ORDINANCE NO. 2012-006

AN ORDINANCE OF THE BOARD OF ALDERMEN OF THE TOWN OF TALTY, TEXAS, CANVASSING THE RETURNS AND DECLARING THE RESULTS OF THE TOWN GENERAL ELECTION HELD ON MAY 12, 2012 FOR THREE (3) MEMBERS OF THE BOARD OF ALDERMEN; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

 WHEREAS, the Board of Aldermen of the Town of Talty, Texas called an election to be held in the Town on May 12, 2012 to elect three (3) members of the Board of Aldermen, each to serve a term of two (2) years; and

 WHEREAS, immediately after said election the Presiding Judge and other officials holding said election made the returns of the results thereof to the Town as set forth herein, and said returns being made according to law, and duly authenticated, being shown that written notice of said election was posted for the time and manner provided by law, and all other proceedings pertaining to said election have been shown to have been done and performed at and within the manner provided by law, and all papers pertaining thereto having been returned and filed with the Town and no protest or objection being made to or regarding any manner pertaining to said election;

 NOW, THEREFORE, be it resolved by the Board of Aldermen of the Town of Talty, Texas:

 **Section 1**: That after examining said returns, as presented by Kaufman County to the Town, attached hereto as Exhibit “A,” and opening and canvassing the votes of said election that the results of said election are as follows:

 Kevin Williams 22

 Brad Davis 37

 Frank Garrison 34

 Al Werning 38

Adoption of an additional sales and use tax within the Town of Talty, at the rate of one-fourth (1/4) of one percent (1%) for road repair and maintenance passed 42 in favor and 41 against.

Authorizing the creating of a Talty Municipal Development District No. 1, and the imposition of a sales and use tax at the rate of one fourth (“1/4”) of one percent (1%) for the purpose of financing development projects beneficial to the district failed 69 against and 54 in favor.

 **Section 2**: That said election was duly called, notice of said election was given in accordance with the law, and that said election was held in accordance with the law. Brad Davis, Frank Garrison and Al Werning were elected members to the Board of Aldermen. The above named persons are hereby declared elected to those respective offices, subject to the taking of their oaths as provided by the laws of the State of Texas.

 **Section 3**: That this Canvass and Declaration of Results of said election be entered in the Minutes of the Town Council and that said officers, after being duly qualified and having taken their oaths, shall serve during the term commencing May 2012 and thereafter until a successor is duly elected and qualified.

 **Section 4**: It is further found and determined that in accordance with the order of this governing body, the Town Secretary posted written notice of the date, place and subject of this meeting in the window located at Town Hall, a place convenient and readily accessible to the general public, and said notice having been posted and remaining posted continuously for at least 72 hours preceding the scheduled time of said meeting.

 **Section 5**: That should any part, section, subsection, paragraph, sentence, clause or phrased contained in this Ordinance be held to be unconstitutional, invalid or unenforceable, such holding shall not affect the validity of the remaining portion of this ordinance, but in all respects said remaining portion shall be and remain in full force and effect.

It is therefore, DULY PASSED by the Board of Aldermen of the Town of Talty, on this 19th day of June, 2012.

APPROVED:

 Mayor Larry Farthing

ATTEST:

 Town Secretary Sherry Bagby