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Jefferson, Texas 75657



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Hon. Leward J. LaFleur


Commissioner J.R. Ashley
Commissioner Ralph Meisenheimer

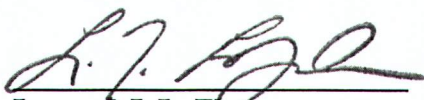
Marion County Judge

Commissioner Jacob Pattison
Commissioner Gered R. Lee

Notice is hereby given that the next meeting of the Marion County Commissioners Court will be held on the 12th June, 2023 at 9:00 a.m. in the County Courthouse, County/ District Courtroom, 102 W. Austin 3rd Floor, Jefferson, TX and that the following subjects will be discussed:

1. Consent agenda:
 - a. Consider approval of minutes – May 30, 2023
 - b. Court to examine all accounts and reports relating to finances of County
 - c. Court to audit and settle all accounts against County and direct their payment
2. Consider for approval payroll from May 1-15, 2023 and May 16-31, 2023.
3. Consider for approval Appraisal District 2024 Budget.
4. Consider for approval moving Monday, July 17th Budget Meeting to Friday, July 14th, 2023 for the North and East Texas County Judge and Commissioners Association Conference.
5. Consider for approval Avenue Enterprise Solutions, LLC Agreement for Application Hosting Technology Support Services Amendment No. 1 thru August 2026 for Financial Software.
6. Consider for approval the appointment of two (2) members to the East Texas Housing Finance Corporation Board of Directors for a 6 (six) year term.

FILED FOR RECORD
23 JUN - 8 PM 2: 09
MARION WISE
CO. CLERK, MARION CO.
BY  DEPUTY


Leward J. LaFleur
County Judge
Marion County, Texas

MINUTES OF MARION COUNTY COMMISSIONERS' COURT

MAY 30, 2023

The Commissioners' Court of Marion County met in Special Session at 9:00 a.m. on MAY 30, 2023. All members present with County Judge Leward LaFleur presiding.

**JACOB PATTISON, COMMISSIONER, PRECINCT #2
RALPH MEISENHEIMER, COMMISSIONER, PRECINCT # 3
GERED R. LEE, COMMISSIONER, PRECINCT#4**

ITEM NO. 1

CONSENT AGENDA:

- a. ORDER APPROVING MINUTES OF MEETING ON MAY 8, 2023, MAY 12, 2023**
- b. ORDER TO EXAMINE ALL ACCOUNTS AND REPORTS RELATING TO FINANCES OF THE COUNTY**
- c. ORDER TO AUDIT AND SETTLE ALL ACCOUNTS AGAINST COUNTY AND DIRECT THEIR PAYMENT**
- d. ORDER TO AUDITOR FINANCIAL REPORT**
- e. CONSIDER APPROVAL OF BONDS: CYNTHIA ELAINE SIMMONS, CLERK FOR JUSTICE OF THE PEACE PRECINCT 1**

Motion by Ashley, seconded by Meisenheimer to approve consent agenda. All members present voted Aye. Motion carried 4-0.

ITEM NO. 2

ORDER TO ACCEPT THE BIDS AS PRESENTED BY EACH MEMBER OF THE COMMISSIONER'S COURT.

Motion by LaFleur, seconded by Ashley. All members present voted Aye. Motion carried 4-0.

See Exhibit "A" attached

ITEM NO. 3

MOTION TO TABLE UNTIL THE JUNE 12, 2023 MEETING

Motion by Ashley, seconded by Pattison. All members present voted Aye. Motion carried 4-0.

See Exhibit "B" attached

ITEM NO. 4

AUDITOR TO PRESENT 2022 MARION COUNTY FINANCIAL STATEMENTS.

See Exhibit "C" attached

No action taken

ITEM NO. 5

**ACKNOWLEDGE TEXAS ASSOCIATION OF COUNTIES 2022 REPORT FOR
MARION COUNTY**

See Exhibit "D" attached

No action taken

ITEM NO. 6

**ENTER INTO EXECUTIVE SESSION PER LGC 551.071, CONSULTATION WITH
ATTORNEY REGARDING COUNTY OF MARION V PURDUE PHARAMA INC,
ET AL, MDL PRETRIAL CAUSE NO 201-63587, IN THE 152ND DISTRICT COURT OF
HARRIS COUNTY, TEXAS.**

Entered in to Executive Session at 9:17

Came out of Executive Session at 9:24

No votes taken

ITEM NO. 7

**ORDER TO APPROVE RESOLUTION AUTHORIZING APPROVAL OF PROPOSED
TEXAS STATEWIDE OPIOID SETTLEMENT AGREEMENT WITH THE TEXAS
OPIOID LITIGATION, CASE NO. 201-63587, AUTHORIZING OUR COUNTY JUDGE
TO SIGN.**

Motion by Ashley, seconded by Meisenheimer. All members present voted Aye. Motion carried 4-0.

See Exhibit "E" attached

ITEM NO. 8

ORDER OF APPROVAL AUTHORIZING THE COUNTY JUDGE TO EXECUTE EXHIBIT B, TEXAS ADDENDUM SUBDIVISION PARTICIPATION FORM AND RELEASE REGARDING SETTLEMENT OFFERS IN THE MATTER OF TEXAS OPIOID MULTI-DISTRICT LITIGATION FOR THE COUNTY IN THE MATTER OF COUNTY OF MARION V PURDUE PHARMA.

Motion by Ashley, seconded by Meisenheimer. All members present voted Aye. Motion carried 4-0

See Exhibit "F" attached

ITEM NO. 9

ORDER TO APPROVE RESOLUTION DECLARING EASEMENT IN THE AARON JACKSON SURVEY, 3.473-ACRE TRACT IN MARION COUNTY PRECINCT # 4, ABANDONED AND CLOSED AUTHORIZING RETURN TO OWNER OF PROPERTY, JOHN D. REEVES.

Motion by Lee, seconded by Ashley. All members present voted Aye. Motion carried 4-0

See Exhibit "G:" attached

ORDER TO ADJOURN

Motion by Ashley, seconded by Meisenheimer. All members present voted Aye. Motion carried 4-0. Meeting adjourned at 9:28 a.m.

There being no further business brought to the attention of the Commissioners' Court, it is ordered that the Commissioners' Court of Marion County, Texas, adjourn and stand adjourned until the next Regular Session, unless and until called together in Special Session before that time

I attest to the accuracy of
the foregoing minutes.

COUNTY CLERK

COUNTY JUDGE

NOTE: ALL REPORTS, LETTERS OR OTHER ATTACHMENTS MENTIONED IN THE ABOVE MINUTES ARE ON FILE IN THE OFFICE OF THE COUNTY CLERK

2023

Marion County Resolution
Regarding the 2024 Marion Central Appraisal District Budget

WHEREAS, under the provisions of the Texas Tax Code Section 6.06, governing bodies entitled to vote on the appointment of board members of the Appraisal District shall be delivered a copy of the Appraisal District Budget to have on file and to approve or disapprove. The vote must be returned to the secretary of the Appraisal District board within 30 days. The 2024 budget was accepted and approved by the Board of Directors at the May 17, 2023 meeting.

WHEREAS, the Commissioner's Court of Marion County has voting rights to the appointments of the board members of the Appraisal District, the court desires to vote on the approved 2024 budget.

NOW THEREFORE, BE IT RESOLVED that the Marion County Commissioners Court votes to approve the 2024 Marion Central Appraisal District Budget and authorizes the County Auditor to budget the counties portion of the budget as calculated based on the proportion of the property taxes imposed by the county for this year.

Passed and approved on this the 12th day of June, 2023 at a regularly scheduled Commissioner's Court Meeting of Marion County, Texas.

Leward J LaFleur, County Judge

J.R. Ashley, Commissioner Pct 1

Ralph Meisenheimer, Commissioner Pct 3

Attest:

Kim Wise, County Clerk

Jacob Pattison, Commissioner Pct 2

Gered Lee, Commissioner Pct 4

Date:

2023

Marion County Resolution
Regarding the 2024 Marion Central Appraisal District Budget

WHEREAS, under the provisions of the Texas Tax Code Section 6.06, governing bodies entitled to vote on the appointment of board members of the Appraisal District shall be delivered a copy of the Appraisal District budget to have on file and to approve or disapprove. The vote must be returned to the secretary of the Appraisal District board within 30 days. The 2024 budget was accepted and approved by the Board of Directors at the May 17, 2023 meeting.

WHEREAS, the Commissioner's Court of Marion County has voting rights to the appointments of the board members of the Appraisal District, the court desires to vote on the approved 2024 budget.

NOW THEREFORE, BE IT RESOLVED that the Marion County Commissioners Court votes to disapprove the 2024 Marion Central Appraisal District Budget. However, the Commissioners Court still authorizes the County Auditor to budget the counties portion of the budget as calculated based on the proportion of the property taxes imposed by the county for this year.

Passed and approved on this the 12th day of June, 2023 at a regularly scheduled Commissioner's Court Meeting of Marion County, Texas.

Voting Aye:

Voting Nay:

Leward J LaFleur, County Judge

JR Ashley, Commissioner Pct 1

Ralph Meisenheimer, Commissioner Pct 3

Attest:

Kim Wise, County Clerk

Jacob Pattison, Commissioner Pct 2

Gered Lee, Commissioner Pct 4

Date:

Agreement for Application Hosting and Technology Support Services

Amendment No. 1

Avenu Enterprise Solutions, LLC

Marion County, Texas

This first amendment ("Amendment No. 1") is made by and between **Avenu Enterprise Solutions, LLC**, 5860 Trinity Parkway, Suite 120, Centreville, VA 20120 ("Avenu") and **Marion County**, 102 West Austin Street, Suite 101, Jefferson, TX 75657 ("Client").

RECITALS

WHEREAS, Client and Conduent Enterprise Solutions, LLC ("Conduent") executed the Agreement for Application Hosting and Technology Support Services ("Agreement"), effective September 1, 2017 through August 31, 2023; and

WHEREAS, effective September 28, 2018, Avenu Holdings, LLC ("Avenu Holdings") acquired Conduent; and

WHEREAS, after Avenu Holdings acquired Conduent, the name of Conduent was changed to Avenu Enterprise Solutions, LLC; and

WHEREAS, the Parties seek to extend the Term of the Agreement for an additional one (1) year period, with two (2) subsequent one (1) year automatic renewals; and

WHEREAS, the Parties further seek to amend the Agreement to replace all references to "Conduent Enterprise Solutions, LLC" and "Conduent" with "Avenu Enterprise Solutions, LLC" and "Avenu" respectively.

NOW, THEREFORE, in consideration of the promises and mutual covenants contained herein, Avenu and Client (each individually a "Party" and collectively, the "Parties") agree as follows:

1. This Amendment No. 1 is effective on September 1, 2023 ("Amendment Effective Date").
2. All references to "Conduent Enterprise Solutions, LLC" or "Conduent" are replaced with "Avenu Enterprise Solutions, LLC" and "Avenu" respectively.
3. Section 2 of the Agreement (Term) is deleted and replaced with the following:

This Agreement is effective on **September 1, 2023** ("Effective Date") and shall continue for a period of one (1) year through **August 31, 2024**, unless otherwise extended or terminated by the parties in accordance with the provisions of this Agreement ("Term"). Upon expiration of the original Term, this Agreement shall be renewed automatically for two (2) succeeding terms of a period of one (1) year each ("Automatic Renewal Term(s)"), with a pricing increase of 5% on a year over year basis. If Avenu or the Client elects not to exercise the Automatic Renewal Term(s), the other party must be notified in writing at least ninety (90) days prior to the term renewal anniversary date.

4. Section 25 of the Agreement (Notices to Parties) is amended as follows:

For Notices to Avenu:

Avenu Enterprise Solutions, LLC
5860 Trinity Parkway, Suite 120
Centreville, VA 20120
Attn: Contracts Department

5. Schedule A (Statement of Work), Section B.1 (Base Monthly Fee and Payment Schedule), is deleted and replaced with the following:

1. Base Monthly Fee and Payment Schedule

Client agrees to pay Avenu the base monthly fees set forth below.

Initial Term:

Term	Monthly SaaS Amount	Months	Annual SaaS Amount
September 1, 2023 – August 31, 2024	\$1,522.89	12	\$18,274.68

First Automatic Renewal Term

Term	Monthly SaaS Amount	Months	Annual SaaS Amount
September 1, 2024 – August 31, 2025	\$1,599.03	12	\$19,188.36

Second Automatic Renewal Term

Term	Monthly SaaS Amount	Months	Annual SaaS Amount
September 1, 2025 – August 31, 2026	\$1,678.98	12	\$20,147.76

6. All other terms and conditions of the Agreement, except as modified by this Amendment No. 1, shall remain in full force and effect.

IN WITNESS WHEREOF, the undersigned authorized representatives of Avenu and Client have executed this Amendment No. 1.

Avenu Enterprise Solutions, LLC

Marion County, Texas

By: _____

By: _____

Name: Carl Kumpf

Name: Leward J LaFleur

Title: Chief Financial Officer

Title: Marion County Judge

Date: _____

Date: June 12, 2023

Sandra Wright

From: Patty Parrott, Law Office Of Richard Anderson <pparrott@andersonpartners.org>
Sent: Friday, May 05, 2023 11:46 AM
To: Leward, LaFleur; Sandra Wright
Subject: East Texas Housing Finance Corporation
Attachments: 05 05 2023 LTR TO COUNTY JUDGES APPOINTMENT OF BOARD MEMBERS MARION CO.pdf; RESOLUTION FOR APPOINTMENT OF BOARD DIRECTORS MARION CO^.pdf; 1 24 23 Memo to ETHFC BOD RE Status 2022.pdf

Attached please find correspondence from Judge Richard Anderson regarding the appointment of new East Texas Housing Finance Members, The Resolution and an update memo that was sent to the Executive Committee members.

Thank you,

Patty Parrott
Legal Assistant to Richard Anderson
PO Box 550
Marshall, TX 75671
903.938.8373 f 903.938.3748
Email: pparrott@andersonpartners.org

RICHARD M. ANDERSON
Attorney At Law
PO Box 550
Marshall, TX 75671
Telephone: (903) 938-8373 Facsimile: (903) 938-3748
Email: rma@andersonpartners.org

May 5, 2023

Judge Leward J. LaFleur
Marion County, Texas
102 W. Austin, Rm 205
Jefferson, Texas 75657

Re: Appointment of Board of Directors for the
East Texas Housing Finance Corporation (the "Corporation")

Dear Judge LaFleur:

The East Texas Housing Finance Corporation (the "Corporation") was created in 1981 in order to attempt to address the issue of low and moderate housing within the Ark-Tex Council of Government's jurisdiction. The Corporation's jurisdiction is sustaining co-extensive with that of the East Texas Council of Government. In the past, the Corporation has issued single family mortgage revenue bonds, and also assisted with a multi-family housing project within the jurisdiction. It stands ready to assist with these types of programs when it is approached by interested developers or financial entities. It is now time to appoint or re-appoint members to the Board of Directors of the East Texas Housing Finance Corporation.

Pursuant to the Corporation's Articles of incorporation, each participant county is entitled to appoint two (2) members of the Board of Directors, which are appointed by the Commissioners' Court of Our records reflect that the current members of the board of Directors for Marion County are:

Judge Leward LeFluer Appointed 06/27/2022 John Ross Appointed 04/24/2017

We ask that your Commissioners' Court take action on the enclosed form of a resolution, which may be used for the purpose of updating the members of the Corporation's Board of Directors. Judge LeFluer since you were appointed last year and your term won't expire until 2028, there is only one member who needs to be appointed.

As a suggestion for purposes of the Open Meeting Act, notice of the Commissioner's Court meeting may read:

"Consideration and action regarding the appointment of two (2) members of the Board of Directors of the East Texas Housing Finance Corporation."

[Type here]

Please provide us with a certified copy of the above requested action as early as possible, as well as addresses, telephone numbers, facsimile number, e-mail (if available), cell phone number and website address (if available), so that both of your county's appointed directors can receive notice of the upcoming Board meeting.

Provided for your information is a report to the East Texas Housing Finance Corporation Executive Committee Members of the results for the prior year for East Texas Housing Finance Corporation. We thought that this would be of interest to you and the members of your Court.

Please do not hesitate to contact me with any questions that you may have in these respects. Thank you for your prompt attentions and courtesies in these respects.

Sincerely,

Richard M. Anderson

[Type here]

RESOLUTION

AN ORDER APPOINTING MEMEBERS TO THE BOARD OF DIRECTORS OF THE EAST TEXAS HOUSING FINANCE CORPORATION; AND REPEALING PRIOR RESOLUTIONS OR ORDERS IN CONFLICT HEREWITH.

WHEREAS, The Commissioners' Court has heretofore authorized the formation of the East Texas Housing Finance Corporation (the "Corporation"), to act on behalf of the County in accordance with the Texas Housing Finance Corporations Act, Texas Local Government Code Annotated, Ch. 394, *et seq.* (the "Act").

WHEREAS, in accordance with the Articles of Incorporation, as amended, and the Bylaws of the Corporation, the County is authorized to appoint two (2) residents of the County to serve as members of the Board of Directors of the Corporation, for terms not exceeding six (6) years, or until a successor is appointed:

WHEREAS, this meeting is open to the public as required by law, and public notice of the time, place and purpose of this meeting was given as required by Section 551.041 of the Government Code.

NOW, THEREFORE, IT IS HEREBY ORDERED BY THE COMMISSIONERS' COURT OF MARION COUNTY, TEXAS:

Section 1. The findings and declarations contained in the preambles of this Order are incorporated herein as a part of this Order for all purposes.

Section 2. In accordance with the Articles of Incorporation, as amended, and the Bylaws of the Corporation, Judge Leward J. LaFleur and ~~Commissioner J.R. Ashley~~, are hereby appointed to serve on the Board of Directors of the Corporation, each for a term to expire on May 30th, 2029, (not exceeding six (6) years), subject to earlier removal from office, with or without cause, by the Commissioners' Court. Such persons succeed the County's previously appointed members of the Board of Directors of the Corporation, effective as of the date of this Order.

Section 3. The Clerk of the Commissioners' Court is hereby directed to deliver to the Corporation a certified copy of this Order evidencing the appointment made herein.

Section 4. All prior resolutions and orders, or parts thereof, in conflict with this Order are hereby repealed to the extent of such conflict.

Section 5. This order shall take effect immediately upon its adoption.

APPROVED AND ADOPTED by the Marion County Commissioners' Court at the regularly scheduled meeting on the _____ day of _____, 2023.

COUNTY JUDGE MARION COUNTY

ATTEST:

County Clerk

Judge Richard Anderson

P.O. Box 550
211 W. Austin Street
Marshall, Texas 75670
Phone: (903) 938-8373
Facsimile: (903) 938-3748

Memo

To: Members of the Executive Committee of the East Texas Housing Finance Corporation

From: Richard Anderson

Re: Status Report for the Year's End

Date: February 24, 2023

Members, we have had a very productive year in 2022. While it has been several years since we have been asked to participate in a multi-family housing project, this past year saw two, being the Liberty Arms Project located in Tyler which involved some \$13,500,000 in bonds sold, and (2) Ware Meadows, located in Longview which involved some \$9,049,235 in bonds sold.

Each of these projects involved the rehabilitation of existing structures which were in substantial need of extensive updating and had deteriorated over the years, with Ware Meadows having been constructed in 1980 with 104 units, and Liberty Arms having been constructed in 1969. With the recent modifications in the allocation process at the state level, this has resulted in a larger allocation to rural areas, which was to the benefit of the Corporation. It remains to be seen if this trend will continue, but it has benefited these two housing projects which were constructed over forty plus years ago.

With our amendments to the Bylaws this past year, particularly with regards to proxy voting, it has made convening a quorum easier, and hopefully more convenient for you as directors. Your efforts on behalf of the region are much appreciated. While these two projects directly benefited Gregg and Smith Counties, our entire region enjoys indirect economic impact from improved housing. As our region grows we hopefully see additional benefits come to our smaller communities, but presently the developers are looking to the larger metro areas for potential transactions.

As a result of these transactions, the Corporation earned some \$259,000 to add to our account at TexPool. We have a half dozen 3 ring binders evidencing the work required for these transactions which we will retain for the Corporation's permanent records.

As we have discussed, transactions like these are “developer-driven” in that we do not seek out the developer, but rather the developer approaches us for assistance. As such, the transactions seem to focus more on the larger metro areas within our area. However, if you feel that there could be potential projects in your areas, within the parameters of the 100+ unit range that are in need of rehabilitation please so advise, and we will have our underwriting team contact you.

Best regards for the New Year.