

The Carlton Law Firm, P.L.L.C.

4301 Westbank Drive, Suite B-130
Austin, Texas 78746

Phone: (512) 614-0901
Facsimile: (512) 900-2855

Jennifer M. Schein
jennifer@carltonlawaustin.com

March 12, 2025

VIA FIRST-CLASS MAIL AND ELECTRONIC MAIL: byron.ryder@co.leon.tx.us

Hon. Byron Ryder, Leon County Judge
Leon County Commissioners Court
P.O. Box 429
Centerville, Texas 75833

Re: NW Leon County ESD No. 3 – Election Ordered for May 3, 2025;
Notice of Proposed Imposition of Sales and Use Tax.

Dear Judge Ryder and Leon County Commissioners:

This Firm represents Northwest Leon County Emergency Services District No. 3 (the “District”), a political subdivision of the State of Texas.

Pursuant to §775.0751(c-1)(2) of the Texas Health and Safety Code, please accept this letter as notice that the District intends to hold a local sales and use tax election on May 3, 2025, to adopt a proposed sales and use tax rate, in an amount not to exceed 1.5% in any location in the District, to increase the funding for emergency services within the District’s territory.

Please acknowledge receipt of this notice by stamping a copy and returning it to my office in the envelope provided.

Sincerely,

THE CARLTON LAW FIRM, P.L.L.C.



Jennifer M. Schein
Attorney for NW Leon County ESD No. 3

cc: Donna Kominczak, Leon County Elections Administrator
(via email: donna.kominczak@co.leon.tx.us)

**ORDER CALLING ELECTION
TO ADOPT A LOCAL SALES AND USE TAX WITHIN NORTHWEST LEON
COUNTY EMERGENCY SERVICES DISTRICT NO. 3**

STATE OF TEXAS §
 §
COUNTY OF LEON §

WHEREAS, in accordance with Sections 775.0751 and 775.0752 of the Texas Health & Safety Code, Northwest Leon County Emergency Services District No. 3 (“District”) wishes to order an election to adopt a local sales and use tax in the District in an amount not to exceed two percent (2%);

WHEREAS, the District desires to adopt a local sales and use tax not to exceed two percent (2%) for all eligible areas located within the boundaries of the District;

WHEREAS, the boundaries of the District are wholly located within Leon County;

WHEREAS, to the extent known by the District, the City of Jewett (“Jewett”) collects a local sales and use tax within a portion of the District of one and one-half percent (1.5%), the City of Marquez (“Marquez”) collects a local sales and use tax within a portion of the District of one and one-half percent (1.5%), and the City of Normangee (“Normangee”) collects a local sales and use tax within a portion of the District of one and one-quarter percent (1.25%);

WHEREAS, to the extent known by the District, Jewett is within a portion of the District, Marquez is within a portion of the District, and Normangee is within a portion of the District;

WHEREAS, to the extent known by the District, Leon County collects a local sales and use tax of one-half percent (0.05%);

WHEREAS, to the extent known by the District, there are no other entities within the boundaries of the District that collect any portion of the available local sales and use tax;

WHEREAS, based upon the facts stated above, and if the District’s election is successful, one and one-half percent (1.5%) local sales and use tax is available to the areas within the boundaries of the District that are not located within Jewett, Marquez, or Normangee; and three quarters percent (0.075%) local sales and use tax is available to the District in the areas located within the city limits of Normangee;

WHEREAS, the Board of Commissioners of the District wishes to proceed with the ordering of an election for May 3, 2025, the next available uniform election date, and appointing election officials required for the conduct of the election, and has deemed it advisable to call the election hereinafter ordered; and

WHEREAS, the meeting to adopt this Order was open to the public, and public notice of the time, place, and purpose of the meeting was given, all as required by Chapter 551, Government Code, as amended.

THEREFORE, BE IT ORDERED BY THE BOARD OF COMMISSIONERS OF NORTHWEST LEON COUNTY EMERGENCY SERVICES DISTRICT NO. 3:

Section 1: The matters and facts set out in the recitals of this Order are hereby found and declared to be true and complete.

Section 2: That an election shall be held by the District between the hours of 7:00 a.m. and 7:00 p.m. on May 3, 2025, in the District at the Leon County precinct polling place locations within the boundaries of the District at which there shall be submitted the question of adopting the local sales and use tax for all areas within the District in which any percentage of local sales and use tax is available.

Section 3: Voting in the election must be by the use of electronic ballots and must be available in both English and Spanish and conform to the requirements of the Texas Election Code. Oral bilingual assistance must be available during the election and may be obtained by contacting the presiding judge or the alternate presiding judge at the polling location. The ballots used in the election must have printed thereon the following proposition:

PROPOSITION A: The adoption of a local sales and use tax in Northwest Leon County Emergency Services District No. 3 at a rate not to exceed one and one-half percent (1.5%) in any location in the District.

Each voter may vote for or against the proposition by placing an "X" in the square beside the word "FOR" or in the square beside the word "AGAINST".

Section 4: The polling place for each such election precinct shall be the polling place established by Leon County for such election precincts in Leon County. Early voting dates, time and locations and the election day polling locations are as determined by Leon County.

The presiding judges, alternate presiding judges and clerks for the election selected and appointed by Leon County in compliance with the requirements of state law are hereby designated and appointed election officers for the holding of this election. The presiding judges, alternate presiding judges and clerks shall perform the functions and duties of their respective positions that are provided by state law. Early voting in the election by personal appearance shall begin on April 22, 2025, and shall continue through April 29, 2025, unless the early voting period is extended by the Governor of Texas. The Clerk for Early Voting is Donna Kominczak, Leon County Elections Administrator, and early voting will be conducted at polling locations established by Leon County for early voting.

The Early Voting Clerk's mailing address to which ballot applications and ballots to be voted by mail may be sent is: Donna Kominczak, Early Voting Clerk, (Mail) P.O. Box 1239, Centerville, Texas 75833 and (Physical) 155 N. Cass St., Annex II – 2nd Floor, Centerville, Texas 75833. The Early Voting Clerk's email address is donna.kominczak@co.leon.tx.us.

CERTIFICATE FOR ORDER

STATE OF TEXAS §
 §
COUNTY OF LEON §

The undersigned officer of the Board of Commissioners ("Board") of Northwest Leon County Emergency Services District No. 3 hereby certifies as follows:

1. The Board of Northwest Leon County Emergency Services District No. 3 ("District") convened in a regular meeting on the 12th day of February 2025, at Flynn VFD Community Center, 8039 CR 451 Flynn, TX 77855, and the following officers and members of the Board:

Hugo Ellison	- President
Corby Watson	- Vice President
Shawn Noey	- Secretary
Jackie Moran	- Treasurer
Scott Furches	- Assistant Treasurer

were present, except Commissioner(s) _____, thus constituting a quorum. Among other business, an:

**ORDER CALLING ELECTION
TO ADOPT A LOCAL SALES AND USE TAX WITHIN THE DISTRICT**

was introduced for the consideration of the Board. It was then duly moved and seconded that the Order be adopted, and, after discussion, the motion prevailed and carried by majority vote.

2. A true, full and correct copy of the Order adopted at the meeting described in the above paragraph is attached to this certificate. The Order has been duly recorded in the District's minutes of the meeting. The persons named in the paragraph above are the duly chosen, qualified and acting officers and members of the Board as indicated in paragraph 1. Each of the officers and members of the Board was notified officially and personally, in advance, of the time, place and purpose of the Board meeting, and that the Order would be introduced and considered for adoption at the meeting. Each of the officers and members consented, in advance, to holding the meeting for such purpose. The meeting was open to the public as required by law, and public notice of the time, place and subject of the meeting was given as required by Chapter 551 of the Government Code.


Section 5: The election shall be held and conducted and returns made of this election in accordance with the Texas Election Code, as modified by Chapter 775 of the Texas Health & Safety Code.

Section 6: All qualified residents of the District shall be entitled to vote in the election.

Section 7: The Secretary of the Board is hereby directed to cause notice of this election to be published in both Spanish and English in a newspaper of general circulation within the District pursuant to §4.003 of the Election Code.

PASSED AND APPROVED this 12th day of February, 2025.

NORTHWEST LEON COUNTY EMERGENCY
SERVICES
DISTRICT NO. 3

By: 
Hugo Ellison, President
Board of Commissioners

ATTEST:


Shawn Noey, Secretary
Board of Commissioners

SIGNED AND SEALED the 12TH day of FEBRUARY 2025.

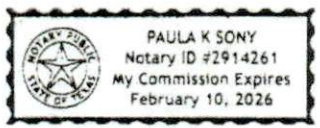


Shawn Noey, Secretary
Board of Commissioners

STATE OF TEXAS §
 §
COUNTY OF LEON §

This instrument was acknowledged before me on the 12TH day of FEBRUARY 2025, by Shawn Noey, Secretary of the Board of Commissioners of Northwest Leon County Emergency Services District No. 3, on behalf of the District.

(seal)


Notary Public Signature