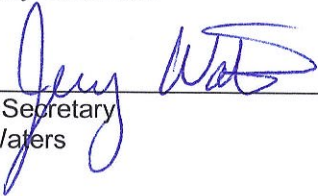
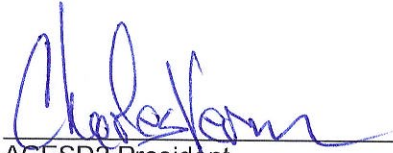


Austin County Emergency Service District No. 2  
Meeting Minutes for  
Wednesday, November 11, 2020 - 7:04 PM

1. Call to Order
  - A. Invocation & Pledge of Allegiance.
2. Roll Call & Certification of a Quorum
  - A. Directors present: Charles Verm, James Toman, Jeremy Waters
  - B. Directors online: Johnetta Scheh, Daniel Atwood
  - C. Directors absent: None
  - D. Fire Department Representatives:
  - E. Fire Department online: Chief Kenny Willingham, Judy Zapalac,
3. Acknowledgement of Public Attendance
  - A. Frank Monk attended
4. Executive Session – Closed to public
  - A. Real Estate Status – Charlie Verm made motion to accept the offer of Dan Zubkoff, seconded by Jeremy Waters for \$260,000.00 with details in previous meeting. Motion passed.
    - a. Motion made to accept the bid that Frank Monk got for D.M. Beard Services, L.L.C. to survey from for \$665.24 made by Jeremy Waters and seconded by James Toman. Motion passed.
5. Account Balancing Action
  - A. Approve a transfer of \$40,000.00 from 724 to account 99 that was put there by Citizen State bank for the extra equipment put on new truck. Motion by James Toman and seconded by Charlie Verm to transfer the funds as requested. Motion passed.
6. Adopt Order Canvassing Returns and Declaring Results of Sales and Use Tax Election
  - A. Election was held and we have results to review so a motion was made by Jeremy Waters and seconded by James Toman to approve the order as presented, motion passed.
7. Adjournment
  - A. Adjourn the meeting at 7:12 PM for Executive Session then resume at 7:35PM and adjourned at 7:38PM.

Respectfully Submitted

  
\_\_\_\_\_  
ACESD2 Secretary  
Jeremy Waters

  
\_\_\_\_\_  
ACESD2 President  
Charles Verm

Note: This meeting was recorded for future reference. This recording can be found on the Sealy Fire Department network. File Name: ACESD BOD11-11-2020 ESD.MP3

## AUSTIN COUNTY EMERGENCY SERVICES DISTRICT NO. 2

### Order Canvassing Returns and Declaring Results of Sales and Use Tax Election

The Board of Commissioners (the "Board") of Austin County Emergency Services District No. 2 (the "District") met on November 11, 2020, at its regular meeting place, with a quorum of Commissioners present, as follows:

Charles Verm, President  
James Toman, Vice President  
Jeremy Waters, Secretary  
Johnetta Scheh, Treasurer  
Daniel Dewayne Atwood, Commissioner

and the following Commissioners were absent:

None

when the following business was transacted:

The order set out below was introduced for consideration of the Board. It was then duly moved and seconded that said order be adopted; and, after due discussion, said motion carried by the following vote:

Ayes: All Commissioners present.

Noes: None.

The order thus adopted is as follows:

Whereas, by Resolution dated February 10, 2020, the Board ordered a sales and use tax election to be held on May 2, 2020 (the "Election");

Whereas, on March 13, 2020, the Governor of Texas certified that the novel coronavirus (COVID-19) posed an imminent threat of disaster and declared a state of disaster for all counties in Texas; and

Whereas, pursuant to Section 418.016 of the Texas Government Code, the Governor of Texas has the express authority to suspend the provision of any regulatory statute

prescribing the procedures for conduct of state business or the orders or rules of a state agency if strict compliance with the provisions, orders, or rules would in any way prevent, hinder or delay necessary action in coping with a natural disaster; and

Whereas, the Governor issued a Proclamation on March 18, 2020 (“Proclamation”) whereby he suspended Sections 41.0052(a) and (b) of the Texas Election Code and Section 49.103 of the Texas Water Code to the extent necessary to allow political subdivisions that would otherwise hold elections on May 2, 2020, to move their general and special elections for 2020 only to the next uniform election date, occurring on November 3, 2020, without otherwise adjusting the term of office, if applicable, and suspending Sections 31.093 and 42.0621(c) of the Texas Election Code to the extent necessary to require all county election officers, if requested by an affected political subdivision, to enter into a contract to furnish election services with any political subdivision who postponed its election to November 3, 2020, under the authority of the Proclamation; and

Whereas, as the authority that ordered the Election, the District was the authority authorized to make the decision to postpone its election in accordance with the Proclamation; and

Whereas, the Board of the District determined that it was in the best interest of the public to exercise its authority to postpone its Election, and by Order dated March 23, 2020 the Board postponed its Election to the uniform election date of November 3, 2020.

Whereas, a sales and use tax election was held for on behalf of Austin County Emergency Services District No. 2 by Austin County, Texas on November 3, 2020. The District’s election was held jointly with Austin County, Texas and polling locations were the same as those of Austin County, Texas within the precincts for which the District is located and as outlined in the District’s documentation calling said sales and use tax election. At said election, the following proposition was submitted to the duly qualified resident electors of said District:

PROPOSITION A

Shall the Board of Commissioners of Austin County Emergency Services District No. 2 be authorized to adopt, assess, levy and collect a sales and use tax to be used for any purpose for which ad valorem tax revenue of the District may be used at a rate not to exceed 1.5 percent (1.5%) in any location in the District in accordance with the Constitution and laws of the State of Texas, particularly (but not by way of limitation) Section 775.0751, Texas Health and Safety Code, as amended, within the District?

Whereas, a total of 3,993 voters cast ballots in the District's sales and use tax election, of which there were cast:

PROPOSITION A

For	The Adoption of a Local Sales and Use Tax in Austin County Emergency Services District No. 2 at a rate not to exceed 1.5 percent in any location in the District	2,243 votes
Against	The Adoption of a Local Sales and Use Tax in Austin County Emergency Services District No. 2 at a rate not to exceed 1.5 percent in any location in the District	1,750 votes
Majority For	The Adoption of a Local Sales and Use Tax in Austin County Emergency Services District No. 2 at a rate not to exceed 1.5 percent in any location in the District	493 votes

as shown in the official election returns heretofore delivered to the President and Secretary of the Board and submitted to the District's Board of Commissioners.

Therefore, be it ordered by the Board of Commissioners of Austin County Emergency Services District No. 2 as follows:

- (1) That said election was duly called and notice thereof duly given in accordance with law; that said election was duly and lawfully posted as required by law; that said election was held in the manner required by law and as provided in the resolution calling same, the order postponing same, and the amended order for same; that only duly qualified resident electors of the District were permitted to vote at the election; that due returns of said election have been

made to the proper officers; and that the election has resulted favorably to the levy of a sales and use tax in the District at a rate of 1.5 percent (1.5%).

(2) That the Board of Commissioners of said District is now authorized to do any and all things necessary and convenient in connection with said levy.

(3) That the President or Vice President and the Secretary or Secretary Pro Tempore of the Board are authorized to execute and attest, respectively, this order on behalf of the Board.

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Passed and adopted, this November 11, 2020.

CHARLES VERM

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President

ATTEST:

JEREMY WATERS

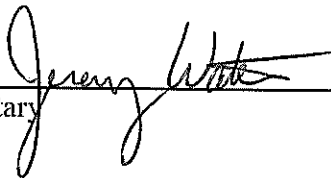
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Secretary

I, the undersigned Secretary of the Board of Commissioners of Austin County Emergency Services District No. 2 hereby certify that the foregoing is a true and correct copy of the order of said Board of Commissioners canvassing returns and declaring results of sales and use tax election held for and within the District at on November 3, 2020, together with excerpts from the minutes of said Board's meeting held on November 11, 2020 showing the adoption of said order. The original of said order and excerpts is on file in the official minute book of the Board, in the District's office.

I further certify that said meeting was open to the public, and that notice was given in compliance with the provisions of Tex. Gov't. Code Ann. § 551.001 et seq as adopted and as suspended in part by the Governor of Texas on March 16, 2020.

Witness my hand and the seal of said District, this 11/11/20.

  
Secretary

## AUSTIN COUNTY EMERGENCY SERVICES DISTRICT NO. 2

### Order Canvassing Returns and Declaring Results of Sales and Use Tax Election

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Jeremy Waters, Secretary  
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Whereas, as the authority that ordered the Election, the District was the authority authorized to make the decision to postpone its election in accordance with the Proclamation; and

Whereas, the Board of the District determined that it was in the best interest of the public to exercise its authority to postpone its Election, and by Order dated March 23, 2020 the Board postponed its Election to the uniform election date of November 3, 2020.

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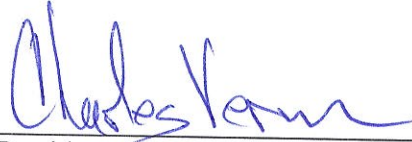
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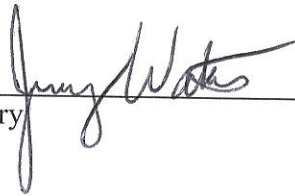
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Passed and adopted, this November 11, 2020.



\_\_\_\_\_  
President

ATTEST:



\_\_\_\_\_  
Secretary

Summary Results Report  
2020 General Election  
November 3, 2020

UNOFFICIAL RESULTS  
ESD 2 PROP A 110320  
Austin County

Proposition A ESD2  
Vote For 1

	TOTAL	Election Day	Early Voting	Absentee
For	2,243	389	1,708	146
Against	1,750	230	1,397	123
Total Votes Cast	3,993	619	3,105	269

*Elizabeth A. Adams*  
11-9-2020