

**ORDER CALLING JUNIOR COLLEGE BRANCH CAMPUS
MAINTENANCE TAX ELECTION**

STATE OF TEXAS §
COUNTY OF CHAMBERS §
BARBERS HILL INDEPENDENT SCHOOL DISTRICT §

WHEREAS, Barbers Hill Independent School District (the “District”) is located within the service area of Lee College District (“Lee College”), and the District’s Board of Trustees (the “Board”) has determined that the establishment, operation and funding of a branch campus of Lee College within the boundaries of the District would be in the best interests of the District;

WHEREAS, Subchapter K of Chapter 130, Texas Education Code (the “Education Code”) sets forth procedures under which: (a) Lee College may establish and operate a branch campus in the District, and (b) the Board may levy a junior college district branch campus maintenance tax for such branch campus;

WHEREAS, Section 130.253(b), Education Code provides that on presentation of a petition for an election to authorize a junior college district branch campus maintenance tax signed by not fewer than five percent of the qualified voters of the District, the Board shall determine the legality and the genuineness of the petition and, if it is determined to be legal and genuine, forward the petition to the Texas Higher Education Coordinating Board (the “THECB”);

WHEREAS, in compliance with Section 130.253(b), Education Code, the Board has determined, and does hereby ratify and confirm such determination, that it previously received a legally sufficient and genuine petition for an election to authorize a junior college district branch campus maintenance tax signed by not fewer than five percent of the qualified voters of the District, which petition was forwarded to the THECB;

WHEREAS, on January 25, 2024, the THECB adopted a written resolution that: (a) determined that the requirements set forth in Section 130.253, Education Code have been met, (b) determined that the proposed branch campus maintenance tax is feasible and desirable under THECB rules, (c) authorized the District to hold a branch campus maintenance tax election at a rate not to exceed five cents on each \$100 valuation of taxable property in the District, and (d) authorized Lee College’s formation of a branch campus within the District contingent upon passage of the election called herein (the “Election”);

WHEREAS, Section 130.253, Texas Education Code provides that the District must call the Election to determine whether the junior college district branch campus maintenance tax may be levied;

WHEREAS, the Board hereby determines that it is necessary and appropriate and in the best interests of the District to call the Election to determine whether an annual junior college district branch campus maintenance tax at a rate not to exceed five cents on each \$100 valuation of taxable property in the District may be levied;

WHEREAS, the Board has determined that the Election shall be held on May 4, 2024, a date which is seventy-eight (78) or more days from the date of the adoption of this order (the “Election Order”) and that complies with the requirements of Section 3.005, Texas Election Code (the “Election Code”);

WHEREAS, the District may enter into one or more election agreements (the “Election Agreements”) with the City of Mont Belvieu and possibly other political subdivisions, in accordance with the laws of the State of Texas (the “State”) and applicable federal law; and

WHEREAS, the Board finds and declares that the meeting at which this Election Order is considered is open to the public, and that the public notice of the time, place and purpose of the meeting was given, as required by Chapter 551, Texas Government Code.

NOW, THEREFORE, BE IT ORDERED BY THE BOARD OF TRUSTEES OF THE BARBERS HILL INDEPENDENT SCHOOL DISTRICT:

Section 1. Call of Election; Date; Eligible Electors; and Hours. The Election shall be held on May 4, 2024 (“Election Day”), which is seventy-eight (78) or more days from the date of the adoption of this Election Order, within and throughout the territory of the District at which all resident, qualified electors of the District shall be entitled to vote. The Board hereby finds that holding the Election on such date is in the public interest. The hours during which the polling places are to be open on Election Day shall be from 7:00 a.m. to 7:00 p.m.

Section 2. Voting Precincts; Polling Places; and Election Officers. One or more school election precincts are hereby established for the purpose of holding the Election, and one or more polling places are hereby designated for holding the Election in the school election precincts as identified in **Exhibit A** attached hereto. Unless inconsistent with the Election Agreements, a single precinct is designated to cover the District in the event that precincts are not specified within **Exhibit A**. The precinct judges and alternate judges for the Election shall be appointed in accordance with the Election Code.

In the event that the Superintendent or the Superintendent’s designees shall determine from time to time that (a) a polling place hereafter designated shall become unavailable or unsuitable for such use, or it would be in the District’s best interests to relocate such polling place, or (b) a presiding judge or alternate presiding judge hereafter designated shall become unqualified or unavailable, the Superintendent or the Superintendent’s designees are hereby authorized to designate and appoint in writing a substitute polling place, presiding judge or alternate presiding judge, and correct or modify the exhibits to this Election Order, giving such notice, if any, as is required by the Election Code and as deemed sufficient.

Section 3. Proposition. At the Election there shall be submitted to the resident, qualified electors of the District the following proposition (the “Proposition”):

Barbers Hill Independent School District - Proposition B

Shall the Board of Trustees of the Barbers Hill Independent School District be authorized to levy, assess and collect an annual junior college district branch campus maintenance tax (commencing in Tax Year 2024 and continuing annually thereafter) in an amount not to exceed five (5) cents on each \$100 valuation of all taxable property in Barbers Hill Independent School District, all as authorized by the Constitution and laws of the State of Texas, particularly Subchapter K of Chapter 130, Texas Education Code, as amended?

Section 4. Ballots. The ballots shall conform to the requirements of the Election Code and shall have written or printed thereon the following:

Barbers Hill Independent School District - Proposition B

- FOR) The levy of a junior college district branch campus maintenance
-) tax in an amount not to exceed five (5) cents on each \$100
-) valuation of all taxable property in Barbers Hill Independent
- AGAINST) School District.

Section 5. Voting. Electronic voting machines may be used in holding and conducting the Election on Election Day; provided, however, in the event the use of such electronic voting machines is not practicable, the Election may be conducted on Election Day by the use of paper ballots (except as otherwise provided in this section). Electronic voting machines or paper ballots may be used for early voting by personal appearance (except as otherwise provided in this section). As required by the Election Code, the District shall provide at least one accessible voting system in each polling place used in the Election. Such voting system shall comply with Texas and federal laws establishing the requirement for voting systems that permit voters with physical disabilities to cast a secret ballot. Paper ballots may be used for early voting by mail.

Each voter desiring to vote in favor of the Proposition shall mark the ballot indicating “FOR” such Proposition, and each voter desiring to vote against the Proposition shall mark the ballot indicating “AGAINST” such Proposition. Voting will be conducted in accordance with the Election Code.

Section 6. Early Voting. For the use of those voters who are entitled by law to vote early by mail, the early voting clerks shall provide each voter with a ballot with instructions to mark the ballot indicating his or her vote “FOR” or “AGAINST” the Proposition. Early voting, both by personal appearance and by mail, will be conducted in accordance with the Election Code. Early voting by personal appearance shall be conducted at the locations, on the dates and at the times as shown in **Exhibit B.**

The Board hereby appoints the individual listed below (the “Administrator”) as the regular early voting clerk. The Administrator’s contact information/delivery addresses for applications for ballots to be voted by mail and other matters related to the Election are as follows:

Name: Lesa Hall

Official Mailing Address: Early Voting Clerk, Barbers Hill ISD, P.O. Box 1108, Mont Belvieu, TX 77580

Physical Address: 9600 Eagle Drive, Mont Belvieu, TX 77523

E-mail Address: lesa.hall@bhisd.net

Phone Number: 281-576-2221

Fax Number: 281-751-6704

Website Address: <https://www.bhisd.net/>

The Administrator is hereby authorized and directed to designate the early voting ballot board and other officers required to conduct early voting for the Election.

Section 7. Conduct of Election. The Election shall be conducted by election officers, including the precinct judges and alternate judges or clerks appointed by the Board, in accordance with the Election Agreements, the Education Code, the Election Code and the Constitution and laws of the State and the United States of America. The President of the Board, the Superintendent, and their respective designees, are authorized to enter into, execute and deliver one or more Election Agreements, in accordance with applicable provisions of the Election Code. The terms and provisions of each Election Agreement are hereby incorporated into this Election Order. To the extent of any conflict between this Election Order and an Election Agreement, the terms and provisions of the Election Agreement shall prevail, and the President of the Board, the Superintendent, and their respective designees, are authorized to make such corrections, changes, revisions and modifications to this Election Order, including the exhibits hereto, as are deemed necessary or appropriate to conform to the Election Agreement, to comply with applicable state and federal law and to carry out the intent of the Board, as evidenced by this Election Order. The Administrator shall be responsible for establishing the central counting station for the ballots cast in the Election and appointing the personnel necessary for such station.

Section 8. Bilingual Election Materials. All notices, instructions, and ballots pertaining to the Election shall be furnished to voters in both English and Spanish and persons capable of acting as translators in both English and Spanish shall be made available to assist Spanish language speaking voters in understanding and participating in the election process.

Section 9. Delivery of Voted Ballots; Counting; Tabulation; Canvassing of Returns; Declaring Results. The ballots shall be counted by one or more teams of election officers assigned by the presiding judges, each team to consist of two or more election officers. After completion of his or her responsibilities under the Election Code, including the counting of the voted ballots and the tabulation of the results, the presiding judge shall make a written return of the Election results to the District in accordance with the Election Code. The Board shall canvass the returns and declare the results of the Election.

If a majority of the resident, qualified electors of the District voting at the Election, including those voting early, shall vote in favor of the Proposition, then the branch campus maintenance tax shall be authorized, and the Board may levy the junior college district branch campus maintenance tax

each year at a rate not to exceed the maximum rate described in the Proposition.

Section 10. Training of Election Officials. Pursuant to the Election Code, a public school of instruction for all election officers and clerks may be held as arranged or contracted by the Administrators.

Section 11. Notice of Election. Notice of the Election shall be given in the manner required by the Education Code, Election Code and other applicable law. To the extent required by law, each notice of the Election shall include the District's internet website address, which is <https://www.bhisd.net/>.

Section 12. Use of Tax Proceeds Audit. The proceeds of the junior college district branch campus maintenance tax shall be used in accordance with the applicable requirements of Section 130.253(k), Education Code and any other applicable law.

Section 13. Notice of Meeting. The Board officially finds, determines, recites and declares that written notice of the date, hour, place and subject of the meeting at which this Election Order is adopted was posted on the District's internet website and on a bulletin board located at a place convenient to the public at the District's administrative offices for a least seventy-two (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 District 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 Election Order and the subject matter thereof was discussed, considered and formally acted upon.

Section 14. Authority of the Superintendent. The Superintendent shall have the authority to take, or cause to be taken, all reasonable or necessary actions to ensure that the Election is fairly held and returns properly counted and tabulated for canvass by the Board, which actions are hereby ratified and confirmed. Without limiting the generality of the immediately preceding sentence, the Superintendent and the Superintendent's designees are hereby authorized to complete and update, as necessary, the exhibits attached hereto with any alterations or changes in or additions to the polling locations and other information, as necessary.

Section 15. Authorization to Execute. The President or Vice President of the Board is authorized to execute, and the Secretary of the Board is authorized to attest this Election Order on behalf of the Board; and the President or Vice President of the Board is authorized to do all other things legal and necessary in connection with the holding and consummation of the Election.

Section 16. Effective Date. This Election Order is effective immediately upon its passage and approval.

PASSED AND APPROVED this February 2, 2024.

/s/ Clint Pipes

President, Board of Trustees

ATTEST:

/s/ Benny May

Vice President, Board of Trustees

EXHIBIT A

Election Day Polling Place Information

Election Day Location (Precinct 1/All Voters):

Barbers Hill ISD Community Election Center, Entrance 32
9650 Eagle Drive
Mont Belvieu, TX 77580

Hours/Date:

Saturday, May 4, 2024: 7:00am to 7:00pm

EXHIBIT B

Early Voting Polling Place Information

Main/Sole Early Voting Location:

Barbers Hill ISD Community Election Center, Entrance 32
9650 Eagle Drive
Mont Belvieu, TX 77580

Dates and Hours:

Monday, April 22, 2024: 7:30 am to 4:30 pm
Tuesday, April 23, 2024: 7:00am to 7:00pm*
Wednesday, April 24, 2024: 7:30 am to 4:30 pm
Thursday, April 25, 2024: 7:30 am to 4:30 pm
Friday, April 26, 2024: 7:30 am to 4:30 pm
Monday, April 29, 2024: 7:30 am to 4:30 pm
Tuesday, April 30, 2024: 7:00am to 7:00pm*

**Extended Hours*