

ORDER CALLING A BOND ELECTION

THE STATE OF TEXAS
BROWN COUNTY

WHEREAS, Subchapter A of Chapter 1477, Texas Government Code, as amended (the "Act"), authorizes commissioners courts of Texas counties to acquire real property and construct or acquire a building or other facility for the purpose of leasing the real property, building, or other facility to (1) a political subdivision or state agency for public use; or (2) an individual, private corporation, or other private entity for use in manufacturing or another commercial activity; and

WHEREAS, the Act further provides that a commissioners court may issue and sell bonds to finance an action taken in accordance with the Act for the purpose of developing and diversifying the economy of the State and to eliminate unemployment or underemployment in the State under the authority granted by Section 52-a, Article III, Texas Constitution (the "Constitutional Provision"); and

WHEREAS, the Act further provides that such bonds may be payable from and secured by an annual ad valorem tax imposed by the commissioners court; and

WHEREAS, the Act further provides that a county may not issue bonds under the Act that are payable in whole or in part from ad valorem taxes unless the bonds are authorized by a majority of the registered voters of the county voting on the issue; and

WHEREAS, the Commissioners Court of Brown County, Texas (the "Court") has determined to hold a bond election in the County on May 4, 2024 in accordance with the Act for the purposes authorized therein, as further provided hereinafter, and for the accomplishment of the purposes authorized by the Act and the Constitutional Provision; and

WHEREAS, the Court has determined to submit a bond proposition to the voters of the County for the purpose of obtaining authorization to issue bonds to be used to construct a county-owned building to be used as a community recreational center, which will be leased to an entity authorized to be a lessee in accordance with the Act; and

WHEREAS, the Court has further determined that it is necessary and appropriate for the County to issue bonds for the construction of a community recreational center as there is no such facility in the County and the provision of such a facility will provide jobs in the County and diversify the economy of the County for the purposes, and within the intent of, the Act and the Constitutional Provision and will provide other economic and health benefits for the residents of the County; and

WHEREAS, the Court has further determined that the operation of a community recreational center is a commercial activity within the meaning of the Act, and that such a facility can be operated most efficiently by leasing it to an entity that has the expertise and resources to operate the facility as a commercial activity in the County as provided by the Act; and

WHEREAS, it is anticipated that the County will lease the facility to the Brown County Family YMCA, a private corporation in accordance with the Act, subject to the negotiation of a lease that will provide for the facility to be operated and maintained by such entity, provided that the County may insure its ownership interest therein as the County may determine to be appropriate, and provided further that the County may lease the facility to another eligible entity under the terms of the Act in the event that a mutually satisfactory lease cannot be negotiated or upon the expiration of a lease agreement for the facility; and

WHEREAS, it is hereby officially found and determined that the meeting at which this Order is being adopted was open to the public, and public notice of the time, place and purpose of the meeting was given, all as required by Chapter 551, Government Code, as amended;

NOW, THEREFORE, BE IT ORDERED BY THE COMMISSIONERS COURT OF BROWN COUNTY, TEXAS THAT:

Section 1. Findings. The statements contained in the preambles of this Order are true and correct and adopted as findings of fact and operative provisions hereof.

Section 2. Election Ordered; Polling Places. The Election shall be held in the County between the hours of 7:00 a.m. and 7:00 p.m. on May 4, 2024 ("Election Day"). The Election is to be conducted by the County. On Election Day, voting for the Election shall occur during the hours stated above at the designated polling places as set forth in **Exhibit A** attached hereto, which exhibit is hereby made a part hereof for all intents and purposes. **Exhibit A** shall be modified to include additional or different Election Day polling places as may be deemed appropriate by the County Judge and the County Clerk.

Section 3. Early Voting. Early voting shall be administered by the County. Early voting by personal appearance shall begin on April 22, 2024 and conclude on April 30, 2024, and will be conducted at the Early Voting locations on the dates and at the times specified in **Exhibit B** attached hereto. The early voting polling places shall remain open during such hours for early voting by personal appearance for any registered voter of the County at such voting place. **Exhibit B** shall be modified to include additional or different early voting polling places as may be deemed appropriate by the County Judge and the County Clerk.

Section 4. Election Officials. The appointment of the Presiding Election Judges, Alternate Judges, Early Voting Clerks, the Presiding Judge of the early ballot board and other election officials for the Election shall be made by the Elections Administrator in accordance with the Code. The Elections Administrator may employ other personnel necessary for the proper administration of the Election, including such part-time help as is necessary to prepare for the Election, to ensure the timely delivery of supplies during early voting and on Election Day, and for the efficient tabulation of ballots at the central counting station.

Section 5. Voting by Mail. Applications for voting by mail for all residents of the County shall be submitted, prior to the applicable deadline prescribed by law, by (i) mail to Brown County Elections Administrator, P.O. Box 700, Brownwood, Texas 76804 or (ii) in person to Brown County Elections Administrator, 613 N. Fisk, Suite 200, Brownwood, Texas 76801.

Section 6. Early Voting Ballots. An Early Voting Ballot Board shall be created to process early voting results of the Election and the Presiding Judge of the Early Voting Ballot Board shall be designated by the Elections Administrator. The Presiding Judge of the Early Voting Ballot Board shall appoint two or more additional members to constitute the Early Voting Ballot Board members and, if needed, the Signature Verification Committee members required to efficiently process the early voting ballots.

Section 7. Qualified Voters. All qualified electors of and residing in the County, shall be entitled to vote at the Election.

Section 8. Proposition. At the Election the following PROPOSITION shall be submitted in accordance with law:

BROWN COUNTY, TEXAS SPECIAL ELECTION
BROWN COUNTY, TEXAS PROPOSITION A

Shall the Commissioners Court of Brown County, Texas be authorized to issue and sell general obligation bonds of the County in the principal amount of not to exceed \$20,000,000 for the purpose of financing the construction of a facility to be owned by the County and leased to and operated by a public or private entity as authorized by Section 1477.001, Texas Government Code, as a commercial activity community recreation center; such bonds to bear interest at such rate or rates as may be determined within the discretion of the Commissioners Court, provided that such rate of interest shall not exceed the maximum rate per annum authorized by law at the time of the issuance of any issue or series of the bonds; and shall the Commissioners Court of the County be authorized to levy and pledge, and cause to be assessed and collected, annual ad valorem taxes on all taxable property in said County sufficient to pay the annual interest and provide a sinking fund to pay the bonds at maturity, and the costs of any credit agreements executed in connection with the bonds?

Section 9. Ballots. The official ballots for the Election shall be prepared in accordance with the Texas Election Code so as to permit the electors to vote "FOR" or "AGAINST" the aforesaid PROPOSITION, with the ballots to contain such provisions, markings and language as required by law, and with such PROPOSITION to be expressed substantially as follows:

		BROWN COUNTY, TEXAS SPECIAL ELECTION BROWN COUNTY, TEXAS PROPOSITION A
) THE ISSUANCE OF \$20,000,000 IN TAX BONDS BY BROWN COUNTY
) TO FINANCE CONSTRUCTION OF A FACILITY TO BE OWNED BY
FOR	_____) THE COUNTY AND LEASED TO AND OPERATED BY A PUBLIC OR
) PRIVATE ENTITY OTHER THAN THE COUNTY AS A COMMERCIAL
AGAINST	_____) ACTIVITY COMMUNITY RECREATIONAL CENTER IN
) ACCORDANCE WITH STATE LAW, AND THE LEVY OF TAXES
) SUFFICIENT TO PAY THE PRINCIPAL OF AND INTEREST ON THE
) BONDS.

Section 10. Compliance with Federal Law. In all respects, the Election shall be conducted in accordance with the Code. Pursuant to the federal Help America Vote Act ("HAVA") and the Code, at each polling place there shall be at least one voting system that is equipped for disabled individuals, and each such voting system shall be a system that has been certified by the Texas Secretary of State as compliant with HAVA and the Code. The County hereby finds that the voting system to be used by the Elections Administrator in administering the Election is such a system, and orders that such voting equipment or other equipment certified by the Texas Secretary of State shall be used by the County in its elections.

Section 11. Debt Obligations. 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 9 hereof.
- (b) The purpose for which the bonds are to be authorized is set forth in Section 8 hereof.

(c) The principal amount of the debt obligations to be authorized is set forth in Section 8 hereof.

(d) If the bonds are approved by the voters, the Court will be authorized to levy annual ad valorem taxes, on all taxable property in the County, sufficient, without limit as to rate or amount, to pay the principal of and interest on the bonds and the cost of any credit agreements executed in connection with the bonds.

(e) Based upon the bond market conditions at the date of adoption of this Order, the maximum interest rate for any series of the bonds is estimated to be 4.85%. Such estimate takes into account a number of factors, including the issuance schedule, maturity schedule and the expected bond ratings of the proposed bonds. Such estimated maximum interest rate is provided as a matter of information, but is not a limitation on the interest rate at which the bonds, or any series thereof, may be sold.

(f) The bonds that are the subject of this Election shall mature serially or otherwise over a specified number of years (but not more than 40 years from their date), as prescribed by applicable Texas law, though the County estimates that, based on current bond market conditions, such bonds will amortize over a 15-year period from their respective date of issue.

(g) The aggregate amount of the outstanding principal of the County's debt obligations secured by debt service taxes as of the date of this Order is \$5,335,000.

(h) The aggregate amount of the outstanding interest of the County's debt obligations secured by debt service taxes as of the date of this Order is \$402,995.

(i) The ad valorem debt service tax rate for the County as of the date of this Order is \$0.02578 per \$100 of taxable assessed valuation.

(j) The website for the County (as the authority conducting and administering the Election) is <https://www.browncountytx.gov>.

Exhibit A

ELECTION DAY SITES

7:00AM-7:00PM

MAY 4TH, 2024

Precinct:

- 101** Milton Baptist Church 1800 Good Shepherd, Brownwood, TX 76801
- 105** Southside Baptist Church, 1219 Indian Creek Dr., Brownwood, TX 76801
- 109** Brookesmith High School, 13400 FM 586 S, Brookesmith, TX 76827
- 113** New Life Assembly of God Church, 1910 Indian Creek Rd., Brownwood, TX 76801
- 202, 204** Brown County Elections Office, 613 N Fisk St., Suite 200, Brownwood, TX 76801
- 212, 214** May Community Center, 19150 Hwy 183 N, May, TX 76857
- 215** Crossroads Baptist Church, 6400 Park Road 15, Brownwood, TX 76801
- 303** Brownwood ISD Administration Bldg., 2707 Southside Dr, Brownwood, TX 76801
- 306** First Baptist Church, 103 Garmon Dr. (Highway 84), Early, TX 76802
- 307** First United Methodist Church, 517 Main, Blanket, TX 76432
- 308** Zephyr Community Center, 11275 CR 281 (Highway 84), Zephyr, TX 76890
- 316, 318** Northridge Baptist Church, 4875 Hwy. 183 N., Early, TX 76802
- 410** Bangs Community Center, 406 Spencer, Bangs, TX 76823
- 411** Coggin Avenue Baptist Church, 1806 Coggin Ave, Brownwood, TX 76801
Sunday School Building
- 417** Rocky Creek Baptist Church, 4301 CR 557 & HWY 279, Brownwood, TX 76801

Exhibit B

EARLY VOTING SITES AND HOURS

EARLY VOTING LOCATION
613 N. FISK ST., SUITE 200
BROWNWOOD, TX 76801

Elections Administrators Office 325-646-4333

Early Voting – April 22 nd , 2024- April 26 th , 2024	8:00AM – 5:00PM
Early Voting – April 29 th & April 30 th , 2024	7:00AM – 7:00PM
Election Day – May 4th , 2024	7:00AM – 7:00PM

CERTIFICATE REGARDING ADOPTION OF AN ORDER CALLING A BOND ELECTION

THE STATE OF TEXAS
BROWN COUNTY

We, the undersigned officers of the Commissioners Court (the "Court") of Brown County, Texas (the "County"), hereby certify as follows:

1. The Court convened in a special meeting on February 5, 2024, at the designated meeting place, and the roll was called of the duly constituted officers and members of the Court, to wit:

- Shane Britton, County Judge
- Gary Worley, Commissioner, Precinct No. 1
- Joel Kelton, Commissioner, Precinct No. 2
- Wayne Shaw, Commissioner, Precinct No. 3
- Larry Traweek, Commissioner, Precinct No. 4

Sharon Ferguson, County Clerk

and all of the persons were present except _____, thus constituting a quorum. Whereupon, among other business, the following was transacted at the meeting: a written

ORDER CALLING A BOND ELECTION

was duly introduced for the consideration of the Court. It was then duly moved and seconded that said Order be passed; and, after due discussion, said motion, carrying with it the passage of said Order, prevailed and carried, with all members of the Court shown present above voting "Aye," except as noted below:

NAYS: 0 ABSTENTIONS: 0

2. A true, full and correct copy of the aforesaid Order passed at the meeting described above is attached to and follows this Certificate; that the Order has been duly recorded in the Court's minutes of the meeting; that the above and foregoing paragraph is a true, full and correct excerpt from the Court's minutes of the meeting pertaining to the passage of the Order; that the persons named in the above and foregoing paragraph are the duly chosen, qualified and acting officers and members of the Court as indicated therein; that each of the officers and members of the Court was duly and sufficiently notified officially and personally, in advance, of the time, place and purpose of the aforesaid meeting, and that the Order would be introduced and considered for passage at the meeting, and each of the officers and members consented, in advance, to the holding of the meeting for such purpose; that the meeting was open to the public and public notice of the time, place and purpose of the meeting as given, all as required by Chapter 551, Texas Government Code.

3. The Court has approved and hereby approves the Order; and the County Judge and County Clerk of the County hereby declare that their signing of this Certificate shall constitute the signing of the attached and following copy of said Order for all purposes.

SIGNED AND SEALED ON FEBRUARY 5, 2024.


County Clerk


County Judge

