

**MEMORANDUM OF UNDERSTANDING AFFIRMING THE USE OF SPACE OWNED BY
_____ AS A POLLING LOCATION FOR BENEFIT OF THE CITIZENS OF
BURNET COUNTY**

RECITALS

WHEREAS, Burnet County (“County”) is a local governmental entity located within the State of Texas responsible for the well being of its citizens. In order to carry out a part of its legally assigned functions, Burnet County, through its Election’s Department, requires the use of physical space at various locations across Burnet County to use as polling locations for elections at various times throughout the year.

WHEREAS, _____ (“Property Owner”), is a Burnet County landowner/property owner of a building and/or property that contains adequate space located at _____ to carry out the functions of a polling location for Burnet County elections. Property Owner recognizes that the use of its space as a polling location during elections serves a public purpose which benefits all citizens of Burnet County.

The parties enter into the following memorandum of understanding:

MEMORANDUM OF UNDERSTANDING

1. Property Owner agrees to allow the Burnet County Elections Department to utilize space at the above-described location for the purpose of use as a polling location. Property Owner shall designate the exact space to be utilized at its building/property.
2. Burnet County’s permission to use this space for election purposes is indefinite or until notice is provided otherwise. Burnet County’s use of its assigned area shall cease when Property Owner withdraws permission; but only if said notice is provided within a reasonable period of time, allowing for adequate time to identify a new polling location so that the withdrawal does not interfere with any upcoming election. Notice shall be provided in writing to the Burnet County Elections Administrator.
3. Property Owner recognizes that when its property is utilized as a polling location, political signs may be erected upon the exterior portions of its property by political organizations and/or political candidates. Property Owner hereby **Adopts** / **Rejects** (Circle One) the Burnet County ordinance concerning campaign signs at polling locations that it has reviewed. This option is provided because the use of Property Owner’s location serves a public purpose.
 - A. Adoption of the rules requires Property Owner or his/her designee to enforce the ordinance concerning campaign signs at their property which has hosted a polling location. Enforcement includes determining violations and disposing of signs in violation of the rules.

4. Property Owner understands that the use of their property as a polling location requires Burnet County to place/locate publicly owned property thereon during an election. Property Owner agrees to cooperate and work with Burnet County to ensure all publicly owned property is safely maintained and stored.
5. Property Owner agrees that Burnet County shall need access to the existing Wireless Internet (WIFI) at Property Owners building/property if WIFI exists, at times when an election is conducted. Property Owner agrees to allow Burnet County access to its WIFI if WIFI exists, when a polling location is in operation.
6. Any damages to any areas on owner's property that is attributed to Burnet County shall be borne by Burnet County. In the event that Property Owner has not adopted the Burnet County ordinance concerning campaign signs at polling locations, it understands that any damages due to campaign signs shall be borne by the political campaign which placed the sign.
7. Any damages to any equipment owned by Burnet County which is attributable to Property Owner shall be borne by Property Owner.
8. The cost of utilities, to include electricity, water, waste water, etc. in the area assigned to Burnet County is hereby waived by Property Owner.
9. Burnet County shall be responsible to provide general cleaning of the areas it utilizes as a polling place. Burnet County shall not remodel or permanently change any of the existing structure in the assigned area unless granted express permission by Property Owner.
10. Property Owner agrees that Burnet County shall need access to the area on Property Owners building/property at times when an election is conducted. Property Owner agrees to allow Burnet County access to its building/property when a polling location is in operation. In order to ensure safety and security, Burnet County may be provided separate access and keys for independent ingress/egress into its assigned area without affecting the functions of the remaining areas utilized by Property Owner. Any costs associated with this shall be borne by Burnet County.
11. Property Owner shall continue to carry all necessary insurance coverage for its building/property which includes the area assigned to Burnet County for use as a polling location. Burnet County shall carry liability insurance for injuries occurring in areas it has been allowed to use. The parties agree that they will indemnify the other party for any injuries, damages, or torts arising out of the intentional acts or acts of negligence of their personnel/volunteers/employees/guests who use and control the facility and the kitchen area located therein.

ADOPTED by this ____ day of _____, 2022.

Doug Ferguson
Burnet County Elections Administrator
With Authority of the Burnet County Commissioner's Court

Property Owner