

ORDER CALLING REGULAR ELECTION OF DIRECTORS ON NOVEMBER 3, 2020

CLEARWATER UNDERGROUND WATER CONSERVATION DISTRICT

The Board of Directors of the Clearwater Underground Conservation District met in open meeting, open to the public after due notice, in Belton, Bell County, Texas, on August 12, 2020.

WHEREUPON, among other business conducted by the Board of Directors, the Order set out below was introduced and a member of the Board of Directors moved for its adoption, which motion was seconded, and, after full discussion and the question being put to the Board of Directors, said motion was carried by the following vote:

“Aye” 5 ; “No” 0

The Order thus adopted is as follows:

WHEREAS, House Bill 3172, Acts of the 71st Legislature, requires that the Directors of Clearwater Underground Water Conservation District (“District”) be elected; and

WHEREAS, Senate Bill 1755, Acts of the 81st Legislature, requires the District to hold its directors election on the uniform election date in November of even-numbered years; and

WHEREAS, in the interest of increasing the efficiency and effectiveness of local governments, local governments may contract or agree with each other to perform governmental functions and services in accordance with Chapter 791 of the Texas Government Code; and

WHEREAS, Section 31.092 of the Texas Election Code authorizes the county elections officer to contract with the governing body of a political subdivision situated wholly or partly in the county served by the officer to perform election services in any one or more elections ordered by the political subdivision; and

WHEREAS, the District Board of Directors (“Board”) intends to enter into an Election Services Agreement with Bell County Elections Department for the provision of election services; and

WHEREAS, the Board wishes to proceed with the ordering of its regular directors election to be held on November 3, 2020; and

WHEREAS, in the event the regular director’s election is uncontested, the Board will follow the procedures for election of unopposed candidate established by Section 2.051-2.053 of the Texas Election Code.

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Now Therefore,

BE IT ORDERED BY THE BOARD OF DIRECTORS OF CLEARWATER UNDERGROUND WATER CONSERVATION DISTRICT THAT:

Section 1: The matters and facts set out in the preamble of this Order are hereby found and declared to be true and complete.

Section 2: A regularly scheduled directors election is hereby ordered to be held on November 6, 2018 for the purpose of electing directors for Clearwater Underground Water Conservation District, each of whom shall serve for four (4) year terms, for the following two positions:

- (A) Director Place 1 (serving Bell County Commissioners Court Precinct 1); and
- (B) Director Place 3 (serving Bell County Commissioners Court Precinct 3); and

All, but only, resident, qualified electors in Bell County Commissioners Court Precinct 1 shall be eligible to vote for Director Place 1. All, but only, resident, qualified electors in Bell County Commissioners Court Precinct 3 shall be eligible to vote for Director Place 3.

The Board hereby finds that holding the election on such date for the aforementioned director positions is in the public interest.

Section 3: Voting in said election on election day and during early voting by personal appearance shall be by the use of a central counting station and for the tabulating personnel and equipment needed at the counting station and assist in the preparation of programs and the test materials for the tabulation of the ballots to be used with electronic voting equipment. Equipment used is ES&S Model DS850 Central Scanner and Tabulator version 2.10.2.0. Oral bilingual assistance shall be available during the election and may be obtained by contacting the Presiding Judge.

The voting equipment used in the election shall include the names of all candidates for the office of director for each position who filed applications to have their names printed on the ballot by 5:00 p.m. seventy-eight (78) days prior to the election and blank spaces for write-in votes. Any person interested in applying to be a candidate for the office of director may obtain an application to have his/her name printed on the ballot at the offices of the District, 700 Kennedy Court, Belton, TX 76513, between the hours of 8:00 a.m. to 5:00 p.m. The deadline for candidates to file applications to have their name on the ballot is 5:00 p.m. on August 17, 2020, and the deadline for write-in candidates to file a declaration of write-in candidacy is 5:00 p.m. on August 17, 2020.

Section 4: The District intends to contract with Bell County to conduct the election. Pursuant to the proposed Election Services Contract, Bell County will designate the Presiding

Judge. The Presiding Judge may appoint, as he or she deems necessary, clerks to assist in the conduct of the election, not to exceed the maximum number of five (5).

The Bell County Election Officer shall serve as the Early Voting Clerk to conduct early voting. Early voting in the election by personal appearance shall begin on October 19, 2020 and shall continue through October 30, 2020, at the times and dates as follows:

- October 19, 2020 thru October 23 (Monday - Friday) 8:00 am - 5:00 pm
- October 24, 2020 (Saturday) 7:00 am - 7:00 pm
- October 25, 2020 (Sunday) 12:00 pm - 5:00 pm
- October 26, 2020 thru October 30, 2020 (Monday - Friday) 7:00 am - 7:00 pm

January 1, 2020 – Is the first day to apply for an Annual Ballot by Mail for early voting of the November 3rd General Election.

Registered voters that fall into one of the four following categories are eligible to vote by mail:

- Individuals 65 years or older
- Disabled
- Will be out of the county on Election Day AND the entire period of early voting
- Confined to jail, but otherwise eligible to vote

October 5, 2020 - The last day to register to vote in the November 8th General Election.

October 23, 2020 - The last day to apply for a Ballot by Mail request.

(must be received, not postmarked)

November 4, 2020 - Deadline for receiving Ballots by Mail.

(must be received, not postmarked).

The early voting polling places as designated by Bell County and at which early voting shall be conducted are as follows (*early voting will be conducted in person each weekday*):

- Belton - Bell County Courthouse Annex, 550 East 2nd Ave
- Killeen - Bell County Annex, 304 Priest Drive
- Killeen - Killeen Community Center, 2201 E. Veterans Memorial Blvd
- Temple - Bell County Annex, 205 East Central Ave
- Salado - Salado Church of Christ, 217 North Stagecoach
- Harker Heights - Parks & Recreation Center, 307 Millers Crossing

Applications for ballot by mail shall be mailed to: Bell County Elections Department, P.O. Box 1629, Belton, Texas, 76513. The last day to submit a request for ballot by mail is October 23, 2020. The deadline for receiving Ballots by mail is November 4, 2020.

Bell County Elections Department will designate the presiding judge of the Early Voting Ballot Board and will designate the Election Day polling places.

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Section 5: The election shall be held and conducted and returns made to the Board in accordance with the Texas Election Code, as amended.

Section 6: The Assistant Secretary of the Board is hereby directed to determine if the candidates are unopposed for election based on the following conditions:

- (1) Only one candidate's name is to be placed on the ballot for each director position available; and
- (2) No candidate's name is to be placed on a list of write-in candidates for the office of director.

If such circumstances exist, the Assistant Secretary of the Board shall certify in writing which, if any, candidates are unopposed for election to the office of director. The certification shall be delivered to the Board as soon as possible after the filing deadlines for placement on the ballot and list of write-in candidates. On receipt of the certification, the Board may declare each unopposed candidate elected to office, the election for that position will not be held, the Board will adopt an order declaring the candidate(s) elected, and will provide a copy of the order to Bell County Elections Department for posting at the polling place on election day.

Section 7: Pursuant to Section 31.123, Texas Election Code, the Board hereby appoints Dirk Aaron as the District's agent for this election.

Section 8: To the extent the results of the election are not declared in accordance with Section 6 of this Order, the Assistant Secretary of the Board is hereby directed to provide notice of this election, in English and Spanish, by any one or more of the following methods in accordance with Section 4.003, Texas Election Code and has the authority to allow Bell County Elections Contracting officer be responsible for furnishing said services:

- (1) By publishing the notice at least once, not earlier than the 30th day or later than the 10th day before election day in a newspaper of general circulation in the territory if none is published in the jurisdiction of the authority responsible for giving the notice; or
- (2) By posting, not later than the 21st day before election day, a copy of the notice at a public place in each election precinct that is in the jurisdiction of the authority responsible for giving the notice; or
- (3) By mailing, not later than the 10th day before election day, a copy of the notice to each registered voter of the territory that is covered by the election and is in the jurisdiction of the authority responsible for giving the notice.

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In addition to the above methods of providing notice, the Secretary of the Board shall have notice of this election, in English and Spanish, posted not later than the 21st day before the election on the bulletin board used for posting notices of the meetings of the Board. Such notice shall remain posted continuously through election day.

Section 9: The President and Secretary of the Board and District staff are authorized and directed to take any action necessary to carry out the provisions of this Order.

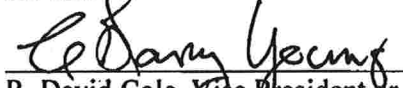
Section 10: It is hereby found and determined that notice of the meeting at which this Order is adopted was given as required by the Texas Open Meetings Act, and that such meeting has been open to the public at all times when this Order was discussed and acted on.

Section 11: This Order shall take effect immediately upon adoption.

PASSED AND APPROVED THE 12th day of August, 2020.


Leland Gersbach, President

ATTEST:


R. David Cole, Vice President or
C. Gary Young, Secretary

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