

ORDER AND NOTICE FOR GENERAL CITY ELECTION

**THE STATE OF TEXAS {}
COUNTY OF HUTCHINSON {}
CITY OF BORGER {}**

On this the 2nd day of February, 2010, the City Council of the City of Borger, Hutchinson County, Texas convened in regular session open to the public, at the regular meeting place thereof at the City Hall in said City, with the following members, to-wit: Jeff Brain, Leon DeWeese, Marvin Dickson, Charles Gillingham and Robert Vinyard; none being absent, constituting a quorum, and among other proceedings had by said City Council was the following:

WHEREAS, I, Jeff Brain, in my capacity as Mayor of the City of Borger, Texas, do hereby order that an election be held in said City on the 8th day of May, 2010, for the purpose of electing two (2) Council Members; one (1) Council Member to Place Four (4), and one (1) Council Member to Place Five (5), for regular three year terms respectively.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BORGER, TEXAS, THAT; certain Voting Precincts be combined for the purposes of such election, together with election judges, shall be as follows:

County voting precincts 33 & 42 (City Polling Place No. 1) shall vote at the Paul Belton Early Childhood Center, 800 N. McGee, with Polly Gillingham, Presiding Judge, and Nellie Villasenor, Alternate Judge, and said Presiding Judge shall appoint the necessary clerks to assist him/her which shall not exceed ten clerks.

County voting precinct 11 (City Polling Place No. 2) shall vote at the Borger Middle School, 1200 S. Florida, with, B.J. Grove Presiding Judge, and R. C. Estes, Alternate Judge, and said Presiding Judge shall appoint the necessary clerks to assist him/her which shall not exceed ten clerks.

County voting precincts 14 & 23 (City Polling Place No. 3) shall vote at the Fairlanes Baptist Church, 3000 Fairlanes Boulevard, with Harry Kuhrt, Presiding Judge, and Brenda Jackson, Alternate Judge, and said Presiding Judge shall appoint the necessary clerks to assist him/her which shall not exceed ten clerks.

The polls at each of the above described polling places shall be open from 7:00 o'clock a.m. to 7:00 o'clock p.m. on said Election Day.

Early voting by personal appearance will be conducted each weekday at City Hall, 600 N. Main, Borger, Texas between the hours of 8:00 a.m. and 5:00 p.m., for the first five (5) days of early voting beginning on Monday, April 26, 2010, through Tuesday, May 4, 2010. As required

under Section 85.005(d), Election Code, early voting by personal appearance at the main early voting place shall be conducted for at least 12 hours on two weekdays, if the early voting period consists of six or more weekdays; therefore, early voting by personal appearance shall be conducted for twelve (12) hours on Monday, May 3, 2010 and Tuesday, May 4, 2010.

City Secretary Stella E. Sauls is hereby appointed Clerk for Early Voting and she shall appoint a deputy or clerks in accordance with Section 83.001 et seq. of the Texas Election Code for the conduct of said early voting.

Said clerks shall not permit anyone to vote early by personal appearance on any day which is not a regular working day for the clerk's office, and under no circumstances shall they permit anyone to vote early by personal appearance at any time when such office is not open to the public. The above described place for early voting is also the clerk's mailing address to which applications and ballots voted by mail may be sent. The early voting clerk, in accordance with the provisions of the Texas Election Code, shall maintain a roster listing each person who votes early by personal appearance and each person to whom a ballot to be voted by mail is sent. The roster shall be maintained in a form approved by the Secretary of State.

Early voting by personal appearance and by mail shall be by paper ballots and shall be canvassed by an Early Voting Ballot Board with Sandra Laughery serving as Presiding Judge, and said Presiding Judge shall appoint the necessary clerks to assist her which shall not exceed three (3) and they are hereby appointed the Early Voting Ballot Board for said election.

All ballots shall be prepared in accordance with the Texas Election Code. Paper ballots will be available for early voting by mail and the Hart InterCivic eSlate Voting Systems will be available for use for early voting by personal appearance and on election day. The City Council hereby adopts for use in early and election day voting the Hart InterCivic eSlate Voting Systems as approved by the Secretary of State. All expenditures necessary for the conduct of the election, the purchase of materials therefore, and the employment of all election officials is hereby authorized.

Applications for ballot by mail shall be mailed to:

Stella E. Sauls
Official Early Voting Clerk
P.O. Box 5250
Borger, Texas 79008-5250

Application for ballot by mail must be received no later than the close of business on
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April 30, 2010.

The ballots of said election shall have written or printed thereon the words "Official Ballot" and the following:

Place an "x" in the square beside the name of the individual indicating the way you wish to vote.

Said election shall be held in accordance with the Election Code of this State.

The Mayor and City Council shall give notice of this election in accordance with the terms and provisions of Chapter 4, Notice of Election, of the Texas Election Code and returns of said notice shall be made as provided in said Chapter 4, and the Mayor shall issue all necessary orders and writs for said election and returns of said election shall be made to the City Secretary immediately after the closing of the polls.

It is further found and determined that in accordance with the order of this governing body the City Secretary posted written notice of the date, place and subject of this meeting on the bulletin board located in the City Hall, a place convenient and readily accessible to the general public, and said notice having been so posted and remaining posted continuously for at least 72 hours preceding the scheduled time of said meeting. A copy of the return of said posting shall be attached to the minutes of this meeting and shall be made a part thereof for all intents and purposes.

PASSED, ADOPTED AND APPROVED this the 2nd of February, 2010.

Jeff Brain, Mayor

ATTEST:

Stella E. Sauls, City Secretary