

**ORDINANCE NO. 2017.05**

**CERTIFICATION OF MAY 6, 2017 ELECTIONS**

**AN ORDINANCE OF THE VILLAGE OF SALADO, TEXAS, DECLARING THE CANVASS OF THE RESULTS OF THE MAY 6, 2017, SPECIAL ELECTION HELD FOR THE PURPOSE OF DECIDING FOR OR AGAINST A DISANNEXTION PROPOSITION, AND THE MAY 6, 2017 GENERAL ELECTION HELD FOR THE PURPOSE OF ELECTING THREE (3) ALDERMEN OF THE VILLAGE OF SALADO BOARD OF ALDERMEN AND ALL MATTERS RELATED TO HOLDING SUCH ELECTIONS; PROVIDING FOR FINDINGS OF FACT, PROVIDING FOR SEVERABILITY, REPEALING CONFLICTING PROVISIONS, FINDING PROPER NOTICE AND OPEN MEETING, AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the Board of Aldermen (“Board”) on February 16, 2017, approved an Ordinance for a General Election, to be held on May 6, 2017, to allow voters of the Village of Salado (the “Village”) to vote and elect three (3) Aldermen; and,

**WHEREAS**, the Board on February 16, 2017, approved an ordinance for a Special Election, to be held in conjunction with the General Election on May 6, 2017, to allow voters of the Village to vote “for” or “against” on a disannexation proposition; and

**WHEREAS**, the Board reviewed and investigated all matters pertaining to the General and Special Elections (the “Elections”), including the calling, notices, election officers, holding and returns thereof; and,

**WHEREAS**, the Board hereby canvasses the returns of the General Election, at which there was submitted to all resident, qualified voters of the Village for their action a list of the following candidates:

1. Judy Fields
2. David T. Williams
3. Fred Brown
4. Andy Jackson
5. Christopher Tramel
6. Michael McDougal
7. Linda Reynolds

**WHEREAS**, the Board also hereby canvasses the results of the Special Election, at which there was submitted to all resident, qualified voters of the Village for their action the following disannexation proposition:

PROPOSITION

SHALL THE AREA WITHIN THE VILLAGE OF SALADO DESCRIBED BY METES AND BOUNDS IN THE PETITION ON FILE IN THE VILLAGE SECRETARY'S OFFICE BE DECLARED NO LONGER PART OF THE VILLAGE OF SALADO

**WHEREAS**, the Board has diligently inquired into the poll lists and the official election returns which were duly and lawfully made available to the Board by the election officials holding and conducting such Elections; and the official election returns showing separately the votes cast in the Elections; and,

**WHEREAS**, from these returns, the Board hereby finds that the following votes were cast in the General Election by voters who were resident, qualified voters of the Village:

<b>CANDIDATE</b>	<b>EARLY VOTING</b>	<b>ELECTION DAY</b>	<b>TOTAL VOTES</b>
Judy Fields	127	63	190
David T. Williams	167	52	219
Fred Brown	289	90	379
Andy Jackson	396	115	511
Christopher Tramel	114	56	170
Michel McDougal	377	105	442
Linda Reynolds	127	82	209

and,

**WHEREAS**, from these returns, the Board hereby finds that the following votes were cast in the Special Election by voters who were resident, qualified voters of the Village:

PROPOSITION

SHALL THE AREA WITHIN THE VILLAGE OF SALADO DESCRIBED BY METES AND BOUNDS IN THE PETITION ON FILE IN THE VILLAGE SECRETARY'S OFFICE BE DECLARED NO LONGER PART OF THE VILLAGE OF SALADO

	EARLY VOTING	ELECTION DAY	TOTAL VOTES
FOR	75	41	116
AGAINST	517	190	707

**NOW THEREFORE BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE VILLAGE OF SALADO, TEXAS:**

**I. Elections; Returns; Canvasses.** The Board officially finds, determines, and declares that the Elections were duly and properly conducted, that proper legal notice of such Elections was duly given in the English language and the Spanish language (to the extent required by law), that proper election officers were duly appointed prior to the Elections; that the Elections were duly and legally held, that all resident, qualified voters of the Village were permitted to vote at the elections, that due returns of the results of the Elections were made and delivered, and that the Board has duly canvassed such returns, all in accordance with the laws of the State of Texas and of the United States of America, and the order calling the Elections.

**II. Election Results for Aldermen.** The Board certifies Andy Jackson, Michael McDougal and Fred Brown received the highest number of votes cast by the resident qualified voters of the Village in the General Election, and as such, each is hereby elected as an Alderman.

**III. Election Results for Proposition.** The Board certifies that the highest number of the resident, qualified voters of the Village in the Special Election, voted AGAINST the Proposition. The Board hereby finds and determines that the Election was duly called, that proper notice was given, that the Election was held in all aspects in conformity with the law, that the Proposition did not carry at the Election.

**VI. 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 Ordinance for all purposes and are adopted as a part of the judgment and findings of the Board.

**VII. Severability.** If any portion of this Ordinance or the application thereof to any person or circumstance is held invalid by a court of competent jurisdiction, the remaining provisions of this Ordinance and the application of such provision to other persons and circumstances shall remain valid and in full force and effect, and the Board of Aldermen hereby declares that this Ordinance would have been enacted without such invalid provision.

**VIII. Conflicting Provisions.** All orders and resolutions, or parts thereof, which are in conflict or inconsistent with any provision of this Ordinance 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.

**IX. Governing Law.** This Ordinance shall be construed and enforced in accordance with the laws of the State of Texas and the United States of America.

**X. Proper Notice and Open Meeting.** It is hereby officially found and determined that the meeting at which this Ordinance was acted upon was open to the public as required and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act, Chapter 551 of the Texas Government Code.

**XI. Authorization to Execute.** The Mayor is authorized to execute and the Village Secretary is authorized to attest this Ordinance on behalf of the Board; and the Mayor is authorized to do all other things legal and necessary in connection with the holding and consummation of the Election.

**XII. Effective Date.** This Ordinance is effective immediately upon its passage and approval.

**PASSED, APPROVED AND ADOPTED** this 15<sup>th</sup> day of May, 2017 by the Board of Aldermen of the Village of Salado by a vote of \_\_\_ (Ayes) \_\_\_ (Nays) \_\_\_ (Abstain).

VILLAGE OF SALADO

By:   
Skip Blance, Mayor

**ATTEST:**

  
Judy King, Village Secretary

**APPROVED AS TO FORM:**

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*Village of Salado*

Ordinance Canvassing May 6, 2017 Elections

  
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Linda Sjogren, Village Attorney

Josh Katz