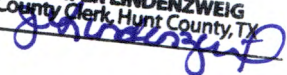


#15,484

County Judge Appointee
for
Board of Trustees
Lakes Regional Community Center

FILED FOR RECORD
at 12:00 o'clock P M

FEB 28 2019

JENNIFER LINDENZWEIG
County Clerk, Hunt County, TX
By 

Representing the County of Hunt, State of Texas

Volunteer/Appointee Information:

Name Thomas S. Brown Date of Birth 01/15/1961

Address 2 Willow Ridge Road Male Female

Greenville, Texas 75402 S.S.# 464-37-2340

Telephone #s Home: _____ Work: 903-886-5701

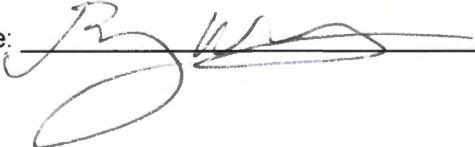
Fax: _____ e-mail: Thomas.Brown@@tamuc.edu

Employer: _____

Days/hours Available: _____

Skills/Interests/
Experience:

Date Appointment Made by Commissioners Court: February 28, 2019

County Judge's Signature: 

**Bylaws of
Lakes Regional MHMR Center
Board of Trustees**

**ARTICLE I
Center Name**

The name of the community center shall be Lakes Regional Mental Health and Mental Retardation Center; hereinafter referred to as LRMHMRC.

**ARTICLE II
Principle Office**

The place in which the principle office of the organization is to be located is to be in the city of Terrell, Kaufman County, Texas.

**ARTICLE III
Primary Purpose**

The purposes of LRMHMRC are those purposes expressed in Article 5547-201, Section 101 (a) of the Texas Revised Civil Statutes Annotated (1965), as amended. LRMHMRC also operates under the expressed purposes delineated by the Texas House Bill # 3. Further purposes of LRMHMRC are:

- A. To ensure the provision of a comprehensive and coordinated service system which makes available a full range of mental health and mental retardation services to residents of the twelve (12) county service area who meet the priority population definitions as determined by the Texas Department of State Health Services (DSHS) and Department of Aging and Disability Services (DADS). LRMHMRC may also serve persons who have a dual-diagnosis of mental health or mental retardation and chemical dependency.
- B. To serve as a clearinghouse for gathering and disseminating information regarding mental health and mental retardation, thereby developing a better understanding by the public.
- C. To further recruitment, training and education of personnel for work in the field of mental health and mental retardation.
- D. To cooperate with and enlist the support of public, private, and professional groups and agencies, local, state and federal, in the furtherance of these objectives.
- E. To exercise all powers and duties authorized by the Mental Health and Mental Retardation Act of Texas (the ACT).

**ARTICLE IV
Organizational Structure & Authority
Eligibility, Appointment, Conduct, Removal**

The Commissioners' Courts of Camp, Delta, Ellis, Franklin, Hopkins, Hunt, Kaufman, Lamar, Morris, Navarro Rockwall, and Titus counties for the purpose of operating a Community Mental Health Mental Retardation Center will appoint LRMHMRC Board of Trustees. LRMHMRC will be an agency of the State, a governmental unit and a unit of local government as defined and specified by Chapters 101 and 102, Civil Practice and Remedy Code and a local government as defined by Section 3, the Inter-local Cooperation Act {Article 4413(32c), Vernon's Texas Civil Statutes}.

The Board of Trustees shall be composed of twelve (12) members. The Commissioners' Courts of Camp, Delta, Ellis, Franklin, Hopkins, Hunt, Kaufman, Lamar, Morris, Navarro, Rockwall and Titus counties will each appoint one member to the Board of Trustees.

Eligibility

A member must:

- Be a qualified voter in the county of appointment
- Have a primary residence in the county of appointment

Validation of eligibility is the responsibility of the appointing entity.

Term

Charter Board - The Charter Board will be composed of nine (9) individuals, one from each Commissioner's Court. The Board of Trustees will designate four (4) of the members to serve a one (1) year term and five (5) to serve a two (2) year term by a random selection process.

Subsequent Boards - Appointments made to the Board of Trustees will be for a period of two (2) years, except that appointments made to fill unexpired terms will be for the remainder of the unexpired term. A Board Member may be re-appointed to the Board for an unlimited number of terms.

Notice of Vacancies

At least one (1) month prior to the meeting of the Commissioners Courts, at which the Board of Trustees members will be elected, each sponsoring entity will post notice of such vacancy in the courthouse and will post a brief notice in the legal notice section of a local newspaper. Eligibility requirements will be included in the notice.

Application

Any eligible individual may make application for Board of Trustees membership to the County Judge. Applications may be verbal or written. The Receiving County Judge will maintain documentation of all applications for one (1) year. The County Judge will consider all applications before the Board of Trustees appointments are made.

Appointment

1. The County Judge in each county will review all applications for membership in the Board of Trustees and select the applicant to be recommended to the Commissioners Court for appointment.
2. Applicants recommended for appointment from each county will be presented to the respective County Commissioners Court by the County Judge for approval or disapproval by the Commissioners Court.
3. Each Commissioners Court will approve or disapprove each recommended applicant by simple majority vote.
4. In the event of disapproval, the County Judge will make another recommendation to the Commissioners Court for approval or disapproval. This process will continue or iterate until approval of an applicant is obtained.

5. Following approval, the County Judge will notify the appointed individual with a letter of appointment, which includes the following:
 - a. The effective date of the appointment
 - b. A general description of duties; and,
 - c. A description of training requirements

Re-Appointment

Board members may be re-appointed. A person appointed to the Board of Trustees may serve unlimited terms of office.

Training

At the time of appointment, each Board of Trustees member will be given written notice of training requirements and must agree to meet such requirements.

1. Each year, all members will attend four (4) hours of training provided by professional staff members of the LRMHMRC. Such training will include a module presented by the Center's legal counsel.
2. Prior to assuming office, each Board member will attend a four (4) hour training session provided by the Center's professional staff, which includes information relating to the following:
 - a. The enabling legislation that created LRMHMRC;
 - b. The programs that LRMHMRC operates;
 - c. LRMHMRC's budget for that fiscal year;
 - d. The results of the most recent formal audit of LRMHMRC;
 - e. The requirements of the Open Meetings Law, *Chapter 271, Acts of the 60th Legislature, Regular Session, 1967 (Article 6252-17, Vernon's Texas Civil Statutes)* and the Open Records Law, *Chapter 424, Acts of the 63rd Legislature, Regular Session, 1973 (Article 6252-17a, Vernon's Texas Civil Statutes)*;
 - f. The requirements of conflict-of-interest laws and other laws relating to public officials; and,
 - g. Any ethics policies adopted by the LRMHMRC.

This training must be completed between the date of notification of appointment and the effective date of the appointment.

Ineligibility

Notwithstanding eligibility gained by meeting criteria in the section above, titled "Eligibility," an individual becomes ineligible for Board of Trustees membership if he/she or any person related to a prospective member within the second degree of affinity, third degree of consanguinity or an immediate in-law:

1. Owns or controls, directly or indirectly, more than a 10% interest in a business entity or other organization receiving funds from the LRMHMRC by contract or other method.

2. Uses or receives a substantial amount of tangible goods or funds from LRMHMRC, other than:
 - a. Compensation or reimbursement authorized by law for Board of Trustees membership, attendance or expenses relevant to meetings, training sessions, conferences and other Board activities and service to the LRMHMRC;
 - b. As a consumer or as a family member of a consumer receiving services from the LRMHMRC.

Prohibited Activities

Members of the Board of Trustees may not:

1. Refer for services a client or patient to a business entity owned or controlled by a member of the Board of Trustees, unless the business entity is the only business that provides the needed services within the jurisdiction of the LRMHMRC.
2. Use a LRMHMRC facility in the conduct of a business entity owned or controlled by that member.
3. Solicit, accept or agree to accept from another person or business entity a benefit in return for the members' decision, opinion, recommendation, vote or other exercise of discretion as a local public official or for a violation of a duty imposed by law.
4. Receive any benefit for the referral of a client or patient to the LRMHMRC or to another business entity.
5. Appoint, vote for or confirm the appointment of a person to a paid office or position with the LRMHMRC if the person is related to a member of the Board of Trustees by affinity within the second degree or by consanguinity within the third degree.
6. Solicit or receive a political contribution from a supplier or contractor with the LRMHMRC.

ARTICLE V **Internal Organization**

Individuals appointed to the Board of Trustees become local government officials by virtue of such appointment and, as such, are subject to requirements of Chapter 171, Local Government Code (i.e., regulations prohibiting conflicts of interest).

Meetings

1. The Board of Trustees will hold a minimum of ten (10) regular meetings per each calendar year on dates and at locations determined by the Board of Trustees at the beginning of the fiscal year.
2. The Board of Trustees will have special meetings as called by the Chairperson.
3. All meetings of the Board of Trustees will be open to the public to the extent required by and in accordance with the general law of these State requiring meetings of governmental bodies to be open to the public. The Chairperson shall post an agenda in a public place at least seventy-two (72) hours prior to the meeting. Any member of the Board of Trustees may place items on the agenda by requesting that the Chairperson place it on the agenda.

4. A simple majority of the membership of the Board of Trustees shall constitute a quorum for the transaction of business. Seven (7) members constitute a majority of the Board of Trustees. In the event of a prolonged vacancy on the Board of Trustees, the majority quorum will be adjusted and reduced by the number of vacancies; ie, one (1) vacancy equals a quorum of six (6) members; two (2) vacancies would equal a quorum of five (5) members.
5. Matters before the Board of Trustees will be decided by a simple majority vote of a quorum. Changes to the Board's established procedures require 2/3 majority vote of Board members present.
6. The Secretary will keep a record of the Board of Trustees proceedings in accordance with the general law of this State that requires meetings of governmental bodies to be open to the public and the record is open to inspection by the public in accordance with that law.
7. The Board of Trustees will approve written minutes of each meeting and sign the document.
8. The Secretary of the Board of Trustees will sign the written minutes of each meeting and the Recorder will distribute copies of the approved minutes to the Contract Manager of DSHS and DADS and each of the twelve (12) county judges via U.S. Postal Service.

Required Representation

In order to reflect the ethnic diversity of our service area and to assure consumer input, the Charter Board of Trustees and each successive Board of Trustees shall include one or more consumers of services or family members and shall attempt to include two or more members of an ethnic minority. In order to assure appointing the most qualified individual to those positions, the County Judges will mutually agree upon which sponsoring entity will appoint the required members.

Removal from the Board of Trustees

1. Grounds for removal from the Board of Trustees are as follows:
 - a. Violation of Chapter 171, Local Government Code (Regulations of Conflicts of Interest of Officers of Municipalities, Counties and Certain Other Local Governments).
 - b. Ineligibility for Board of Trustees appointment at the time of appointment as defined by the section above titled "Eligibility."
 - c. Failure to maintain eligibility requirements as defined by the section above titled "Eligibility."
 - d. Engaging in a prohibited activity as defined in the section above titled "Prohibited Activities."
 - e. Violation of personnel guidelines as defined by statute and contained within the personnel guidelines of LRMHMRC.
 - f. Failure to maintain an acceptable standard of attendance at meetings, demeanor and contribution to the obligations of the Board of Trustees, as determined by a majority of the Board of Trustees.
 - (1) If a Board member is absent for four (4) consecutive meetings, however, the Board Chair will contact that member to determine the circumstances affecting their attendance and their intentions for continued involvement with the Center. If the member is unresponsive, the Chair will contact the appropriate County Judge for further assistance in taking appropriate corrective action.

g. Failure to execute the affidavit as specified in the section below titled "Affidavit."

2. Procedure for removal from the Board of Trustees is as follows:

- a. Allegations of Board of Trustees members' misconduct unsuitability or ineligibility will be accepted by the Chair, unless the Chair is the object of the allegation. In such case, the Vice-Chair will accept the allegation.
- b. The Chair will appoint a three-(3) member subcommittee to investigate the allegations, unless the Chair is the object of the allegation. In such case, the Vice-Chair will appoint the subcommittee.
- c. The subcommittee will report its findings to the Board of Trustees in closed session within forty-five (45) days.
- d. Following the report, the Chair will request a motion as regards to the response of the Board of Trustees to the report, unless the Chair is the object of the report. In that case, the Vice-Chair will request the motion.
- e. In the event a majority of a quorum of the Board of Trustees votes to recommend removal of the member in question, a letter recommending withdrawal of appointment and signed by those members recommending removal will be sent to the County Judge of the sponsoring entity which appointed the member.
- f. The County Judge will act upon the recommendation within thirty (30) days of the receipt of the letter from the Board of Trustees.
- g. Should the County Judge decide to remove the member, the County Judge immediately in writing will notify the member of such removal. The effective date of removal will be the date of the written notification.
- h. County Judges will not remove members, except on grounds listed above.

Resignation

1. Members may resign from the Board of Trustees for any reason.
2. Resignation will be written and submitted to the appropriate county judge with a copy to the Chair.
3. Resignations will not be rejected.
4. Resignations will be effective the date of the written notification.

Reimbursement

1. The Board of Trustees members may not be reimbursed for services performed for the Board of Trustees and LRMHMRC.
2. Board of Trustees members may authorize for themselves mileage, per diem and other out-of-pocket expenses relevant and incidental to meetings, training sessions, conference and other activities relevant to Board of Trustees activities and service to LRMHMRC.

Affidavit

Not later than the date on which a member of the Board of Trustees takes office by appointment or re-appointment and not later than the anniversary of that date, each member shall annually execute and file with LRMHMRC an affidavit acknowledging that the member has read this document.

ARTICLE VI Fiscal Year

LRMHMRC's first fiscal year will be a short fiscal year starting with its date of formation, December 1, 1999 to August 31, 2000; thereafter, the fiscal year will be September 1 through August 31.

ARTICLE VII Parliamentary Authority

Business meetings of the Board of Trustees will follow Robert's Rules of Order as revised.

ARTICLE VIII Amendments

These Bylaws may be altered, amended, repealed, or added to by two-thirds (2/3) majority vote of the Board of Trustees at any time at a regular meeting of the said Board or at a special meeting of the Board of Trustees called for that purpose.

ARTICLE IX Dissolution

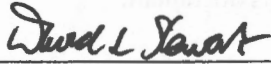
LRMHMRC is organized exclusively for charitable, religious, educational, and scientific purposes, including for such purposes, the making and distributions to organizations that qualify as exempt organizations under section 501 (c)(3) of the Internal Revenue code or corresponding section of any future federal tax code.

No part of the net earnings of LRMHMRC shall inure to the benefit of, or be distributable to its members, officers, or other private persons, except that LRMHMRC shall be authorized and empowered to pay reasonable compensation for service rendered and to make payments and distributions in furtherance of its exempt purpose. No substantial part of the activities of LRMHMRC shall be the carrying on of propaganda, or otherwise attempting to influence legislation, and LRMHMRC shall not participate in, or intervene (including the publishing or distribution of statements) any political campaign on behalf or in opposition to any candidate for public office. Notwithstanding any other provision of these articles, the organization shall not carry on any other activities not permitted to be carried on (I) by an organization exempt from Federal Income Tax under section 501(c) (3) of the Internal Revenue Code, or corresponding section of any future federal tax code, or (II) by an organization, contributions to which are deductible under section 170 (c) (2) of the Internal Revenue code, or corresponding section of any future tax code.

Upon the dissolution of LRMHMRC, assets shall be distributed to one or more exempt purposes within the meaning of section 501 (c) (3) of the Internal Revenue Code, or corresponding section of any future federal tax code, or shall be distributed to the federal government, or to a state or local government, for public purposes. Any such assets not so disposed of shall be disposed of by the Court of Competent Jurisdiction of the county in which the principle office of the organization is then located, exclusively for such purpose or to such organization, as said court shall determine, which are organized and operated exclusively for such purpose.

In witness whereof, we have hereto subscribed our names this 27 day of January, 2010.

ATTEST:



Dr. David Stewart, Chairman of the Board


Kathryn McClellan, Board Secretary

Revisions made by Lynn Smith 3/13/06



Lakes Regional Mental Health and Intellectual Developmental Disability Center

Administrative Offices PO Box 747 Terrell, Texas 75160 (972) 388-2000 www.lakesregional.org

John P. Delaney *Executive Director*

David Stewart, M.D. *Chairman of the Board*

February 08, 2017

The Honorable Bobby W. Stovall
Hunt County Judge
2507 Lee Street, 2nd Floor
Greenville, Texas 75403-1097

Dear Judge Stovall:

In March of 2017 the term of office for Tom Brown, Lakes Regional Community Center's Hunt County Board member will expire. As a result, you and the Commissioners' Court will need to either re-appoint your current Board of Trustee member, Tom Brown or appoint a new member.

According to the Bylaws, the Commissioners' Court in which the appointment will be made, the county will post notice of such vacancy in the courthouse and will post a brief notice in the legal notice section of the local newspaper in whatever format your county uses for notices such as these. Applicants can apply either verbally or in writing. There is no application form. The county judge reviews all applications prior to the Commissioners' Court in which the appointment will be made and then recommends to the Court one applicant.

Alternatively, the Commissioner's Court may choose to re-appoint the current appointee to another two year term. We have spoken with Mr. Brown and he indicated he would like to continue on the Board. It is our hope that he will be reappointed to serve another term. Continuity on a board as good as ours is important and Mr. Brown has had a positive impact on our Board to promote increased services for the individuals we serve in Hunt County.

Thank you and the Commissioners for your support and help. If you have any questions, please do not hesitate to call me at 972-524-4159, extension 1150 or at 972-948-5173 (cell).

Sincerely yours,

A handwritten signature in blue ink, appearing to read "John Delaney", is written over a white background.

John Delaney
Executive Director

Eric: Center Board Bylaws

Xc: Board Member