

THE STATE OF TEXAS §
 §
COUNTY OF HUTCHINSON §
 §
BORGER INDEPENDENT §
SCHOOL DISTRICT §

FILED
KELLY RATLIFF
COUNTY CLERK

AUG 20 2025
2:20 pm
HUTCHINSON COUNTY TEXAS
BY K. Ratliff DEPUTY

**RESOLUTION
ORDER OF ELECTION FOR BORGER ISD
VOTER-APPROVAL TAX RATE ELECTION (VATRE)
on NOVEMBER 4, 2025**

WHEREAS, the Board of Trustees (the *Board*) of the Borger Independent School District (the *District*), located in Hutchinson County, Texas (the *County*) has set the District's tax rate at \$0.71920 per \$100 of taxable assessed valuation, which is a rate that exceeds the District's voter-approval tax rate, and therefore the Board is obligated to call an election to ratify such tax rate pursuant to Section 26.08, Texas Tax Code, as hereinafter ordered (the *Election*); and

WHEREAS, under Section 26.08 of the Texas Tax Code the adoption of such a tax rate may be submitted to the registered voters of the District at an election for the purpose of determining whether such voters approve the adopted tax rate election (the "Election"); and

WHEREAS, Section 26.08 of the Tax Code provides that the Board shall order that the Election be held on the next uniform election date prescribed by Section 41.001, Election Code, that occurs after the date of this Order and that allows sufficient time to comply with the requirements of other law.

WHEREAS, the Board adopted its Order setting the tax rate on August 14th, 2025 which date of such Order is more than seventy-one (71) days before November 4, 2025; and

WHEREAS, the District will contract with the County elections administrator to conduct all aspects of the Election; and

WHEREAS, the Board has the authority pursuant to Chapter 271, Texas Election Code to enter into joint election agreements with other

political subdivisions also holding an election on the same date in all or part of the same territory; and

WHEREAS, the Election will be conducted by the County and held jointly with the District pursuant to the provisions of an election agreement entered into in accordance with the provisions of Section 271.002, as amended, Texas Election Code; and

WHEREAS, November 4, 2025, is the next uniform election date under Section 41.001, which date is more than seventy-eight (78) days from the date of this Order and sufficient time remains for the District to comply with the requirements of other law related to the conduct of the Election; and

WHEREAS, the Board hereby finds and determines that the actions hereinbefore described are in the best interests of the residents of the District; now, therefore,

BE IT ORDERED BY THE BOARD OF TRUSTEES OF THE BORGER INDEPENDENT SCHOOL DISTRICT THAT:

Section 1. Call of Election; Date; and Eligible Electors. The Election shall be held on Tuesday, November 4, 2025, which is a uniform election date under the Election Code and which is seventy-eight (78) or more days from the date of adoption of this Order. This Order calls the Election within and throughout the territory of the District at which all residents, 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 o'clock a.m. to 7:00 o'clock p.m. The voting locations for election day are attached as Exhibit "A" to this Order and incorporated by reference herein.

Section 2. Conduct of Election; Joint Election Agreement; Contract for Election Services. The Election shall be conducted by election officers, in accordance with the Texas Election Code and the Constitution and laws of the State of Texas and of the United States of America. Pursuant to Chapter 31 of the Texas Election Code, the Board orders that the Election be conducted under a Contract for Election services with Hutchinson County. Chapter 271 of the Texas Election Code provides

that the authorities of two or more political subdivisions that have ordered elections for the same day in all, or part of the same territory may enter into an agreement to hold the elections jointly in election precincts that can be served by common polling places, and the Board is expressly authorizing this action.

Section 3. Voting Precincts; Election Judges and Clerks and other Election Officials. Except as otherwise provided herein, the presently existing boundaries and territory of the Hutchinson County election precincts that are wholly or partially within the District are hereby designated as the voting precincts of the District for the Election. The precinct numbers for the District's election precincts shall be the corresponding Hutchinson County precinct number of each precinct that is wholly or partially within the District. Polling places are hereby designated for holding the Election in the school election precincts as identified in Exhibit A to this Order (which is incorporated herein by reference for all purposes).

The Board approves the appointment of persons designated by the Hutchinson County Elections Administrator to serve as election workers both during early voting by personal appearance and on election day. Such proposed presiding judges, alternate judges, and clerks shall meet the eligibility requirements of Chapter 32, Subchapter C of the Texas Election Code. The rate of pay for judges, alternates and clerks of the election shall be determined by the Hutchinson County Elections Administrator.

The Board approves the appointment of persons designated by the Hutchinson County Elections Administrator to serve on the early voting ballot board, at the central counting station, or in any other capacity needed in order to conduct the Election. Instruction for all election workers shall occur as provided in the Joint Election Agreement(s) and/or Contracts for Election Services.

Section 4. Ballots. The official ballot shall be prepared in accordance with the Texas Election Code, as amended and Texas Tax Code, as amended so as to permit the electors to vote "FOR" or "AGAINST" the measure which shall appear on the ballot which shall appear on the ballot substantially as follows:

OFFICIAL BALLOT PROPOSITION	
<input type="checkbox"/> FOR	THIS IS A TAX INCREASE. Ratifying the ad valorem tax rate of \$0.71920 per \$100 valuation in Borger Independent School District for the current year, a rate that will result in an increase of 7.5 percent in maintenance and operations tax revenue for the district for the current year as compared to the preceding year, which is an additional \$561,239.
<input type="checkbox"/> AGAINST	
BOLETA OFICIAL PROPOSICIÓN	
<input type="checkbox"/> PARA	ESTO SUPONE UN AUMENTO DE IMPUESTOS. Ratificando la tasa de impuesto ad valorem de \$0.71920 en el distrito escolar independiente de borger para el año actual, una tasa que resultará en un aumento del 7.5 por ciento en los ingresos impuestos por mantenimiento y operaciones para el distrito para el año actual en comparación con el año anterior, que son \$561,239 adicionales.
<input type="checkbox"/> CONTRA	

Section 5. Election information to be provided in Spanish. The Superintendent and all other election officers appointed by the Board responsible for the preparation of notices, instructions, orders, ballots, and other written material pertaining to the Election 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 Superintendent and other responsible election officers are 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 6. Approval of Appointment of Agent. The Secretary to the Board has appointed Daniel Fuller, Superintendent, an employee of the District, as the Secretary's agent ("Agent") to perform the duties of the Secretary related to the conduct and maintenance of records of the Election as required under the Texas Election Code during the period beginning three days after the effective date of this Order and ending not earlier than the fortieth (40th) day after the day of the Election. Daniel Fuller, Superintendent is authorized to designate staff in the District to perform any or all of the various responsibilities of the Board's Agent.

The Agent 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. The Agent shall maintain in their office, the documents, records, and other items relating to the Election and shall be the Agent designated to receive documents on behalf of the District that are required by the Texas Election Code. The Agent shall post notice of the location and hours of their office as required by the Texas Election Code.

Section 7. Early Voting. The Early Voting Clerk for the District will be the Hutchinson County Elections Administrator

Applications for ballot by mail shall be mailed to the Early Voting clerk at the following address: Applications for ballots by mail for Hutchinson County voters shall be mailed to: Early Voting Clerk, 500 Main Street Room 211, PO Box 1186, Stinnett, TX 79083. Full Contact Information:

Kelly Ratliff, County Clerk

Address: 500 Main Street, Suite 211, Stinnett, TX 79083

Mailing Address: P.O. Box 1186, Stinnett, TX 79083

Email Address: co.clerk@hutchinsoncnty.com

Phone: (806) 878-4002

FAX: (806) 878-3497

Early voting for the Election shall be conducted jointly with other entities. The Hutchinson County Elections Administrator shall serve as the Early Voting Clerk and shall appoint any necessary deputy early voting clerks. If a voter submits an application for ballot by mail by fax or email, the original, hard copy of the application **MUST** be mailed **and received** by the regular early voting clerk no later than the 4th business day after it was originally submitted. For the use of voters who are entitled by law to vote early by mail, the regular early voting clerk shall provide each voter with a ballot with instructions to mark the ballot indicating his or her vote for each candidate or measure on the same ballots utilized for early voting by personal appearance at the Election. An application for a ballot by mail must be received by October 24, 2025 (mere postmarking by the deadline is insufficient).

Early Voting by Personal Appearance. The dates, hours, and locations for early voting by personal appearance, as well as the voting locations for election day are attached as Exhibit "B" to this Order and incorporated by reference herein.

Section 8. Delivery of Voted Ballots; Counting; Tabulation; Canvassing of Returns; Declaring Results. In accordance with the requirements of the Texas Election Code, after the close of voting on Election Day, the presiding election judge for each respective election precinct shall deliver the ballot boxes and other materials for their respective precinct to the return center or central counting station, as applicable. 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 deliver the results to the central counting station or return center, as applicable. Further, the early voting ballot board shall reconvene, as necessary, to make a determination in relation to provisional ballots as required by the Texas Election Code. The Hutchinson County Elections Administrator shall make a written return of the Election results to the Board in accordance with the Election Code. The Board shall canvass the returns and declare the results of the Election.

In accordance with Sections 26.08 (c) and (d) of the Tax Code, if a majority of the resident, qualified electors of the District voting at the

Election, including those voting early, shall vote in favor of the Proposition, then the tax rate for the current year is the rate that was adopted by the Board. If the Proposition is not approved, the Board may not adopt a tax rate for the District for the current year that exceeds the District's voter-approval tax rate.

Section 9. Notice of Election. Notice of the Election, stating in substance the contents of this Order, shall be published one time in the English and Spanish languages, in a newspaper published within the District's territory at least 10 days and no more than 30 days before the Election and as otherwise may be required by the Texas Election Code. Notice of the Election shall also be posted on the bulletin board used by the Board to post notices of the Board's meetings, and on the District's website no later than the 21st day before the Election.

Section 10. Authority of the Superintendent and Director of Finance. The Superintendent shall have the authority to take, or cause to be taken, all actions reasonable and necessary 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. The Board authorizes the President, Board of Trustees, the Superintendent of Schools, or the respective designee of either of such parties, to negotiate and enter into one or more joint election agreements, election services contracts, and/or similar contracts or agreements with the County, acting by and through the Administrators, and any Participants if desired or if required to comply with applicable law, as permitted and in accordance with the provisions of the Texas Election Code, as amended. In addition, the Board authorizes the President of the Board of Trustees, the Superintendent of Schools, or the respective designee of either of such parties to make such technical modifications to this Order that are necessary for compliance with applicable Texas or federal law or to carry out the intent of the Board, as evidenced herein. By incorporating all essential terms necessary for a joint election agreement, this Order is intended to satisfy Section 271.002(d) of the Texas Election Code, as amended, without further action of the Board of Trustees.

Section 11. 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 12. 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 13. 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 14. 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.

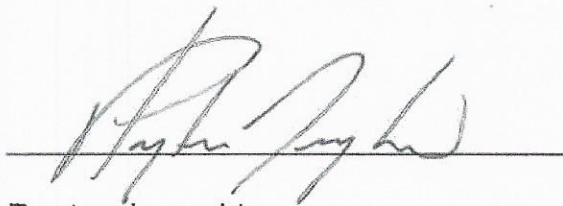
Section 15. Notice of Meeting. The Board officially finds, recites and declares that written notice of the date, hour, place and subject of the meeting at which this Order is adopted was posted in compliance with the Texas Open Meetings Act for at least 72 hours preceding the scheduled time of the meeting; 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 finally acted upon.

Section 16. Authorization to Execute. The President of the Board is authorized to execute, and a Member of the Board is authorized to attest this Order on behalf of the Board; and the President of the Board and the Superintendent are authorized to do all other things legal and necessary in connection with the holding and consummation of the Election.

Section 17. Effective Date. This Order is effective immediately upon its passage and approval.

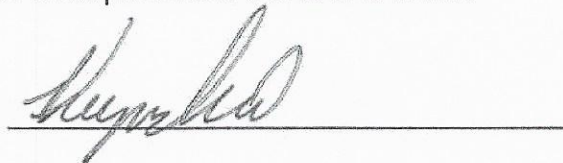
PASSED AND APPROVED this 14th day of August 2025 by the Board of Trustees for the Borger Independent School District by a vote of ____ to ____.

SIGNED:

A handwritten signature in black ink, appearing to read "Payton Lumpkin", written over a horizontal line.

Payton Lumpkin,
President of the Board of Trustees
Borger Independent School District

ATTESTED:

A handwritten signature in black ink, appearing to read "Keegan Neill", written over a horizontal line.

Keegan Neill,
Member of the Board of Trustees
Borger Independent School District

EXHIBIT A
Election Day Voting Information

<i>County Precinct Number</i>	<i>Polling Place Address</i>
11	Grace Fellowship Church 401 Gardner St., Borger, TX
14 & 23	Fairlanes Baptist Church 3000 Fairlanes Blvd. Borger, TX
21	Fritch School Administration Building 540 Eagle Blvd. Fritch, TX
31 & 41	West Texas High School Commons Room 600 Stewart Ave., Stinnett, TX
33 & 42	Borger ISD Administration 200 E. 9 th St., Borger, TX

The common polling places for Election Day shall be open from 7:00 A.M. – 7:00 P.M and are located as follows:

Exhibit B

Early Voting Information

Main	Hutchinson County Courthouse 500 Main St. Stinnett, TX	October 20, 2025 through October 24, 2025 (Mon.-Fri.) October 27, 2025 through October 31, 2025 (Mon.-Fri.)	8:00 am to 6:00 pm 8:00 am to 6:00 pm
Branch	Hutchinson County Annex 1400 Veta St. Room 116 Borger, Texas	October 20-October 24, 2025 (Monday-Friday) October 27-October 31, 2025 (Monday-Friday)	8:00 am to 6:00 pm 8:00 am to 6:00 pm
Branch	Fritch Library Community Room 205 N. Cornell Fritch, TX	October 20-October 24, 2025 (Monday-Friday) October 27-October 31, 2025 (Monday-Friday)	8:00 am to 6:00 pm 8:00 am to 6:00 pm