affordable for eligible schools and libraries by providing discounts on telecommunications services, including internet access, internal connections, and basic maintenance of internal connections. Schools can receive discounts of 20% - 90%, and most accredited public libraries in Texas are eligible for an 80% - 90% discount on internet costs.

The Broadband Council would benefit from having a council member who is familiar with E-Rate or have someone from one of the schools who have participated in E-Rate to assist them. Additionally, CN has a tool to help schools negotiate better internet pricing. Connect K-12 is a free internet speed and pricing information tool for America's K-12 school districts. Connect K-12 was built to provide transparency around the bandwidth school districts buy. Data transparency is critical for two reasons:

1. It creates informed buyers at the state and school district level who, as a result of transparency, can negotiate more effectively to increase bandwidth for their students.
2. It helps track progress towards bandwidth targets that will enable all students to take advantage of digital learning.

Recommendations



Connect K-12 has been designed as a resource for leaders in state government and for school district administrators, including superintendents and technology directors, who are helping school districts upgrade their connectivity. You can find out more about Connect K-12's resources for schools [here](#).

Timeline Broadband Council should begin to educate themselves on E-Rate and Connect K-12 immediately and offer an education opportunity for schools and libraries within the next 6 months.

Responsible parties

- Broadband Council
- Montague County schools and libraries

Resources

- The Universal Service Administrative Company (USAC) E-Rate [Program page](#)
- The Universal Service Administrative Company (USAC) [Eligible Services List \(ESL\)](#).
- Texas Education Agency (TEA) E-Rate [program overview and application assistance page](#)
- [Connect K-12](#), resource for schools

Goal 4: Ensure that Montague County residents and business have digital literacy to improve outcomes in business, public safety, workforce readiness, and quality of life.

Objective: Partner with libraries and community organizations to provide digital literacy training.

Montague County is fortunate to have three libraries available to residents: Bowie Public Library, Saint Jo Public Library, and Nocona Public Library. All libraries offer public computers and free Wi-Fi for residents, but only one currently offers digital literacy classes.

Action 1 – Encourage all libraries in Montague County to offer digital literacy classes either in person or virtually.

All three libraries in Montague County have public computers for use, giving a total of 25 computers available to the public within the county. Libraries can offer classes in-person or online or share information about digital literacy classes available online by-demand. Interested parties can sign-up and take classes from the library computers or from home, selecting courses depending on their interest or skill level.

CN is currently offering in-person and online digital literacy classes in basic computer skills that libraries can promote to residents, you can find out more [here](#). Additional topics could include more advanced technology such as, product specific training on devices, new technology like smart home devices or wearable technology, cybersecurity, and advanced software applications like multimedia and design programs, based on community interest.

Action 2 – Encourage Montague County libraries or community organizations, such as chambers of commerce, or service organizations, to offer web design and online marketing classes for local businesses.

Recommendations



A 2018 study commissioned by Google, “Connecting Small Businesses in the U.S.,” found that the main reason businesses weren’t engaging online was not lack of access, but lack of an understanding of the value it brings. According to the study, small businesses that are active online are three times as likely to have recently hired additional workers than those that are not.

Montague County businesses could benefit from expanded online activity. Survey data indicates that 42% of responding Montague residents interact with non-local business online daily, and 32.4% at least once a week. Over 66% of Montague residents interact with local business online daily, yet only 28.6% of responding businesses have a website. The primary ways that responding business interact online are email (57% daily, 29% at least once a week), text (57% daily, 29% at least once a week), Facebook (57% daily, 14% at least once a week), and website update (29% daily, 29% at least once a week). Montague County residents are doing business online and expanding local businesses’ online presence could be an opportunity for local business to increase revenue and keep funds local.

Action 3 – Encourage Montague County public safety entities, libraries, or community organizations to offer cyber security classes.

Survey data indicated that only 40% of survey responding Public Safety organizations train their staff on the basics of cyber security and cybercrime, and only 20% share cybersecurity or cybercrime resources to the public. Cyber security, classes whether for online banking, internet shopping or daily online activities should be offered to county residents, and public safety entities can be great partners in these efforts.

CN is currently offering in-person and online digital literacy classes in Cybersecurity that public safety entities, libraries, or community organizations can promote to residents, you can find out more [here](#).

Timeline Montague County should begin digital literacy training for residents and businesses within six months.

Responsible parties

- Broadband Council
- Libraries and library boards
- Community service organizations
- Public Safety entities
- Local businesses

Resources

Digital Literacy

- [Connected Nation Digital Literacy Workshops](#)
- [Digital Learn – Free courses to learn anything about computers](#)
- [Digital Literacy Curriculum for K-12](#)
- [Free Applied Digital Skills – Google for Education](#)
- [Live, Virtual Classes for Seniors](#)
- [On-Site Technology Training for Small, Rural Michigan Businesses](#)

Recommendations



Cybersecurity

- [Cyber Security courses](#)
- [Cybersecurity & Infrastructure Security Agency - Cyber Resource Hub](#)
- [Connected Nation Cybersecurity and Digital Literacy Workshops](#)

Goal 5: Identify funding opportunities for programs and projects using broadband and related technologies that benefit Montague County.

Objective: Ensure that Montague County utilizes all available resources to improve quality of life and economic outcomes through technology.

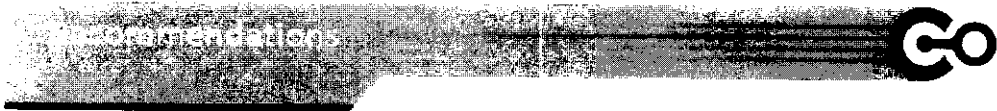
Action 1 – Pursue grants that advance local community development using broadband technologies (e.g., workforce development, telehealth, digital literacy, etc.).

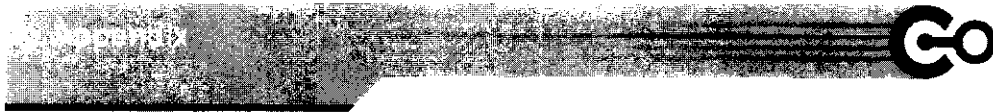
In conjunction with the countywide Connected Community Engagement, Montague County has been allocated funding to pursue applicable grant applications, if identified. For specifics, contact your Connected Nation Broadband Solutions Manager.

Timeline Community should identify grant opportunities within one year.

Responsible parties

- Local and county governments
- Montague County Broadband Advisory Council





Community feedback, gathered between June and October 2022:

"Eight years we had Sprint, service was good. Last November we had to change Sim cards and my android phone to T-Mobile the service is TERRIBLE – no coverage at all between Bowie to Nocona and throughout the county. Because I work in the oil field most times well location and communication with bosses is impossible. My job is in jeopardy for failure to communicate. I am fixing to lose my job because of T-Mobile not being equipped as they promised. Help! Please fix this problem."

"Although internet speeds have improved, there is more to do to get it up to modern times."

"Been waiting on Windstream, or any other company, to provide service for over 10 years. I feel that I'm in a governmental vacuum."

"Can't wait 'til we have fiber optic service available. Please hurry on the road jobs."

"Consistent, reliable, fast speeds needed."

"Desperately need faster internet service and more than one provider."

"DSL would be nice, but it's a rural area. I'm not sure it's cost effective for anyone to install DSL."

"Even though I subscribe to 200 Mbps, our download averages 64 and upload is 47. Windstream service guy says this is due to their lines being old. I hate that we pay that kind of money for the speed, but regular plan is only 50 Mbps."

"Have tried AT&T and Verizon hot spots will little success. Had Comcell come out they couldn't hit tower."

"To pay three bills [online] it might take me an hour to complete the task, if at all possible."

"I do not have other internet service outside of Verizon wireless because it doesn't work. I cancelled Hughes net because I can not stream a movie and my computer works faster off wireless Hotspot. We have contacted all line-of-sight providers and due to terrain location, nothing is available. Have to work remotely from home because of it."

"I sure hope we can get reliable high-speed internet to Montague County. Tired of waiting on Elon to get Skylink Service."

"I think it's important for us in rural areas to have fast broadband service as more and more medical, educational, and business needs require it."

"I want Nocona/Montage and all of north Texas (and southern Oklahoma) to lay the groundwork for top-quality internet infrastructure - that's the future. I have been happy with my internet service, and I want it to have as much bandwidth as possible."

"I would greatly appreciate a cheaper option from my current broadband connection since I am on single income home."

"If it wasn't for Nextlink putting a tower on our property, our only option to get internet service was via satellite - very

Recommendations



slow, limited broadband, and highly unacceptable. No options to bundle anything. No streaming capability.”

“I’m currently buying land in Montague TX, about a mile or two out of town to build a new home.”

“Because I work from home, internet access and reliability is a major concern.”

“Internet buffers constantly. My speeds are noticeable slower when the courthouse is open.

“Internet is unreliable at my home, yet fiber optic is available three miles down the road from the same company (Nortex).”

“Just recently moved to Catholic Cemetery Road. There is NO reliable internet service available.”

“Living on fixed income, it is very hard to pay for internet and satellite television services in our area (rural).”

“Nortex has installed fiber optics all around the Forestburg area but can not say if or when they will install it in my area.”

“Radio towers or satellite for internet is not very reliable.”

“Really just looking for solid choices for ISP and hopefully bringing down the prices some vs the speed choices.”

“Rural folks need to be treated as at least human, and given the same highspeed, reliable internet options as those living in the cities. Sick and tired of being treated like we’re some redneck hicks who don’t deserve to be treated as humans or with dignity.”

“Something needs to be done to get high speed internet to all these underserved areas of Texas. Seems like the only places they are interested serving is the giant cities like Wichita Falls, Fort Worth, and Dallas. I think the only thing we will ever be able to get will be Elon Musk Star Link. If I could get it right now I would have it. OF COURSE, it’s not available here yet. Same old story.”

“The only internet available to us outside Satellite Internet is Windstream DSL. We can barely hear anyone on the phone line due to interference, the speed is less than 3 Mbps (usually around 1.5-2 Mbps) and is routinely going out for minutes to days. It is unreliable and too slow. Most of the time you can’t download e-mail or send an email with a picture, not to mention watching Netflix or any other streaming program. We must connect to our smart phones to do that. We should have more than one choice. Paying \$125.00 a month for this is outrageous - but the only choice we have at this time. Thinking about getting Star Link, however, worried about losing signal in bad weather and feel maintaining both is cost prohibitive.”

“The rapid population growth and huge entertainment venues of Saint Jo (Rednecks with paychecks and Red River BBQ Concerts) literally bring thousands of people – and cellphones – to north Montague County. While grateful for these two essential contributors to the Saint Jo/Montague County economy the internet service has become obsolete and no longer adequate for the area.”

“There are times when I have deadlines to meet and without good internet this is very stressful.”

Recommendations



"We are in desperate need of better internet. The crap we are forced to use through Comcell is unacceptable. As a retired disabled veteran, I expect better. The Hamm Radios at the airport interfere with our internet to the point that it is unbearable."

"We live a mile out of Bowie city limits in a low area and wireless internet is not available unless we put up a tower. We live at the far edge of the DSL service and have had traditional satellite service and are not interested in it. (Every time a bird flew over, satellite service went out.) Love to have fiber optic service."

"We need better internet and more choices in the Nocona rural area."

"We need reliable service. Our current provider is frequently unable to connect to the internet. We use Verizon as a backup, but it is very slow and frequently unable to connect to the Internet."

"We need the broadband ASAP."

"We really need better internet access in rural Montague County."

"We want to use Comcell, but we are not in line of sight to their towers, so we were forced to use HughesNet. HughesNet is not reliable for tv or home office (WebEx meetings). Anytime we have to watch TV or join a meeting online for work we have to hotspot on our mobile AT&T devices."

Receipt # 954836
 Operator ANGIE
 Posting Date 12/29/2022
 Pay Batch ANGIE(21606)

MONTAGUE COUNTY TAX OFFICE
DUPLICATE RECEIPT

Receipt Date 12/29/2022

MONTAGUE COUNTY TAX OFFICE
 P.O. BOX 8
 MONTAGUE, TX 76251
 PHONE: 940-894-3881
 EMAIL: TAC@CO.MONTAGUE.TX.US

Tendered Detail	Amount
Check received (Ck# 995682)	3,984.23 0.00

Transaction Summary	Amount
Total Amount Due	3,984.23
Total Received Amount	3,984.23

PAID BY **FRANCOEUR DAVID E**
8640 WESTON LN
LANTANA, TX 76226-6688

AMOUNT PAID IN FULL

* Compute Date: 12/29/2022

Property Owner as of Payment

FRANCOEUR DAVID E

Identification	Legal Information
PROP ID: R000023645 GEO ID: 52050.0001.0001.0007	LEGAL: LOT 7, BLK 1, PHASE 1, NORTHBEACH ADDITION ACRES: 1.560 SITUS: 1917 BEACH RD

Year	Taxing Entities	Taxable Value	Tax Rate Per \$100	Base Tax Paid	P & I	Atty Fees	Late Fees	+/-	Total Paid
2022	MG-MONTAGUE COUNTY	791,150	0.5036	3,984.23	0.00	0.00	0.00	0.00	3,984.23
			0.5036	3,984.23	0.00	0.00	0.00	0.00	3,984.23

Quick Link: 

Total Paid 3,984.23

Receipt # 955410
Operator ANGIE
Posting Dt 12/30/2022
Pay Batch ANGIE(21611)

MONTAGUE COUNTY TAX OFFICE

DUPLICATE RECEIPT

Receipt Date 12/30/2022

MONTAGUE COUNTY TAX OFFICE
P.O. BOX 8
MONTAGUE, TX 76251
PHONE: 940-894-3881
EMAIL: TAC@CO.MONTAGUE.TX.US

PAYMENT NOTATION
PAYMENT FROM CORELOGIC CHECK 964384132

Tendered Detail	Amount
Check received (Ck# 964384132)	3,984.23
	0.00

Transaction Summary	Amount
Total Amount Due	3,984.23
Total Tendered Amount	3,984.23

Paid CORELOGIC
By

Miscellaneous Fees

ID: R000023645 / GEOID: 52050.0001.0001.0007

Code	Description	Quantity	Cost	Amount Paid
OVERAGE	PROPERTY TAX OVERAGE PAYMENT	1	3984.23	3,984.23

Total Paid 3,984.23

Receipt # 955672
Operator KATHY
Posting Dt 12/30/2022
Pay Batch REFUND(21615)

MONTAGUE COUNTY TAX OFFICE

ORIGINAL RECEIPT

Receipt Date 12/30/2022

MONTAGUE COUNTY TAX OFFICE
P.O. BOX 8
MONTAGUE, TX 76251
PHONE: 940-894-3881
EMAIL: TAC@CO.MONTAGUE.TX.US

Tendered Detail	Amount
REFUND CHECK	-3,984.23 0.00

Transaction Summary	Amount
Total Amount Due	0.00
Total Tendered Amount	-3,984.23

Paid By **FRANCOEUR DAVID E**
8640 WESTON LN
LANTANA, TX 76226-6688

Miscellaneous Fees

ID: R000023645 / GEOID: 52050.0001.0001.0007

Code	Description	Quantity	Cost	Amount Paid
OVERAGE	PROPERTY TAX OVERAGE PAYMENT REFUND	1	-3984.23	-3,984.23

Total Paid -3,984.23

Receipt # 952593
 Operator ANGIE
 Posting Date 12/14/2022
 Pay Batch ANGIE(21545)

MONTAGUE COUNTY TAX OFFICE

DUPLICATE RECEIPT

Receipt Date 12/14/2022

MONTAGUE COUNTY TAX OFFICE
 P.O. BOX 8
 MONTAGUE, TX 76251
 PHONE: 940-894-3881
 EMAIL: TAC@CO.MONTAGUE.TX.US

Tendered Detail	Amount
Check received (Ck# 13775)	3,697.42
	0.00

Transaction Summary	Amount
Total Amount Due	3,697.42
Total Received Amount	3,697.42

PAID BY **KRENEK MICHAEL E & SHARON K**
2529 NANTUCKET DR
SHERMAN, TX 75092-2240

AMOUNT PAID IN FULL

* Compute Date: 12/14/2022

Property Owner as of Payment

KRENEK MICHAEL E & SHARON K

Identification	Legal Information
PROP ID: R000021093 GEO ID: 55006.0002.0001.0000	LEGAL: LOT 1-3, UN II, BUCK KECK LAKEVIEW S/D SITUS: 272 STOREY RD

Year	Taxing Entities	Taxable Value	Tax Rate Per \$100	Base Tax Paid	P & I	Atty Fees	Late Fees	+/-	Total Paid
2022	FW-FARMERS CREEK	546,270	0.012147	66.36	0.00	0.00	0.00	0.00	66.36
2022	MG-MONTAGUE COUNTY	546,270	0.5036	2,751.02	0.00	0.00	0.00	0.00	2,751.02
2022	NH-NOCONA HOSPITAL DIST	546,270	0.1611	880.04	0.00	0.00	0.00	0.00	880.04
			0.676847	3,697.42	0.00	0.00	0.00	0.00	3,697.42

Quick Link: 

Total Paid 3,697.42

Receipt # 955412
Operator ANGIE
Posting Dt 12/30/2022
Pay Batch ANGIE(21611)

MONTAGUE COUNTY TAX OFFICE

DUPLICATE RECEIPT

Receipt Date 12/30/2022

MONTAGUE COUNTY TAX OFFICE
P.O. BOX 8
MONTAGUE, TX 76251
PHONE: 940-894-3881
EMAIL: TAC@CO.MONTAGUE.TX.US

PAYMENT NOTATION
PAYMENT FROM CORELOGIC CHECK 964384132

Tendered Detail	Amount
Check received (Ck# 964384132)	3,697.42 0.00

Transaction Summary	Amount
Total Amount Due	3,697.42
Total Tendered Amount	3,697.42

Paid CORELOGIC
By

Miscellaneous Fees

ID: R000021093 / GEOID: 55006.0002.0001.0000

Code	Description	Quantity	Cost	Amount Paid
OVERAGE	PROPERTY TAX OVERAGE PAYMENT	1	3697.42	3,697.42

Total Paid 3,697.42

Receipt # 955670
Operator KATHY
Posting Dt 12/30/2022
Pay Batch REFUND(21615)

MONTAGUE COUNTY TAX OFFICE

ORIGINAL RECEIPT

Receipt Date 12/30/2022

MONTAGUE COUNTY TAX OFFICE
P.O. BOX 8
MONTAGUE, TX 76251
PHONE: 940-894-3881
EMAIL: TAC@CO.MONTAGUE.TX.US

Tendered Detail	Amount
REFUND CHECK	-3,697.42 0.00

Transaction Summary	Amount
Total Amount Due	0.00
Total Tendered Amount	-3,697.42

Paid By **KRENEK MICHAEL E & SHARON K**
2529 NANTUCKET DR
SHERMAN, TX 75092-2240

Miscellaneous Fees

ID: R000021093 / GEOID: 55006.0002.0001.0000

Code	Description	Quantity	Cost	Amount Paid
OVERAGE	PROPERTY TAX OVERAGE PAYMENT REFUND	1	-3697.42	-3,697.42

Total Paid -3,697.42



January 23, 2023

Affordable Care Act Reporting and Tracking Service (ARTS) Renewal Information

The Texas Association of Counties Health and Employee Benefits Pool (TAC HEBP) has begun the renewal process for those counties and districts participating in the Affordable Care Act Reporting and Tracking Service (ARTS). Renewal will enable your entity to produce the forms required by IRS Sections 6055/6056 for calendar year 2023, assuming this reporting continues to be a requirement. Reporting will consist of Form 1095C, which must be provided both to employees and the IRS (plus transmittal Form 1094C, filed with IRS). Current law requires all employers with 50 or more full-time equivalent employees to file these forms. ARTS will provide measurement period tracking for 2023 and beyond (to determine whether an employee must be offered health coverage), as well as affordability testing for groups that require employee contributions toward the cost of their own health coverage.

As your county or district provides health benefits through TAC HEBP, ARTS will continue to be available at NO COST in 2023, assuming program deadlines are met.

Your entity will need to continue sending employee, payroll, and unpaid leave of absence files to TAC HEBP in order to utilize this service for the 2023 reports. **Payroll data must be provided for each payroll cycle. Employee files must be provided, at a minimum, once per quarter. LOA files may be provided if and when applicable.** The information provided will be used to determine:

- 1) whether individuals are eligible for a federal premium subsidy or tax credit; and
- 2) whether your entity is subject to penalties under the ACA employer mandate.

Some payroll vendors have worked with TAC to produce these files for you. You will be responsible for the completion of required information in your payroll system and submission to TAC, but this eliminates the need for manually producing additional spreadsheets.

If you use a payroll system that will produce the required IRS forms, and you determine that your entity does not need measurement period tracking or affordability monitoring, you may not need ARTS. It is a service offered by TAC and is completely optional.

Enclosed is the ARTS Renewal Confirmation Program Agreement. Please return a signed copy (initials on pages 1 and 2, signature on page 3) to your Employee Benefits Consultant or email to ARTS@county.org no later than 3/31/2023 if your entity wishes to continue its participation in the program. If you have any questions, please contact your Employee Benefits Consultant at (800) 456-5974.



**ACA Reporting and Tracking Service (ARTS)
2023 Renewal Confirmation Program Agreement
HEBP Member: (Pooled Group or ASO)**

Program Services

The ARTS program includes the following services:

- *Measurement, Administrative, and Stability Period tracking for 2023 and notification of eligibility for part-time / variable / seasonal employees (can provide tracking back to beginning of Measurement Period if 2022 data was provided by county/district);*
- *Reporting for your county/district regarding the status of potential benefits-eligible employees;*
- *Production of your county/district's 1095C forms, shipped to you for distribution to employees (optional direct mail service for additional fee);*
- *Transmission of your county/district's 1094C and 1095C forms to the IRS.*

Program Requirements

- 1) Participants agree to provide employer, payroll, employee and unpaid leave of absence (LOA) files related to the group's Health Benefits Plan in the file format designated by TAC HEBP:
 - **Payroll data files must be provided for each payroll cycle, and should be submitted at least once per calendar month.**
 - **Employee data files must be provided, at a minimum, once per quarter.**
 - **LOA data files may be provided if and when applicable.**

NOTE: It is critical that you provide your files in the proper format and the correct naming convention. Failure to do so may result in our inability to provide this service to your county or district.

- 2) Group agrees to pay program fees as described in the 2023 ARTS Fee Schedule.

Enrollment and Data Submission Deadlines

- Please refer to the enclosed "2023 Deadlines for ARTS Files" document for details.
- Groups who wish to participate in the ARTS program must return the signed documents to TAC HEBP no later than March 31, 2023 in order to participate.
- Data file transmission to TAC HEBP must begin no later than August 4, 2023 to avoid late fees, however, we recommend that you continue sending your files after each payroll or at least monthly to avoid getting backlogged.



**ACA Reporting and Tracking Service (ARTS)
HEBP Member (Fully Insured or ASO)
2023 Fee Schedule for Renewing Participant**

1	<input checked="" type="checkbox"/>	ARTS Annual Subscription Fee	*\$4.75 / form	Waived
2	<input type="checkbox"/>	Optional Forms Distribution (<i>group chooses to have TAC mail employee forms</i>)	\$ 1.50 / form	If applicable, will be billed in 2023 after forms are produced
3	<input type="checkbox"/>	Late fee for service election form (<i>after 3/31/2023</i>)	\$1,500	
4	<input type="checkbox"/>	Late fee for data submission (<i>after 8/8/2023 and/or 1/08/2024</i>)	\$3,000	If applicable, will be billed in 2023 after forms are produced
Total Amount Due: (if zero, enter 0.00)				\$ <u>0.00</u>

**Per 1095C form*

Fees subject to change annually

_____ Initials



Contracting Authority: Montague County (Group Name) hereby designates and appoints, as indicated in the space provided below, a Contracting Authority of department head rank or above and agrees that any notice to, or agreement by, a Group's Contracting Authority, with respect to service or claims hereunder, shall be binding on the Group. Each Group reserves the right to change its Contracting Authority from time to time by giving written notice to HEBP.

Name: Kevin Benton Title: County Judge
Address: P O Box 475, Montague, TX 76251
Phone: 940-894-2161 Fax: 940-894-3999
Email: co.judge@co.montague.tx.us

Primary Contact: Main contact for data file and reporting matters pertaining to the ARTS program.

Name: Jennifer Fenoglio Title: Treasurer
Mailing Address: P O Box 186, Montague, TX 76251
Delivery Address (no PO Boxes): 101 Franklin St,4th Floor
Phone: 940-894-2161 HIPAA Secured Fax#: 940-894-3110
Email: _____

Other Contact Emails for ARTS correspondence regarding data files, if any:

Signature of County Judge or Contracting Authority

Date

Kevin Benton

Print Name and Title

INTERLOCAL COOPERATION AGREEMENT

For Housing of Lubbock County Inmates

This Agreement is made by and entered into between Lubbock County, Texas (hereinafter "Lubbock County") and Montague County, Texas (hereinafter "Montague County") on the date indicated below.

WHEREAS, Lubbock County is seeking to provide for the housing and care of certain inmates incarcerated or to be incarcerated in its jail, and

WHEREAS, Montague County currently has the jail capacity and the ability to provide housing and care for such inmates, and

WHEREAS, both parties are political subdivisions of the State of Texas authorized to enter into an Interlocal Cooperation Agreement for such detention services pursuant to Chapter 791 of the Government Code (Vernon's 1992) (formerly Article 4413(32c), Tex. Rev. Civ. Stat.), and

WHEREAS, Lubbock County and Montague County desire to enter into an agreement pursuant to which Montague County will provide housing and care for certain inmates incarcerated or to be incarcerated in Lubbock County's jail.

NOW, THEREFORE, in consideration of the promises, covenants, and agreements contained herein, the parties hereto mutually agree as follows:

ARTICLE I DETENTION SERVICES

- 1.01 **HOUSING AND CARE OF INMATES:** Montague County agrees to accept, and provide for the secure custody, care and safekeeping of inmates of Lubbock County in accordance with state and local law, including the minimum standards promulgated by the Texas Commission on Jail Standards. Montague County shall provide housing, care, meals, and routine medical services for such inmates on the same basis as it provides for its own inmates confined in its own jail subject to the terms and conditions of this Agreement.
- 1.02 **Medical Services:** The per day rate under this Agreement covers only routine medical services such as on-site sick call (when provided by on-site staff) and non-prescription, over-the-counter/non-legend and routine drugs and medical supplies. The per day rate does not cover medical/health care services provided outside Montague County's facility or by other than facility staff, prescription drugs and treatments, or surgical, optical and dental care, and does not include the costs associated with hospitalization of an inmate. Lubbock County shall pay Montague County an amount equal to the amount

Montague County is required to expend for medical services other than those routine medical services provided for by the per day rate. When it becomes necessary for an inmate to be hospitalized, Montague County shall contact Lubbock County, through its Sheriff or designated representative, as soon as possible to inform Lubbock County of the fact that the inmate has been, or is to be, hospitalized and the nature of the illness or injury that has required the hospitalization.

Montague County shall submit invoices for such medical services along with its regular monthly billings for detention services, and such invoices shall be paid on the same terms as the regular monthly billing.

Montague County has the right to arrange for the hospital or health care provider to bill Lubbock County directly for the costs of hospitalization and/or medical care, rather than Montague County paying the costs directly, Lubbock County shall reimburse Montague County for such costs within forty-five (45) business days of receipt of invoice from Montague County, which invoice may be delivered personally, by facsimile, by mail or by other reliable sources.

1.03 **MEDICAL INFORMATION:** Lubbock County shall provide Montague County with medical information for all inmates sought to be transferred to _____ County's facility under this Agreement, including information regarding any special medication, diet or exercise regimen applicable to each inmate.

1.04 **TRANSPORTATION AND OFF-SITE SECURITY:** Lubbock County is solely responsible for the transportation of its inmates to and from Montague County's facility. Ambulance transportation (including emergency flight, etc.) is not covered by the per day rate and will be billed along with regular monthly billing submitted to Lubbock County by Montague County.

Montague County will provide stationary guard services (\$25.00 per hour per guard, with a minimum of two guards) as requested or required by circumstances or by law for inmates admitted or committed to an off-site medical facility. Lubbock County shall compensate Montague County for the actual cost of said guard services to Montague County, which shall be billed by Montague County along with regular monthly billing for detention services.

Lubbock County is responsible for the transport of its inmates from Montague County's facility to the Texas Department of Criminal Justice, Institutional Division.

1.05 **SPECIAL PROGRAMS:** The per day rate set out in this Agreement only covers basic custodial care and supervision and does not include any special educational, vocational or other programs. The parties may agree by a written amendment to this Agreement, or by separate

agreement, for the provision of special programs for the consideration and under the terms mutually agreed to by the parties.

- 1.06 **LOCATION AND OPERATION OF FACILITY:** _____ Montague County shall provide the detention services described herein at the Montague _____ County Jail in Montague _____, Texas, which is operated by the Montague _____ County Sheriff.

**ARTICLE II
FINANCIAL PROVISIONS**

- 2.01 **PER DIEM RATE:** The per diem rate for detention services under this Agreement is Sixty _____ dollars (\$60.00 _____) per man day. This rate covers one inmate per day. Any portion of any day shall count as a man-day under this Agreement, except that Lubbock County will not be billed for two days when an inmate is admitted one evening and removed the following morning. In that situation, Montague _____ County will bill for the day of arrival, but not for the day of departure.
- 2.02 **BILLING PROCEDURE:** Montague _____ County shall submit an itemized invoice for the services provided each month to Lubbock County, in arrears, invoices will be submitted to the officer of Lubbock County designated to receive the same on behalf of Lubbock County. Lubbock County shall make payment to Montague _____ County within thirty (30) days after receipt of the invoice. Payment shall be in the name of Montague _____ County and remitted to:

Montague County Treasurer

_____ PO Box 186

_____ Montague, TX 76251

Amounts which are not paid timely in accordance with the above procedure shall bear an interest at the lesser of the annual percentage rate of 10%, or the maximum legal rate applicable thereto, which shall be a contractual obligation of Lubbock County under this Agreement. Lubbock County further agrees that Montague _____ County shall be entitled to recover its reasonable and necessary attorney's fees and costs incurred in collection of amounts due under this Agreement.

**ARTICLE III
ACCEPTANCE OF INMATES**

- 3.01 **PRIMARY TERM:** The primary term of this Agreement is for a period of one (1) year from the last date of execution. Date of execution shall be the date the last county signs this Agreement.

3.02 **RENEWALS:** This Agreement shall renew automatically each year upon the expiration of the current term unless either party provides the other with written notice of its desire not to renew the Agreement no less than sixty (60) days prior to the end of the contract term. Either party may seek to renegotiate this Agreement no less than sixty (60) days prior to the end of the contract term.

3.03 **TERMINATION:** This Agreement may be terminated upon sixty (60) days written notice by either party delivered to the officer specified herein by the other party to receive notices. This Agreement will likewise terminate upon the happening of an event that renders the performance hereunder by Montague County impracticable or impossible, such as severe damage to or destruction of the facility or actions by governmental or judicial entities which create a legal barrier to the acceptance of any of Lubbock County's inmates.

ARTICLE IV
ACCEPTANCE OF INMATES

4.01 **COMPLIANCE WITH LAW:** Nothing herein shall create any obligation upon Montague County to house Lubbock County's inmates where the housing of said inmates will, in the opinion of Montague County's Sheriff, raise the population of the facility above permissible numbers of inmates allowed by law, or will, in the Montague County Sheriff's opinion, create a condition of overcrowding or create conditions which endanger the life or welfare of personnel and inmates at the facility, or result in possible violation of the constitutional rights of the inmates housed at the facility. At any time that Montague County's Sheriff determines that a condition exists at Montague County's facility necessitating the removal of Lubbock County's prisoners, or any specified number thereof, Lubbock County shall, upon notice by Montague County's Sheriff to the Sheriff of Lubbock County, immediately (within eight (8) hours) remove said prisoners from the facility.

4.02 **ELIGIBILITY FOR INCARCERATION:** The only inmates of Lubbock County eligible for incarceration are those inmates eligible for incarceration in the facility in accordance with the state standards under both the Texas Commission on Jail Standards approved custody assessment system in place at Lubbock County's jail and pursuant to the custody assessment system in place at Montague County's facility.

All inmates proposed by Lubbock County to be transferred to Montague County's facility under this Agreement must meet the eligibility requirements set forth above. Montague County reserves the right to review the inmates' classifications/eligibility, and the right to refuse to accept any inmate that it does not believe to be properly classified as a non-high risk inmate. Furthermore, if an inmate's classification changes while incarcerated at Montague County's facility,

Montague County reserves the right to demand that Lubbock County remove that inmate and replace said inmate with a non-high risk inmate of Lubbock County.

4.03 **RESERVATION WITH REGARD TO ACCEPTANCE OR CONTINUED INCARCERATION OF INDIVIDUAL INMATES:** Montague County reserves the right for its Sheriff or his designated representative to review the background of all inmates sought to be transferred to Montague County's facility, and Lubbock County shall cooperate with and provide information requested regarding any prisoner of Lubbock County. Likewise, if any inmate's behavior, medical or psychological condition, or other circumstances of reasonable concern to Montague County's Sheriff makes the inmate unacceptable for continued incarceration in Montague County's facility in the opinion of Montague County's Sheriff, Lubbock County will be requested to remove said inmate from the facility, and shall do so immediately (within eight (8) hours) upon the request of Montague County's Sheriff. Inmates may also be required to be removed from the facility when their classification changes for any purpose, including long-term medical segregation.

4.04 **INMATE SENTENCES:** Montague County shall not be in charge of, or responsible for, the computation or processing of inmates' time of confinement, including, but not limited to, computation of good time award/credits and discharge dates. All such computations and recordkeeping shall continue to be the responsibility of Lubbock County. It shall be the responsibility of Lubbock County to notify Montague County of any discharge date for an inmate at least ten (10) days before such date. Montague County will release inmates of Lubbock County only when such release is specifically requested in writing by the Sheriff of Lubbock County. However, it is agreed that the preferred and usual course of dealing between the parties shall be for Lubbock County to pick up and return inmates to Lubbock County facility shortly before their discharge date, and for Lubbock County to discharge the inmate from its own facility. Lubbock County accepts all responsibility for the calculations and determinations set forth above and for giving Montague County notice of the same, and to the extent allowed by law, shall indemnify and hold Montague County harmless for all liability or expense of any kind arising therefrom. Lubbock County is responsible for all paperwork, arrangements and transportation for inmates to be transferred to the Texas Department of Criminal Justice, Institutional Division.

**ARTICLE V
MISCELLANEOUS**

5.01 **BINDING NATURE OF AGREEMENT:** This Agreement is contractual and is binding upon the parties hereto and their successors, assigns, and representatives.

5.02 **NOTICE:** All notices, demands, or other writings, including notices of address changes, may be delivered by either party hereto to the other by United States Mail or other reliable courier at the following addresses:

To _____ Montague County: Montague _____ County
Sheriff's Office

County Judge

PO Box 475

Montague, TX 765251

To Lubbock County: Lubbock County Detention Center
PO Box 10536
Lubbock, TX 79408

5.03 **AMENDMENTS:** This Agreement shall not be modified or amended except by a written instrument executed by the duly authorized representatives of both parties and approved by the commissioners' courts of the respective parties hereto.

5.04 **PRIOR AGREEMENTS:** This Agreement contains all of the agreements and undertakings, either oral or written, of the parties with respect to any matter mentioned herein. No prior agreement or understanding pertaining to any such matter shall be effective.

5.05 **CHOICE OF LAW AND VENUE:** The law which shall govern this Agreement is the law of the State of Texas. All consideration to be paid and matters to be performed under this Agreement are payable and performable in Montague _____, Montague _____ County, Texas, and venue of any dispute or matter arising under this Agreement shall lie in a district court of _____ Montague County, Texas.

5.06 **APPROVALS:** This Agreement must be approved by the Commissioners Court of Lubbock County and the Commissioners Court of Montague _____ County in accordance with the Interlocal Agreement Act.

5.07 **FUNDING SOURCE:** Lubbock County must pay all amounts due under this Agreement from current revenues available to it in accordance with the Interlocal Cooperation Act. The signature of Lubbock County's Auditor below certifies that there are sufficient funds from current revenues available to Lubbock County to meet its obligations under this Agreement.

LUBBOCK COUNTY, TEXAS:

Montague COUNTY, TEXAS:

Curtis Parrish
Lubbock County Judge

Kevin Benton
Montague County Judge

Date Approved by Lubbock County
Montague County
Commissioners Court _____

Date Approved by _____
Commissioners Court _____

ATTEST:

ATTEST:

Kelly Pinion
Lubbock County Clerk

Kim Jones
Montague County Clerk

Kathy Williams
Lubbock County Auditor

Jennifer Essary
Montague County Auditor

APPROVED AS TO CONTENT:

APPROVED AS TO CONTENT:

Kelly S. Rowe
Lubbock County Sheriff
Sheriff

Marshall Thomas
Montague County

REVIEWED AS TO FORM:

REVIEWED AS TO FORM:

Jennifer Slack
Civil Division
Criminal District Attorney's Office

Attorney Approval as to Form