



DOUBLE OAK

Town of Double Oak
Town Council – Public Meeting

Double Oak Town Hall
320 Waketon Road, Double Oak
TX 75077

Monday, December 7, 2020
7:00 p.m.

OUT OF RESPECT FOR ALL THOSE IN ATTENDANCE, PLEASE REFRAIN FROM TALKING TO OTHER MEMBERS OF THE AUDIENCE DURING THE MEETING

- I. Opening: Call to Order
Roll Call
Invocation
Pledge of Allegiance – American Flag
Pledge of Allegiance – Texas Flag

“Honor the Texas flag; I pledge allegiance to thee, Texas, one state under God, one and indivisible.”

II. Citizens comments

III. Consent Agenda - All consent agenda items listed are considered to be routine by the Town Council and will be enacted by one motion. There will be no separate discussion of these items unless a Council Member so requests, in which event the item will be removed from the Consent Agenda and considered in its normal sequence on the agenda. Information concerning consent agenda items is available for public review.

1. Consideration on minutes from the November 16, 2020 meeting.

IV. Mayor, Council Members and Staff reports:

2. Mayor and Council
3. Public Works - Code Enforcement – Animal Control
4. Administration
5. Public Safety
6. Roads and Drainage Committee

V. New business agenda (consideration and action):

7. Discussion, consideration, and action on a request from Sherwin Williams Paint, 8401 Justin road, to allow an exception under the Sign Regulations, Article 3.1300 of the Code of Ordinances to allow for a larger Building Wall – Mounted Sign.

Presentation: Assistant Town Secretary Lynn Jones

8. Discussion, consideration, and action on establishing new equity accounts on the balance sheet.

Presentation: Mayor Donnelly

9. Discussion, consideration, and action on CARES Act funds and reports.
Presentation: Mayor Donnelly
10. Receive report on the 10th Annual Double Oak Turkey Trot
Presentation: Geoff Reese
11. Discussion, consideration, and action on telecommunications and remote connectivity expenditures.
Presentation: Administrative Clerk Brian Shults
12. Citizens comments
13. Council – staff announcements and comments:
- Christmas Tree lighting is Monday December 7 at 6:00 pm
 - DOVFD Santa Around Town will be Sunday, December 13 starting at noon.
 - May 1, 2021 Municipal Election Day

Terms expiring are: Mayor Mike Donnelly, Council Members Scott Whisenhunt, and Von Beougher

First day to file for a place on the ballot is January 13, 2021
Last day to file is February 12, 2021

14. Adjournment

As authorized by Section 551.071 of the Texas Government Code, this meeting may be convened into closed Executive Session for the purpose of seeking confidential legal advice from the Town Attorney, or on any other item covered under the code, on any agenda item listed herein.

The Town of Double Oak reserves the right to reconvene, recess or realign the Regular Session or called Executive Session or order of business at any time prior to adjournment.

I certify that the above notice of meeting was posted by Friday, December 4, 2020 by 4:00 p.m. on:

- 1) Bulletin boards located in the Town Hall Parking Lot at 320 Waketon Road, Double Oak, Texas
- 2) On the Town's website (<https://doubleoak.texas.gov>)

Eileen Kennedy
Town Secretary

PUBLIC PARTICIPATION If you wish to address the Council, please sign the “CITIZENS WHO WISH TO SPEAK TO THE TOWN COUNCIL” sheet before the meeting begins. Pursuant to Section 551.007 of the Texas Government Code, citizens wishing to address the Council for items listed as public hearings will be recognized when the public hearing is opened. For citizens wishing to speak on a non-public hearing item, they may either address the Council during the Citizen Comments portion of the meeting or when the item is considered by the Town Council.

This facility is wheelchair accessible and accessible parking spaces are available. Requests for accommodations or interpretive services must be made 48 hours prior to this meeting. Please contact the Town Secretary's office at 972.539.9464, fax 972.539.9613 or email to cileen.kennedy@doubleoak.texas.gov for additional information.

UNAPPROVED-NOT FOR
PUBLICATION

STATE OF TEXAS
COUNTY OF DENTON
TOWN OF DOUBLE OAK

The Double Oak Town Council met in regular session at 7:00 p.m. November 16, 2020 at the Double Oak Town Hall, located at 320 Waketon Road with the following members present to-wit:

Mike Donnelly	Mayor
Joe Dent	Mayor Pro-Tem
Billie Garrett	Deputy Mayor Pro-Tem
Anita Nelson	Council Member
Scott Whisenhunt	Council Member
Von Beougher	Council Member

Also, in attendance were Town Secretary Eileen Kennedy, Assistant Town Secretary Lynn Jones, Administrative Clerk Brian Shults, Police Chief Derrick Watson, and Police Captain Ruben Rivas.

The Mayor called the meeting to order at 7:00 p.m.

Mayor Pro-Tem Dent gave the invocation and Deputy Mayor Pro-Tem Garrett lead the Pledge of Allegiance to the American and Texas flags.

II. CITIZENS COMMENTS

Gary Garrett, 120 Trailing Oaks Dr., personally thanked Chief Watson for his service to the citizens of Double Oak.

Mayor Donnelly moved to item 8 in the agenda.

8. Public hearing on a request to amend Ordinance 16-06 to include authorization for the construction of a limited structure to exceed zoning maximum height requirements at 8401 FM 407, Lot 4, Blk A of the Crossroads Bible Church Addition Double Oak Texas.
 - a. Opening of public hearing at 7:06 p.m.
 - b. Closing of public hearing at 7:08 p.m.

9. Discussion, consideration and action on a request to amend Ordinance 16-06 to include authorization for the construction of a limited structure to exceed zoning maximum height requirements at 8401 FM 407, Lot 4, Blk A of the Crossroads Bible Church Addition Double Oak Texas. the Code of Ordinances for a 12 ft by 6 ft sign on her property with the farm name and address.

Robert Suarez, owner of the retail center, addressed the council. Mr. Suarez said he did not realize the clock was not visible from the parking lot therefore requested approval to amend Ordinance 16-06.

Motion Nelson, Beougher second to approve the amendment to Ordinance 16-06 with the height of the clock tower not to exceed 46 feet.

AYE: Beougher, Garrett, Dent, Whisenhunt, Nelson
NAY: None
ABSTAIN: None

Motion carried

Council Member Beougher presented Mr. Suarez with a street sign.

10. Discussion, consideration, and action on a request from Tyler and Lauren Furlow, 125 North Forest Lane, to extend the November 1st deadline to live in their RV while their house was under construction until March 1, 2021.

Assistant Town Secretary Lynn Jones stated the Furlow's had experienced several setbacks due to COVID-19 and recommended the council extend the building permit and allow the Furlow's to live in their RV for six months.

Motion Whisenhunt, Nelson second to extend the Furlow's building permit and allow the Furlow's to live in their RV until March 2, 2021.

AYE: Dent, Whisenhunt, Nelson, Garrett, Beougher
NAY: None
ABSTAIN: None

Motion carried

11. Discussion, consideration, and action on appointments to the Board of Adjustment and Planning & Zoning Commission

Mark Rose, chairman of the Planning and Zoning, recommended the appointment of Kristen Harris and Patrick Johnson to fill the vacant alternate positions.

Motion Beougher, Dent second the appoint Kristen Harris and Patrick Johnson to fill the vacant alternate positions on the Planning and Zoning Commission.

AYE: Whisenhunt, Nelson, Garrett, Beougher, Dent
NAY: None
ABSTAIN: None

Motion carried

Motion Beougher, Nelson second to appoint Devin Gorman to fill the vacant alternate position on the Board of Adjustment.

AYE: Nelson, Dent, Whisenhunt, Garrett, Beougher
NAY: None
ABSTAIN: None

Motion carried

The Mayor returned to original agenda order.

III. Consent Agenda - All consent agenda items listed are considered to be routine by the Town Council and will be enacted by one motion. There will be no separate discussion of these items unless a Council Member so requests, in which event the item will be removed from the Consent Agenda and considered in its normal sequence on the agenda. Information concerning consent agenda items is available for public review.

1. Consideration on minutes from the November 2, 2020 meeting.

Motion Beougher, second Nelson to approve the Consent Agenda as presented.

AYE: Garrett, Nelson, Beougher, Whisenhunt, Dent
NAY: None
ABSTAIN: Whisenhunt and Nelson

Motion carried

IV. Mayor, Council Members and Staff reports:

2. Mayor and Council

Council Member Beougher reported that he met with Commissioner Edmundson on the Waketon Road Project and would be meeting again on November 18.

3. Public Works - Code Enforcement – Animal Control

None

4. Administration

Town Secretary Eileen Kennedy announced that Carl Deaton, town auditor, was currently conducting the annual audit and be back in December with the preliminary audit.

5. Public Safety

None

6. Roads and Drainage Committee

None

At this time Mayor Donnelly recognized Double Oak Police Chief Derrick Watson and thanked him for his 11 years of service to the town and wished him good luck in his future endeavors.

V. New business agenda (consideration and action):

7. The Town Council shall convene in closed executive session under Texas Government Code, Section 551.074 (personnel matters) and Section 551.071 (consultation with attorney) to discuss and deliberate the appointment, employment, evaluation, reassignment, and duties of the police chief and to receive legal advice from the town attorney on personnel matters.

Reconvene into open session and consider action, if any, on items discussed in executive session.

Council did not go into executive session.

Motion Beougher, second Whisenhunt to appoint Ruben Rivas as Chief of Police effective December 1, 2020.

AYE: Whisenhunt, Dent, Garrett, Beougher, Nelson
NAY: None
ABSTAIN: None

Motion carried

12. Discussion, consideration, and action on the report from the Investment Committee.

Town Secretary Eileen Kennedy reported the Investment Committee met on November 5. Town treasurer Billie Garrett asked if there were any questions regarding the Investment Report.

Motion Nelson, Beougher second to accept the Investment Report of September 20, 2020 as presented.

AYE: Garrett, Nelson, Beougher, Whisenhunt, Dent
NAY: None
ABSTAIN: None

Motion carried

13. Citizen Comments

None

14. Council – staff announcements and comments:

- Town Hall will be closed Thursday, November 26 and Friday, November 27 for Thanksgiving
- Christmas Tree lighting is Monday December 7 at 6:00 pm

15. Adjournment

With no further business to come before the Council, motion Beougher, Whisenhunt second, the meeting was adjourned at 8:39 p.m.

Eileen Kennedy, Town Secretary

Mike Donnelly, Mayor

MONTHLY REPORT OCTOBER 2020

- 10/01: Animal Bite report 320 E. Carruth Lane.
- 10/05: Animal noise nuisance information offered to unidentified resident by phone.
- 10/06: Patrol from 15:00 until 17:00.
Private Trap service 285 Oak Trail Drive. Impounded.
- 10/07: Dead wildlife initiated 6000 Kings Road. Removed.
- 10/08: Patrol from 12:00 until 14:00.
Lost Cat reported 241 Rancho Vista Drive. Trap issued/Report.
Dead wildlife initiated 200 block Oak Trail. Removed.
Dead wildlife initiated Kings Road @ Park. Removed.
- 10/09: Patrol from 13:30 until 15:30. No activity.
- 10/11: Patrol from 12:00 until 14:00.
Stray cat confined 370 Oak Trail. Impounded.
- 10/12: Patrol from 12:00 until 14:00.
Private trap service 155 Creekside Drive. Relocated.
- 10/14: Patrol from 13:00 until 15:00.
Private trap service 250 Oak Trail Dr. Impounded.
- 10/15: Animal Bite report 260 Valley View Trail.
- 10/17: Private trap service 250 Oak Trail Drive. Impounded.
- 10/18: Patrol from 13:00 until 15:00.
Nuisance wildlife reported at 245 Oak Trail Drive. Trap issued.
- 10/20: Patrol from 16:00 until 18:00.
Nuisance wildlife reported at 110 Meadow Knoll. Inspection only.
- 10/23: Patrol from 12:30 until 14:30.
Animal Bite report 221 Cross Timbers Drive.
- 10/24: Patrol from 11:00 until 13:00.
Private trap service 250 Oak Trail Drive. Impounded.

10/28: Patrol from 15:25 until 17:25.

Stray dog reported 100 block Cedarcrest Lane. UTL.

Animal bite report at 317 E. Carruth Lane.

10/29: Patrol from 15:30 until 17:30.

Nuisance wildlife reported at 225 Double Oaks Drive. Trap issued.

Follow up 317 E. Carruth Lane for Home Quarantine inspection.

Stray dog complaint 317 E. Carruth Lane. Citation by PD.

Violate Home Quarantine Agreement 317 E. Carruth Lane. Citation by PD.

10/31: Animal in trap 225 Double Oaks Drive. Impounded.

SUMMARY

Total calls received: 23 By Double Oak residents: 17 Initiated by NTACA: 6
Animals impounded: Dogs: 0 Puppies: 0 Cats: 1 Kittens: 0 Other: 4 Deceased: 3
Verbal Warnings issued: 0 Written Warnings issued: 0 Citations: 2



**TOWN COUNCIL MEETING
AGENDA ITEM #
December 7, 2020**

AGENDA ITEM: Discussion, consideration and action on a request from Sherwin Williams Paint, 8401 Justin Road, to allow an exception under the Sign Regulations, Article 3.1300 of the Code of Ordinances to allow for a larger Building Wall – Mounted Sign.

STAFF CONTACT: Lynn

DESCRIPTION: Sherwin Williams Paint wants to put a 40' x 3'- 8" sign on the front of their building at the Great Lakes Retail Center, 8401 Justin Road. The Ordinance allows for a maximum of 40' of building signage as measured by the area of the smallest rectangle that encloses the sign. Also, the Ordinance only allows no more than 3' in height at any point.

ATTACHMENTS: Sign Regulations
Pictures of the sign

ARTICLE 3.1300 SIGN REGULATIONS*

(vi) **Building Wall-Mounted Signs.** A sign fastened to or painted on a wall of a building or structure such that the wall becomes merely the supporting structure or forms the background surface. Building wall-mounted signs shall not project more than 12 inches from the wall of such building. One wall-mounted building sign per business may be permitted. For a condominium-style office building, if constructed with an entrance or entrances into a common lobby for all businesses, one building-mounted sign may be permitted. If the condominium-style office building is constructed with individual external entrances with each business having a separate entrance and exit to the exterior of the building, then one individual building wall-mounted sign per business may be permitted, limited to a maximum size of 5 square feet. All building wall-mounted signs shall conform to the following regulations:

(Ordinance 07-03, sec. 4, adopted 6/18/07)

1. **Illumination.** Building signs may be internally or externally lit. No flashing, intermittent, or moving lights will be permitted. (Ordinance 19-08 adopted 10/7/19)

2. **Maximum size.** All signs shall be limited to two-thirds (2/3's) of the width of the building (or leased space) frontage or face. A building wall-mounted sign can be no more than 3 feet in height at any point. Building wall-mounted signs shall be limited to a maximum of 40 square feet of building signage as measured by the area of the smallest rectangle that encloses the sign. (Canopies, awnings, or marquees will be included in the maximum 40 square feet allowed.) The building wall-mounted sign may not protrude above the roofline or parapet at any point along the building exterior or project more than 12 inches from the building.

(iv) **Exceptions.** Exceptions from the requirements of this article may be approved by the town council after a specific finding that the exception is reasonable and necessary under special circumstances for which the exception is requested and that such exception will not violate the intent of this article. The town council may stipulate conditions it deems necessary to protect the public health, safety and welfare.



* MANUFACTURE & INSTALL ILLUMINATED PLEX FACE CHANNEL LETTERS ON BACKGROUND WIREWAY.
39.58 Sq Ft

* FIELD VERIFY AVAILABLE SPACE BEFORE MANUFACTURE.

FRONT ELEVATION

Scale: 1/4" = 1'-0"

DATE	REVISIONS	NAME	AUTHORIZATION
11-13-20	REVISE TO CLARIFY PROPOSED CHANNEL LETTERS AS INDIVIDUALLY MOUNTED	KD	DATE
11-16-20	REVISE W/ ONLINE CHANNEL SET	KD	DATE
11-17-20	REVISE FRONT SIGN SIZE & LOCATION	1/2, KD	DATE
			DATE

ALL CHANGES MUST BE INITIALED BY CLIENT AND ACCOUNT EXECUTIVE ON FINAL APPROVED PRINT.

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CLIENT: SHERWIN WILLIAMS
 INSTALLATION ADDRESS: 8401 JUSTIN RD. @ CHINN CHAPEL - DOUBLE OAKS, TX
 DESIGNER: KD 1/2 ACCOUNT EXECUTIVE: DM
 DATE: 11-6-2020 SHEET 2 OF 5 DESIGN # 20-513 R3
 Cabinet FILE = P:11-2020-Jobs\1-Sherwin Williams\TX\Double Oaks\Production\JOBS
 Corral FILE = P:11-2020-Jobs\1-Sherwin Williams\TX\Double Oaks\Drawings

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 COMPLETE SIGN SERVICE & FABRICATION
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40 x 31 - 8



SHERWIN-WILLIAMS PAINTS

145.66 Sq Ft
Scale: 1/4" = 1'-0"

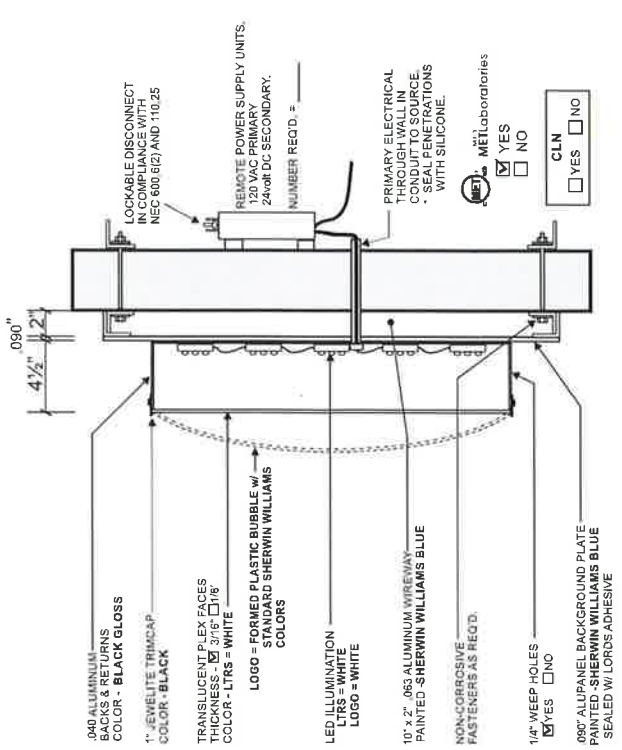
HP WHITE VINYL™

PLEX FACE CHANNEL LETTERS ON BACKGROUND WIREWAY

(1) REQUIRED

INSTALLATION REQUIREMENTS: All signs reflect specific substrate or substrate type specifications. Visit Sherwin-Williams.com for more information. All Resurfacing signs are to be engineered for local conditions by a licensed and registered engineer.

SIGN SIZE	MOUNTING SURFACE									
	SQUARE FOOTAGE	WOOD	SHEET METAL	BRICK	CONCRETE	CONCRETE BLOCK	GRANITE	EIFS	STUCCO	GLASS
UNDER 10 SQ. FT.	10 SQ. FT.	10 SQ. FT.	10 SQ. FT.	10 SQ. FT.	10 SQ. FT.	10 SQ. FT.	10 SQ. FT.	10 SQ. FT.	10 SQ. FT.	10 SQ. FT.
10 TO 50 SQ. FT.	10 TO 50 SQ. FT.	10 TO 50 SQ. FT.	10 TO 50 SQ. FT.	10 TO 50 SQ. FT.	10 TO 50 SQ. FT.	10 TO 50 SQ. FT.	10 TO 50 SQ. FT.	10 TO 50 SQ. FT.	10 TO 50 SQ. FT.	10 TO 50 SQ. FT.
50 TO 100 SQ. FT.	50 TO 100 SQ. FT.	50 TO 100 SQ. FT.	50 TO 100 SQ. FT.	50 TO 100 SQ. FT.	50 TO 100 SQ. FT.	50 TO 100 SQ. FT.	50 TO 100 SQ. FT.	50 TO 100 SQ. FT.	50 TO 100 SQ. FT.	50 TO 100 SQ. FT.
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OVER 200 SQ. FT.	OVER 200 SQ. FT.	OVER 200 SQ. FT.	OVER 200 SQ. FT.	OVER 200 SQ. FT.	OVER 200 SQ. FT.	OVER 200 SQ. FT.	OVER 200 SQ. FT.	OVER 200 SQ. FT.	OVER 200 SQ. FT.	OVER 200 SQ. FT.



SECTION DETAIL - PLEX FACE CHANNEL LETTERS ON BACKGROUND WIREWAY

Scale: NTS

NOTE:
ACCESS REQUIRED FOR ELECTRICAL & INSTALLATION

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GRAND PRAIRIE, TX 75080
METRO (972) 399-0333
FAX (972) 986-4456
EMAIL www.accentgraphics.com
WEBSITE www.accentgraphics.com

CLIENT: SHERWIN WILLIAMS STORE # _____
INSTALLATION ADDRESS: 8401 JUSTIN RD. @ CHINN CHAPEL - DOUBLE OAKS, TX
DESIGNER: KD 1/2 ACCOUNT EXECUTIVE DIM
DATE: 11-6-2020 SHEET 1 OF 5 DESIGN # 20-513 R3
Coral FILE # P-11-2020-Job11-Sherwin Williams TX Double Oaks Production JOBS
Coral FILE # P-11-2020-Job11-Sherwin Williams TX Double Oaks Drawings

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DATE	REVISIONS	AUTHORIZATION	
		NAME	DATE
11-15-20	REVISE TO CLARIFY PROPOSED CHANNEL LETTERS AS INDIVIDUALLY MOUNTED	KD	11/15/20
11-16-20	REVISE W/ IN-PHASE CHANNEL LETTERS	1/2	11/16/20
11-17-20	REVISE FRONT SIGN SIZE & LOCATION	1/2	11/17/20

	<u>Dec 4, 20</u>
ASSETS	
Current Assets	
Checking/Savings	
102302 · Independent Bank Money Market	929,244.51
102303 · Independent Bank Checking	95,051.05
102304 · Police Lease Training Fund	194.32
102306 · John B. Wright Memorial Fund	555.42
102307 · DO Police Dept Chapter 59	8.60
102308 · CARES Relief Fund	114,205.86
102400 · Petty Cash	499.21
102450 · DATCU	3,267.88
106101 · Certificate of Deposit	446,863.09
Total Checking/Savings	<u>1,589,889.94</u>
Accounts Receivable	
106100 · Accounts Receivable	43,958.11
Total Accounts Receivable	<u>43,958.11</u>
Other Current Assets	
102500 · Returned Checks Receivable	-282.00
104100 · Bartonville Water Certificate	2,000.00
106150 · Interest Receivable	477.62
106400 · Employee Receivables	772.21
106700 · Property Taxes Receivable	8,896.25
106900 · Prepaid Costs	10,829.87
Total Other Current Assets	<u>22,693.95</u>
Total Current Assets	<u>1,656,542.00</u>
TOTAL ASSETS	<u><u>1,656,542.00</u></u>
LIABILITIES & EQUITY	
Liabilities	
Current Liabilities	
Accounts Payable	
202000 · Accounts Payable	3,237.11
Total Accounts Payable	<u>3,237.11</u>
Other Current Liabilities	
106300 · Allowance for Uncoll Taxes	8,896.25
200000 · Payroll Liabilities	
201200 · FICA/Medicare Withholding	921.26
201500 · TMRS Payable	2,380.92
202507 · Dependant Health Care Coverage	-1,879.65
202508 · AFLAC Deduction	-329.82
202509 · Child Support Withholding Order	40.00
202513 · Vision Insurance	280.02
202516 · Dependent Life Insurance	193.15
200000 · Payroll Liabilities - Other	7,617.76
Total 200000 · Payroll Liabilities	<u>9,223.64</u>

Town of Double Oak
Balance Sheet
As of December 4, 2020

	Dec 4, 20
200504 · Town Hall Reservation Deposits	600.00
201250 · Cr Card Fees/Collection Charges	-532.48
202250 · Town Hall Renovations	100.00
202501 · Court Fees & Fines Due State	9,055.77
202502 · Technology Fees	5,052.19
202503 · Court Security Fees	18,933.44
202504 · Police LEOSE Training Account	-1,236.68
202506 · Child Safety Fund	3,577.18
202511 · Omnibase Fees Due	404.85
202512 · Court Collections	26,292.70
202760 · Time Payment Reimbursement Fee	42.68
203002 · Park Fund Account	204.45
203006 · CARES Relief Fund Allocations	112,308.03
203060 · Waketon Road Reconstruction	5,239.16
2050000 · Accured Payroll	14,620.96
205555 · Police Grants	347.25
206250 · Sewer System Maintenance	8,169.10
206500 · Police-Chapter 59	8.60
208000 · Golf Tournament	44.85
Total Other Current Liabilities	221,351.94
Total Current Liabilities	224,589.05
Total Liabilities	224,589.05
Equity	
3000 · Fund Balances	680,732.31
3100 · Town Contingency	100,000.00
3200 · Road Contingency	150,000.00
3600 · Street and Drainage Fund	200,000.00
3900 · Retained Earnings et Income	410,595.41 -109,374.77
Total Equity	1,431,952.95
TOTAL LIABILITIES & EQUITY	1,656,542.00

Municipality Expenditure Categories
(Quarterly Reporting of Incurred Eligible Costs)
 March 1 - June 30, 2020

DATA NEEDED: Under the CARES Act Reporting Guidelines, your municipality is categorized as a "Sub-Recipient" and must provide the following information as it concerns the use of your Municipal Funds:

- a. Total amount of Municipal Funds spent through June 30 and
- b. Breakdown of such funds into the below categories

Municipal Funds received	\$167,805	
<u>Expenditure Categories:</u>		
Administrative Expenses	0	
Budgeted Personnel and Services to Substantially Different Use	0	
COVID-19 Testing and Contact Tracing	0	
Economic Support (other than Small Business, Housing, and Food Assistance)	0	
Expenses Associated with the Issuance of Tax Anticipation Notes	0	
Facilitating Distance Learning	0	
Food Programs	0	
Housing Support	0	
Improve Telework Capabilities of Public Employees	4861.37	
Medical Expenses	0	
Nursing Home Assistance	0	
Payroll for Public Health and Safety Employees	38,917.22	
Personal Protective Equipment	2,314.25	
Public Health Expenses	0	
Small Business Assistance	0	
Unemployment Benefits	0	
Worker's Compensation	0	
Other	848.19	
Municipal Funds Spent from March 1, 2020 and June 30, 2020	46941.03	8,023.81
Municipal Funds Not Yet Spent	\$ 120,863.97	

Municipality Expenditure Categories
(Quarterly Reporting of Incurred Eligible Costs)
 March 1, 2020 thru September 30, 2020

DATA NEEDED: Under the CARES Act Reporting Guidelines, your municipality is categorized as a "Sub-Recipient"

and must provide the following information as it concerns the use of your Municipal Funds:

- a. Total amount of Municipal Funds spent through June 30 and
- b. Breakdown of such funds into the below categories

Municipal Funds received	\$167,805
 <u>Expenditure Categories:</u>	
Administrative Expenses	0
Budgeted Personnel and Services to Substantially Different Use	0
COVID-19 Testing and Contact Tracing	0
Economic Support (other than Small Business, Housing, and Food Assistance)	0
Expenses Associated with the Issuance of Tax Anticipation Notes	0
Facilitating Distance Learning	0
Food Programs	0
Housing Support	0
Improve Telework Capabilities of Public Employees	4861.37
Medical Expenses	0
Nursing Home Assistance	0
Payroll for Public Health and Safety Employees	90,992.67
Personal Protective Equipment	2,635.46
Public Health Expenses	0
Small Business Assistance	0
Unemployment Benefits	0
Worker's Compensation	0
Other	848.19
Municipal Funds Spent from March 1, 2020 and September 30, 2020	99337.69
Municipal Funds Not Yet Spent	\$ 68,467.31

Municipality Expenditure Categories
(Quarterly Reporting of Incurred Eligible Costs)
 March 1, 2020 thru December 30, 2020

DATA NEEDED: Under the CARES Act Reporting Guidelines, your municipality is categorized as a "Sub-Recipient" and must provide the following information as it concerns the use of your Municipal Funds:

- a. Total amount of Municipal Funds spent through June 30 and
- b. Breakdown of such funds into the below categories

Municipal Funds received \$167,805

Expenditure Categories:

Administrative Expenses	0
Budgeted Personnel and Services to Substantially Different Use	0
COVID-19 Testing and Contact Tracing	0
Economic Support (other than Small Business, Housing, and Food Assistance)	0
Expenses Associated with the Issuance of Tax Anticipation Notes	0
Facilitating Distance Learning	0
Food Programs	0
Housing Support	0
Improve Telework Capabilities of Public Employees	6,401.33
Medical Expenses	0
Nursing Home Assistance	0
Payroll for Public Health and Safety Employees	156,470.00
Personal Protective Equipment	3,285.48
Public Health Expenses	0
Small Business Assistance	0
Unemployment Benefits	0
Worker's Compensation	0
Other	1,648.19

Municipal Funds Spent from March 1, 2020 and September 30, 2020 167805

Municipal Funds Not Yet Spent \$

MEMORANDUM

TO: Denton County Local Governments

FROM: Ted Harrington
Bruce Hendrick

DATE: June 17, 2020

RE: Coronavirus Relief Fund
Payroll Costs for Public Safety/Public Health Employees

Issue

- a. Are payroll costs (including base salary and employee benefits) for employees of Denton County or other Municipalities related to public safety and public health eligible expenditures under US Treasury Guidance concerning the Coronavirus Relief Fund (“CRF”); and
- b. If eligible, what documentation or support is required?

Answer

Yes. Payroll costs for public safety and public health are eligible expenditures. The County or Municipality is entitled to use CRF funds to pay these costs during the COVID period (3/1/20 - 12/30/20). As explained below, these costs are per se eligible (meaning no documentation or support is necessary).

Authority

Section 601(d) of the CARES Act provides the statutory requirements for the eligible use of CRF funds. The US Treasury produced a Guidance Sheet, its interpretation of eligible uses of CRF funds under Section 601(d).

The US Treasury Guidance provides three conditions on CRF funds¹ and a nonexclusive list of examples of eligible expenditures. As the US Treasury deems expenses on this nonexclusive list as eligible, no further support or tests are needed. Payroll costs are one such eligible expenditure-

¹ CRF funds “may be used to cover costs that 1) are necessary expenditures incurred due to the public health emergency with respect to COVID-19, 2) were not accounted for in the budget most recently approved as of March 27, 2020... and 3) were incurred during the period that begins on March 1, 2020 and ends on December 30, 2020.”

“public safety, public health, health care, human services, and similar employees whose services are substantially dedicated to mitigating or responding to the COVID-19 public health emergency.” Per US Treasury Guidance, if these employees are substantially dedicated to COVID-19, their payroll may be paid using CRF funds.

On May 28, 2020, the US Treasury issued its second round of Frequently Asked Questions, and provided further clarification on payroll expenses. The second FAQ states that for administrative convenience, local governments “may presume that payroll costs for public health and public safety employees are payments for services substantially dedicated to mitigating or responding to the COVID-19 health emergency.”

As such, the payroll costs for public health and public safety employees of a local government are presumed to be substantially dedicated to COVID-19, and because they are substantially dedicated, these costs meet the explicit example of an eligible expense given by the US Treasury.

Coronavirus Relief Fund
Guidance for State, Territorial, Local, and Tribal Governments
April 22, 2020

The purpose of this document is to provide guidance to recipients of the funding available under section 601(a) of the Social Security Act, as added by section 5001 of the Coronavirus Aid, Relief, and Economic Security Act (“CARES Act”). The CARES Act established the Coronavirus Relief Fund (the “Fund”) and appropriated \$150 billion to the Fund. Under the CARES Act, the Fund is to be used to make payments for specified uses to States and certain local governments; the District of Columbia and U.S. Territories (consisting of the Commonwealth of Puerto Rico, the United States Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands); and Tribal governments.

The CARES Act provides that payments from the Fund may only be used to cover costs that—

1. are necessary expenditures incurred due to the public health emergency with respect to the Coronavirus Disease 2019 (COVID–19);
2. were not accounted for in the budget most recently approved as of March 27, 2020 (the date of enactment of the CARES Act) for the State or government; and
3. were incurred during the period that begins on March 1, 2020, and ends on December 30, 2020.¹

The guidance that follows sets forth the Department of the Treasury’s interpretation of these limitations on the permissible use of Fund payments.

Necessary expenditures incurred due to the public health emergency

The requirement that expenditures be incurred “due to” the public health emergency means that expenditures must be used for actions taken to respond to the public health emergency. These may include expenditures incurred to allow the State, territorial, local, or Tribal government to respond directly to the emergency, such as by addressing medical or public health needs, as well as expenditures incurred to respond to second-order effects of the emergency, such as by providing economic support to those suffering from employment or business interruptions due to COVID-19-related business closures.

Funds may not be used to fill shortfalls in government revenue to cover expenditures that would not otherwise qualify under the statute. Although a broad range of uses is allowed, revenue replacement is not a permissible use of Fund payments.

The statute also specifies that expenditures using Fund payments must be “necessary.” The Department of the Treasury understands this term broadly to mean that the expenditure is reasonably necessary for its intended use in the reasonable judgment of the government officials responsible for spending Fund payments.

Costs not accounted for in the budget most recently approved as of March 27, 2020

The CARES Act also requires that payments be used only to cover costs that were not accounted for in the budget most recently approved as of March 27, 2020. A cost meets this requirement if either (a) the cost cannot lawfully be funded using a line item, allotment, or allocation within that budget *or* (b) the cost

¹ See Section 601(d) of the Social Security Act, as added by section 5001 of the CARES Act.

is for a substantially different use from any expected use of funds in such a line item, allotment, or allocation.

The “most recently approved” budget refers to the enacted budget for the relevant fiscal period for the particular government, without taking into account subsequent supplemental appropriations enacted or other budgetary adjustments made by that government in response to the COVID-19 public health emergency. A cost is not considered to have been accounted for in a budget merely because it could be met using a budgetary stabilization fund, rainy day fund, or similar reserve account.

Costs incurred during the period that begins on March 1, 2020, and ends on December 30, 2020

A cost is “incurred” when the responsible unit of government has expended funds to cover the cost.

Nonexclusive examples of eligible expenditures

Eligible expenditures include, but are not limited to, payment for:

1. Medical expenses such as:
 - COVID-19-related expenses of public hospitals, clinics, and similar facilities.
 - Expenses of establishing temporary public medical facilities and other measures to increase COVID-19 treatment capacity, including related construction costs.
 - Costs of providing COVID-19 testing, including serological testing.
 - Emergency medical response expenses, including emergency medical transportation, related to COVID-19.
 - Expenses for establishing and operating public telemedicine capabilities for COVID-19-related treatment.
2. Public health expenses such as:
 - Expenses for communication and enforcement by State, territorial, local, and Tribal governments of public health orders related to COVID-19.
 - Expenses for acquisition and distribution of medical and protective supplies, including sanitizing products and personal protective equipment, for medical personnel, police officers, social workers, child protection services, and child welfare officers, direct service providers for older adults and individuals with disabilities in community settings, and other public health or safety workers in connection with the COVID-19 public health emergency.
 - Expenses for disinfection of public areas and other facilities, *e.g.*, nursing homes, in response to the COVID-19 public health emergency.
 - Expenses for technical assistance to local authorities or other entities on mitigation of COVID-19-related threats to public health and safety.
 - Expenses for public safety measures undertaken in response to COVID-19.
 - Expenses for quarantining individuals.
3. Payroll expenses for public safety, public health, health care, human services, and similar employees whose services are substantially dedicated to mitigating or responding to the COVID-19 public health emergency.

Coronavirus Relief Fund
Frequently Asked Questions
Updated as of May 28, 2020

The following answers to frequently asked questions supplement Treasury's Coronavirus Relief Fund ("Fund") Guidance for State, Territorial, Local, and Tribal Governments, dated April 22, 2020, ("Guidance").¹ Amounts paid from the Fund are subject to the restrictions outlined in the Guidance and set forth in section 601(d) of the Social Security Act, as added by section 5001 of the Coronavirus Aid, Relief, and Economic Security Act ("CARES Act").

Eligible Expenditures

Are governments required to submit proposed expenditures to Treasury for approval?

No. Governments are responsible for making determinations as to what expenditures are necessary due to the public health emergency with respect to COVID-19 and do not need to submit any proposed expenditures to Treasury.

The Guidance says that funding can be used to meet payroll expenses for public safety, public health, health care, human services, and similar employees whose services are substantially dedicated to mitigating or responding to the COVID-19 public health emergency. How does a government determine whether payroll expenses for a given employee satisfy the "substantially dedicated" condition?

The Fund is designed to provide ready funding to address unforeseen financial needs and risks created by the COVID-19 public health emergency. For this reason, and as a matter of administrative convenience in light of the emergency nature of this program, a State, territorial, local, or Tribal government may presume that payroll costs for public health and public safety employees are payments for services substantially dedicated to mitigating or responding to the COVID-19 public health emergency, unless the chief executive (or equivalent) of the relevant government determines that specific circumstances indicate otherwise.

The Guidance says that a cost was not accounted for in the most recently approved budget if the cost is for a substantially different use from any expected use of funds in such a line item, allotment, or allocation. What would qualify as a "substantially different use" for purposes of the Fund eligibility?

Costs incurred for a "substantially different use" include, but are not necessarily limited to, costs of personnel and services that were budgeted for in the most recently approved budget but which, due entirely to the COVID-19 public health emergency, have been diverted to substantially different functions. This would include, for example, the costs of redeploying corrections facility staff to enable compliance with COVID-19 public health precautions through work such as enhanced sanitation or enforcing social distancing measures; the costs of redeploying police to support management and enforcement of stay-at-home orders; or the costs of diverting educational support staff or faculty to develop online learning capabilities, such as through providing information technology support that is not part of the staff or faculty's ordinary responsibilities.

Note that a public function does not become a "substantially different use" merely because it is provided from a different location or through a different manner. For example, although developing online instruction capabilities may be a substantially different use of funds, online instruction itself is not a substantially different use of public funds than classroom instruction.

¹ The Guidance is available at <https://home.treasury.gov/system/files/136/Coronavirus-Relief-Fund-Guidance-for-State-Territorial-Local-and-Tribal-Governments.pdf>.