

**ORDER CALLING SPECIAL ELECTIONS FOR NOVEMBER 2, 2021; MAKING PROVISIONS FOR CONDUCTING THE ELECTIONS; AND ORDERING OTHER MATTERS INCIDENT AND RELATED TO SUCH ELECTIONS**

**WHEREAS**, the Board of Directors (the "Board") of the Liberty County Hospital District No. 1 (the "District") has the authority to call Special Elections on November 2, 2021, to authorize the increase of the maximum tax rate of the District, and to determine whether the District shall be authorized to issue bonds of said District in the amount and for the purposes hereinafter identified; and

**WHEREAS**, a petition entitled "PETITION CALLING FOR AN ELECTION WITHIN THE BOUNDARIES OF LIBERTY COUNTY HOSPITAL DISTRICT NO.1 TO INCREASE THE MAXIMUM TAX RATE OF ANNUAL TAXES IMPOSED FOR HOSPITAL PURPOSES" has been presented to the Board; and

**WHEREAS**, the Board has reviewed the petition and finds it is in proper form, and it is signed by at least one hundred (100) registered voters of the District as required under Section 285.231(a) of the Texas Health & Safety Code; and

**WHEREAS**, the Board held a public hearing on August 13, 2021 regarding the petition to increase the maximum tax rate of the District, and finds that an increase of the maximum tax rate would benefit the District; and

**WHEREAS**, the Board has the authority under Section 285.231(d), Texas Health & Safety Code, to call a special election in the District to increase the maximum tax rate of the District; and

**WHEREAS**, the Board hereby finds that the funding and construction of certain improvements within the District is in the public interest; and

**WHEREAS**, the Board has the authority under Section 286.143(a), Texas Health & Safety Code to call a special bond election in the District to fund and construct certain improvements within the District; and

**WHEREAS**, the Board also has the authority pursuant to Chapter 271, Texas Election Code, to enter into joint election agreements with other political subdivisions also holding elections on the same date, in all or part of the same territory, that can be served by common polling places; and

**WHEREAS**, the Board also has the authority pursuant to Chapter 31, Texas Election Code, to enter into a contract for election services with the Liberty County Elections Administrator; and

**WHEREAS**, the Board is authorized under Chapters 42 and 85 of the Texas Election

Code to designate dates, times and locations for election day voting and early voting by personal appearance.

**IT IS, THEREFORE, ORDERED BY THE BOARD OF DIRECTORS OF THE LIBERTY COUNTY HOSPITAL DISTRICT NO. 1 THAT:**

**Section 1. Call of Elections: Date: Eligible Electors: and Hours.** A special tax rate election and a special bond election (the "Elections") shall be held on Tuesday, November 2, 2021, which is seventy-eight (78) or more days from the date of the adoption of this order (the "Order") within the territory of the District at which all resident, qualified voters of the District 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. The Board hereby finds that holding the Elections on such date, which is a uniform election 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. Conduct of Elections, Election Services Agreements, and Appointment of Election Officers.** The Elections shall be conducted by election officers, in accordance with the Texas Election Code, the Constitution and laws of the State of Texas and the United States of America. A Hart Intercivic Verity voting system, as defined and described in Title 8 of the Texas Election Code will be utilized for early voting by personal appearance, early voting by mail, provisional ballots and on Election Day.

The Elections shall be conducted under the terms and conditions of a contract for election services between the District and the Liberty County Elections Administrator for performing election services for early voting, and on Election Day.

The Elections shall be held jointly with the elections of other political subdivisions ordered for the same day in election precincts that can be served by common polling places, pursuant to one or more joint election agreements in accordance with Chapter 271 of the Texas Election Code.

**Section 3. Use of County Voting Precincts and Polling Places.** Except as otherwise provided herein, the presently existing boundaries and territory of the respective Liberty County Election Precincts that are wholly or partially within the territorial boundaries of the District are hereby designated as the voting precincts of the District for the Elections. The precinct numbers for the District's election precincts shall be the corresponding Liberty County election precinct number of each precinct that is wholly or partially within the District.

To the extent any polling place utilized by the District, and designated by the Board for the conduct of the Elections is located outside the boundaries of a District election precinct, the Board, pursuant to Section 271.003 of the Texas Election Code, specifically finds that such polling place can adequately and conveniently serve the affected voters and will facilitate the orderly conduct of the Elections.

In the event that the Liberty County Elections Administrator shall determine from time to

time that the polling places hereby established and designated shall become unavailable or unsuitable for such use, or if the District determines that it would be in the District's best interests to relocate the polling places, the Liberty County Elections Administrator is hereby authorized to designate, in writing, substitute polling places, giving such notice as is required by the Election Code and as deemed sufficient.

The polling place for each voting precinct and for each combined voting precinct, including any vote centers, as well as the dates and times for voting both early by personal appearance and on Election Day are attached as "Exhibit A", and incorporated by reference herein.

**Section 4. Presiding Judges, Alternates, and Other Election Officials.** The Board approves the appointment of persons designated by the Liberty County Elections Administrator to serve as the Presiding Election Judge, and Alternate Presiding Election Judge for each respective election precinct or vote center for the Elections. The presiding judge at each precinct shall have authority to retain and deputize clerks for the conduct of the Elections in accordance with the directives established by the Liberty County Elections Administrator. Such presiding judges and alternate judges shall meet the eligibility requirements of Chapter 32, Subchapter C of the Texas Election Code. The rate of pay for judges and clerks of the Elections shall be determined according to the contract for election services. Compensable hours shall be determined in accordance with the provisions of the Texas Election Code, as amended, and other applicable laws.

The Board approves the appointment of persons designated by the Liberty County Elections Administrator to serve on the Early Voting Ballot Board and at the Central Counting Station.

In the event that the Liberty County Elections Administrator shall determine from time to time that the Presiding Election Judges, Alternate Presiding Judges, or other election officers appointed, or hereinafter designated, shall become disqualified or unavailable, the Liberty County Elections Administrator is hereby authorized to designate and appoint in writing substitute persons, giving such notice as is required by the Election Code and as deemed sufficient. Furthermore, the Liberty County Elections Administrator is hereby authorized to allow Presiding Election Judges or Alternate Presiding Election Judges, upon request, to designate and appoint such additional clerks as may be required from time to time to assist at polling places in order to efficiently carry out the duties of the office, giving such notice as is required by the Election Code and as deemed sufficient.

**Section 5. Propositions.** At the Elections there shall be submitted to the resident, qualified voters of the District the following propositions (the "Propositions"):

**Liberty County Hospital District No. 1 Proposition A**

"The increase by the Liberty County Hospital District No. 1 of the maximum rate of annual taxes imposed for hospital purposes to a rate not to exceed 18 cents on each \$100

valuation of all taxable property in the district.”

Liberty County Hospital District No. 1 Proposition B

“SHALL the Board of Directors of the Liberty County Hospital District No. 1 be authorized to issue bonds of said District in an amount not to exceed \$43,000,000 to pay for the purchase, construction, repair and renovations of buildings, the equipping of buildings for hospital purposes, including clinics, and to acquire and operate a mobile emergency service, and for the costs of issuance of the bonds; such bonds to mature serially or otherwise over a period not to exceed fifty (50) 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 Directors of the District at the time of issuance or sale of the bonds; and whether ad valorem taxes shall be levied upon all taxable property in the District sufficient to pay the annual interest and provide a sinking fund to pay the bonds at maturity.”

**Section 6. Ballots.** The ballots shall be suitable for use with a Hart Intercivic Verity voting system, and for the purposes of early voting by personal appearance, by mail, and provisional voting and shall otherwise conform to the requirements of the Texas Election Code as to permit voters to vote “FOR” or “AGAINST” the aforesaid measures which shall appear on the ballot substantially as follows:

**OFFICIAL BALLOT**

**LIBERTY COUNTY HOSPITAL DISTRICT NO. 1 PROPOSITION A**

FOR

THE INCREASE BY THE LIBERTY COUNTY HOSPITAL DISTRICT NO. 1 OF THE MAXIMUM RATE OF ANNUAL TAXES IMPOSED FOR HOSPITAL PURPOSES TO A RATE NOT TO EXCEED 18 CENTS ON EACH \$100 VALUATION OF ALL TAXABLE PROPERTY IN THE DISTRICT.

AGAINST

**LIBERTY COUNTY HOSPITAL DISTRICT NO. 1 PROPOSITION B**

FOR

THE ISSUANCE OF GENERAL OBLIGATION BONDS IN THE PRINCIPAL AMOUNT NOT TO EXCEED \$43,000,000 TO PAY FOR THE PURCHASE, CONSTRUCTION, REPAIR AND RENOVATION OF BUILDINGS, THE EQUIPPING OF BUILDINGS FOR HOSPITAL PURPOSES, INCLUDING CLINICS, AND TO ACQUIRE AND OPERATE A MOBILE EMERGENCY MEDICAL SERVICE AND FOR THE COSTS OF ISSUANCE OF THE BONDS; AND THE LEVY OF A TAX

IN PAYMENT THEREOF.

[ ] AGAINST

**Section 7. Election Information to be provided in Spanish.** The Custodian of Records and Agent appointed by the Board shall be responsible for the preparation of notices, instructions, orders, ballots and other written material pertaining to the Elections 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 and Agent 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. Appointment of Custodian of Records and Agent.** To the extent not otherwise provided for in the Contract for Election Services and the Joint Election Agreement, the Board appoints Ms. Dianna Vantassell as Custodian of Records (the "Custodian") and Agent to the Board Secretary (the "Agent") to perform the duties related to the conduct and maintenance of records of the Elections as required under the Texas Election Code during the period beginning the third (3<sup>rd</sup>) after adoption of this Order and ending not earlier than the fortieth (40<sup>th</sup>) day after the day of the Elections. In particular, the Custodian shall accept and maintain records regarding campaign expenditures that may be filed with the District.

As Custodian and Agent she 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 1353 N. Travis (In LDRMC, enter in the Outpatient area), Liberty, Texas. She shall post notice of the location and hours of her office as required by the Texas Election Code. As Custodian and Agent she shall maintain in her office, the documents, records and other items relating to the Elections and shall be the person designated to receive documents on behalf of the District that are required by the Texas Election Code. Unless stated otherwise in the contract for election services or joint election agreement, she shall also serve as Custodian for the sole purpose of preserving all voted paper ballots securely in a locked room in the locked ballot boxes for the period for preservation required by the Election Code. Ms. Vantassell is authorized to designate staff in the District to perform any or all of the various responsibilities of the Board's Agent or Custodian of Records.

**Section 9. Early Voting.** The Board appoints Mr. Klint Bush, Liberty County Elections Administrator, as the Early Voting Clerk.

*Early Voting by Mail*

Ballot applications shall be addressed to the Early Voting Clerk at the following address:

Liberty County Elections Administrator  
1923 Sam Houston Street

Liberty, TX 77575

A signed, original application for a ballot by mail can also be scanned and e-mailed to the Early Voting Clerk at elections@co.liberty.tx. Please note that an application submitted via e-mail must also be submitted via mail and must be received within 4 days of the submission of the application by e-mail.

For the use of those voters who are entitled by law to vote early by mail, the early voting clerk shall provide each voter with a ballot and instructions to mark the ballot indicating his or her vote for each candidate or proposition on the same ballots utilized for early voting by personal appearance at the Elections.

The period to apply for a ballot by mail is January 1, 2021, through October 22, 2021. The application must be received by October 22, 2021 (mere postmarking by the deadline is insufficient).

**Section 10. Delivery of Voted Ballots; Counting; Tabulation; Canvassing of Returns; Declaring Results.** In accordance with the requirements of the Texas Election Code, the Presiding Election Judges for the respective precincts or vote centers shall deliver the ballot boxes and other materials related to the Elections for their respective precincts or vote centers to the Central Counting Station at the Liberty County Courthouse, 1923 Sam Houston Street, Liberty, Texas as soon as practical after the close of the polls.

The Early Voting Ballot Board, at a time and in the manner permitted under the Texas Election Code, shall tabulate the early voting ballots and the provisional ballots and deliver the results to the Liberty County Elections Administrator.

The Liberty County Elections Administrator shall make a written return of the election results and provide those results to the District in accordance with the Election Code. The Board shall canvass the returns and declare the results of the Elections.

**Section 11. Notice of Election Publication and Posting Requirements.**

**Publication of Notice of Elections**

Notice of the Elections, containing a substantial copy of this Order, including a Spanish translation thereof, shall be published on the same day in three (3) successive weeks, in a newspaper of general circulation in said County, the first of said publications to appear in said newspaper before thirty-five (35) days before election day.

**Posting Notice of Elections**

Notice of the Elections, containing a substantial copy of this Order, in both the English and Spanish languages, shall also be posted (i) on the bulletin board used by the District to post notice of Board meetings, (ii) at three (3) other public places within the District and at the

County Courthouse, and (iii) on the District's website, prominently and together with the notice of the elections, voter information document, sample ballot and the contents of the proposition, no later than the twenty-first (21<sup>st</sup>) day before the Elections. Additionally, the Board President and the Agent to the Board Secretary, in consultation with bond counsel, are hereby authorized and directed to provide any other manner of notice as authorized by law.

A copy of this Order, and the voter information document in both the English and Spanish languages, shall also be posted in a prominent location at each early voting location and at each polling place on Election Day.

**Section 12. Debt Service and Tax Rate Information of the District.** 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 5 hereof.
- b) The purpose for which the bonds are to be authorized is set forth in Sections 5 and 6 hereof.
- c) The principal amount of the debt obligations to be authorized is \$43,000,000.
- d) Taxes sufficient to pay the annual principal of and interest on the general obligation bonds may be imposed.
- e) The District 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 Board of Directors based upon a number of factors, including, but not limited to, the then current needs of the District, demographic changes, prevailing market conditions, assessed valuations in the District and management of the District's short-term and long-term interest rate exposure. Market conditions, demographics and assessed valuations vary based upon a number of factors beyond the District's control, and therefore, the District 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 District currently estimates that, if the Proposition were approved and the bonds proposed herein were authorized and issued in accordance with the District's current estimated project plan of finance, the maximum interest rate of the bonds is not expected to exceed 6%. Such estimate takes into account a number of factors, including the issuance schedule, maturity schedule and the expected bond ratings of the proposed bonds.
- f) If the bonds are approved, they may be issued in one or more series, to mature serially, over a period not to exceed fifty (50) years from the date of issuance of each series of bonds.
- g) The District's outstanding aggregate ad valorem tax-supported principal amount

of debt as of the date of this Order is \$0.00.

h) The aggregate amount of the interest owed on such District debt obligations, through respective maturity as of the date of this Order is \$0.00.

i) The District levied an ad valorem debt service tax rate for its outstanding debt obligations of \$0.00 a per \$100 of taxable assessed valuation.

j) Of the aforementioned District debt, the District considers \$0.00 and \$0.00 of that principal and interest, respectively, to be self-supporting debt payable from sources other than ad valorem taxes.

k) The weighted average maturity of the issue of bonds does not exceed 120% of the reasonably expected weighted average economic life of the improvements and personal property financed with the issue of bonds.

If a majority of the resident, qualified electors of the District voting at the Elections, 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 Board of Directors to be in the District's best interests.

District staff shall prepare a voter information document and post such documents in accordance with Section 1251.052 of the Texas Government Code.

**Section 13. Training of Election Officials.** Pursuant to the Election Code, a public school of instruction for all election officers shall be held as arranged or contracted by the Liberty County Elections Administrator.

**Section 14. Necessary Actions.** The Board President and the Agent to the Board Secretary, in consultation with bond counsel, are hereby authorized and directed to take any and all actions necessary to comply with the provisions of the Election Code and the Federal Voting Rights Act in carrying out and conducting the Elections, whether or not expressly authorized herein, including making changes or additions to polling places or procedures to the extent required or desirable or as may become necessary due to circumstances arising after the date of this Order.

**Section 15. Authority of the Board President.** The Board President shall have the authority to take, or cause to be taken, all actions reasonable and necessary to ensure that the Elections are fairly held and returns properly counted and tabulated for canvass by the Board, which actions are hereby ratified and confirmed.

**Section 16. Preamble Incorporation.** The recitals contained in the preamble hereof are hereby found to be true, and such recitals are hereby made a part of this Order for all purposes and are adopted as a part of the judgment and findings of the Board.



**Section 17. Inconsistent Provisions.** All orders and resolutions, or parts thereof, which are in conflict or inconsistent with any provision of this Order are hereby repealed to the extent of such conflict, and the provisions of this Order shall be and remain controlling as to the matters ordered herein.

**Section 18. Governing Law.** This Order shall be construed and enforced in accordance with the laws of the State of Texas and the United States of America.

**Section 19. 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 Board hereby declares that this Order would have been enacted without such invalid provision.

**Section 20. 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 Order is adopted was posted on a bulletin board located at a place convenient to the public at the District's administrative offices for at 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 Order and the subject matter thereof was discussed, considered and formally acted upon. The Governor has suspended and modified certain open meeting requirements pursuant to his disaster declaration. These changes include allowing the County to establish procedures for telephonic or video-conferenced meetings that are accessible to the public.

**Section 21. Authorization to Execute.** The President of the Board is authorized to execute and the Secretary of the Board is authorized to attest this Order on behalf of the Board; and the President of the Board is authorized to do all other things legal and necessary in connection with the holding and consummation of the Elections.

**Section 22. Effective Date.** This Order is effective immediately upon its passage and approval.

**PASSED AND APPROVED** this 13<sup>th</sup> day of August, 2021.

  
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President, Board of Directors

**ATTEST:**

Exhibit A

**Early Voting Locations:**

Cleveland Civic Center, 210 Peach Avenue, Cleveland TX 77327;  
Hardin City Hall, 142 C.R. 2010, Hardin, TX 77575;  
Dayton Community Center, 801 S. Cleveland St., Dayton, TX 77535; and  
Jack Hartel Community Building, 318 San Jacinto St., Liberty, TX 77575;  
Sante Fe Administration Building, 1680 County Rd. 3549, Cleveland, TX 77327

**Early Voting Dates and Times**

Oct: 18-22 from 9AM – 6 PM  
Oct: 23 from 9AM – 6PM  
Oct: 25-27 from 9AM – 6PM  
Oct: 28-29 from 7AM – 7PM

**Election Day: November 2, 2021, 7AM – 7PM**

<b>Voting Precinct</b>	<b>Voting Day Location</b>	<b>Address</b>
2, 3	Hardin – Hardin City Hall	142 County Road 2010, Hardin, TX 77575
4	Devers – Devers School	201 S. Chism St., Devers, TX 77538
5, 6, 19, 27	Liberty – Jack Hartel Community Center Building	318 San Jacinto St., Liberty, TX 77575
13, 17	Daisetta – Hull-Daisetta High School	117 North Main/Hwy. 770, Daisetta, TX 77533
18	Ames – City Hall	101 Donatto Road, Ames, TX 77575
11	Raywood – Sacred Heart Catholic Church	3730 FM 160 N., Raywood, TX 77582
1	Romayor Baptist Church	307 FM 2610 Romayor, TX 77368
10, 14, 21, 22, 30	Dayton Community Center	801 S. Cleveland St., Dayton, TX 77535

U. W. Barren  
Secretary, Board of Directors

[SEAL]