

FRANKLIN COUNTY WATER DISTRICT

ORDER NO. 2025-02

AN ORDER OF THE BOARD OF DIRECTORS OF THE FRANKLIN COUNTY WATER DISTRICT, FRANKLIN COUNTY, TEXAS, DECLARING UNOPPOSED CANDIDATES ELECTED TO OFFICE AND CANCELLING THE MAY 3, 2025, GENERAL ELECTION; ORDERING NOTICE OF ELECTION CANCELLATION TO BE GIVEN AS PRESCRIBED BY LAW; PROVIDING FOR AN EFFECTIVE DATE; AND CONTAINING OTHER PROVISIONS RELATING TO THE SUBJECT.

WHEREAS, the Franklin County Water District, a conservation and reclamation district and governmental entity in the State of Texas (the "District" or "FCWD"), is subject to the laws of the State of Texas as they apply to such districts;

WHEREAS, on January 28, 2025, via Order No. 2025-01, the Board of Directors of the District (the "Board") duly ordered and called a general election to be held on Saturday, May 3, 2025, for the purpose of electing Board of Directors for Precinct No. 1 and Precinct No. 2 each for a term of four (4) years, or as otherwise provided by law, and until a successor is duly elected and qualified (the "Election" herein);

WHEREAS, the filing deadline for placement on the ballot for the Election was February 14, 2025, at 5:00 PM, and the filing deadline for placement on the list of approved write-in candidates for the Election was February 18, 2025, at 5:00 PM;

WHEREAS, in accordance with Section 2.052 and Section 52.002(4) of the TEXAS ELECTION CODE (the "Code"), the Secretary of the Board has certified in writing that each candidate on the ballot is unopposed for election to office and no person has made a declaration of write-in candidacy for the Election (the "Certification of Unopposed Status" herein), which Certification of Unopposed Status is attached hereto as Exhibit A and incorporated herein for all intents and purposes;

WHEREAS, under these circumstances, Section 2.053 of the Code authorizes the Board to (i) declare the unopposed candidates elected to office; and (ii) cancel the Election due to the lack of opposition;

WHEREAS, the Board officially finds and determines that the meeting at which this Order was adopted was open to the public, and public notice of the time, place and purpose of said meeting was given, all as required by the Open Meetings Act, Chapter 551 of the TEXAS GOVERNMENT CODE; and

WHEREAS, the Board hereby declares it in the best interests of the health, safety, and welfare of the District and the residents of Franklin County, Texas, to adopt this Order.

NOW, THEREFORE, BE IT ORDERED AND RESOLVED BY THE BOARD OF DIRECTORS OF THE FRANKLIN COUNTY WATER DISTRICT:

Section 1. Findings. The above findings are hereby found to be true and correct and adopted as findings of fact, incorporated herein, and operative provisions hereof.

Section 2. Unopposed Candidates Declared Elected to Office. Pursuant to Section 2.053(a) of the Code, the Board hereby declares that the following candidates, who are unopposed in the Election and duly qualified for office, are elected to office for a term of four (4) years, or as otherwise provided by law, and until a successor is duly elected and qualified:

<u>OFFICE(S)</u>	<u>CANDIDATE(S)</u>
DIRECTOR, PRECINCT NO. 1	G.W. SHARP
DIRECTOR, PRECINCT NO. 2	BOB STINSON

The electees shall be issued a certificate of election following the time the Election would have been canvassed.

Section 3. Election Canceled. Pursuant to Section 2.053(b) of the Code, and based on the declaration in Section 2 herein above, the Election shall not be held and is hereby canceled.

Section 4. Notice of Election Cancellation. The Secretary of the Board, or designee, is hereby authorized and directed to post notice that the Election is not to be held and take any action necessary to carry out the provisions of this Order. A copy of this Order shall be posted (i) on the District's website; (ii) at the District's main administrative office; and (iii) at each polling place that would have been used in the Election on or before the commencement of early voting, which notice shall remain until the conclusion of election day, as required by applicable law.

Section 5. Severability. Should any section, provision, or part of this Order be held unconstitutional, illegal, or invalid, or the application to any person or circumstance thereof ineffective or inapplicable, such unconstitutionality, illegality, invalidity, or ineffectiveness of such section, provision, or part shall in no way affect, impair, or invalidate the remaining portion or portions thereof; but as to such remaining portion or portions, the same shall be and remain in full force and effect and to this end the provisions of this Order are declared to be severable.

Section 6. Prerequisites Satisfied. All prerequisites for the adoption of this Order have been duly satisfied, conducted, and completed, including, without limitation, all public notices, procedures, and publications as required by law, including, without limitation, the Open Meetings Act, Chapter 551 of the TEXAS GOVERNMENT CODE.

Section 7. Effective Date. This Order shall be in full force and take effect upon passage as authorized under Texas law (the "Effective Date").

AND SO IT IS ORDERED ON THIS 25th DAY OF FEBRUARY, 2025.

EXHIBIT A



Dillon McAdoo, Secretary of the Board

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February 19, 2025

Mr. Gary Morrow
President of the Board
Director, Precinct 4
Via Email: gary.morrow@fcwd.com

**RE: CERTIFICATION OF UNOPPOSED STATUS OF CANDIDATES FOR THE
MAY 3, 2025, DIRECTOR ELECTION**

Dear Mr. Morrow,

As the authority responsible for having the official ballot prepared, I hereby certify that the following candidates are unopposed for election to office for the general election scheduled to be held on Saturday, May 3, 2025—meaning, only one candidate's name will appear on the ballot for each open position and no candidate's name will be placed on an approved list of write-in candidates for either position:

<u>Office(s)</u>	<u>Candidate(s)</u>
Director, Precinct 1	G.W. Sharp
Director, Precinct 2	Bob Stinson

This certification is made pursuant to the requirements of Section 2.052, Texas Election Code, as amended, to enable the Board of Directors of the Franklin County Water District to adopt an Order Declaring Unopposed Candidates Elected to Office under the provisions of Section 2.053, Texas Election Code, as amended.

Sincerely,

Dillon McAdoo
Secretary of the Board
Director, Precinct 3

cc: Dana Reeves, General Manager
Grant Lowry, General Counsel