I. Call to Order

II. Certification of the Posting of the Notice of the Meeting

III. Policy Report and Consideration

1. Consideration of Approval of the Order Calling a Special Annexation Election (ACTION ITEM 1)

2. Consideration of Adoption of a Resolution Regarding Special Annexation Election (ACTION ITEM 2)

3. Consideration of the Approval of the Joint Election Agreement and Election Services Agreement with Carol Gaultney, Elections Administrator of Montgomery County (ACTION ITEM 3)

IV. Adjournment
Certification of Posting of Notice to the August 29, 2006
Special Meeting of the
North Harris Montgomery Community College District’s
Board of Trustees

I, John E. Pickelman, Chancellor of the North Harris Montgomery Community College District, do hereby certify that a notice of the Special Meeting was posted on Friday, the 25th day of August, 2006, in a place convenient to the public in the Administration Office of the District Services and Training Center and on all college campuses as required by Section 551.001 et seq., Texas Government Code.

Given under my hand this the 25th day of August, 2005.

John E. Pickelman, Ph.D.
Chancellor
Request: Consideration of Approval of the Order Calling a Special Annexation Election

Chancellor’s Recommendation: That the Board of Trustees approve the order calling the special annexation election on November 7, 2006. The special annexation election is to authorize annexation of the territory comprising the Montgomery Independent School District located in Montgomery County, Texas to become a part of the North Harris Montgomery Community College District.

Rationale: The Board has received a petition seeking to have the territory comprising the Montgomery Independent School District to become part of NHMCCD. The petition was signed by at least five percent (5%) of the registered voters in the territory and certified by the Montgomery County Elections Administrator.

The Texas Education Code, as amended, provides that it shall then be the duty of the Board of Trustees to enter an Order for an election to be held in the proposed territory to be annexed to the college district.

Fiscal Impact: The election will be held jointly with Montgomery County for the November General Election. The Montgomery Election Services will conduct the election for the District using all County polling sites for the November General Election during early voting. Polling locations on election day are within the boundaries and limits of Montgomery Independent School District. Montgomery County estimates that the District’s proportionate share of the November General Election expenses will be $127,215.

Staff Resource: Judy Stubblefield 832-813-6514
NOTICE OF SPECIAL ELECTION

NOTICE IS HEREBY GIVEN that an election will be held in and through out the territory comprising the Montgomery Independent School District located in Montgomery County, Texas, on the 7th day of November, 2006, pursuant and in keeping with the following order adopted by the North Harris Montgomery Community College District Board of Trustees.

ORDER CALLING A SPECIAL ANNEXATION ELECTION

THE STATE OF TEXAS §
COUNTIES OF HARRIS AND MONTGOMERY §
NORTH HARRIS MONTGOMERY COMMUNITY COLLEGE DISTRICT §

WHEREAS, the Board of Trustees of the North Harris Montgomery Community College District did receive a petition signed by at least five percent (5%) of the registered voters in the territory comprising the Montgomery Independent School District; and

WHEREAS, said petition does seek to have the territory comprising the Montgomery Independent School District annexed to and become a part of the North Harris Montgomery Community College District, a junior college district located within Harris County, Texas, and Montgomery County, Texas; and

WHEREAS, the petition does contain a legally sufficient description of the territory comprising the Montgomery Independent School District which is proposed for annexation and is accompanied by a letter of certification from the Montgomery County Elections Administrator; and

WHEREAS, the Texas Education Code, as amended, provides that it shall then be the duty of the Board of Trustees, to enter an Order for an election to be held in the proposed territory to be annexed to the college district.

NOW, THEREFORE, be it ordered by the Board of Trustees of the North Harris Montgomery Community College District that:

SECTION 1: An election shall be held on November 7, 2006, between the hours of 7:00 a.m. and 7:00 p.m. within the area comprising the Montgomery Independent School District for the purpose of voting on the following proposition:

PROPOSITION

SHALL THE TERRITORY COMPRISING THE MONTGOMERY INDEPENDENT SCHOOL DISTRICT LOCATED IN MONTGOMERY COUNTY, TEXAS, BE ANNEXED TO AND BECOME A PART OF THE NORTH HARRIS MONTGOMERY COMMUNITY COLLEGE DISTRICT, A JUNIOR COLLEGE DISTRICT, LOCATED WITHIN HARRIS COUNTY, TEXAS, AND MONTGOMERY COUNTY, TEXAS?

SECTION 2: The official ballot shall have printed on it:
SECTION 3: The official ballot cards and ballot labels, respectively, for the election shall be prepared in accordance with the Texas Election Code so as to permit the electors to vote "FOR" or "AGAINST" the aforesaid PROPOSITION which shall be set forth on such ballot cards and ballot labels in substantially the following form:

**OFFICIAL BALLOT**

**PROPOSITION**

[ ]( FOR ) ANNEXATION OF THE FOLLOWING TERRITORY
FOR JUNIOR COLLEGE PURPOSES: THE TERRITORY

[ ]( AGAINST ) COMPRISING THE MONTGOMERY INDEPENDENT
SCHOOL DISTRICT LOCATED IN MONTGOMERY
COUNTY, TEXAS

The results of the election shall be canvassed by the Board on November 16, 2006 at 6:00 p.m., in the Board Room of the North Harris Montgomery Community College District Services and Training Center, 5000 Research Forest Drive, The Woodlands, Texas.

The Board shall conduct a joint election with Montgomery County for the November General Election. The Montgomery County Elections Services shall conduct the election for the District at the designated county polling sites for early voting and on election day. The costs for the District’s election shall be held at the expense of the District and in accordance with the Texas Election Code, except as modified by the Texas Education Code.

SECTION 4: The election shall be held at the following election precincts in Montgomery County within the boundaries and limits of the Montgomery Independent School District. The election precincts established shall be designated by numbers, and the boundaries of the election precincts shall be those respectively designated and numbered precincts, lying within the boundaries and limits of Montgomery Independent School District, which have been duly described, designated and established by order of the Montgomery County Commissioners Court. The following are designated as polling places

<table>
<thead>
<tr>
<th>NHMCCD Election Precincts in Montgomery County</th>
<th>All or Parts of Montgomery County Precincts</th>
<th>Montgomery County Polling Places</th>
</tr>
</thead>
<tbody>
<tr>
<td>MISD-1</td>
<td>5</td>
<td>Willis Community Bldg, 109 W Mink, Willis, TX 77378</td>
</tr>
<tr>
<td>MISD-2</td>
<td>9</td>
<td>Four Corners Fire Station, 12051 FM 3083, Conroe, TX 77301</td>
</tr>
<tr>
<td>MISD-3</td>
<td>11</td>
<td>The Woodlands High School 9th Grade Campus, 10010 Branch Crossing Drive, The Woodlands, TX 77382</td>
</tr>
<tr>
<td>MISD-4</td>
<td>19</td>
<td>Copperwood Apartment Bldg, 4407 S Panther Creek Dr., The Woodlands, TX 77381</td>
</tr>
</tbody>
</table>
SECTION 5. Early voting by personal appearance shall begin on October 23, 2006 and continue through November 3, 2006 at the following locations and times:

<table>
<thead>
<tr>
<th>Location</th>
<th>Dates</th>
<th>Times</th>
</tr>
</thead>
<tbody>
<tr>
<td>Election Central, 225 Collins Street, Conroe, TX</td>
<td>October 23–27, Monday-Friday</td>
<td>8:00 a.m. – 5:00 p.m.</td>
</tr>
<tr>
<td>Malcolm Purvis Library, 510 Melton Street, Magnolia, TX</td>
<td>October 23–27, Monday-Friday</td>
<td>8:00 a.m. – 5:00 p.m.</td>
</tr>
<tr>
<td>South County Community Building, 2235 Lake Robbins Drive, The Woodlands, TX</td>
<td>October 23–27, Monday-Friday</td>
<td>8:00 a.m. – 5:00 p.m.</td>
</tr>
<tr>
<td>W. Mink Street, Willis, TX 77378</td>
<td>October 28, Saturday</td>
<td>7:00 a.m. – 7:00 p.m.</td>
</tr>
<tr>
<td>East County Courthouse Annex, 21130 U.S. Highway 59 South, New Caney, TX</td>
<td>October 28, Saturday</td>
<td>7:00 a.m. – 7:00 p.m.</td>
</tr>
<tr>
<td>West County Courthouse Annex, 19380 Hwy 105 W., Suite 507, Montgomery, TX</td>
<td>October 28, Saturday</td>
<td>7:00 a.m. – 7:00 p.m.</td>
</tr>
</tbody>
</table>

Early voting by mail in Montgomery County shall be conducted by the Early Voting Clerk hereby designated to be Carol Gaultney, Montgomery County Elections Administrator and Voter Registrar. Voters in Montgomery County, may send early ballot applications and early ballots by mail to

Carol Gaultney
225 Collins Street
SECTION 6: The voting at each election site shall be by voting machines duly adopted by the Commissioners Court of Montgomery County utilizing a ballot method approved for use in elections held in each County. Voters in Montgomery County shall use the respective County’s electronic voting system to vote for or against the Proposition by operating eSlate’s Rotary Select to select ”FOR” or “AGAINST” the PROPOSITION. The voter will push the ENTER button to register their vote.

SECTION 7: This Order shall constitute the election order for the call of the election and the same or a substantial copy thereof shall constitute the notice of such election; and the Secretary of the Board is ordered to cause notice of the election to be given as required by law. Immediately after the election, the officers holding the election shall convey returns of the results to the Board of the District. The Board shall canvass such returns and declare the results of such election.

Notice of such election shall be given by publishing a substantial copy of this election order, in English and Spanish, one time, not earlier than the thirtieth day nor later than the tenth day prior to the date set for the election, in a newspaper published in the District, and by posting a copy of this order on the bulletin board used for posting notices of Board of Trustees meetings and the District’s web page, not later than the 21st day prior to the date set for the election.

Said election shall be held in accordance with the Texas Election Code, except as modified by the Texas Education Code and the Federal Voting Rights Act of 1965, as amended.

It is hereby officially found and determined that notice of the meeting at which this order is adopted was given as required by the Texas Open Meetings Act, and that such meeting has been open to the public at all times when this order was discussed and acted on.

PASSED AND APPROVED on ____________________________, 2006.

____________________________________
Chair, Board of Trustees
NORTH HARRIS MONTGOMERY
COMMUNITY COLLEGE DISTRICT

ATTEST:

____________________________________   (SEAL)
Secretary, Board of Trustees
NORTH HARRIS MONTGOMERY
COMMUNITY COLLEGE DISTRICT
Request: Consideration of Adoption of a Resolution Regarding the Special Annexation Election

Chancellor’s Recommendation: That the Board of Trustees adopt the resolution regarding the special annexation election.

Rationale: North Harris Montgomery Community College District must submit documentation of the actions taken by the Board of Trustees on August 29, 2006 to the United States Department of Justice Voting Rights Section as part of the process of seeking preclearance of the Board of Trustees election. In the past, the District has delayed the submission of the Election Order until after the Board met to approve the minutes at which the Order had been approved. By adopting a resolution that can be signed by the Board Chair and Secretary documenting the actions taken by the Board, the request can be submitted immediately and preclearance received more promptly.

Fiscal Impact: None.

Staff Resource: Judy Stubblefield 832-813-6514
Renee Smith Byas 832-813-6508
RESOLUTION OF NORTH HARRIS MONTGOMERY COMMUNITY COLLEGE DISTRICT

WHEREAS, at a duly called meeting with a proper quorum present, the North Harris Montgomery Community College District (“District”) has taken the following actions relating to the Special Annexation election to be held November 7, 2006:

1. Adopted an Order calling the election, that identifies early voting procedures, locations and dates, and the precincts, times and voting equipment to be used on election day,

2. The Montgomery County Elections Services shall conduct the election for the District using all County polling sites for the November General Election during early voting. Polling locations on election day are within the boundaries and limits of Montgomery Independent School District. The costs for the District’s election shall be held at the expense of the District and in accordance with the Texas Election Code, except as modified by the Texas Education Code.

THEREFORE, BE IT RESOLVED by the Board of Trustees of the North Harris Montgomery Community College District that the actions taken today will provide access to familiar locations at convenient times to permit all voters to exercise their right to participate in NHMCCD Special Annexation election on November 7, 2006, that appropriate steps will be taken to communicate information pertinent to this election in English and Spanish, and that the General Counsel and Vice Chancellor is directed to submit documentation of the actions taken today to the United States Department of Justice Voting Rights Section to seek preclearance of the Board of Trustees election.

RESOLVED THIS ____ DAY OF AUGUST, 2006.

______________________________
Chairman
Board of Trustees, North Harris Montgomery Community College District

ATTEST:

______________________________
Secretary
Request: Consideration of the Approval of the Joint Election Agreement and Election Services Agreement with Carol Gaultney, Elections Administrator of Montgomery County

Chancellor’s Recommendation: That the Board of Trustees approve the election agreement for the joint election in November which provides for the sharing of facilities, election officials, election equipment and expenses and outlines the specific responsibilities of each entity.

Rationale: Although, the expense to hold a joint election with Montgomery County in November using each of the County’s polling location is higher than previous District elections, the sharing of facilities, election officials, election equipment will result in greater convenience for voters and is permitted under Section 271.002(a) of the Texas Election Code.

Fiscal Impact: Montgomery County has estimated that NHMCCD’s proportionate expenses for the joint election will be $127,215. Funds are included in the proposed FY 2006-07 operating budget for the District.

Staff Resource: Judy Stubblefield 832-813-6514