

A RESOLUTION TO REGULATE AND PROVIDE FOR THE CALLING OF AN ELECTION TO DETERMINE THE ISSUANCE OR NON-ISSUANCE OF HABERSHAM COUNTY GENERAL OBLIGATION BONDS; TO PROVIDE FOR THE DATE, MAXIMUM RATE OF INTEREST AND SCHEDULE OF MATURITIES THAT SAID BONDS SHALL BEAR; TO PROVIDE FOR THE LEVY AND COLLECTION OF TAXES TO SERVICE SAID BONDED INDEBTEDNESS, IF SO AUTHORIZED; AND FOR OTHER PURPOSES

WHEREAS, the Habersham County Board of Commissioners (the “Board of Commissioners”), the body charged with managing the affairs of Habersham County, Georgia (the “County”), has caused a thorough study to be made of the need for a new jail (the “Jail”), and such investigation discloses the urgent need for such Jail; and

WHEREAS, the Board of Commissioners has determined that the most feasible plan for providing funds to finance the costs of the Jail is for the County to issue its general obligation bonds in an aggregate principal amount not to exceed \$31,700,000 (the “Bonds”), pursuant to the Constitution and laws of the State of Georgia; and

WHEREAS, under the Constitution and laws of the State of Georgia, it is necessary to submit to the qualified voters of the County the question of whether or not the Bonds should be issued for the purpose of financing the Jail.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners, and it is hereby resolved by authority of the same, as follows:

Section 1. Call for Election. There is hereby called to be held in all the election districts in the County on November 5, 2019 an election (the “Election”) for the purpose of submitting to the qualified voters of the County the question of whether the Bonds should be issued for the purpose of financing the Jail, the costs of issuing the Bonds and capitalized interest on the Bonds. The Bonds, if so authorized, may be issued in whole or in part and in one or more series. The Bonds shall be dated the first day of the calendar month in which the Bonds are issued or the day the Bonds are issued and shall bear interest at rates not exceeding 6.00% per year. The principal shall mature (by scheduled maturity or by mandatory redemption) in the years and amounts, as follows:

<u>Year</u>	<u>Amount</u>
2021	\$490,000
2022	505,000
2023	525,000
2024	550,000
2025	580,000
2026	610,000
2027	640,000
2028	670,000
2029	705,000
2030	740,000
2031	775,000
2032	815,000
2033	855,000
2034	900,000
2035	945,000
2036	990,000
2037	1,040,000
2038	1,095,000
2039	1,145,000
2040	1,205,000
2041	1,265,000
2042	1,330,000
2043	1,395,000
2044	1,465,000
2045	1,540,000
2046	1,615,000
2047	1,695,000
2048	1,780,000
2049	1,870,000
2050	1,965,000

The Bonds may be made subject to redemption prior to maturity upon the terms and conditions to be determined by the Board of Commissioners.

Section 2. Form of Ballot. The ballot to be used in the Election shall be substantially in the form set forth in Notice of Election attached as Exhibit A hereto (the “Notice of Election”). The caption of the ballot shall be “HABERSHAM COUNTY GENERAL OBLIGATION JAIL BONDS.”

Section 3. Manner of Election. The Election shall be held in accordance with the election laws of the State of Georgia and any other applicable laws (the “Election Laws”). The returns of the Election shall be made to the County, who shall, in the presence of and together

with the several managers of the polls, bring up the returns, consolidate the returns and declare the results of the Election in the manner required by law.

Section 4. Publication of Call and Notice of Election. A Call of the Election substantially in the form attached as Exhibit B hereto (the “Call”) shall be published in in the newspaper in which sheriff’s advertisements for the County are published (the “Legal Organ”) at least 90 days preceding the Election. The Notice of Election shall be published in the Legal Organ at least 30 days preceding the Election and once a week thereafter up to and including the week before the Election.

Section 5. Tax Levy. Should the Bonds be authorized by the requisite number of qualified voters, the Board of Commissioners shall levy a tax upon all the property subject to taxation for general obligation bond purposes within the County sufficient in amount to pay the principal of and the interest on the Bonds as the same shall become due.

Section 6. Brochures. Any brochures, listings or other advertisements issued by the County or any other person, firm, corporation or association with the knowledge and consent of the County, shall be deemed to be a statement of intention of the County concerning the use of the proceeds of the Bonds; and such statement of intention shall be binding on the County in the expenditure of any such Bond funds or interest received from such Bond funds which have been invested.

Section 7. Bond Audit Waiver. The Board of Commissioners waives the independent performance audit or performance review referred to in O.C.G.A. §36-82-100.

Section 8. General Authority. The proper officers, employees and agents of the County are hereby authorized to take any and all further actions as may be required in connection with the Election.

Section 9. Repealer. Any and all resolutions or parts thereof in conflict with this resolution this day passed be and they are hereby repealed.

Section 10. Effective Date. This resolution shall take immediate effect upon its adoption.

Section 11. Delivery of this Resolution to the Board of Elections. The Clerk is hereby requested to deliver a copy of this resolution to the Habersham County Board of Elections and Registration (the “Board of Elections”) with a request that the Board of Elections join in the call of the Election.

[Remainder of Page Intentionally Left Blank]

ADOPTED AND APPROVED this 15th day of July, 2019.

**HABERSHAM COUNTY BOARD OF
COMMISSIONERS**

By: _____
Chairman

(SEAL)

Attest: _____
Clerk

EXHIBIT A

NOTICE OF BOND ELECTION

TO THE QUALIFIED VOTERS OF HABERSHAM COUNTY, GEORGIA

YOU ARE HEREBY NOTIFIED that on November 5, 2019 an election will be held in all of the election districts of Habersham County, Georgia (the “County”), at which election there will be submitted to the qualified voters of the County the question for their determination of whether the County should issue general obligation bonds in an aggregate principal amount not to exceed \$31,700,000 (the “Bonds”) for the purpose of financing a new jail, the costs of issuing the Bonds and capitalized interest on the Bonds.

The Bonds, if so authorized, may be issued in whole or in part and in one or more series. The Bonds shall be dated the first day of the calendar month in which the Bonds are issued or the day the Bonds are issued and shall bear interest at rates not exceeding 6.00% per year. The principal shall mature (by scheduled maturity or by mandatory redemption) in the years and amounts, as follows:

<u>Year</u>	<u>Amount</u>
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2037	1,040,000
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<u>Year</u>	<u>Amount</u>
2045	1,540,000
2046	1,615,000
2047	1,695,000
2048	1,780,000
2049	1,870,000
2050	1,965,000

Any brochures, listings or other advertisements issued by the County or by any other person, firm, corporation or association with the knowledge and consent of the County, shall be deemed to be a statement of intention of the County concerning the use of the proceeds of the Bonds; and such statement of intention shall be binding on the County in the expenditure of any such Bond funds or interest received from such Bond funds which have been invested.

Pursuant to O.C.G.A. Section 36-82-100, the County notifies all interested parties that no independent performance audit or performance review (the “Bond Audit”) will be conducted with respect to the Bonds. However the County will continue to ensure that Bond proceeds are expended efficiently and economically, as intended by the Bond Audit.

The ballot shall be in substantially the following form:

- Yes “Shall general obligation bonds in an aggregate principal amount of up to \$31,700,000 be issued by Habersham County, Georgia to finance a new jail?”
- No

The several places for holding said election shall be in the regular and established election districts of the County, and the polls will be open from 7:00 A.M. to 7:00 P.M. on the date fixed for the election.

The last day to register to vote in this election shall be October 7, 2019.

Those residents qualified to vote at said election shall be determined in all respects in accordance with election laws of the State of Georgia.

This notice is given pursuant to resolutions of the Habersham County Board of Commissioners and the Habersham County Board of Elections and Registration.

HABERSHAM COUNTY, GEORGIA

By: _____
Chairman

HABERSHAM COUNTY BOARD OF
ELECTIONS AND REGISTRATION

By: _____
Chairman

EXHIBIT B

NOTICE OF CALL OF BOND ELECTION

TO THE QUALIFIED VOTERS OF THE HABERSHAM COUNTY, GEORGIA

YOU ARE HEREBY NOTIFIED THAT Habersham County, Georgia (the “County”) and the Habersham County Board of Elections and Registration called an election on November 5, 2019 in all of the election districts of the County. At the election, there will be submitted to the qualified voters of the County the question for their determination of whether the County should issue general obligation bonds in an aggregate principal amount not to exceed \$31,700,000 (the “Bonds”) for the purpose of financing the a new jail, the costs of issuing the Bonds and capitalized interest on the Bonds.

The several places for holding said election shall be in the regular and established election districts of the County, and the polls will be open from 7:00 A.M. to 7:00 P.M. on the date fixed for the election.

The last day to register to vote in this election shall be October 7, 2019.

Those residents qualified to vote at said election shall be determined in all respects in accordance with election laws of the State of Georgia.

This notice is given pursuant to resolutions of the Habersham County Board of Commissioners and the Habersham County Board of Elections and Registration.

HABERSHAM COUNTY, GEORGIA

By: _____
Chairman

HABERSHAM COUNTY BOARD OF
ELECTIONS AND REGISTRATION

By: _____
Chairman

CLERK'S CERTIFICATE

The undersigned Clerk of Habersham County, Georgia (the "County") DOES HEREBY CERTIFY that the foregoing pages of typewritten matter constitute a true and correct copy of a resolution adopted by the Habersham County Board of Commissioners at a meeting duly held on January 15, 2019, which meeting was open to the public and at which a quorum was present and acting throughout, and that the original of said resolution appears of record in the Minute Book of the County, which is in my custody and control.

Witness my hand and seal of the County, this 15th day of July, 2019.

Clerk

(SEAL)