

NOTICE OF BOND ELECTION

TO THE RESIDENT, QUALIFIED ELECTORS OF THE BORDEN COUNTY INDEPENDENT SCHOOL DISTRICT:

NOTICE IS HEREBY GIVEN that a bond election will be held in such DISTRICT, on May 3, 2025, in accordance with the following order:

ORDER CALLING SCHOOL BUILDING BOND ELECTION

STATE OF TEXAS §
COUNTY OF BORDEN §
BORDEN COUNTY INDEPENDENT SCHOOL DISTRICT §

WHEREAS, the Board of Trustees (the “Board”) of the Borden County Independent School District (the “District”) has the power to issue bonds pursuant to Chapter 45 of the Texas Education Code (the “Education Code”); and

WHEREAS, the Board has determined that it is necessary and appropriate to call and conduct an election to obtain voter authorization for the issuance of such bonds; and

WHEREAS, the District will enter into one or more election agreements (the “Election Agreements”) with Borden County, Texas, (the “County”), by and through the County’s Election Official (the “Official”), in accordance with the laws of the State of Texas (the “State”) and applicable federal law;

NOW, THEREFORE, BE IT ORDERED BY THE BOARD OF TRUSTEES OF THE BORDEN COUNTY INDEPENDENT SCHOOL DISTRICT:

Section 1. Call of Election; Date; Eligible Electors; and Hours. An election (the “Election”) shall be held on May 3, 2025 (“Election Day”), which is seventy-eight (78) or more days from the date of the adoption of this order (the “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. Polling Places; Election Officers. The Election Day polling places shall be as shown in **Exhibit A** to this Election Order. The precinct judges and alternate judges for the Election shall be appointed in accordance with the Texas Election Code (the “Election Code”).

In the event that the Superintendent, or his designee, 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 his designee, is 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. Propositions. At the Election there shall be submitted to the resident, qualified electors of the District the following propositions (the “Propositions”):

BORDEN COUNTY INDEPENDENT SCHOOL DISTRICT - PROPOSITION A

SHALL THE BOARD OF TRUSTEES (THE “BOARD”) OF THE BORDEN COUNTY INDEPENDENT SCHOOL DISTRICT (THE “DISTRICT”) BE AUTHORIZED TO ISSUE BONDS OF THE DISTRICT, IN ONE OR MORE SERIES OR INSTALLMENTS, IN THE AMOUNT OF \$4,500,000 FOR THE CONSTRUCTION, RENOVATION, AND EQUIPMENT OF SCHOOL BUILDINGS IN THE DISTRICT INCLUDING THE PURCHASE OF VEHICLES AND SCHOOL BUSES, WHICH BONDS SHALL MATURE, BEAR INTEREST AND BE ISSUED AND SOLD IN ACCORDANCE WITH LAW AT THE TIME OF ISSUANCE; AND SHALL THE BOARD BE AUTHORIZED TO LEVY AND PLEDGE, AND CAUSE TO BE ASSESSED AND COLLECTED, ANNUAL AD VALOREM TAXES ON ALL TAXABLE PROPERTY IN THE DISTRICT SUFFICIENT, WITHOUT LIMIT AS TO RATE OR AMOUNT, TO PAY THE PRINCIPAL OF AND INTEREST ON THE BONDS, AND THE COSTS OF ANY CREDIT AGREEMENTS (INCLUDING CREDIT AGREEMENTS EXECUTED OR AUTHORIZED IN ANTICIPATION OF, IN RELATION TO, OR IN CONNECTION WITH THE BONDS), ALL AS AUTHORIZED BY THE CONSTITUTION AND LAWS OF THE STATE OF TEXAS AND THE UNITED STATES OF AMERICA?

BORDEN COUNTY INDEPENDENT SCHOOL DISTRICT - PROPOSITION B

SHALL THE BOARD OF TRUSTEES (THE “BOARD”) OF THE BORDEN COUNTY INDEPENDENT SCHOOL DISTRICT (THE “DISTRICT”) BE AUTHORIZED TO ISSUE BONDS OF THE DISTRICT, IN ONE OR MORE SERIES OR INSTALLMENTS, IN THE AMOUNT OF \$1,500,000 FOR THE CONSTRUCTION, ACQUISITION, AND EQUIPMENT OF HOUSING FOR TEACHERS AS DETERMINED BY THE DISTRICT TO BE NECESSARY TO HAVE A SUFFICIENT NUMBER OF TEACHERS FOR THE DISTRICT, WHICH BONDS SHALL MATURE, BEAR INTEREST AND BE ISSUED AND SOLD IN ACCORDANCE WITH LAW AT THE TIME OF ISSUANCE; AND SHALL THE BOARD BE AUTHORIZED TO LEVY AND PLEDGE, AND CAUSE TO BE ASSESSED AND COLLECTED, ANNUAL AD VALOREM TAXES ON ALL TAXABLE PROPERTY IN THE DISTRICT SUFFICIENT, WITHOUT LIMIT AS TO RATE OR AMOUNT, TO PAY THE PRINCIPAL OF AND INTEREST ON THE BONDS, AND THE COSTS OF ANY CREDIT AGREEMENTS (INCLUDING CREDIT AGREEMENTS EXECUTED OR AUTHORIZED IN ANTICIPATION OF, IN RELATION TO, OR IN CONNECTION WITH THE BONDS), ALL AS AUTHORIZED BY THE

CONSTITUTION AND LAWS OF THE STATE OF TEXAS AND THE UNITED STATES OF AMERICA?

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

BORDEN COUNTY INDEPENDENT SCHOOL DISTRICT - PROPOSITION A

- [] FOR) THE ISSUANCE OF \$4,500,000 SCHOOL BUILDING BONDS FOR
-) THE CONSTRUCTION, RENOVATION, AND EQUIPMENT OF
-) SCHOOL BUILDINGS IN THE DISTRICT INCLUDING THE
-) PURCHASE OF VEHICLES AND SCHOOL BUSES, AND
- [] AGAINST) LEVYING AND IMPOSITION OF TAXES SUFFICIENT TO PAY
-) THE PRINCIPAL OF AND INTEREST ON THE BONDS AND THE
-) COSTS OF ANY CREDIT AGREEMENTS. THIS IS A PROPERTY
-) TAX INCREASE.

BORDEN COUNTY INDEPENDENT SCHOOL DISTRICT - PROPOSITION B

- [] FOR) THE ISSUANCE OF \$1,500,000 SCHOOL BUILDING BONDS FOR
-) THE CONSTRUCTION, ACQUISITION, AND EQUIPMENT OF
-) HOUSING FOR TEACHERS AS DETERMINED BY THE
-) DISTRICT TO BE NECESSARY TO HAVE A SUFFICIENT
- [] AGAINST) NUMBER OF TEACHERS FOR THE DISTRICT, AND LEVYING
-) AND IMPOSITION OF TAXES SUFFICIENT TO PAY THE
-) PRINCIPAL OF AND INTEREST ON THE BONDS AND THE
-) COSTS OF ANY CREDIT AGREEMENTS. THIS IS A PROPERTY
-) TAX INCREASE.

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). If 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 a Proposition shall mark the ballot indicating “FOR” such Proposition, and each voter desiring to vote against a 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 his vote “FOR” or “AGAINST” each Proposition. Early voting, both by personal appearance and by mail, will be conducted in accordance with the Election Code.

(a) Early voting by personal appearance shall be conducted at the locations, on the dates and at the times as shown in **Exhibit B**. Early voting by personal appearance shall begin on Tuesday, April 22, 2025 and continue through Tuesday, April 29, 2025.

(b) The Official, Jana Underwood, is hereby designated as the Early Voting Clerk for the County to perform those functions for District voters who are qualified under state and federal law in the County. Applications for ballots to be voted by mail should be mailed to:

Jana Underwood
District & County Clerk
117 E Wasson
P.O. Box 124
Gail, TX 79738
Phone: (806) 756-4312
Faxed to: (806) 756-4324
Email: jana.underwood@co.borden.tx.us
Website: <https://www.co.borden.tx.us/page/borden.Elections>

The Official is hereby authorized and directed to designate the respective 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 an Election Agreement, 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 Official shall be responsible for establishing the respective central counting station for the ballots cast in the Election and appointing the personnel necessary for such station.

Section 8. Bilingual Election Materials. Notice of the Election in the County shall be given in English and Spanish and persons capable of acting as translators in English and Spanish in the County 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 his 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 a Proposition, then the issuance and sale of the bonds described in such Proposition shall be authorized in the maximum amount contained therein, and the bonds shall be issued and sold at the price or prices and in such denominations determined by the Board to be in the District's best interest.

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 Official.

Section 11. Notice of Election; Voter Information Document. Notice of the Election shall be given in the manner required by the Election Code and other applicable law. A voter information document for the Propositions is hereby approved, together with such revisions as may be approved by the Superintendent or his designee, and shall be posted as and if required by law. To the extent required by law, each notice of the Election shall include the District's internet website address, which is <https://www.bcisd.net/>.

Section 12. 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 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 13. Mandatory Statement of Information.

(a) Pursuant to Section 3.009, Texas Election Code: (i) the proposition language that will appear on the ballot is set forth in Section 4 of this Election Order, (ii) the purposes for which the bonds are to be authorized are set forth in Section 3 of this Election Order, (iii) the principal amount of bonds to be authorized is set forth in Section 3 of this Election Order, (iv) if the issuance of bonds is authorized by voters, taxes sufficient, without limit as to rate or amount, to pay the principal of and interest on the bonds and the costs of any credit agreements may be imposed, as set forth in Section 3 of this Election Order, (v) bonds authorized pursuant to this Election Order may be issued to mature over a specified number of years not to exceed 40 years or the maximum

number of years authorized by law and bearing interest at the rate or rates (not to exceed 15%), as authorized by law and determined by the Board, (vi) as of the date of the adoption of this Election Order, the aggregate amount of outstanding principal of the District's debt obligations is \$0.00, and the aggregate amount of outstanding interest on the District's debt obligations is \$0.00, and (vii) the District's ad valorem debt service tax rate as of the date of adoption of this Election Order is \$0.00 per \$100 valuation of taxable property.

(b) Based upon market conditions as of the date of this Election Order, the maximum net effective interest rate for any series of the bonds is estimated to be 3.52%. 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. In addition, the estimate contained in this subsection (b) is (i) based on certain assumptions (including assumptions concerning prevailing market and economic conditions at the time(s) of issuance of the bonds) and derived from projections obtained from the District's financial advisor, (ii) subject to change to the extent that actual facts, circumstances and conditions prevailing at the time that the bonds are issued differ from such assumptions and projections, (iii) provided solely in satisfaction of the requirements of Section 3.009, Texas Election Code, and for no other purpose, without any assurance that such projections will be realized, and (iv) not intended to and does not give rise to a contract with voters or limit the authority of the Board to issue bonds in accordance with the Propositions submitted by this Election Order.

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 his designees are hereby authorized to complete and update, as necessary, the exhibits attached hereto with polling location and other information as same is made available by the County.

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.

[Signature page follows.]

PASSED AND APPROVED January 27, 2025.

/s/ Randy Hensley
President, Board of Trustees

ATTEST:

/s/ Lacey Jowers
Secretary, Board of Trustees

EXHIBIT A

**ELECTION DAY POLLING LOCATIONS
(Between the hours of 7:00 a.m. and 7:00 p.m.)**

<u>Precinct Number</u>	<u>Facility Name</u>	<u>Physical Address</u>
1A	First Baptist Church	124 E. Wasson Gail, TX 79738
1B	Plains Community Room	2300 FM 1054 O'Donnell, TX 79351
2	Borden County Courthouse	117 E. Wasson Gail, TX 79738
3	Fairview Election Building	100 CR 338 Ira, TX 79527
4	Borden County Event Center	127 Willow Valley Road Gail, TX 79738

Note: Borden County Independent School District registered voters in Howard County vote at the Borden County Courthouse, 117 E. Wasson, Gail, TX 79738.

EXHIBIT B

EARLY VOTING POLLING LOCATIONS AND TIMES

Main Early Voting Location:

Borden County Courthouse
117 E. Wasson
Gail, TX 79738

Hours

April 22 – April 25: 8:00 AM – 5:00 PM

April 28 – April 29: 8:00 AM – 5:00 PM

Note: Borden County Independent School District registered voters in Howard County vote at the Borden County Courthouse, 117 E. Wasson, Gail, TX 79738.