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**MINUTES OF SPECIAL VIDEOCONFERENCE MEETING NO. 2320  
COMMISSIONERS OF JEFFERSON COUNTY  
JEFFERSON COUNTY DRAINAGE DISTRICT NO. 7**

Place: 4749 Twin City Highway, Suite 300  
Port Arthur, Texas

Date: March 23, 2020

Present: Commissioners  
Richard Beaumont  
Lester Champagne  
Billy Joe Butler  
Albert Moses, Jr.  
Phil Kelley, Manager

Absent: James Gamble, Sr.

Visitors: Diane Smith, DD7  
Tomeka Channel, DD7

The meeting was called to order at 2:00 .p.m. by Chairman Beaumont after ascertaining that the Notice of Special Videoconference Meeting had been posted in accordance with the law. Public participation in this meeting was by Facebook Live on the District's Facebook page. Commissioner Moses gave the invocation.

Consider Postponement of Election

Mr. Phil Kelley stated this is an emergency meeting that was called to consider whether to postpone the District's general election until November 3, 2020. Mr. Kelley read the agenda item and the language from the Notice of the Special Videoconference Meeting that was posted in accordance with the law as follows:

1. CONSIDER POSTPONEMENT OF ELECTION

THE PUBLIC CAN PARTICIPATE IN THIS MEETING BY FACEBOOK LIVE ON THE DISTRICT'S FACEBOOK PAGE AT THE LINK BELOW:

<https://www.facebook.com/Jefferson-County-Drainage-District-No-7-1597719507007809/>

THE RECORDING OF THE SPECIAL VIDEOCONFERENCE MEETING WILL BE AVAILABE ON THE DISTRICT'S WEBSITE ONCE IT HAS BEEN UPLOADED AT [WWW.DD7.ORG](http://WWW.DD7.ORG).

THE BOARD WILL NOT ADDRESS OR ANSWER ANY QUESTIONS OTHER THAN THOSE PERTAINING TO THE AGENDA ITEM LISTED ABOVE.

Mr. Kelley then turned the meeting over to Diane Smith, the District's Election Clerk, to cover Governor Greg Abbott's Proclamation and his recommendations.

Mrs. Smith stated she had previously sent out a memo to the Board for review on considering postponement of the District's general election. She further stated Governor Abbott has issued a proclamation that gives political subdivisions the option to postpone their May 2, 2020 election until the uniform election date of November 3, 2020. He strongly encourages and strongly recommends postponement due to the COVID 19 situation. In order to postpone the election, the District must take Board action and order postponement with certain items referenced within the order/resolution. All of these items are contained in Resolution No. 459 that has been submitted for consideration.

The postponement would not affect any of the District's future elections, and the next election would still be held in May of 2022. The commissioner positions that are up for election on May 2 would be holdovers and remain in office until the election in

November. The newly elected commissioners will have a shorter term before their next election comes up in 2024.

By postponing the election date, the District would preserve all candidate filings and ballot order actions that have already been taken. The postponement does not allow reopening candidate filing.

Mrs. Smith has been in contact with Elections Systems and Software (ES&S), the company the District entered into a rental contract with for the voting equipment. This contract also covered ES&S performing public testing of the voting equipment and the poll worker training for using the voting equipment. If the election is not postponed, the District is required to continue to meet all deadlines for the May 2 election date, and ES&S does not know how they would handle poll worker training because of the gathering rule of 10 or less people. In addition, most of the poll workers that have committed to work the District's election are elderly, and the District does not want to put anyone at risk during this time. It is also possible to not have a good voter turnout if the election is not postponed.

Mrs. Smith is currently in the process of getting a ballot proof prepared and has turned in an election supply order; however, the order has not been processed and received. If the election is not postponed, over 1,000 Ballots by Mail must be mailed out to voters who have filed Annual Application for Ballots by Mail by April 1, which is 30 days prior to the election. It may be hard to get the mail ballot kits in time to have them prepared and ready for mailout by this date. ES&S has also said the District would not

be penalized if it decides to postpone its election and cancel the equipment rental contract and the election supply order.

Governor Abbott's proclamation also suspends certain Texas Election Code provisions that now will require all County Election Officers to contract with local political subdivisions that postpone their May 2, 2020 election. The Cities of Groves and Port Neches hold their council elections in November, and they contract with the County for their elections. The County Clerk's office has said they see no reason why they would not contract with the District. Contracting with the County would most likely be beneficial and cheaper for the District overall. The City of Port Arthur was supposed to hold a meeting this morning to consider postponing its election. The City of Port Arthur and the Port Arthur Independent School District are the only other entities in our area that would be holding an election on May 2, 2020. The City of Nederland cancelled its election due to no opposition.

Governor Abbott's proclamation also states if the District does postpone its election until November 3, 2020, the District is required to notify all news media and newspapers.

Mr. Phil Kelley reiterated the fact that Governor Abbott's proclamation requires the County Clerk to assist the District in holding its election. Mrs. Smith stated the District must request a contract for election services or a joint election agreement with the County Election Officer.

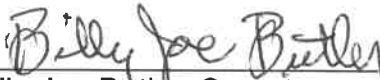
Commissioner Champagne made a motion based on the strong encouragement from the Governor's office to postpone the District's May 2, 2020 General Election until

the November 3, 2020 uniform election date and to approve Resolution No. 459 Authorizing Postponement of May 2, 2020 General Election. Commissioner Butler seconded the motion. Commissioner Moses stated the District does not want to put anyone's health in jeopardy and he supports postponing the election until November 3, 2020. Mr. Kelley stated one of his main concerns is that the election judges and clerks the District hires are seniors and he really cannot see going forward with the May election knowing there is a chance that all of the poll workers would likely cancel because of the exposure for COVID-19. Mr. Kelley is not sure what the course of action would be if the District went forward with the election and it did not have any poll workers. Chairman Beaumont asked if there were any questions from the public. Mrs. Tomeka Channel stated there were no questions from the public at this time and asked the public to please type in a question on the Facebook Live screen if they had a question before the Board votes on the motion on the agenda item. While waiting for public comment, Mr. Kelley also stated another big issue is that ES&S is reluctant to come and train poll workers, conduct the public test of the voting equipment and be here on election day to give assistance. ES&S is essential in holding the election. The Board waited an additional few minutes to allow the public time to submit questions and there were no questions from the public.

The Board voted to unanimously pass the motion to postpone the May 2, 2020 General Election until the November 3, 2020 Uniform Election Date and to approve Resolution No. 459 Authorizing Postponement of May 2, 2020 General Election. The

motion carried. A copy of Resolution No. 459 is attached hereto and made a part of these minutes.

At 2:11 p.m., Commissioner Moses moved that the meeting be adjourned. Commissioner Butler seconded the motion. The motion carried.

  
Billy Joe Butler, Secretary

  
Richard Beaumont, Chairman

**RESOLUTION NO. 459  
AUTHORIZING POSTPONEMENT OF  
MAY 2, 2020 GENERAL ELECTION**

STATE OF TEXAS

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COUNTY OF JEFFERSON

WHEREAS, Jefferson County Drainage District No. 7 (the "District") holds elections for its Board of Commissioners in May of even numbered years for staggered four-year terms; and

WHEREAS, the General Election for Commissioners is currently scheduled for May 2, 2020; and

WHEREAS, Governor Greg Abbott has issued a proclamation dated March 18, 2020 suspending provisions of the Texas Election Code to allow political subdivisions to postpone their 2020 local elections until November 3, 2020 due to the COVID-19 situation, including social distancing and avoiding large gatherings; and

WHEREAS, the District feels it is in the best interest of the District and the citizens of the District to postpone its May 2, 2020 General Election until November 3, 2020.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSIONERS OF JEFFERSON COUNTY DRAINAGE DISTRICT NO. 7:

THAT it is in the best interest of the District to postpone its May 2, 2020 General Election until November 3, 2020, pursuant Governor Greg Abbott proclamation dated March 18, 2020, referenced above.

THAT candidate filings for the election will remain valid for the election held on November 3, 2020, and that the filing period will not be re-opened for the November election date.

THAT all Applications for Ballot by Mail ("ABBM") for voters that are voting by mail due to being over the age of 65 or due to disability will be valid for the postponed election, and all ABBMs for voters who submitted ABBMs based on expected absence from the county will not be valid for the postponed election.

THAT the major relevant dates for the November election are the voter registration deadline which is October 5, 2020; the deadline to submit an ABBM which is October 23, 2020; and the dates for early voting which are October 19, 2020 through October 30, 2020.

I, Billy Joe Butler, Secretary of the Board of Commissioners of Jefferson County Drainage District No. 7, do hereby certify that the above is a true and correct copy of a resolution adopted by the Board of Commissioners of Jefferson County Drainage District No. 7, at their meeting No. 2320 held on the 23<sup>rd</sup> day of March, 2020, upon motion made by Commissioner Champagne and seconded by Commissioner Butler and adopted unanimously by said Board, a quorum being present.

Given under my hand this 23<sup>rd</sup> day of March 2020.

  
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Secretary  
JEFFERSON COUNTY DRAINAGE DISTRICT NO. 7