



ERATH COUNTY INVESTMENT POLICY

2025

Investment Officers

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I. Investment Authority and Scope

General Statement

This investment policy serves to satisfy the statutory requirements of Texas Statutes, Local Government Code 116.112 and Government Code Chapter 2256, cited as the Public Funds Investment Act (PFIA), to define and adopt a formal investment policy. This policy will be reviewed and adopted by the Erath County Commissioners Court at least annually according to Section 2256.005(e).

Funds Included

This policy applies to all financial assets of all treasury funds of the County of Erath, Texas, unless expressly prohibited by law.

Investment Officers

In accordance with sec.116.112 (a), Local Government Code and/or Government Code Section 2256.005 (f) and (g), the County Treasurer or County Auditor, under the supervision of the Erath County Commissioners' Court, may invest County funds that are not immediately required to pay obligations of the County. The Commissioners Court shall designate by resolution one or more officers or employees as investment officer(s).

The Investment Officers shall attend training sessions meeting the requirements of Government Code Section 2256.008 (a) and (b). Whereas investment officers shall attend an investment training session not less than once in a two-year period that begins on the first day of that local government's fiscal year and consist of the two consecutive fiscal years after that date and receive not less than 10 hours of instruction relating to investment responsibilities under this subchapter. Training must include education in investment controls, security risks, strategy risks, market risks, diversification of investment portfolio, and compliance with this chapter.

If any investment officer has a personal business relationship with an entity, or is related within the second degree by affinity or consanguinity to an individual seeking to sell an investment of the county, such Investment Officer must file a statement disclosing that personal business interest, or relationship, with the Texas Ethics Commission and the Commissioners' Court in accordance with Government Code 2256.005(i).

In the administration of the duties of an investment officer, the persons designated as investment officers shall exercise the judgment and care, under prevailing circumstances that a prudent person would exercise in the management of the person's own affairs but the governing body of the county retains ultimate responsibility as fiduciaries of the assets of the County. Unless authorized by law, a person may not deposit, withdraw, transfer, or manage in any other manner the funds of the county.

II. Investment Objectives

General Statement

Funds of the County will be invested in accordance with federal and state laws, this investment policy and written administrative procedures. The County will invest according to investment strategies for each fund as adopted by Commissioners' Court resolution in accordance with 2256.005(d).

Safety

Erath County is concerned about the return of its principal; therefore, safety of principal is the primary objective in any investment transaction.

Liquidity

The County's investment portfolio must be structured in conformity with an asset/liability management plan which provides for liquidity necessary to pay obligations as they become due, utilizing investment instruments.

Diversification

It will be the policy of Erath County to diversify its portfolio to eliminate the risk of loss resulting from over concentration of assets in specific maturities, a specific issuer or a specific class of investments. Nevertheless, the Commissioners Court recognizes that in a diversified portfolio, occasional measured losses are inevitable, and must be considered within the context of the overall portfolio's investment return, provided that adequate diversification has been implemented. Investments of the County shall always provide for safety of principal, stability of income and reasonable liquidity.

Yield

It will be the objective of the County to earn the maximum rate of return allowed on its investments within the policies imposed by its safety and liquidity objectives, investment strategies for each fund, and all state and federal law governing investment of public funds.

Maturity

According to Government Code 2256.005 (b) (4), the policy must include the maximum stated maturity of any individual investment. For pooled funds, the policy must state the maximum average dollar-weighted maturity allowed. Portfolio maturities will be structured to meet the obligations of the County first and then to achieve the highest return of interest. When the County has funds not needed to meet current-year obligations, maturity restraints based upon the investment strategy for each fund shall be considered. The maximum allowable stated maturity of any individual investment owned by the County is as follows:

Maintenance and Operation Funds – maximum allowable stated maturity of any individual investment owned by this class of funds is 2 years.

Bond Proceeds – maximum allowable stated maturity of any individual investment owned by this class of funds is 2 years. All investments of tax-exempt debt proceeds will be limited to maturities that insure that the county stays in compliance with Sections 103, Sections 141-150 of the Internal Revenue Code Title 26.

Quality and Capability of Investment Management

It is the County’s policy to provide training required by the Public Funds Investment Act, Sec. 2256.008 and periodic training in investments for the Investment Officers through courses and seminars offered by professional organizations and associations in order to insure the quality and capability of the Investment Officers in making investment decisions.

Monitoring Rating Changes

The investment officers will monitor an investment that requires a minimum rating under this subchapter with the assistance of brokers and banking institutions. The county shall take all prudent measures that are consistent with its investment policy to liquidate an investment that does not have a minimum rating. Section 2256.02

Investment Strategies

The County maintains control over three types of funds: operating funds, debt service funds, and capital project funds. For each of these funds, the primary objectives for the investment strategy of the County are as follows:

1. understanding of the suitability of the investment to the financial requirements of the entity;
2. preservation and safety of principal;
3. liquidity
4. marketability of the investment if the need arises to liquidate the investment before maturity;
5. diversification of the investment portfolio;
6. yield; and
7. maturity restrictions

To insure diversity of investments, at no time shall over 75% of the County’s total investments be placed in any one specific type of investment or in any single investment pool.

For operating funds, the County’s investment strategy shall include the above prioritized objectives along with emphasis on assuring that anticipated cash flows are matched with investment liquidity.

For debt service and capital project funds, the County’s investment strategy shall include the above-prioritized objectives with emphasis on matching investment maturities to required and projected cash flow needs.

III. Investment Types

Authorized Investments

Texas Local Government Code 2256.005 (b) (4) requires the investment policy to list the types of investments in which the County may invest. The Erath County Investment Officers shall use any or all of the following authorized investment instruments consistent with governing law. See Exhibit C of this policy for statutory requirements.

Government Code Sec. 2256.009 OBLIGATIONS OF, OR GUARANTEED BY GOVERNMENTAL ENTITIES

Government Code Sec. 2256.010 CERTIFICATES OF DEPOSIT AND SHARE CERTIFICATES

Government Code Sec. 2256.013 COMMERCIAL PAPER

Government Code Sec. 2256.014 MUTUAL FUNDS

Government Code Sec. 2256.016 INVESTMENT POOLS

The County may invest its funds and funds under its control through an eligible investment pool if the Commissioners Court of the entity by resolution, as appropriate, authorizes investment in the particular pool. An investment pool shall invest the funds it receives from entities in authorized investments permitted by this subchapter. An investment pool may invest its funds in money market mutual funds to the extent permitted by and consistent with this subchapter and the investment policies and objectives adopted by the investment pool.

Prohibited

The Erath County Investment Officers have **no authority** to purchase and are prohibited from purchasing any of the following investment instruments, which are strictly prohibited:

- A. obligations whose payment represents the coupon payments on the outstanding principal balance of the underlying mortgage-backed security collateral and pays no principal;
- B. obligations whose payment represents the principal stream of cash flow from the underlying mortgage-backed security collateral and bears no interest;
- C. collateralized mortgage obligations that have a stated final maturity date of greater than 2 years;
- D. collateralized mortgage obligations the interest rate of which is determined by an index that adjusts opposite to the changes in a market index.

IV. Investment Responsibility and Control

Investment Institutions Defined

The Erath County Investment Officers shall invest County funds with any or all of the following institutions or groups consistent with federal and state law and the current Depository Bank contract:

1. Depository bank;
2. Other state or national banks or state or federal credit unions that are insured by FDIC or NCUSIF;
3. Public funds investment pools;
4. Government securities brokers and dealers.

Qualifications for Approval of Broker/Dealers

In accordance with 2256.005(k), a written copy of this investment policy shall be presented to any person offering to engage in an investment transaction with the County. The qualified representative of the business organization offering to engage in an investment transaction with the County shall execute a written instrument, provided by the County, which the business organization has:

1. received and reviewed the investment policy of the County; and acknowledged that the organization has implemented reasonable procedures and controls in an effort to preclude imprudent investment activities arising out of investment transactions conducted between the County and the organization.
2. has adequate capital or insurance coverage to cover any investment if there is a default on any purchase and the business organization is found liable.

The investment officers may not buy any securities from a person who has not delivered to the County the instrument signed by a qualified representative or the business organization. Along with the signed affidavit, the business organization shall supply the County with the following:

1. Completed Broker/Dealer Questionnaire
2. Financial Statements
3. Delivery instructions
4. NASD Certification Proof
5. Texas State Securities Commission Registration Proof

Standards of Operation

The Investment Officers shall develop and maintain written administrative procedures for the operation of the investment program consistent with this investment policy.

Methods to Monitor Market Price

Outside sources of pricing information shall be utilized prior to the purchase of securities using public funds. These sources may include but are not limited to the following: competing broker/dealers, printed financial sections of periodicals, internet financial web sites, and Bloomberg Reports.

Delivery vs. Payment

It will be the policy of the County to settle all transactions, except investment pool funds and mutual funds, on a “Delivery vs. Payment” (DVP) method through the Federal Reserve System. By so doing, County funds are not released until the County has received, through the Federal Reserve wire, the securities purchased.

Audit Control

The Investment Officers will consult with the Erath County Auditor in preparing investment forms to assist the County Auditor for accounting and auditing control.

It is the policy of the Erath County Commissioners Court, at a minimum to have an annual audit of all County funds, investments and investment procedures by an independent auditing firm. The Investment Officers and the County's investment procedures shall be subject to an annual compliance audit of management controls on investments and adherence to the County's established investment policies in accordance with Government Code 2256.005(m).

Standard of Care

In accordance with Government Code 2256.006, investments shall be made with judgment and care, under prevailing circumstances, that a person of prudence, discretion, and intelligence would exercise in the management of the persons own affairs, not for speculation, but for investment, considering the probable safety of capital and the probable income to be derived. Investment of funds shall be governed by the following investment objectives, in order of priority:

1. Understanding the suitability of the investment to the financial requirements of the entity;
2. Preservation and safety of principal;
3. Liquidity;
4. Marketability of the investment if the need arises to liquidate the investment before maturity;
5. Diversification of the investment portfolio; and
6. Yield

In determining whether the investment officers have exercised prudence with respect to an investment decision, the determination shall be made taking into consideration:

1. The investment of all funds, or funds under the county's control, over which the officer had responsibility rather than a consideration as to the prudence of a single investment; and
2. Whether the investment decision was consistent with the written investment policy of the County.

Liability of Investment Officers

The Investment Officers are not responsible for any loss of county funds through the failure or negligence of the depository. This policy does not release the investment officers or any other person for a loss resulting from an act of official misconduct, or negligence, or for any misappropriation of such funds

V. Investment Reporting

Quarterly Reports

In accordance with Government Code 2256.023, not less than quarterly, the investment officers shall prepare and submit to the Erath County Commissioners Court a written report of investment transactions for all funds covered by this chapter for the preceding reporting period.

- 1) The report must:
 - a) describe in detail the investment position of the County on the date of the report;
 - b) be prepared jointly by all investment officers of the County;
 - c) be signed by each investment officer of the County;
 - d) contain a summary statement, prepared in compliance with generally accepted accounting principles, of each pooled fund group that states the:
 - i) beginning market value for the reporting period;
 - ii) ending market value for the period; and
 - iii) fully accrued interest for the reporting period
 - e) state the book value and market value of each separately invested asset at the beginning and end of the reporting period by the type of asset and fund type invested;
 - f) state the maturity date of each separately invested asset that has a maturity date;
 - g) state the account or fund or pooled group fund in the state agency or local government for which each individual investment was acquired;
 - h) state the compliance of the investment portfolio of the state agency or local government as it relates to;
 - i) the investment strategy expressed in the agency's or local government's investment policy and relevant provisions of this chapter; and

- j) if the County invests in other than money market mutual funds, investment pools or accounts offered by its depository bank in the form of certificates of deposit, or money market accounts or similar accounts, the reports prepared by the investment officers under this section shall be formally reviewed at least annually by an independent auditor, and the result of the review shall be reported to the governing body by that auditor.

Notification of Investment Changes

It shall be the duty of the Investment Officers of Erath County, Texas, to notify the Erath County Commissioners Court of any significant changes in current investment methods and procedures prior to their implementation, regardless of whether they are authorized by this policy or not.

VI. Investment Collateral and Safekeeping

Collateral or Insurance

Pursuant to the requirements of Government Code 2256 and 2257, it is the policy of Erath County to require full collateralization of all County investments and funds on deposit with a depository bank, other than investments which are obligations of the U.S. government and its agencies and instrumentalities. To anticipate possible market changes and insure the security of funds, the collateralization level will be 102% of market value of principal and accrued interest on the deposits or investments less an amount insured by the FDIC or NCUSIF. Erath County, at its discretion, reserves the right to require a higher level of collateralization for certain investment securities.

1. FDIC or NCUSIF insurance coverage;
2. Obligations of the United States or its agencies and instrumentalities;
3. Direct obligations of the State of Texas or its agencies;
4. Other obligations, the principal of and interest on which are unconditionally guaranteed or insured by the State of Texas or the United States or its agencies and instrumentalities
5. Obligations of states, agencies, counties, cities, and other political subdivision of any state having been rated as to investment quality by a nationally recognized investment rating firm and having received a rating of not less than "A" or its equivalent; or
6. Any other manner allowed by Government Code Chapter 2257 (Public Funds Collateral Act).

The investment officers are responsible for entering into collateralization agreements with third party custodians in compliance with this policy. The agreements are to specify the acceptable investment securities for collateral, including provisions relating to possession of the collateral, the substitution or release of investment securities, ownership of securities, and the method of valuation of securities. A clearly marked evidence of ownership (safekeeping receipt) must be supplied to the County and retained. The investment officers will approve and release all pledged collateral. Collateral will be monitored at least monthly to assure the market value of the pledged securities exceeds investments and/or the related bank balances.

Safekeeping

All purchased securities shall be held in safekeeping by the County, or a County account in a third party financial institution, or with a Federal Reserve Bank. All certificates of deposit, insured by FDIC or NCUSIF, purchased outside the depository bank shall be held in safekeeping by either the County or a County account in a third party financial institution. All pledged securities by the depository bank shall be held in safekeeping by the County, or a County account in a third party financial institution, or with a Federal Reserve Bank.

EXHIBIT A

APPROVED LIST OF BROKERS/DEALERS

1. InterBank (Depository Bank)
2. First Financial Bank (Depository Bank)
3. TexPool (Local Government Investment Pool)
4. Logic (Local Government Investment Pool)
5. MBS – Multi Bank Securities

EXHIBIT B

CERTIFICATION

I hereby certify that I have received and thoroughly reviewed the current investment policy of Erath County. In addition, this firm is aware of the Texas Statutes, Local Government Code 113.005, 116.112 and Government Code 2256 and 2257. I have furthermore implemented reasonable procedures and controls designed to preclude imprudent investment activities arising out of investment transactions conducted between this firm and Erath County. Further, transactions between this firm and Erath County will be directed toward protecting Erath County from credit and market risk in accordance with the Erath County Investment Policy.

All sales personnel of this firm dealing the Erath County account have been informed and will be routinely informed of Erath County's investment horizons, limitations, strategy and risk constraints, whenever we are so informed.

This firm pledges due diligence in informing Erath County of foreseeable risks associated with financial transactions connected to this firm, and that it is authorized to engage in investment transactions in the state of Texas.

Firm

Firm Representative

Representative's Title

Dealer Registration Number

Signature

Date

2025

ERATH COUNTY INVESTMENT POLICY

The Erath County Investment Officers prepared the 2025 Erath County Investment Policy in compliance with the Public Funds Investment Act (Government Code Chapter 2256 Public Funds Investment) and recommends to the Erath County Commissioners Court that said policy be approved as presented.

In witness thereof our signatures are hereunto affixed this the **12th day of November, 2024.**

Angie Shawver
County Treasurer

Kent Reeves
County Auditor

Brandon Huckabee
County Judge



2025

ERATH COUNTY INVESTMENT POLICY

Upon motion made by _____, seconded by _____, and adopted by a vote of _____ to _____, the Erath County Investment Policy is hereby approved, received, and order filed:
ORDERED this _____ day of _____, 2024.

Brandon Huckabee
County Judge

Dee Stephens
Commissioner Precinct 1

Albert Ray
Commissioner Precinct 2

Sherman Edwards
Commissioner Precinct 3

Jim Buck
Commissioner Precinct 4

ATTEST:

Gwinda Jones
County Clerk