

At an Emergency Meeting of the Commissioners' Court of Tom Green County, Texas, held in the Judge Edd B. Keyes Building at San Angelo, Texas, on August 23, 2001, the following were present:

Clayton Friend, Commissioner Precinct #1
Karl Bookter, Commissioner Precinct #2
Jodie Weeks, Commissioner Precinct #3
Richard S. Easingwood, Jr., Commissioner Precinct #4
Michael D. Brown, County Judge
Karla Johnston, Deputy County Clerk and Ex-officio Clerk
of the Commissioners' Court

The meeting was called to order at 2:04p.m.

Judge Brown informed the Court that the Juvenile Board met in a regular meeting earlier today to discuss the issue of Southwest Key and the options available to the Board and the Court because Southwest Key is unilaterally attempting to terminate their contract, are transferring out children who are under contract and have laid off 9 people. The Juvenile Board is recommending that the Court issue a Temporary Restraining Order to keep any information, materials, files, etc. from being removed from the building because, under the contract, all information, files, etc. are the property of Tom Green County.

Keith Davis, Counsel for the County, stated that Southwest Key has made it clear to the Juvenile Board that they unilaterally anticipate vacating the property and facilities as of August 31, 2001, which is the end of the second year of their 3 year contractual agreement with Tom Green County. Mr. Davis noted that it appears, based upon information received, that some items have been removed from the facility and under the contractual agreement, a lot of the items are Tom Green County's. The purpose now is to seek from the Court, authorization to allow counsel to pursue any legal rights or remedies that the County may have. He also noted that there are three parties to the contractual agreement: Tom Green County, Tom Green County Juvenile Board and Southwest Key. In order to proceed any further, the Court has to authorize the actions to be taken.

Judge Brown noted that the Juvenile Board has discussed options available to the County and voted to adopt an option allowing Mark Williams and the Juvenile Detention Department to develop a plan to take over operations of the facility at midnight September 1, 2001 and operate the facility until we can come up with another arrangement. Judge Brown also informed the Court that Tom Green County is required, under the contract with the State, to maintain operations of this facility in order to fulfill our contractual obligation to the State pursuant to the grant the facility was built under.

There was a lengthy discussion concerning the options available.

Judge Brown then made the following motion: "In light of recent actions taken by Southwest Key Program, Inc. to unilaterally breach their contractual agreement with Tom Green County and the Tom Green County Juvenile Board, I move that we hereby authorize counsel to institute such legal actions as necessary to protect Tom Green County's legal rights and remedies and further authorize Tom Green County Juvenile Probation and Detention Department to take such action as necessary to provide for a seamless transition to Tom Green County as operator of the Roy K. Robb Post Adjudication Juvenile Facility." The motion was seconded by Commissioner Friend. Judge Brown and Commissioners Friend, Bookter and Weeks voted in favor of the motion and Commissioner Easingwood voted against the motion. The motion was carried.

There being no further business, the meeting was adjourned.

Michael D. Brown, County Judge

Karla Johnston, Deputy County Clerk
and Ex-officio Clerk of the
Commissioners' Court