

**MINUTES OF THE SPECIAL MEETING OF THE BOARD OF DIRECTORS OF THE
WINNIE-STOWELL HOSPITAL DISTRICT**

The Regular Meeting of the Board of Directors of the Winnie-Stowell Hospital District (“District”) was noticed and filed pursuant to the Texas Open Meetings Act a seventy-two (72) hours prior to the opening of said meeting for 9:00 p.m. on the 29th day of August 2018, at the Winnie Community Hospital (“Hospital”)-Conference Room, Broadway, Winnie Texas (a copy of said Notice being placed amongst the files of the District).

At approximately 9:00 p.m., the meeting was convened, and the roll was called of the members of the Board, to wit:

Ed Murrell, President
Jeff Rollo, Vice-President
Anthony Stramecki, Treasurer
Raul Espinosa, Secretary
Sharron Burgess, Director

All said Board members were present except for Sharron Burgess who submitted a letter of resignation on August 22, 2018. Also present at the public hearing were: Sherrie Norris, District Administrator; Yani Jimenez, Indigent Care Director; Hubert Oxford, IV, General Counsel for the District; Write-in Candidate Bobby Way, Write-in Candidate Derk Harmsen, Ms. Evette Kemmer, with the Hometown Press; and Gloria Roemer, Seabreeze Beacon.

President Murrell presided over the meeting. After calling the meeting to order, President Murrell asked for Public Comment. There being none, the Board was then asked to address Agenda Item No. 3, to discuss and take action, if necessary, on approving election contract with Chambers County. Attorney Oxford explained that he has not received a copy of the Interlocal Agreement prior to the meeting but he recommended giving President Murrell authority to enter into the Agreement once he received and reviewed the proposed Agreement. Attorney Oxford continued by explaining that if the current Agreement is like the 2014, he didn't

foresee any issues with the Agreement for this year. He also explained that there were deadlines coming up that were the responsibility of the Chambers County Clerk's office and the District needed to have an agreement with the Clerk to ensure the deadlines were met. Based on Attorney Oxford's recommendation, Director Stramecki made a motion to approve an Interlocal Agreement with the Chambers County District Clerk to administer the District's November 6, 2018 election for two (2) at-large positions subject Attorney Oxford's approval. This motion was seconded by Director Rollo with the unanimous consent of all Board members.

President Murrell then turned to Agenda Item No. 4, to discuss and take action, if necessary on performing ballot drawings. Once again, Attorney Oxford was asked to address this matter. Attorney Oxford advised that Section 52.094(a) of the election code states that ballot drawings must occur for an election at which the names of more than one candidate for the same office are to appear on the ballot. See Tex. Elec. Code Sec. 52.094(a). Since only one person applied to be a candidate on time and there are two Write-in Candidates, there is only one (1) name on the ballot. Therefore, no action needed to be taken on this agenda item because a ballot drawing was not necessary.

Regarding the write-in candidates, President Murrell asked the Board to address Agenda Item 5, to discuss and take action, if necessary on approving, the written certification for placement on the list of write-in candidates the name of each candidate who files with the authority a declaration that complies with Section 146.023 of the Texas Election Code. Attorney Oxford stated that Section 146.023 of the Election code requires the District to deliver a written Certification for Write-in Candidates to the County Clerk's office sixty-eight (68) days before the election. See Tex. Elec. Code Sec. 143.023(c). In addition, the District is required to provide the County Clerk a List of Write-in Candidate in the order they are to appear. See Tex. Elec.

Code Sec. 143.031(b) & (c). Attorney Oxford then explained that he was informed by the Texas Secretary of State that the Write-in Candidates names are to be listed alphabetically on the List of Write-in Candidates and no drawing necessary. Thereafter, he presented the Write-in Candidates with a proposed Certification of Write-in Candidates and a List of Write-in Candidates. (See **Exhibits “A” and “B”**). After a review of the proposed forms, both Write-in Candidates stated that they agreed with the draft documents. Consequently, Director Stramecki made a motion to adopt the Certification for Write-in Candidates and List of Write-in Candidates presented to the Write-in Candidates and requested Attorney Oxford to deliver the documents to the County Clerk in a timely manner. This motion was seconded by Director Espinosa and was unanimously approved by all the Board members present.

President Murrell then turned to Agenda Item No. 6 to discuss and take action, if necessary, on accepting the resignation of Director Burgess. In so doing, President Murrell submitted an e-mail dated August 22, 2018 from Director Burgess advising the District that she was resigning as Director of the Winnie Stowell Hospital District Board. (See **Exhibit “C”**). President Murrell then discussed possible options to replace Director Burgess, but the Board agreed that because of the timing and the upcoming election, it would be best to leave the position open until after the election. Following there was much discussion about Director Burgess’s value to the District over the years and dedication to the residents of the District to ensure they were able to receive quality healthcare. At the end of this discussion, President Murrell asked for a motion to accept Director Burgess’s resignation. A motion to accept the resignation by Director Burgess was made by Director Espinosa. This motion was seconded by Director Stramecki and unanimously approved by all the Board members.

Turning to the final agenda item, Agenda Item No. 7, to discuss and take action, if necessary on approving any necessary election orders, notices of publication, or certificate(s) of unopposed candidate(s), President Murrell asked Attorney Oxford if there was anything further to discuss. Attorney Oxford then presented the Board and the Write-in Candidates with a proposed sample ballot and explained that the District needed to submit the sample ballot to the County Clerk but before it was submitted, the sample ballot needed to be approved by the District's Board. In addition, he requested approval by the Candidate, Board member Raul Espinosa and the two Write-in Candidates. (See **Exhibit "D"**). After reviewing the sample ballot Candidate Espinosa and Write-in Candidates Dirk Harmsen and Bobby Way all agreed that the sample ballot was correct but both Write-in Candidates requested that after the discussion for this agenda item was complete, that the Board return to Agenda Item 5 because they wanted to change their names on the Certification of Write-in Candidates and the List of Write-in Candidates.

Prior to a motion being called for this agenda item, Attorney Oxford informed the President that the District had certain obligations to follow to comply with the Texas Ethics Commissions rules for Campaign Finance. According to Attorney Oxford, the District was obligated to provide the Candidate and Write-in Candidates with copies of the Fair Campaign Practices Act; a form for Candidates may subscribe to the Act; and an Appointment of a Campaign Treasurer form and instructions. Attorney Oxford gave all three (3) of the documents to the Candidates as well as several other useful documents in a bound packet. (See **Exhibit "E"**). In addition, Attorney Oxford gave each candidate a zip drive that included a candidate introduction letter, the required documents, and a large amount of additional information prepared by the Texas Ethics Commission relating to campaign finance rules, advertising rules,

and rules set forth by the Texas Department of Transportation for campaign signs. In addition, Attorney Oxford offered to conduct a candidates' forum to review various election deadlines and campaign finance rules and reporting dates. All Candidates agreed, and the group tentatively set the meeting for August 31, 2018 at 8:30 a.m. The meeting was later changed to 9:00 a.m. at the request of Write-in Candidate Way.

Before returning to Agenda Item No. 9, President Murrell called for a motion to approve the Sample Ballot set forth in **Exhibit "D"**. In response, a motion was made by Director Rollo to approve the Sample Ballot set forth in Exhibit "D". This motion was seconded by Director Stramecki and unanimously approved by all Board members present.

Returning to Agenda Item No. 5, to discuss and take action, if necessary on approving, the written certification for placement on the list of write-in candidates the name of each candidate who files with the authority a declaration that complies with Section 146.023 of the Texas Election Code, President Murrell asked the Write-in Candidates if they wanted their names changed on the Certification of Write in Candidates and the List of Write-in Candidates that were previously adopted by the Board during its initial discussion of Agenda Item No. 5. Both Write-in Candidates express that they would like their names to be changed on both forms. The changes requested are as follows:

| From: | To: |
|--------------|----------------------------|
| Derk Harmsen | Derk "Docie" Harmsen |
| Bobby Way | George R. "Bobby" Way, Jr. |


After confirmation of this request, the Board asked Attorney Oxford to revise the Certification of Write-in Candidates and the List of Write-in Candidates to reflect the change in names requested before submitting the documents to the County Clerk. After Attorney Oxford agreed, a motion

was made by Director Stramecki to amend the initial motion for Agenda Item No. 5 to reflect that the names for both Write-in Candidates be changed on the Certificate of Write-in Candidates and the List of Write-in Candidates previously approved and attached hereto as **Exhibits “A” and “B”** as follows:

| From: | To: |
|--------------|----------------------------|
| Derk Harmsen | Derk “Docie” Harmsen |
| Bobby Way | George R. “Bobby” Way, Jr. |

This motion to amend the original motion was seconded by Director Rollo and unanimously approved by all the Board members present.

President Murrell then called for any other such matters before the Board. There being none, President Murrell informed the Board that the next regularly scheduled meeting would take place on September 19th, 2018 at 6:00 p.m. At 9:53 p.m., a motion was made by Director Burgess to adjourn the meeting. This motion was seconded by Director Rollo and unanimously approved by all the Board members present.


 Edward Murrell, President


 Jeff Rollo, Vice-President