



BURNET COUNTY EMERGENCY SERVICES DISTRICT #2
P.O. BOX 249
BUCHANAN DAM, TEXAS 78609-0249

NOTICE OF REGULAR MEETING

In compliance with the provisions of Chapter 551, Texas Government Code, notice is hereby given of a Regular Meeting of the Board of Emergency Services Commissioners of Burnet County Emergency Services District #2, to be held at the Cassie Community Center located at 3920 RR 690, Burnet, Texas, 78611 at 10:00 AM on Thursday, October 22, 2020. This agenda is posted in the Burnet County Courthouse, at the Cassie Community Center and on the cassiebfd.com website.

The following agenda items will be discussed, considered and action taken as appropriate:

AGENDA

- 1. Call meeting to order. (Schneider)**
- 2. Establish a quorum. (Schneider)**
- 3. Pledge of Allegiance. (Schneider)**
- 4. Invocation. (Bremer)**
- 5. Welcome guests. (Schneider)**
- 6. Comments from the Board and Public not scheduled on the agenda may speak, however no action can be taken on these items and the Board will not debate the comments at this meeting. Comments regarding specific agenda items should occur when the item is called. There is a 2 minute speaking limit.**
- 7. Accept minutes from September 24, 2020 meeting. (Schneider)**



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- 8. Operational Report from the Cassie Volunteer Fire Chief. (Curtis)**
 - A. CVFD Financial Report. (L. Schneider)**
 - B. Present CVFD year-end residual tax fund level. (L. Schneider)**
 - C. Present the annual CVFD property inventory. (Curtis)**

- 9. Review previously approved CVFD capital equipment expenditures. (Schneider)**

- 10. ESD #2 Treasurer Reports. (Bremer)**

- 11. Discussion and/or action regarding the disbursement of funds. (Bremer)**

- 12. Review insurance coverage changes provided by VFIS and Texas Mutual. (Bremer)**

- 13. Review SAFE-D information with Board. (Schneider)**
 - A. Website directory.**
 - B. Ft. Worth Convention Center.**

- 14. Review and approve the continuance of ESD #2's current Investment Policy for FY 2021. (Bremer)**

- 15. Review and approve the continuance of ESD #2's Sales Tax and Goods in Transit Policy for FY 2021. (Barclay)**

- 16. Issue 1295 contract numbers to ESD#2's Service Providers during FY 2021. (Bremer)**

- 17. Update of State Sales Tax project. (Schneider)**
 - A. Pre-election documentation.**
 - B. Public Notice of election.**
 - C. Special Meeting for post election canvass.**
 - D. Other activity.**



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- 18. Calendar of Events for November. (Schneider)**
 - A. Status updates of CPA Audits for ESD#2 and CVFD. (Bremer)**
 - B. Review previously approved CVFD capital expenditures. (Curtis)**
 - C. CVFD present five year plans to ESD#2 Board. (Curtis)**
 - D. Call Special Meeting to conduct post election canvass. (Schneider)**

- 19. Discussion and/or action regarding setting dates and times for November, December 2020 and possibly future Board meetings. (Schneider)**

- 20. Next meeting:**

- 21. Adjourn**

Benjamin H. Schneider, President

Ben Schneider

From: "Ken Campbell" <KCampbell@bajb.com>
Date: Wednesday, September 30, 2020 5:51 PM
To: "Ben Schneider" <bhschneider88@gmail.com>
Cc: <rbremer@cassievd.com>
Attach: POSTING RECORD BCESD2 100219.doc; NOTICE OF SPECIAL ELECTION BCESD2 KPC 093020.doc;
 ORDER (SHORT & SPANISH) BCESD2 KPC 093020.doc
Subject: NOVEMBER 3, 2020 SUT ELECTION
 President Schneider:

Attached, please find the Notice and the Order of Election for the November 3, 2020 SUT Election. The Order should be executed by you (with a copy returned to me ASAP) and saved in the Orders Book. The Notice must be executed by you (with a copy returned to me ASAP) and saved in the Orders Book AND published and/or posted as described below. We will have to publish this in a "newspaper published in the territory covered by the election" as Burnet County is using Vote Centers instead of precincts for this election, and we need to time this correctly if it is less than a daily. Let me know what paper you want to use, which I assume will be the Burnet paper, and call me if questions. Also, please let me know if you need any help getting it published or posted properly.

Here is the law on the notice of election:

ELECTION CODE
 TITLE 1. INTRODUCTORY PROVISIONS
 CHAPTER 4. NOTICE OF ELECTION

Sec. 4.001. NOTICE REQUIRED. Notice of each general and special election shall be given as provided by this chapter.

Sec. 4.002. AUTHORITY RESPONSIBLE FOR GIVING NOTICE. Except as otherwise provided by law, the following authority shall give notice of an election:

- (1) the county judge of each county wholly or partly in the territory covered by the election, for an election ordered by the governor;
- (2) the presiding officer of the governing body of a political subdivision, for an election ordered by the presiding officer or the governing body; and
- (3) the authority ordering the election, for an election ordered by any other authority.

Sec. 4.003. METHOD OF GIVING NOTICE. (a) Except as provided by Subsection (c), notice of an election must be given by any one or more of the following methods:

(1) by publishing the notice at least once, not earlier than the 30th day or later than the 10th day before election day:

(A) in a newspaper published in the territory that is covered by the election and is in the jurisdiction of the authority responsible for giving the notice; or

(B) in a newspaper of general circulation in the territory if none is published in the jurisdiction of the authority responsible for giving the notice;

(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.

(b) In addition to any other notice given for an election under Subsection (a), not later than the 21st day before

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election day, *the authority responsible for giving notice of the election shall post a copy of the notice, which must include the location of each polling place, on the bulletin board used for posting notices of the meetings of the governing body of the political subdivision that the authority serves.* For each precinct that is combined to form a consolidated precinct under Section 42.008, not later than the 10th day before election day, the authority shall also post, at the polling place used in the preceding general election, notice of the precinct's consolidation and the location of the polling place in the consolidated precinct. A notice posted under this subsection must remain posted continuously through election day.

(c) In addition to any other notice given, notice of an election ordered by a commissioners court or by an authority of a city or school district must be given by the method prescribed by Subsection (a)(1).

(d) If other law prescribes the method of giving notice of an election, that law supersedes this section, except that Subsection (c) applies regardless of the notice requirements prescribed by other law with respect to an election covered by that subsection.

(e) The authority responsible for giving notice of the election shall deliver to the secretary of state a copy of the notice of a consolidated precinct required by Subsection (b) not later than the date of the election.

(f) A debt obligation election order required under Section 3.009 shall be posted:

(1) on election day and during early voting by personal appearance, in a prominent location at each polling place;

(2) not later than the 21st day before the election, in three public places in the boundaries of the political subdivision holding the election; and

(3) during the 21 days before the election, on the political subdivision's Internet website, prominently and together with the notice of the election and the contents of the proposition, if the political subdivision maintains an Internet website.

Sec. 4.004. CONTENTS OF NOTICE. (a) The notice of a general or special election must state:

(1) the nature and date of the election;

(2) except as provided by Subsection (c), the location of each polling place;

(3) the hours that the polls will be open; and

(4) any other information required by other law.

(b) The notice of a special election must also state each office to be filled or the proposition stating each measure to be voted on. This subsection does not apply to an election on a proposed constitutional amendment.

(c) If notice of an election is given by posting the notice in the various election precincts, the notice posted in a precinct is not required to state the location of the polling places in other precincts.

(d) If precincts are consolidated under Section 42.008, the notice must state which precincts have been combined to form each consolidated precinct in addition to the locations of the polling places in the consolidated precincts.

Sec. 4.005. RECORD OF NOTICE. (a) If notice of an election is given by publication, the authority responsible for giving the notice shall retain a copy of the published notice that contains the name of the newspaper and the date of publication. (you should get the Publisher's affidavit and the tear sheet from the paper).

(b) For each notice posted under Section 4.003(a)(2) or (b), the person posting the notice shall make a record at the time of posting stating the date and place of posting. The person shall sign the record and deliver it to the authority responsible for giving the election notice after the last posting is made.

(c) If notice of an election is given under Section 4.003(a)(3), the authority responsible for giving the notice shall:

(1) retain a copy of the notice and enter on the copy the date or dates the mailing occurred; and

(2) prepare a list of the names and addresses of the persons to whom the notice was mailed.

(d) The authority responsible for giving the election notice shall preserve the records required by this section for the period for preserving the precinct election records.

(e) If other law prescribes the method of preserving the notice of an election, that law supersedes this section.

Sec. 4.006. FAILURE TO GIVE NOTICE OF GENERAL ELECTION. Failure to give notice of a general election does not affect the validity of the election.

Sec. 4.007. NOTICE TO ELECTION JUDGE. Not later than the 15th day before election day or the seventh day after the date the election is ordered, whichever is later, the authority responsible for giving notice of the election shall deliver to the presiding judge of each election precinct in which the election is to be held in the authority's jurisdiction a written notice of:

- (1) the nature and date of the election;
- (2) the location of the polling place for the precinct served by the judge;
- (3) the hours that the polls will be open;
- (4) the judge's duty to hold the election in the precinct specified by the notice; and
- (5) the maximum number of clerks that the judge may appoint for the election.

Sec. 4.008. NOTICE TO COUNTY CLERK. (a) Except as provided by Subsection (b), the governing body of a political subdivision, other than a county, that orders an election shall deliver notice of the election to the county clerk and voter registrar of each county in which the political subdivision is located not later than the 60th day before election day.

(b) The governing body of a school district that orders an election under Section 26.08, Tax Code, to ratify an ad valorem tax rate adopted by the governing body under Section 26.05(g) of that code shall deliver notice of the election to the county clerk of each county in which the school district is located not later than the 30th day before election day.

In short, at the very least, you need to publish Notice of Election with a copy posted at wherever you post your notice of meetings (I would recommend posting at other locations such as the stations and C-Stores, particularly the EV and ED voting locations and make note of when and where in the Posting Record). You also need to note in the Notice of Posting Record where, when, and who posted (and I recommend taking a picture of it with a date and time stamp and attaching it to the Posting Record). I would also post the notice at the EV locations as well as other public locations in the District, such as the fire stations, community areas, etc. You must keep the posting record, and I would go by occasionally and make sure they are still up, and if not, put a new one up and note it in the Posting Record. I would take a picture of it with the date and time stamp as well and attach to the posting record.

Please note the law applicable to your canvass, which you must do per the Texas Election Code, and I will send you information on this later, but just so you can plan, here is the law.

Sec. 67.003. TIME FOR LOCAL CANVASS. (a) Except as provided by Subsection (b), each local canvassing authority shall convene to conduct the local canvass at the time set by the canvassing authority's presiding officer not earlier than the eighth day or later than the 11th day after election day.

(b) For an election held on the uniform election date in May, the local canvass must occur not later than the 11th day after election day and not earlier than the later of:

- (1) the third day after election day;
- (2) the date on which the early voting ballot board has verified and counted all provisional ballots, if a provisional ballot has been cast in the election; or
- (3) the date on which all timely received ballots cast from addresses outside of the United States are counted, if a ballot to be voted by mail in the election was provided to a person outside of the United States.

Now to what we need to do in the next few days. First, we must notice the election by publication per the legal requirements, then complete the elections.

After the election, you will need to canvass the election and enter the proper orders related to the outcome of

the election. If you do not have a regularly scheduled meeting that falls into this time frame, you will need to call a special meeting for the canvass. Please note while a regular or special meeting of your board requires a quorum of three, the canvass only requires two of you to be present (I prefer at least three in any event and you will need 3 to address any other issues). Of course, you must still provide notice under the Open Meetings Act at least 72 hours before this meeting, whether regular, special, or just the canvass. If you are going to have any other items on your agenda besides the canvass, you will need a quorum of at least three commissioners.

Let me know if questions on this.

I will be sending you shortly more information on the canvass.

Let me know, and thanks.

Sincerely,

BURNS ANDERSON JURY & BRENNER, L.L.P.

Ken Campbell
P. O. Box 26300
Austin, Texas 78755-6300
512/338-5322
512/338-5363 (facsimile)

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10/12/2020

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**NOTICE OF SPECIAL ELECTION
(AVISO DE ELECCIÓN ESPECIAL)**

To the registered voters of the Burnet County Emergency Services District No. 2, Burnet County, Texas:
(A los votantes registrados del Distrito Numero 2 de los Servicios de Emergencia del Condado de Burnet, Condado de Burnet, Texas):

Notice is hereby given that the polling places listed below will be open from 7:00 a.m. to 7:00 p.m., on November 3, 2020, for voting in a special election for or against the proposition:

The adoption of a local sales and use tax in Burnet County Emergency Services District No. 2 at a rate not to exceed two percent in any location in the district.

(Notifíquese, por lo presente, que las casillas electorales citados abajo se abrirán desde las 7:00 a.m. hasta las 7:00 p.m. el día 3 noviembre de 2020 para votar en la elección especial a favor o en contra de:

La adopción de un impuesto local de ventas y uso en el Distrito Número 2 de los Servicios de Emergencia del Condado de Burnet a una tasa que no exceda el uno por ciento en cualquier ubicación en el distrito.

**LOCATION(S) OF ELECTION DAY POLLING PLACES
(UBICACIÓN DE LAS CASILLAS ELECTORALES EL DIA DE ELECCIÓN)**

VOTE CENTERS FOR NOVEMBER 3, 2020 ONLY: You may vote at your home precinct or ANY Burnet County Precinct Polling Place. Voters are not limited to only voting in the precinct where they are registered to vote.

(CENTROS DE VOTACIÓN SOLO PARA 3 DE NOVIEMBRE 2020: Podrá Usted votar en su Precinto Residencial o EN CUALQUIER Precinto de Votación. Votantes Tienen más opciones en donde votar, sin limitarse al precinto en donde están registrados para votar.)

- 1 First Lutheran Church, 133 Apollo Dr., Burnet 78611
- 2 Burnet County AgriLife, 607 N. Vandevener St., Burnet 78611
- 3 Grace United Methodist Church, 4007 Valley View, Granite Shoals 78654
- 4 Spicewood Community Center, 7901 CR 404, Spicewood 78669
- 5 Silver Creek Community Center, 101 CR 128, Burnet 78611
- 6 Smithwick Community Center, 10800 E. FM 1431, Marble Falls 78654
- 7 Cassie Subdivision Community Center, 3920 FM 690, Burnet 78611
- 8 Hoover Valley Volunteer Fire Dept., 303 CR 118B, Burnet 78611
- 9 Highland Haven Community Center, 118 Blackbird Dr., Highland Haven, TX 78654
- 10 Iglesia Bautista Church Hall, (CR 330 and FM 243) 4000 W. FM 243, Bertram 78605
- 11 Naruna Church Bldg., 9170 FM 1478 Lampasas 76550
- 12 Bertram Library, 170 N. Gabriel St., Bertram 78605
- 13 Joppa Fellowship Hall, 8447 CR 210, Bertram (Joppa), TX 78605
- 14 Lake Victor Community Center, 200 Lake Ave., Burnet (Lake Victor) 78611
- 15 Briggs Community Center, 215 Loop 308, Briggs 78608
- 16 Oakalla Community Center, 29011 FM 963, Oakalla 78608
- 17 Courthouse North Annex, 1701 E. Polk, Burnet 78611
- 18 Granite Shoals Community Center, 1208 N. Phillips Ranch Rd, Granite Shoals 78654
- 19 Marble Falls Courthouse Annex, 810 Steve Hawkins Pkwy., Marble Falls 78654
- 20 Church of Christ, 711 Broadway, Marble Falls 78654
- 21 Meadowlakes City Hall, 177 Broadmoor St # B, Meadowlakes, TX 78654

Early voting by personal appearance will be conducted at:
(La votación adelantada en persona se llevará a cabo en:)

Countywide Early Voting Site (*Sitio para Votación Adelantada en todo el Condado*)

| Polling Location <i>(Sitio de Votación)</i> | Address <i>(Domicilio)</i> | City <i>(Ciudad)</i> |
|---|---------------------------------------|--------------------------------|
| AgriLife Auditorium | 607 North Vandever Street | Burnet 78611 |
| Marble Falls Courthouse Annex | 810 Steve Hawkins Parkway | Marble Falls 78654 |
| Joann Cole Mitte Memorial Library | 170 North Gabriel Street | Bertram 78605 |
| Granite Shoals Community Center | 1208 North Phillips Ranch Road | Granite Shoals 78654 |

Tuesday, October 13, 2020 – Wednesday, October 21, 2020, 8 a.m.-5 p.m.
(martes, el 13 de octubre, 2020 – miércoles, el 21 de octubre, 2020 8 a.m.-5 p.m.)

Thursday, October 22, 2020, 7 a.m.-7 p.m.
(jueves, el 22 de octubre, 2020, 7 a.m.-7 p.m.)

Friday, October 23, 2020 – Wednesday, October 28, 2020, 8 a.m.-5 p.m.
(viernes, el 23 de octubre, 2020 – miércoles, el 28 de octubre, 2020, 8 a.m.-5 p.m.)

Thursday, October 29, 2020, 7 a.m.-7 p.m.
(jueves, el 29 de octubre, 2020, 7 a.m.-7 p.m.)

October 30, 2020, 8 a.m.-5 p.m.
(viernes, el 30 de octubre, 2020, 8 a.m.-5 p.m.)

beginning on October 13, 2020 and ending on October 30, 2020.
(empezando el día 13 de octubre de 2020 y terminando el día 30 de octubre de 2020.)

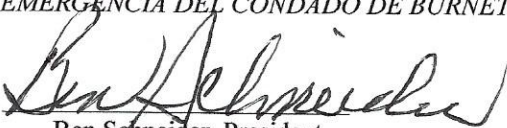
Applications for ballot by mail shall be mailed to:
(Las solicitudes para balotas que se votarán adelantada por correo deberán enviarse a:)

Doug Ferguson
Burnet County Elections Administrator
220 South Pierce
Burnet, Texas 78611

Applications for ballots by mail must be received no later than the close of business on October 23, 2020.
(Las solicitudes para balotas que se votarán en ausencia por correo deberán recibirse para el fin de las horas de negocio el día 23 de octubre de 2020.)

ISSUED this the 10th day of August 2020.
(EMITIDA este día 10 de agosto, 2019.)

BURNET COUNTY EMERGENCY
SERVICES DISTRICT NO. 2
*(DISTRITO NUMERO 2 DE LOS SERVICIOS
DE EMERGENCIA DEL CONDADO DE BURNET)*

By: 
Ben Schneider, President
Election Officer
*(Presidente
Oficial de Elecciones)*

ORDER OF ELECTION FOR BURNET COUNTY EMERGENCY SERVICES
DISTRICT NO. 2

An election is hereby ordered to be held on November 3, 2020 for the purpose of:

The adoption of a local sales and use tax in Burnet County Emergency Services District No. 2 at a rate not to exceed two percent in any location in the district.

Early voting by personal appearance will be conducted at:

Countywide Early Voting Sites (*Sitios para Votación Adelantada en todo el Condado*)

| Polling Location <i>(Sitio de Votación)</i> | Address <i>(Domicilio)</i> | City <i>(Ciudad)</i> |
|---|---------------------------------------|--------------------------------|
| AgriLife Auditorium | 607 North Vandever Street | Burnet 78611 |
| Marble Falls Courthouse Annex | 810 Steve Hawkins Parkway | Marble Falls 78654 |
| Joann Cole Mitte Memorial Library | 170 North Gabriel Street | Bertram 78605 |
| Granite Shoals Community Center | 1208 North Phillips Ranch Road | Granite Shoals 78654 |

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(empezando el día 13 de octubre, 2020 y terminando el día 20 de octubre, 2020.)

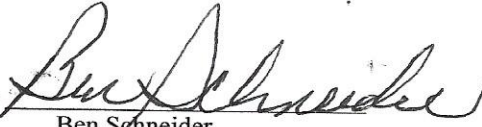
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220 South Pierce
Burnet, Texas 78611

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ISSUED this the 10th day of August 2020.

BURNET COUNTY EMERGENCY
SERVICES DISTRICT NO. 2

By: 
Ben Schneider,
President
Election Official

ORDEN DE ELECCIÓN PARA DISTRITO NUMERO 2 DE LOS SERVICIOS DE EMERGENCIA DEL CONDADO DE BURNET

Por lo presente se ordena que se llevará a cabo una elección el 3 de noviembre de 2020 con el propósito de:

La adopción de un impuesto local de ventas y uso en el Distrito Número 2 de los Servicios de Emergencia del Condado de Burnet a una tasa que no exceda el dos por ciento en cualquier ubicación en el distrito.

La votación adelantada en persona se llevará a cabo en:

Countywide Early Voting Sites (Sitios para Votación Adelantada en todo el Condado)

| Polling Location (Sitio de Votación) | Address (Domicilio) | City (Ciudad) |
|---|--------------------------------|--------------------------|
| AgriLife Auditorium | 607 North Vandever Street | Burnet 78611 |
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Las solicitudes para balotas que se votarán en ausencia por correo deberán enviarse a:

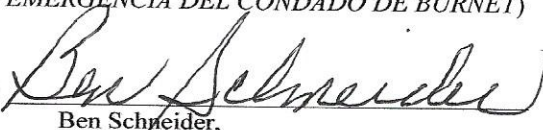
Doug Ferguson
Burnet County Elections Administrator
220 South Pierce
Burnet, Texas 78611

Las solicitudes para balotas que se votarán en ausencia por correo deberán recibirse para el fin de las horas de negocio el día 23 de octubre de 2020.

EMITIDA este día 10 de agosto, 2020.

BURNET COUNTY EMERGENCY
SERVICES DISTRICT NO. 2
(DISTRITO NUMERO 2 DE LOS SERVICIOS
DE EMERGENCIA DEL CONDADO DE BURNET)

By:



Ben Schneider,
Presidente, Oficial de Elecciones