

STATE OF TEXAS

COUNTIES OF: Angelina, Houston, Nacogdoches, Newton, Polk, Sabine,
San Augustine Shelby, San Jacinto, Trinity and Tyler

MODIFIED INTERLOCAL COOPERATION AGREEMENT AND CONTRACT

WHEREAS, by written contract, dated the 11th day of July, 1974, supported by the separate Orders of each Commissioners Courts of the following thirteen (13) counties: Angelina, Hardin, Houston, Jasper, Nacogdoches, Newton, Polk, Sabine, San Augustine, Shelby, San Jacinto, Trinity and Tyler, did establish and begin to operate a Community Center for the providing of Mental Health and Mental Retardation services for the thirteen (13) county region, which Community Center was originally named "Deep East Texas Regional Mental Health and Mental Retardation Services";

WHEREAS, on the 27th day of August 1996, by unanimous vote of the Board of Trustees of the Deep East Texas Regional Mental Health and Mental Retardation Services, the name of the Community Center, was formally legally changed to "Burke Center" in honor of founding Board President and longtime Trustee, Ward R. Burke of Lufkin, Texas, which name change took effect on the 27th day of August 1994.

WHEREAS, effective on the 1st day of September, 2000, Hardin County ceased to be a part of the Interlocal Agreement for the establishment and operation of the Burke Center, thereby creating the necessity for a modified Interlocal Agreement Cooperation Act Agreement by and for the remaining twelve (12) counties which sponsor the Burke Center; under the authority of Chapter 791 of the Texas Government Code; and

WHEREAS, effective on the 1st day of September, 2023, Jasper County will cease to be a part of the Interlocal Agreement for the establishment and operation of the Burke Center, thereby creating the necessity for a modified Interlocal Agreement Cooperation Act Agreement by and for the remaining eleven (11) counties which sponsor the Burke Center; under the authority of Chapter 791 of the Texas Government Code; and

WHEREAS, certain terminology is changed to reflect Texas Government Code, Chapter 392 to use person-first language to emphasize each person's value, individuality, and capabilities.

WHEREAS, each of the Commissioners Courts of the eleven (11) counties have adopted written Orders which expressly authorize, adopt and approve the terms contained in this Modified Interlocal Agreement and Contract.

NOW THEREFORE, know all men by these presents that the Counties of Angelina, Houston, Nacogdoches, Polk, Sabine, San Augustine, Shelby, San Jacinto, Trinity and Tyler desire to continue the operation of a community center for mental health and mental retardation services under the laws of this state, which operation is authorized by the provisions of Chapter 534 of the Health and Safety Code; and the above named counties, acting by and through their duly authorized Commissioners Courts do hereby covenant and agree as follows:

I. ORGANIZATION

Section 1.1 - Name. The name of the community center shall be the Burke Center.

Section 1.2 - Principle Office. The principle office of the of the Burke Center shall be located in the City of Lufkin, Angelina County, Texas at such location in the City of Lufkin as the Board of Trustees shall determine. The center shall have such other offices as the Board of Trustees may determine or as the affairs of the center may require from time to time.

Section 1.3 - Registered Agent and Office. The registered agent for the center shall be the Chief Executive Officer and the registered office shall be 2001 South Medford Drive, Lufkin, Angelina County, Texas 75901.

II. MEMBERSHIP and STRUCTURE OF THE BOARD OF TRUSTEES

Section 2.1 - Representation. The member county governments agree to each appoint the respective member of the Board of Trustees for the Burke Center as set forth in this Agreement. The Board of Trustees for the Burke Center shall consist of nine (9) members to be appointed from the qualified voters of the region to be served, with each county authorized to appoint the representative as set forth below. The

following county representation scheme is agreed upon as fair and equitable to all counties and will be implemented and used:

1 representative	Angelina County
1 representative	Nacogdoches County
1 representative	Polk County
1 representative	San Jacinto County
1 representative	Shelby County
1 representative	Houston County
1 representative	Shared by Tyler and Newton County
1 representative	Trinity County
1 representative	Shared by Sabine and San Augustine County

Section 2.02 - Terms of Office. The terms of office of these representatives and members of the Board of Trustees shall continue to be staggered as they have been since 1974 on the same schedule that has heretofore been employed. All appointment of Trustees hereafter shall be for a two (2) year period, or until their successors are appointed and qualified to serve. Appointments made to fill unexpired terms shall be for the period of the unexpired term, or until a successor is appointed and qualified.

III. MISSION

Section 3.01 - Mission. The mission of Burke Center is "Working Together To Improve Lives". Burke Center is committed to providing quality behavioral health care services to the residents of East Texas. This requires a geographically disbursed and affordable array of quality services specifically designed to meet the individual needs of the person served.

Section 3.02 - Purpose. The purpose of the Burke Center shall be to foster the development of a comprehensive and coordinated service delivery system which makes available a full range of services for individuals with mental health, individuals with developmental disabilities, and those who need substance use services in our region. These services will include assisting individuals to secure and maintain maximum independence and dignity. Efforts will be made to provide training, treatment, therapy, and counseling to individuals in

order to help them achieve their maximum potential. Special emphasis will be placed on public education and consultation concerning mental health, intellectual and development disabilities and substance use, with the long-range goal of prevention being paramount.

Section 3.03 -Definition. The Burke Center is a public entity, a governmental unit, a unit of local government, an agency of the state, and a political subdivision as defined:

- A. 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 Remedies Code;
- B. a local government, as defined by §791.003. Government Code;
- C. a local government for the purposes of Chapter 1084, Acts of the 70th Legislature, Regular Session 1987. Article 715c, Vernon's Texas Civil Statutes; and
- D. a political subdivision for the purposes of Chapter 172. Local Government Code.

Further, the Burke Center shall be operated as a not-for-profit organization, governed as an independent local unit of government by a nine (9) member Board of Trustees with representatives appointed by the respective Commissioners Courts in the eleven (11) county region center.

All power and authority to govern, operate and manage the activities of the community center are vested in the Board of Trustees selected by the Commissioners Courts of the eleven (11) participating counties. The Board of Trustees shall have all power and duty authorized by the constitution and laws of the State of Texas for the operation of a community center.

The Board of Trustees of the community center shall operate in accordance with the revised Constitution and By-Laws of the Burke Center and in accordance with such policies and procedures duly adopted by the Board of Trustees.

IV. LOCAL MATCH


Participating Commissioners Courts in this Interlocal Agreement shall provide for local match to allow for Burke Center to receive State funding for performance of the governmental functions and

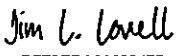
services provided for the operations of the Burke Center, and each county shall make local match payments therefore from current revenues annually to the Burke Center. Local Match is agreed upon annually between Burke and each County Commissioners Court.

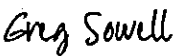
V. AUTHORIZATION

This Interlocal Agreement is authorized by the governing bodies of the eleven (11) County Commissioners Courts as evidenced by the true and correct copies of the Resolutions of each of the Commissioners Courts which are incorporated herein for all purposes as if recited herein verbatim and as evidenced by the signatures of the County Judge of each of the counties below.

The parties to this Interlocal Agreement have executed this Agreement in multiple counterparts to be in effect the 1st day of September 2023.

DocuSigned by:

392BCC2CD533401...
Honorable Keith Wright
County Judge, Angelina County

DocuSigned by:

BFF0EDA8A00347B...
Honorable Jim L. Lovell
County Judge, Houston County

DocuSigned by:

8BD417EB9F21439...
Honorable Greg Sowell
County Judge, Nacogdoches County

DocuSigned by:

Ronald J. Cochran

825960A971D648C...

Honorable Ronald J. Cochran
County Judge, Newton County

DocuSigned by:

Sydney Murphy

5DC6D8E81C644D1...

Honorable Sydney Murphy
County Judge, Polk County

DocuSigned by:

Daryl Melton

0572F340657B474...

Honorable Daryl Melton
County Judge, Sabine County

DocuSigned by:

Jeff Boyd

13274D8AE62D4E9...

Honorable Jeff Boyd
County Judge, San Augustine County

DocuSigned by:

Fritz Faulkner

FF4CBE95E9264F9...

Honorable Fritz Faulkner
County Judge, San Jacinto County

DocuSigned by:

Allison Harbison

A19E99082E454B2...

Honorable Allison Harbison
County Judge, Shelby County

DocuSigned by:

Danny Martin

29FB37954C2A4CA...

Honorable Danny Martin
County Judge, Trinity County

DocuSigned by:

Milton Powers

02CAB07C7752454...

Honorable Milton Powers
County Judge, Tyler County

Certificate Of Completion

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Signatures: 11

Envelope Originator:

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Initials: 0

Marisa Salazar

AutoNav: Enabled

marisa.salazar@myburke.org

Enveloped Stamping: Enabled

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Status: Original

Holder: Marisa Salazar

Location: DocuSign

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marisa.salazar@myburke.org

Signer Events

Signature

Timestamp

Greg Sowell

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gsowell@co.nacogdoches.tx.us

Greg Sowell
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Company Name: Burke Center

Ronald J. Cochran

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newtoncountyjudge@co.newton.tx.us

Ronald J. Cochran
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Sydney Murphy

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county.judge@co.polk.tx.us

Sydney Murphy
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Daryl Melton

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daryl.melton@co.sabine.tx.us

Daryl Melton
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 Company Name: Burke Center

Jeff Boyd
 jeffboyd@co.san-augustine.tx.us
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 Company Name: Burke Center

Fritz Faulkner
 countyjudge@san-jac.us
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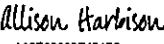
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 Company Name: Burke Center

Allison Harbison
 allison.harbison@co.shelby.tx.us
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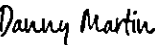
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Danny Martin
 tcj@co.trinity.tx.us
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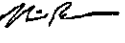
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 Company Name: Burke Center

Milton Powers
 judge@co.tyler.tx.us
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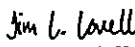
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 Company Name: Burke Center

Signer Events

Jim L. Lovell
 jlovell@co.houston.tx.us
 Security Level: Email, Account Authentication
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Signature

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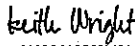
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 Company Name: Burke Center

Keith Wright
 kwright@angelfnacounty.net

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Signing Complete	Security Checked	7/25/2023 02:28 PM
Completed	Security Checked	7/25/2023 02:28 PM

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Withdrawing your consent

If you decide to receive notices and disclosures from us electronically, you may at any time change your mind and tell us that thereafter you want to receive required notices and disclosures only in paper format. How you must inform us of your decision to receive future notices and disclosure in paper format and withdraw your consent to receive notices and disclosures electronically is described below.

Consequences of changing your mind

If you elect to receive required notices and disclosures only in paper format, it will slow the speed at which we can complete certain steps in transactions with you and delivering services to you because we will need first to send the required notices or disclosures to you in paper format, and then wait until we receive back from you your acknowledgment of your receipt of such paper notices or disclosures. Further, you will no longer be able to use the DocuSign system to receive required notices and consents electronically from us or to sign electronically documents from us.

All notices and disclosures will be sent to you electronically

Unless you tell us otherwise in accordance with the procedures described herein, we will provide electronically to you through the DocuSign system all required notices, disclosures, authorizations, acknowledgements, and other documents that are required to be provided or made available to you during the course of our relationship with you. To reduce the chance of you inadvertently not receiving any notice or disclosure, we prefer to provide all of the required notices and disclosures to you by the same method and to the same address that you have given us. Thus, you can receive all the disclosures and notices electronically or in paper format through the paper mail delivery system. If you do not agree with this process, please let us know as described below. Please also see the paragraph immediately above that describes the consequences of your electing not to receive delivery of the notices and disclosures electronically from us.

How to contact Burke Center:

You may contact us to let us know of your changes as to how we may contact you electronically, to request paper copies of certain information from us, and to withdraw your prior consent to receive notices and disclosures electronically as follows:

To contact us by email send messages to: alejandra.padierna@myburke.org

To contact us by paper mail, please send correspondence to:

Burke Center

2001 S. Medford Dr.

Lufkin, TX 75901

To advise Burke Center of your new email address

To let us know of a change in your email address where we should send notices and disclosures electronically to you, you must send an email message to us at alejandra.padierna@myburke.org and in the body of such request you must state: your previous email address, your new email address. We do not require any other information from you to change your email address.

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To request paper copies from Burke Center

To request delivery from us of paper copies of the notices and disclosures previously provided by us to you electronically, you must send us an email to alejandra.padierna@myburke.org and in the body of such request you must state your email address, full name, mailing address, and telephone number. We will bill you for any fees at that time, if any.

To withdraw your consent with Burke Center

To inform us that you no longer wish to receive future notices and disclosures in electronic format you may:

- i. decline to sign a document from within your signing session, and on the subsequent page, select the check-box indicating you wish to withdraw your consent, or you may;
- ii. send us an email to alejandra.padierna@myburke.org and in the body of such request you must state your email, full name, mailing address, and telephone number. We do not need any other information from you to withdraw consent.. The consequences of your withdrawing consent for online documents will be that transactions may take a longer time to process..

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To confirm to us that you can access this information electronically, which will be similar to other electronic notices and disclosures that we will provide to you, please confirm that you have read this ERSD, and (i) that you are able to print on paper or electronically save this ERSD for your future reference and access; or (ii) that you are able to email this ERSD to an email address where you will be able to print on paper or save it for your future reference and access. Further, if you consent to receiving notices and disclosures exclusively in electronic format as described herein, then select the check-box next to 'I agree to use electronic records and signatures' before clicking 'CONTINUE' within the DocuSign system.

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- You can access and read this Electronic Record and Signature Disclosure; and
- You can print on paper this Electronic Record and Signature Disclosure, or save or send this Electronic Record and Disclosure to a location where you can print it, for future reference and access; and
- Until or unless you notify Burke Center as described above, you consent to receive exclusively through electronic means all notices, disclosures, authorizations, acknowledgements, and other documents that are required to be provided or made available to you by Burke Center during the course of your relationship with Burke Center.