

**Tom Green County Commissioner's Court
Special Called Meeting –October 14, 2002**

The Tom Green County Commissioners' Court met in a Special Session in the Commissioners' Court Room of the Edd B. Keyes Building Monday, October 14, 2002 with the following present:

Clayton Friend, Commissioner Precinct #1
Karl Bookter, Commissioner Precinct #2
Jodie R. Weeks, Commissioner Precinct #3
Richard Easingwood, Commissioner Precinct #4
Michael D. Brown, County Judge

Judge Brown called the meeting to order at 9:05 A.M.

2. **Dennis McKerley**, Republican Party Chairman, questioned the validity of the Petition presented, the estimated cost to the tax payers, and the question of being a central location for Precinct #1. For a more centrally located location and the convenience to a larger majority of Senior Citizens, a better location would be Baptist Memorial and they have consented to the use of that facility.
Ron Michulka, Democratic Party Chairman, explained that the reasoning for the requested extra early voting polling place would be more convenient and accessible to the Senior Citizens. The Senior Citizen's Center would be the recommended location. An alternative location would be the Southside Recreation Center. There would be an additional charge to the County for the use of either of these City owned buildings. He would eventually like to see an additional early voting location for each precinct.
Molly Taylor, Elections Administrator, explained that the code stated that if presented with a written request, signed by 15 registered voters, an additional early voting location would have to be provided. She further stated that there would be an area for fraud since everything would be on paper only since there was no provision for computer access in place. The choice of location for an additional early voting location would be up to the Court to make that decision. All of the suggested locations are cleared as polling places and could be used as early voting locations. She recommended that if an additional location was established, then she requested that the hours be set at 10:00 AM until 2:00 PM Monday through Saturday and 12:00 until 2:00 PM on Sunday, since they would have to be open the same days, but that would allow the Central office downtown to enter the updates each day for all 60 precincts.
Daniel Cardenas, expressed that he would like to have the early voting location in the Southside Recreation Center because that would be more the center of the majority of the population in Precinct #1. He was not aware that the Commissioners' Court could make a different choice of locations other than the requested locations entered on the petition. He then requested that the early voting be kept at the single central location downtown. **Daniel Cardenas asked that his name be withdrawn from the petition.**
Commissioner Bookter moved to table the issue. **The motion died for lack of a second.**
Judge Brown stated that with Mr. Cardenas' withdrawal of his name and signature from the petition, the petition is no longer a valid petition so therefore the issue is closed and no action will be taken by the Court.
3. **Judge Brown** moved to approve the amendments of the Tom Green County Presiding Election Judge and two Alternate Judges as presented:
Precinct # 215 replace Ross Fowler with Charles Keilers as Presiding Election Judge (Republican) (Alternate Judge – Sylvia Fletcher- Democrat).
Precinct #402 & 432 Clayre Smith as Alternate Judge (Democrat).
Precinct # 319, 350, 352 Doris Goodson as Alternate Judge (Democrat)
Commissioner Friend seconded the motion and all voted in favor.
4. **Commissioner Friend** moved to retain Allison, Bass & Associates, L.L.P. to represent Tom Green County in a class action suit styled: Marcie Caldwell vs. Carole Keeton Rylander, et al in the 261st Judicial District Court of Travis County, Texas, No. 99-13088 and authorize the County Judge to sign the necessary papers. **Commissioner Weeks** seconded the motion and all voted in favor.
5. **Judge Brown** moved to adopt the Resolution determining that the membership of Crockett County (the "County") in the Concho Valley Housing Finance Corporation (the "Corporation") is wise, expedient, necessary and advisable; authorizing and approving the County's membership in the Corporation; and authorizing and approving the form of the Articles of Amendment to the Articles of Incorporation of the Corporation. **Commissioner Friend** seconded the motion and all voted in favor.

The Special Called Meeting was adjourned at 10:20 A.M.

Michael D. Brown, County Judge

Elizabeth McGill, County Clerk and Ex-officio Clerk
of the Commissioners' Court

STATE OF TEXAS
TOM GREEN COUNTY

October 14, 2002
AMENDMENT OF PRESIDING JUDGE

<u>Precinct # And Name</u>	<u>Presiding Judge</u>	<u>Alternate Judge</u>
215 - SOUTHLAND BAPT. CHURCH	Charles Keilers-Rep.	(Sylvia Fletcher-Dem.)

It is hereby directed that this order be filed with the clerk of this court and that a copy be given to the custodian of the election records for said county. The Elections Administrator is hereby instructed to send notice of appointment to the amended presiding judge of his appointment for a one year term beginning August 1, 2002 and ending July 31, 2003 as stated in accordance with Texas Election Code. Ann. Subsection 32.009, (Vernon, 1986).

Signed this 14 day of October, 2002.

Michael D. From
County Judge

Clayton Freund
County Commissioner, Precinct 1

Karl Boobtes
County Commissioner, Precinct 2

Yodie K. Webb
County Commissioner, Precinct 3

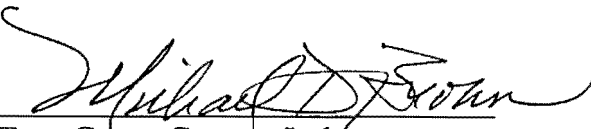
Richard S. Casinward, Jr.
County Commissioner, Precinct 4



AUTHORIZATION FORM

The law firm of Allison, Bass and Associates ("firm") is hereby authorized to represent the undersigned county in Cause No. 99-13088 Caldwell v. Rylander, et al in the 261st Judicial District Court. The firm shall provide all necessary legal services to defend this matter and shall be compensated for partner services at a rate of \$190 per hour, associate services at a rate of \$150 per hour, and paralegal services at a rate of \$60 per hour, plus actual expenses.

All fees and expenses shall be apportioned as follows: 50% to the Texas Association of Counties, not to exceed \$25,000.00 total; and the remainder allocated to all participating defendant counties on the basis of population:


Tom Green County Judge

Law Offices of

CHAPMAN AND CUTLER

Theodore S. Chapman
1877-1943
Henry E. Cutler
1879-1959

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Salt Lake City
50 South Main Street
Salt Lake City, Utah 84144
(801) 533-0066

October 9, 2002

VIA OVERNIGHT COURIER

To: County Judges
Concho Valley State Planning Region

Re: Concho Valley Housing Finance Corporation
Addition of Crockett County

Ladies and Gentlemen:

Please find enclosed a Unanimous Consent Resolution authorizing the addition of Crockett County into the Concho Valley Housing Finance Corporation (the "*Corporation*"). In order for Crockett County to participate in the Corporation's 2003 single family mortgage origination program each of the member counties of the Corporation must approve the addition of Crockett County.

For your information, I have also enclosed the Articles of Amendment to the Articles of Incorporation of the Corporation which provides for the addition of Crockett County. **You do not need to execute the Articles of Amendment. The Articles of Amendment have been executed by the Officers of the Corporation.**

If everything is acceptable, execute (and have the County Commissioners execute) the five (5) enclosed signature pages to the Unanimous Consent Resolution and return them to me in the enclosed prepaid envelope. Due to the extremely short time period and the importance of completing the addition of Crockett County to the Corporation, your immediately attention to this matter is greatly appreciated.

Please contact either Albert Rodriguez (915-944-9666) or myself (312-845-3716) with any questions or comments.

Very truly yours,

CHAPMAN AND CUTLER

By 

Jared L. Hanlin

Enclosures

1414986.01.01

**ARTICLES OF AMENDMENT
TO THE
ARTICLES OF INCORPORATION
OF
CONCHO VALLEY HOUSING FINANCE CORPORATION**

Pursuant to Section 394.016 of the Texas Housing Finance Corporations Act, Chapter 394, Texas Local Government Code (the "*Act*"), each of the Commissioners Courts of the Texas Counties of Coke, Concho, Irion, Kimble, Mason, McCulloch, Menard, Reagan, Schleicher, Sterling, Sutton and Tom Green (collectively, the "*Governing Bodies*") and the Board of Directors of the Concho Valley Housing Finance Corporation (the "*Corporation*") has each approved the following Articles of Amendment to the Articles of Incorporation of the Corporation. The Articles of Incorporation of the Corporation, as amended and supplemented by all certificates of amendment previously issued by the Secretary of State of the State of Texas, are hereby further amended as follows:

I.

The name of the Corporation is the Concho Valley Housing Finance Corporation.

II.

Exhibit A referenced in Article V shall be amended to include the following:

Crockett County

October 9, 2002.

III.

Each of the Governing Bodies adopted a unanimous consent resolution, dated as of October 9, 2002, approving the form of these Articles of Amendment of the Articles of Incorporation of the Corporation and the Board of Directors of the Corporation adopted a resolution on October 9, 2002, approving the form of these Articles of Amendment of the Articles of Incorporation of the Corporation.

[Remainder of Page Intentionally Left Blank]

IN WITNESS WHEREOF, we have hereunto set our hands this 9th day of October, 2002.

By: _____
Name: Jackie Walker
Title: President

ATTEST:

By: _____
Name: Albert Rodriguez
Title: Secretary

STATE OF TEXAS §
 §
COUNTY OF _____ §

I, _____, a notary public, do hereby certify that on this ____ day of _____, 2002, personally appeared before me Jackie Walker and Albert Rodriguez, who, each being by me first duly sworn, severally declared that they are the persons who signed the foregoing document as the President and the Secretary of the Concho Valley Housing Finance Corporation, and that the statements therein contained are true.

IN WITNESS WHEREOF, I have hereunto set my hand and seal the day and year above written.

Notary Public, State of Texas

My Commission Expires:

Unanimous Consent Resolution of the Commissioners Court of
Tom Green County, Texas

Resolution determining that the membership of Crockett County (the "*County*") in the Concho Valley Housing Finance Corporation (the "*Corporation*") is wise, expedient, necessary and advisable; authorizing and approving the County's membership in the Corporation; and authorizing and approving the form of the Articles of Amendment to the Articles of Incorporation of the Corporation

WHEREAS, pursuant to the Texas Housing Finance Corporations Act, Chapter 394, Texas Local Government Code, as amended (the "*Act*"), certain local governmental units within the Concho Valley State Planning Region (collectively, the "*Sponsoring Local Governments*") have formed the Corporation to provide a means of financing the cost of residential ownership and development that will provide decent, affordable, safe and sanitary housing for persons and families of low and moderate income; and

WHEREAS, the County desires to join the Corporation and to authorize the Corporation to act on its behalf for the purposes set forth in the previous paragraph; and

WHEREAS, the Articles of Incorporation of the Corporation require the Sponsoring Local Governments to approve any amendments to said Articles of Incorporation; and

WHEREAS, those persons executing this unanimous consent are all of the members of the Commissioners Court of Tom Green County, Texas.

NOW THEREFORE, be it resolved by unanimous written consent by the Commissioners Court of Tom Green County, Texas:


Section 1. Determination. That the membership of the County in the Corporation is wise, expedient, necessary and advisable.

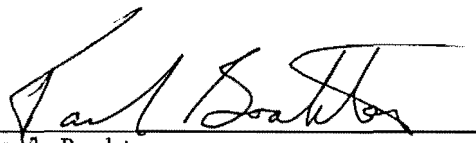
Section 2. Membership. That the membership of the County in the Corporation is hereby authorized and approved.

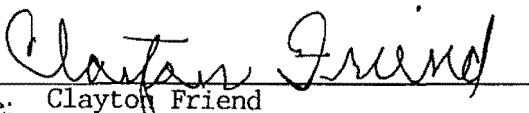
Section 3. Articles of Incorporation. That the Articles of Amendment to the Articles of Incorporation of the Corporation are hereby authorized and approved.

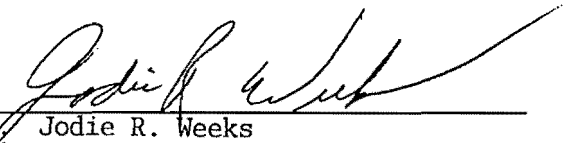
Section 4. *Effective Date.* That this Resolution shall be in full force and effect from and upon the date of its unanimous approval.

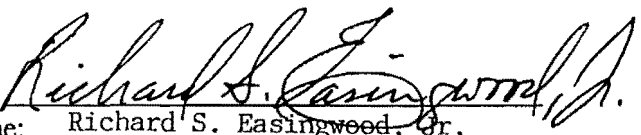
UNANIMOUSLY APPROVED as of this 9th day of October, 2002.

By: 
Name: Michael D. Brown
Tom Green County Judge

By: 
Name: Karl Bookter
Commissioner Precinct #2

By: 
Name: Clayton Friend
Commissioner Precinct #1

By: 
Name: Jodie R. Weeks
Commissioner Precinct #3

By: 
Name: Richard S. Easingwood, Jr.
Commissioner Precinct #4