

**NOTICE OF SPECIAL ELECTION**

THE STATE OF TEXAS §  
CASS COUNTY §

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TO THE RESIDENT, QUALIFIED VOTERS OF THE  
CASS COUNTY, TEXAS

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ADDITIONAL INFORMATION REGARDING THE ELECTION HEREINAFTER DESCRIBED CAN BE FOUND AT <https://www.co.cass.tx.us/>.

TAKE NOTICE that an election will be held in the County of Cass, Texas on November 7, 2023 in accordance with an order duly entered by the Commissioners Court of Cass County, Texas on August 8, 2023, which order reads substantially as follows:

**AN ORDER calling an election to be held in Cass County, Texas, to authorize the creation of the Cass County Assistance District No. 1 and the imposition of a sales and use tax for the purpose of financing the operations of the district; making provision for the conduct of the election and resolving other matters incident and related to such election.**

WHEREAS, Local Government Code, Chapter 387, as amended (the “Act”), provides for the creation of a county assistance district composed of all or part of the County creating the same; and

WHEREAS, in accordance with the Act, the combined rate of all local sales and use taxes imposed, including the rate to be imposed by the district if approved at the election would not exceed the combined rate of sales and uses taxes imposed by political subdivisions that is prescribed by Tax Code, Sections 321.101 and 323.101; and

WHEREAS, the Commissioners Court of Cass County, Texas (the “County”) hereby finds that an election should be held to create the Cass County Assistance District No. 1 and to authorize the imposition of an additional sales and use tax for the purpose of financing the operations of the district; now, therefore,

**BE IT ORDERED, ADJUDGED AND DECREED BY THE COMMISSIONERS COURT OF CASS COUNTY, TEXAS:**

**SECTION 1:** An election shall be held on the 7<sup>th</sup> day of November, 2023, within the boundaries of the proposed District set forth in Section 2 hereof, which date is not less than seventy-eight (78) days from the date of the adoption hereof and is a uniform election date pursuant to Texas Election Code, Section 41.001, for the purpose of submitting the following measure:

"SHALL the Cass County Assistance District No. 1 (with boundaries being all portions of the territory situated in Cass County, Texas excluding all territory within the municipal limits of the Cities of Atlanta, Avinger, Bloomburg, Domino, Douglassville, Hughes Springs, Linden, Marietta, Queen City, and Emergency Services District #3) be created and a sales and use tax at the rate of 1.75 percent be imposed for the purpose of financing the operations of the District? "

**SECTION 2:** The boundaries of the proposed District shall be all portions of the territory of Cass County, Texas excluding all territory within the municipal limits of the Cities of Atlanta, Avinger, Bloomburg, Domino, Douglassville, Hughes Springs, Linden, Marietta, Queen City, and Emergency Services District #3.

**SECTION 3:** In accordance with the provisions of an election services contract (the "Contract") with the Cass County Clerk, the location, dates and times for early voting for this election shall be as shown in **Exhibit A**, which is attached hereto and incorporated herein by reference as a part hereof for all purposes. Amy Varnell, Cass County Clerk, is hereby appointed early voting clerk and shall appoint and designate deputy clerks for early voting in accordance with the Contract.

For purposes of processing ballots cast in early voting, the election officers for the early voting ballot board for this election shall be appointed and designated in accordance with the provisions of the Contract.

**SECTION 4:** The Election Day Vote Centers are as shown in **Exhibit B** attached hereto and incorporated herein by reference as a part hereof for all purposes. The election officers for each Vote Center and the maximum number of clerks shall be determined and appointed in accordance with the Contract.

For purposes of processing ballots cast in early voting, the election officers for the early voting ballot board for this election shall be appointed and designated in accordance with the provisions of the Contract.

On election day, the polls shall be open from 7:00 a.m. to 7:00 p.m.

**SECTION 5:** A voting system or systems meeting the standards and requirements of the Texas Election Code, as amended, is hereby adopted and approved for early voting by personal appearance and by mail and for election day voting.

Ballots shall be prepared in accordance with the Texas Election Code, and permit electors to vote "FOR" or "AGAINST" the aforesaid measure which shall appear on the ballot substantially as follows:

CASS COUNTY ASSISTANCE DISTRICT NO. 1 PROPOSITION A

"AUTHORIZING THE CREATION OF THE CASS COUNTY ASSISTANCE DISTRICT NO. 1 AND THE IMPOSITION OF A SALES AND USE TAX AT THE RATE OF 1.75 PERCENT FOR THE PURPOSE OF FINANCING THE OPERATIONS OF THE DISTRICT"

SECTION 6: The County shall also utilize a Central Counting Station (the Station) as provided by Section 127.001, et seq., as amended, Texas Election Code. The County Clerk, or the designee thereof, is hereby appointed as the Manager of the Station, who will establish a written plan for the orderly operation of the Station in accordance with the provisions of the Texas Election Code. The Commissioners Court hereby authorizes the County Clerk, or the designee thereof, to appoint the Presiding Judge of the Station, the Tabulation Supervisor, and the Programmer for the Station and may appoint Station clerks as needed or desirable. The County Clerk will publish (or cause to be published) notice and conduct testing on the automatic tabulation equipment relating to the Station and conduct instruction for the officials and clerks for the Station in accordance with the provisions of the Texas Election Code.

SECTION 7: All resident qualified electors within the boundaries of the proposed district shall be permitted to vote at said election. This election shall be held and conducted in accordance with the provisions of the Texas Election Code and the Act, and as may be required by law, all election materials and proceedings shall be printed in both English and Spanish.

SECTION 8: A substantial copy of this Order shall serve as proper notice of said election. Said notice shall be published at least one time not more than thirty (30) days or less than ten (10) days before the day of the election in a newspaper of general circulation in the County. Additionally, the notice shall be posted (i) on the bulletin board used for posting notices of the Commissioners Court meetings, and (ii) on the County's internet website not later than twenty-one (21) days prior to election day.

SECTION 9: The County Judge, County Clerk, County Auditor or other appropriate official, is hereby authorized to correct, modify or change the information herein based upon the final locations and times agreed upon by and between the Cass County Clerk and the County Judge. Additionally, the County Judge and other County officials are hereby authorized to sign this Order and all other documents associated with the election.

YOU WILL THEREFORE, take notice of all the matters and facts set out in the foregoing Notice of Election.

//s// Amy L. Varnell, County Clerk and Ex-Officio Clerk of the Commissioners Court,  
Cass County, Texas

**EXHIBIT A**  
**CASS COUNTY EARLY VOTING LOCATION, DATES AND HOURS**

Early voting for this election shall begin on Monday, October 23, 2023 and end on Friday, November 3, 2023, and the dates and hours designated for early voting by personal appearance shall be as set forth below:

**Early Voting Locations**

**Main Early Voting Location**

Linden	Cass County Voting Building (old District Attorney's Office)	227 E Rush St. Linden
<u>Dates</u>		<u>Hours</u>
Monday, October 23, 2023 through Friday, October 27, 2023		8:00 a.m. to 5:00 p.m.
Saturday, October 28, 2023		Closed
Sunday, October 29, 2023		Closed
Monday, October 30, 2023 through Wednesday, November 1, 2023		8:00 a.m. to 5:00 p.m.
Thursday, November 2, 2023 through Friday, November 3, 2023		7:00 a.m. to 7:00 p.m.

**Branch Early Voting Locations**

Atlanta	North East Texas Property Management Building (Old Horne Enterprise Building)	101 E Pinecrest Dr. Atlanta
Hughes Springs	Hughes Springs Community Center	902 E. First St. Hwy 11 Hughes
<u>Dates</u>		<u>Hours</u>
Monday, October 23, 2023 through Friday, October 27, 2023		8:00 a.m. to 5:00 p.m.
Saturday, October 28, 2023		Closed
Sunday, October 29, 2023		Closed
Monday, October 30, 2023 through Wednesday, November 1, 2023		8:00 a.m. to 5:00 p.m.

**Early Voting By Mail**

Applications for voting by mail should be received (not post marked) no later than the close of business (5:00 p.m.) on October 27, 2023. Applications should be sent to:

Early Voting Clerk  
Amy L. Varnell, Cass County Clerk  
P.O. Box 449  
Linden, Texas 75563  
fax: (903) 756-8057  
email: amy.countyclerk@casscountytexas.org

If an application for ballot by mail is faxed or emailed (or if a federal postcard application is faxed), the applicant must also mail the original application so that the early voting clerk receives the original no later than four days after receiving the emailed or faxed copy.

**EXHIBIT B  
ELECTION PRECINCT AND ELECTION DAY POLLING LOCATION**

Election Day: November 7, 2023

Election Day Polling Locations open from 7 a.m. to 7 p.m.

**POLLING PLACES LOCATED IN COMMISSIONER PRECINCT 1**

<b><i>VOTING PRECINCT</i></b>	<b><i>LOCATION</i></b>	<b><i>ADDRESS</i></b>
1 &4 Linden & New Colony	Cass County Voting Building	227 E Rush St Linden
2 Kildare	Kildare Community Center	CR 1779 Hwy 125 Kildare
5 Avinger	Main Street Education Building	#7 N. Main St. Avinger

**POLLING LOCATIONS IN COMMISSIONER PRECINCT 2**

6 & 7 Crossroads & Springs Hughes Springs	Hughes Springs Community Center	902 E First St Hwy 11 Hughes
9 Marietta	Marietta Community Association Building (old Marietta School)	308 N Central Ave. Marietta
11&15 Douglassville & O'Farrell	Morris Building at Bowie Cass Electric	Hwy 8 N. Douglassville

**POLLING PLACES LOCATED IN COMMISSIONER PRECINCT 3**

12 Domino	Domino Community Center	14555 FM 3129 Domino
13T Atlanta	Atlanta City Hall	315 N. Buckner St. Atlanta
14 Queen City	Queen City, City Hall	601 Loop 236 Queen City

**POLLING PLACES LOCATION IN COMMISSIONER PRECINCT 4**

16 Bloomburg	Bloomburg City Hall	120 East Main Bloomburg
17& 18 Atlanta Smyrna	North East Texas Property Management Bldg	101 East Pinecrest Dr Atlanta
19, 20,21 Huffines Bivins McLeod	Huffines Community Center	6487 FM 251 Huffines