

RESOLUTION

BE IT RESOLVED by the Board of Education of Custer County School District 21-0084, a/k/a Sargent Public Schools, hereinafter referred to as "School District" as follows:

1. That the Board of Education of this School District hereby finds and determines that the Election Commissioner of Custer County, Nebraska, has notified the Board of Education that a recall petition has been filed against Board Members Martin Riddle, Loyd Pointer, Tamera Moody, and Laura Kipp, and that such recall petition has been found to have been signed by the requisite number of registered voters to require a recall election be held, that said Board Members have not resigned within five days after receiving notice of such, and that the Board of Education is therefore required by Neb. Rev. Stat. § 32-1306(2) to order an election.

2. That the Board of Education of this School District hereby calls and orders an election to be held in this School District pursuant to Nebraska law, including Neb. Rev. Stat. §§ 32-1306 and 32-1307 on the 14th day of November, 2023, at which there shall be submitted to all the legal voters of this School District the following questions:

Shall Martin Riddle be removed from the office of the Board of Education of Custer County School District 21-0084, a/k/a Sargent Public Schools?

Shall Loyd Pointer be removed from the office of the Board of Education of Custer County School District 21-0084, a/k/a Sargent Public Schools?

Shall Tamera Moody be removed from the office of the Board of Education of Custer County School District 21-0084, a/k/a Sargent Public Schools?

Shall Laura Kipp be removed from the office of the Board of Education of Custer County School District 21-0084, a/k/a Sargent Public Schools?

3. That the notice of election shall be given to all the legal voters of this School District and others as required by law and a copy of the sample ballot shall be published as required by law, such notice and sample ballot shall be published in a newspaper of general circulation in this School District and the Secretary of the Board or another designee of this School District or the County Clerk or Election Commissioner of Custer County shall be and are hereby directed to cause such notice and sample ballot to be published and printed along with any other required publications or actions prior to the election.

4. That the Secretary of the Board or another designee of this School District shall be and are hereby authorized and directed to certify a copy of this resolution to the County Clerk or Election Commissioner of Custer County, who shall conduct the election, as provided by law. That this School District does hereby agree to reimburse the County Clerk or Election Commissioner of Custer County for the expenses of publication and conducting the election to the extent required by law. Ballots for voting at said election shall be certified across county lines for all legal voters of this School District in counties other than Custer County and shall be counted and canvassed in the manner required by law, to the extent necessary or appropriate.

5. That the form of ballot and form of notice of election shall be substantially in the sample forms submitted to this meeting, copies of such sample forms are on file with official records of this School District and are incorporated herein by this reference as though set forth in full. That the Secretary of the Board or another designee of this School District or the County Clerk or Election Commissioner of Custer County are hereby authorized and directed to arrange for the printing of the necessary ballots for said election and to do all other things and take all other action appropriate or necessary in order to cause said proposition to be submitted to all the legal voters of this School District as defined in this resolution and as provided herein.

CERTIFICATION AND ORDER

The undersigned hereby certifies that the above Resolution was approved by a majority of a quorum of the members of the Board of Education of this School District and was declared as passed and adopted by the President at a duly held and lawfully convened meeting in full compliance with the Nebraska open meetings law.

The undersigned hereby further certifies that the above Resolution and the attached Sample Notice of Election and Sample Ballot are true and accurate extracts from the minutes of a meeting of the Board of Education of Custer County School District 21-0084, a/k/a Sargent Public Schools held on the 25th day of September, 2023, and order the election called as provided herein and further certify that such Resolution, Notice of Election, Sample Ballot and Order have been filed with the County Clerk or Election Commissioner of every county which contains all or part of this School District.

DATED this 25th day of September, 2023.

CUSTER COUNTY SCHOOL DISTRICT 21-0084, A/K/A SARGENT PUBLIC SCHOOLS

BY: _____
President of the Board of Education
or other Board Member

RECEIPT AND ORDER

The undersigned, County Clerk or Election Commissioner of Custer County, Nebraska, does hereby acknowledge receipt of the above Resolution, Sample Notice of Election, Sample Ballot and Order, this ____ day of September, 2023, and hereby further orders the election called as provided therein.

County Clerk or Election Commissioner of Custer County

**SAMPLE
NOTICE OF ELECTION
CUSTER COUNTY SCHOOL DISTRICT 21-0084
A/K/A SARGENT PUBLIC SCHOOLS
IN THE STATE OF NEBRASKA**

Public notice is hereby given to all the legal voters of Custer County School District 21-0084, a/k/a Sargent Public Schools, in the State of Nebraska, that an election has been called and will be held on the 14th day of November, 2023 at which there will be submitted to all legal voters of said School District the following questions:

Shall Martin Riddle be removed from the office of the Board of Education of Custer County School District 21-0084, a/k/a Sargent Public Schools?

Yes

No

Shall Loyd Pointer be removed from the office of the Board of Education of Custer County School District 21-0084, a/k/a Sargent Public Schools?

Yes

No

Shall Tammera Moody be removed from the office of the Board of Education of Custer County School District 21-0084, a/k/a Sargent Public Schools?

Yes

No

Shall Laura Kipp be removed from the office of the Board of Education of Custer County School District 21-0084, a/k/a Sargent Public Schools?

Yes

No

By order of the Board of Education of Custer County School District 21-0084, a/k/a Sargent Public Schools, in the State of Nebraska and the County Clerk or Election Commissioner of Custer County.

**CUSTER COUNTY SCHOOL
DISTRICT 21-0084, A/K/A SARGENT
PUBLIC SCHOOLS, IN THE STATE
OF NEBRASKA, AND THE COUNTY
CLERK OR ELECTION
COMMISSIONER OF CUSTER
COUNTY**

**DRAFT SAMPLE
OFFICIAL BALLOT
CUSTER COUNTY SCHOOL DISTRICT 21-0084
A/K/A SARGENT PUBLIC SCHOOLS
IN THE STATE OF NEBRASKA**

On this 14th day of November, 2023:

Shall Martin Riddle be removed from the office of the Board of Education of Custer County School District 21-0084, a/k/a Sargent Public Schools?

Yes

No

Shall Loyd Pointer be removed from the office of the Board of Education of Custer County School District 21-0084, a/k/a Sargent Public Schools?

Yes

No

Shall Tammera Moody be removed from the office of the Board of Education of Custer County School District 21-0084, a/k/a Sargent Public Schools?

Yes

No

Shall Laura Kipp be removed from the office of the Board of Education of Custer County School District 21-0084, a/k/a Sargent Public Schools?

Yes

No