

**AN ORDER BY THE COMMISSIONERS COURT OF  
MCCULLOCH COUNTY, TEXAS CALLING A BOND  
ELECTION TO BE HELD WITHIN SAID COUNTY,  
MAKING PROVISION FOR THE CONDUCT OF  
THE ELECTION AND RESOLVING OTHER  
MATTERS INCIDENT AND RELATED TO THE  
HOLDING OF SUCH ELECTION**

WHEREAS, the Commissioners Court of McCulloch County, Texas hereby finds that an election should be held to determine whether said governing body shall be authorized to issue bonds of said County in the amount and for the purpose hereinafter identified.

THEREFORE, BE IT ORDERED, ADJUDGED AND DECREED BY THE COMMISSIONERS COURT OF MCCULLOCH COUNTY, TEXAS:

SECTION 1: An election shall be held on the 8th day of November, 2016, in McCulloch County, Texas, which date is seventy-eight (78) or more days from the date of the adoption of this order (the "Order") within and throughout the territory of the County at which all resident, qualified electors of the County shall be entitled to vote and is not less than fifteen (15) nor more than ninety (90) days from the date of the adoption hereof. At such election, the following measures shall be submitted:

**PROPOSITION**

"SHALL the Commissioners Court of McCulloch County, Texas be authorized to issue bonds of said County in an amount not to exceed \$9,550,000.00 to pay for the construction and equipping of a new McCulloch County Law Enforcement Center and Jail and the acquisition of a site therefor, such bonds to mature serially or otherwise over a period not to exceed twenty-five (25) years from their date, to be issued and sold in one or more series at any price or prices and to bear interest at any rate or rates (fixed, floating, variable or otherwise and not exceed the maximum rate prescribed by law) as shall be determined within the discretion of the Commissioners Court at the time of issuance or sale of the bonds; and whether ad valorem taxes shall be levied upon all taxable property in the County sufficient to pay the annual interest and provide a sinking fund to pay the bonds at maturity?"

SECTION 2: An electronic voting system (Hart Intercivic eScan and/or eSlate) shall be used for said election and ballots shall be prepared in accordance with the Texas Election Code so as to permit the electors to vote "FOR" or "AGAINST" the aforesaid measure which shall appear on the ballot substantially as follows:

PROPOSITION

[ ] FOR

"THE ISSUANCE OF GENERAL OBLIGATION BONDS NOT TO EXCEED \$9,550,000.00 TO PAY FOR THE CONSTRUCTION AND EQUIPPING OF A NEW MCCULLOCH COUNTY LAW ENFORCEMENT CENTER AND JAIL AND THE ACQUISITION OF A SITE THEREFOR"

[ ] AGAINST

SECTION 3: The presently existing boundaries and territory of the respective County Election Precincts shall be utilized for this election. The polling places and officials duly designated by the County for each precinct as well as the duly designated Presiding Judge of the Early Voting Board, Chair of the Resolution Board, the Presiding Judge at the Central Counting Station, the Manager/Central Counting Station and the Central Counting Station Tabulation Supervisor shall serve for the election.

On election day, the polls shall be open from 7:00 a.m. to 7:00 p.m. The polling locations for election day are attached to this Order as "EXHIBIT A" and are incorporated by reference as if fully set out in the body of this Order.

SECTION 4: Early Voting. The Early Voting Clerk for all purposes shall be the County Clerk, Tina Smith.

**Early Voting by Personal Appearance**

Early Voting by personal appearance shall be conducted at the following location in accordance with the provisions of the Texas Election Code:

**Main Early Voting Place**

McCulloch County Clerk  
101 N. High  
Brady, Texas 76825

Monday thru Friday, October 24, 2012 thru November 4, 2016, 8:00 a.m. – 4:45 p.m.

**Early Voting By Mail**

Applications for a ballot for early voting by mail shall be mailed to:

Tina Smith, Early Voting Clerk  
McCulloch County Clerk  
101 N. High  
Brady, Texas 76825

SECTION 5: All resident qualified electors of the County shall be permitted to vote at said election, and on the day of the election, such electors shall vote at the polling place designated for the County Election Precinct in which they reside. This election shall be held and conducted in accordance with the Texas Election Code and Chapter 1251, Texas Government Code, and as may otherwise be required by law, all election materials and proceedings shall be printed in both English and Spanish.

SECTION 6: The Custodian of Records appointed by the Commissioners Court shall be responsible for the preparation of notices, instructions, orders, ballots and other written material pertaining to the election and shall cause each such document to be translated into and furnished to voters in both the English language and the Spanish language in order to aid and assist voters speaking Spanish as a primary or an alternative language to properly participate in the election process. In addition, the Custodian is hereby authorized and directed to make available to the voters having the need of an individual capable of acting as a translator and speaking both English and Spanish languages who will assist Spanish speaking voters in understanding and participating in the election process.

SECTION 7: The Commissioners Court appoints Tina Smith as the Custodian of Records (“Custodian”) to perform the duties related to the conduct and maintenance of records of the election as required under the Texas Election Code during the period beginning the third (3rd) day after the approval of this Order calling the Bond Election and ending not earlier than the fortieth (40th) day after the day of the election. In particular, the Custodian accepts and maintains records regarding campaign expenditures that may be filed with the County.

The Custodian shall maintain an office open for election duties for at least three hours each day, during regular office hours, on regular business days during the period designated in this section. This office shall be located at County Clerk's Office, 101 N. High, Brady, Texas 76825.

The Custodian shall post notice of the location and hours of County Clerk's Office as required by the Texas Election Code. The Custodian shall maintain in the County Clerk's Office the documents, records and other items relating to the election and shall be the person designated to receive documents on behalf of the County that are required by the Texas Election Code. Tina Smith shall also serve as Custodian for the sole purpose of preserving all voted ballots securely in a locked room in the locked ballot boxes for the period for preservation required by the Election Code.

SECTION 8: (a) A substantially complete copy of this Order shall serve as proper notice of said election. Said notice, including a Spanish translation thereof, shall be posted at three (3) public places within the County, at the County Courthouse and on the County's Internet website not less than twenty-one (21) full days prior to the date on which said election is to be held, and be published on the same day in each of two successive weeks in a newspaper of general circulation in said County, the first of said publications to appear in said newspaper not more than thirty (30) days and not less than fourteen (14) full days prior to the day of the election.

(b) A copy of this Order, in both the English and Spanish languages, shall be posted in a prominent location at each polling place on Election Day and during early voting by personal appearance.

SECTION 9: The following information is provided in accordance with the provisions of Section 3.009(b), Texas Election Code.

(a) The Proposition language that will appear on the ballot is set forth in Section 1 hereof.

(b) The purpose for which the bonds are to be authorized is set forth in Sections 1 and 2 hereof.

(c) The principal amount of the debt obligations to be authorized is \$9,550,000.00.

(d) Taxes sufficient to pay the annual principal of and interest on the general obligation bonds may be imposed.

(e) The County intends to issue the bonds authorized by the Proposition over a period of years in a manner and in accordance with a schedule to be determined by the Commissioners Court based upon a number of factors, including, but not limited to, the then current needs of the County, demographic changes, prevailing market conditions, assessed valuations in the County and management of the County's short-term and long-term interest rate exposure. Market conditions, demographics and assessed valuations vary based upon a number of factors beyond the County's control, and therefore, the County cannot and does not guarantee a particular interest rate or tax rate associated with the bonds authorized by the Proposition. As such, the information contained in this paragraph is provided solely for illustrative purposes and does not establish any limitations or restrictions or create a contract with the voters. The County currently estimates that, if the Proposition were approved and the bonds proposed herein were authorized and issued in accordance with the County's current estimated project plan of finance, the maximum interest rate of the bonds is not expected to exceed four and one half percent (4.5%).

(f) If the bonds are approved, they may be issued in one or more series, to mature serially, over a period not to exceed twenty-five (25) years from the date of issuance of each series of bonds.

(g) The County, as of its fiscal year beginning September 30, 2016, had outstanding and aggregate ad valorem tax-supported principal amount of debt equal to \$920,000.00.

(h) The aggregate amount of the interest owed on such County debt obligations, through respective maturity, totaled \$163,560.74.

(i) The County levied an ad valorem debt service tax rate for its outstanding debt obligations of \$0.022 per \$100 of taxable assessed valuation.

If a majority of the resident, qualified electors of the County voting at the Election, including those voting early, shall vote in favor of the Proposition, then the issuance and sale of the bonds shall be authorized in the maximum respective amount contained therein, and the general obligation bonds shall be issued and sold at the price or prices and in such denominations determined by the Commissioners Court to be in the County's best interests.

SECTION 10. Authority of the County Judge. The County Judge of the County shall have the authority to take, or cause to be taken, all actions reasonable and necessary to ensure that the Election is fairly held and returns properly counted and tabulated for canvass by the Court, which actions are hereby ratified and confirmed.

SECTION 11. Severability. If any provision of this Order or the application thereof to any person or circumstance shall be held to be invalid, the remainder of this Order and the application of such provision to other persons and circumstances shall nevertheless be valid, and the Court hereby declares that this Order would have been enacted without such invalid provision.

SECTION 12. Notice of Meeting. The Court officially finds, determines, recites and declares that written notice of the date, hour, place and subject of the meeting at which this Order is adopted was posted on a bulletin board located at a place convenient to the public at the County's Courthouse for at least 72 hours preceding the scheduled time of the meeting; that a telephonic or telegraphic notice of such meeting was given to all news media who have consented to pay any and all expenses incurred by the County in connection with providing such notice, both as required by the Open Meetings Law, Chapter 551, Texas Government Code, as amended; and that such meeting was open to the public as required by law at all times during which this Order and the subject matter thereof was discussed, considered and formally acted upon.

SECTION 13. Authorization to Execute. The County Judge is authorized to execute and the County Clerk is authorized to attest this Order on behalf of the Court; and the County Judge is authorized to do all other things legal and necessary in connection with the holding and consummation of the Election.

*[The remainder of this page intentionally left blank]*

PASSED AND APPROVED this the 18th day of August, 2016.

/s/ Danny Neal  
County Judge  
McCulloch County, Texas

ATTEST:

/s/Tina Smith  
County Clerk and Ex-Officio Clerk  
of the Commissioners Court of  
McCulloch County, Texas

[COMMISSIONERS COURT SEAL]

## EXHIBIT "A"

<u>Precinct</u>	<u>Location</u>	<u>Address</u>
101	VFW Hall	305 West Memory Lane Brady, Texas 76825
102	Melvin Community Center	103 E. Hackberry Melvin, Texas 76858
201	Housing Authority Building	403 East Main Brady, Texas 76825
202	Voca Community Center	205 S. FM Rd. 1851 Voca, Texas 76887
301	VFW Hall	305 West Memory Lane Brady, TX 76825
302	Lohn Community Center	1123 FM Rd. 504 Lohn, Texas 76852
401	Housing Authority Building	403 East Main Brady, Texas 76825
402	Rochelle Community Center	5905 Crew Ave. Rochelle, Texas 76872
403	Mercury Community Center	808 Milburn Ave. Mercury, Texas 76872