

**AN ORDER BY THE COMMISSIONERS COURT OF FISHER 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 (the "Court") of Fisher 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; and,

WHEREAS, the Court has the authority pursuant to Chapter 271, Texas Election Code, to enter into joint election agreements with the other political subdivisions also holding a general or special election on the same date.

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

SECTION 1: An election shall be held on the 4th day of November, 2014, in Fisher 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 NO. 1**

"SHALL the Commissioners Court of Fisher County, Texas be authorized to issue bonds of said County in an amount not to exceed \$6,745,000 to pay for the construction and equipping of a Law Enforcement Center, including a county jail facility, Sheriff's Office and other law enforcement offices and the acquisition of a site therefor, such bonds to mature serially or otherwise over a period not to exceed twenty (20) 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 optical scan, the ES&S M100 paper ballot, voting system 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 NO. 1

FOR

"THE ISSUANCE OF GENERAL OBLIGATION BONDS NOT TO EXCEED \$6,745,000 TO PAY FOR THE CONSTRUCTION AND EQUIPPING OF A NEW LAW ENFORCEMENT CENTER, INCLUDING A COUNTY JAIL FACILITY, SHERIFF'S OFFICE AND OTHER LAW ENFORCEMENT OFFICES AND THE ACQUISITION OF A SITE THEREFOR."

AGAINST

SECTION 3: The County Election Precincts shall be utilized for this election, as reflected on Exhibit "A" to this Order. The polling places designated for each combined precinct and the persons hereby appointed to serve as Presiding Judge and Alternate Judge for each polling place are also shown in Exhibit "A", which is attached hereto and incorporated herein by reference as a part hereof for all purposes. If any person designated as presiding judge for a precinct is unable to serve, the Alternate Presiding Judge shall assume the role of Presiding Judge and have full authority and responsibility. If the designated Presiding Judge undertakes the role of presiding judge on election day, the Alternate Presiding Judge may serve as a clerk for the precinct. Jerry Marshall is appointed Presiding Judge of the Early Voting Board and as Chair of the Resolution Board and Presiding Judge at the Central Counting Station. If Jerry Marshall cannot serve, then Johnnie Howell is hereby designated as alternate judge and he may serve in the capacity of Presiding Judge of the Early Voting Ballot Board and as Chair of the Resolution Board at the Central Counting Station. Shana Haas shall serve as the Manager/Central Counting Station and Becky Davis shall serve as Central Counting Station Tabulation Supervisor.

On election day, the polls shall be open from 7:00 a.m. to 7:00 p.m.

SECTION 4: Pursuant to Chapter 271 of the Texas Election Code, the Court orders that this Election be conducted under the terms and conditions of the Agreement to Conduct Joint Elections (the "Joint Agreement") with other political subdivisions holding general or special elections on this date, which agreement has been presented to the Court for its approval. Chapter 271 of the Texas Election Code provides that the authorities of two or more political subdivisions that have ordered elections for the same day in all or part of the same territory, may enter into an agreement to hold the elections jointly in election precincts that can be served by common polling places, and the Court is expressly authorizing this action.

SECTION 5. Early Voting. The Early Voting Clerk for all purposes shall be the County Clerk, Pat Thomson.

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

Fisher County Clerk Office  
109 N. Angelo  
Roby, Texas 79543

Monday thru Friday, October 20, 2014 thru October 31, 2014, 8:00 a.m. - 5:00 p.m.

Early Voting By Mail

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

Pat Thomson, Early Voting Clerk  
Fisher County Clerk  
P.O. Box 368  
Roby, Texas 79543

SECTION 6: 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 7: 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 8: The Commissioners Court appoints Pat Thomson 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, 109 N. Angelo, Roby, Texas 79543.

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. Pat Thomson 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 9: (a) A substantial 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, if the County maintains an 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 10. Outstanding Debt Service of the County. As of August 1, 2014, the total outstanding amount of all bonded indebtedness of the County is \$0.00, consisting of \$0.00 in principal and \$0.00 of interest.

SECTION 11. Tax Rate of the County. The ad valorem debt service tax rate of the County for the year 2014/15 is \$0.00 per \$100 taxable assessed valuation. The estimated debt service tax rate of the County if the bonds were authorized and issued at the time of this Order under current market conditions is \$0.13/\$100.

SECTION 12. 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 13. Taxes May Be Imposed. Taxes sufficient to pay the annual principal of and interest on the General Obligation Bonds may be imposed.

SECTION 14. Maximum Maturity. The County anticipates that the maximum maturity of the general obligation bonds will be twenty (20) years.

SECTION 15. Severability. If any provision of this Order or the application thereof to any

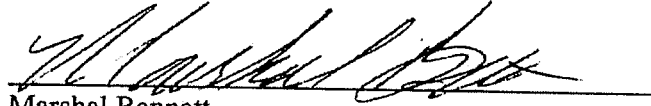
person or circumstance shall be held to be invalid, the remainder of this Order and the application of such provision to other persons and circumstances shall nevertheless be valid, and the Court hereby declares that this Order would have been enacted without such invalid provision.

SECTION 16. 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 17. 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.

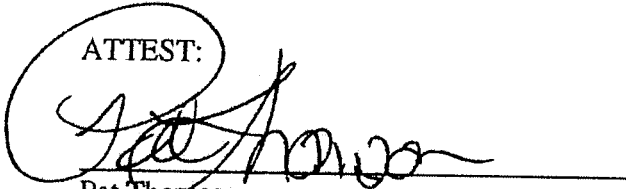
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PASSED AND APPROVED this the 11<sup>th</sup> day of August, 2014.



Marshal Bennett  
County Judge  
Fisher County, Texas

ATTEST:



Pat Thomson  
County Clerk and Ex-Officio Clerk  
of the Commissioners Court of  
Fisher County, Texas

[COMMISSIONERS COURT SEAL]



**EXHIBIT "A"**

<u>Precinct</u>	<u>Location</u>	<u>Address</u>	<u>Presiding Judge</u>	<u>Alternate Judge</u>
1	Courthouse Courtroom	112 N. Concho Roby, TX	Eddie Gonzales	Melodie Gonzales
2	Senior Citizens	772 HWY 70 N Rotan, TX	Mary Mahaffey	B J Vaught
4	Roby Community Center	108 S. Concho Roby, TX	Dana Groat	Lora Cleveland
6	McCaulley Methodist Church	234 CR 705 McCaulley, TX	Charlotte Dowell	Ursala Lakey
10	Rotan Community Center	202 McArthur Rotan, TX	Shelia Gruben	Glenda Fowler
12	Rotan High School Learning Center	102 N. McKinley Rotan, TX	Joe Moreno	Norman Matthies
13	Hobbs School Gym	1317 FM 1614 Rotan, TX	Dwayne McGough	Martha Wright
17	Capitola Community Center	1502 FM 418 S Sweetwater, TX	Craig Diddle	Bertha Johnson
18	Longworth Community Center	1092 FM 57 S Roby, TX	Teddy Kral	Larry Field
22	Sylvester Community Center	389 FM 57 S Sylvester, TX	Jackie Gardner	Tanya Terry