

A RESOLUTION OF THE CARROLL COUNTY BOARD OF COMMISSIONERS CONTINUING A ONE PERCENT SALES AND USE TAX AS AUTHORIZED BY ARTICLE 3 OF CHAPTER 8 OF TITLE 48 OF THE OFFICIAL CODE OF GEORGIA ANNOTATED; SPECIFYING THE PURPOSES FOR WHICH THE PROCEEDS OF SUCH TAX ARE TO BE USED; SPECIFYING THE PERIOD OF TIME FOR WHICH SUCH TAX MAY BE IMPOSED; SPECIFYING THE ESTIMATED COST OF THE PROJECTS TO BE FUNDED FROM THE PROCEEDS OF SUCH TAX; AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION DEBT SECURED BY THE PROCEEDS OF SUCH TAX; SPECIFYING THE PRINCIPAL AMOUNT OF SUCH GENERAL OBLIGATION DEBT TO BE ISSUED; SPECIFYING THE PURPOSE FOR WHICH SUCH GENERAL OBLIGATION DEBT IS TO BE ISSUED; SPECIFYING THE MAXIMUM INTEREST RATE OR RATES OF INTEREST WHICH SUCH GENERAL OBLIGATION DEBT MAY BEAR; SPECIFYING THE PRINCIPAL AMOUNT TO BE PAID IN EACH YEAR DURING THE LIFE OF SUCH GENERAL OBLIGATION DEBT; REQUESTING THAT THE BOARD OF ELECTIONS AND REGISTRATION CALL AN ELECTION OF THE VOTERS OF CARROLL COUNTY, GEORGIA TO APPROVE THE CONTINUATION OF SUCH SALES AND USE TAX AND THE ISSUANCE OF SUCH GENERAL OBLIGATION DEBT; APPROVING THE FORM OF BALLOT TO BE USED IN SUCH ELECTION; AND FOR OTHER PURPOSES

WHEREAS, Article 3 of Chapter 8 of Title 48 of the Official Code of Georgia Annotated (the “Sales and Use Tax Act”) authorizes the imposition of a one percent sales and use tax (the “Sales and Use Tax”) for the purpose of financing certain capital outlay projects and retiring certain general obligation debt; and

WHEREAS, Carroll County, Georgia (the “County”) and the cities and town within the County (the “Cities”) have determined that it is in the best interest of the citizens of the County and the Cities that the Sales and Use Tax be continued in the County to raise approximately \$119,000,000 for the purpose of funding (a) certain capital outlay projects of the County (the “County Projects”) and (b) certain capital outlay projects of the Cities (the “City Projects” and together with the County Projects, the “Projects”); and

WHEREAS, the County also has determined that it is in the best interest of the citizens of the County that the County issue up to \$40,000,000 of general obligation debt of the County (the “Debt”) to fund in whole or in part any of the Projects and the costs of issuing the Debt; and

WHEREAS, the County has also determined and does hereby declare that the County will receive Sales and Use Tax proceeds sufficient to pay the principal of and interest on the Debt as the same become due and payable; and

WHEREAS, the County delivered or mailed a written notice (the “Notice”) to the mayor or chief elected officer in each qualified municipality located within the County regarding the imposition of the Sales and Use Tax; and

WHEREAS, the Notice contained the date, time, place and purpose of a meeting at which the Board of Commissioners and the governing authorities of each qualified municipality met and discussed the possible projects for inclusion in the referendum, including municipally owned or operated projects; and

WHEREAS, the Notice was delivered or mailed at least ten days prior to the date of the meeting, and the meeting was held at least thirty days prior to the issuance of the call of the referendum; and

WHEREAS, after such meeting, the County and the Cities entered into an Intergovernmental Agreement governing the use of the Sales and Use Tax proceeds (the "Agreement").

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

1. In order to finance the Projects, there is hereby authorized to be levied and collected within the County as provided in the Sales and Use Tax Act a Sales and Use Tax in the amount of one percent on all sales and uses in the County as provided in the Sales and Use Tax Act. As required by Section 48-8-111(a) of the Sales and Use Tax Act:

(a) The proceeds of such tax will be used to fund all or a portion of the Projects.

(b) The Projects consist of the "County Projects" and the "City Projects." The estimated costs of the Projects, including interest on the Debt, are set forth below:

<u>County Projects</u>	<u>Estimated Cost</u>
Roads, Streets, Bridges, Sidewalks, and Transportation, and Public Works Facilities and Equipment	\$21,377,000.00
Public Safety and Fire Department Facilities and Equipment	\$22,000,000.00
Administrative Facilities and Equipment	\$19,000,000.00
Recreation and Parks Facilities and Equipment	\$3,750,000.00
Judicial Facilities and Equipment	\$5,250,000.00
Community Impact and Economic Development	\$1,214,700.00
Agricultural Projects and Farmland and Watershed Protection	<u>\$1,100,000.00</u>
Total:	\$73,670,000.00

<u>Bowdon Projects</u>	<u>Estimated Cost</u>
Roads, streets, bridges, and sidewalks, including but not limited to repair, resurfacing, improvements, and construction	\$341,375.00
Water Facilities and Equipment	\$300,875.00
Wastewater Facilities and Equipment	\$450,000.00
Economic Development	\$315,000.00
Public Safety Facilities and Equipment	\$294,250.00
Library Facilities and Equipment	\$ 35,000.00
Recreational Facilities and Equipment	\$190,000.00
Parks Facilities and Equipment	\$ 90,000.00
Historic Preservation Facilities and Equipment	\$ 30,000.00
Municipal Complex Facilities and Equipment	\$155,000.00
Total:	\$2,201,500.00

<u>Bremen Projects</u>	<u>Estimated Cost</u>
Public Safety Vehicles and Equipment	\$220,000.00
Sanitary Sewer Improvements	\$380,000.00
Total:	\$600,000.00

<u>Carrollton Projects</u>	<u>Estimated Cost</u>
Fire	\$6,500,000.00
Replace Fire Station #23	
Fire Department Equipment	
Parks and Recreation	\$8,163,300.0
Pool and Water Park Renovations	
Remodeling and Renovate Existing Facilities	
Land Purchases	
Senior Center Renovations	
Tennis Facility Improvements	
Engineering	\$10,400,000.00
Traffic/Street Improvements	
GreenBelt Spurs	
Parking	
Paving	
Sidewalk Extensions/Repairs	
Stormwater Improvements	
Police Equipment	\$900,000.00
IT Equipment	\$300,000.00
<b>Total:</b>	<b>\$26,263,300.00</b>

<u>Mount Zion Projects</u>	<u>Estimated Cost</u>
Recreation	\$395,700.00
Purchase Vehicles and Equipment	
Facilities Upgrades and Improvements	
Water	\$230,000.00
Purchase of Vehicles and Equipment	
Police	\$450,000.00
Vehicle and Equipment Purchases	
Facilities Upgrades and Improvements	
Roads	\$155,000.00
Purchase of Vehicles and Equipment	
Paving and Road Improvements	
City Administration	
Facilities Upgrades and Improvements	\$150,000.00
Economic Development	\$440,000.00
<b>Total:</b>	<b>\$1,820,000</b>

<u>Roopville Projects</u>	<u>Estimated Cost</u>
Administrative Facilities and Equipment	\$32,000.00
Water Facilities and Equipment	\$96,000.00
Recreational Facilities and Equipment	<u>\$110,000.00</u>
Total:	<del>0</del> 238,000

<u>Temple Projects</u>	<u>Estimated Cost</u>
Temple Senior Center	\$150,000.00
Recreation	\$830,000.00
Public Works	\$1,375,000.00
Public Safety	\$450,000.00
Sewer	\$1,050,000.00
Economic Development	\$350,000.00
Equipment and Vehicles	<u>\$340,800.00</u>
Total:	\$4,545,80000

<u>Villa Rica Projects</u>	<u>Estimated Cost</u>
Transportation	
Punkintown Road	\$4,000,000.00
Resurfacing	\$3,000,000.00
Recreation	
Gold Dust Park Improvements	\$900,000.00
Powell Park Improvements	\$100,000.00
Economic Development	
Industrial Park	\$500,000.00
Public Safety	
Facilities, Vehicles and Equipment	\$508,300.00
Total:	\$9,008,300.00

<u>Whitesburg Projects</u>	<u>Estimated Cost</u>
City Hall/Police Department Facilities and Equipment	<del>\$80,000</del>
Recreation Center Facilities, and Equipment	\$50,000.00
Water Facilities and Equipment	\$100,000.00
Police Vehicles and Equipment	\$80,000.00
Streets and Sidewalks	\$100,000.00
Total:	\$630,700.00

Each of the Projects may include the acquisition of land, equipment, technology, vehicles, construction and renovation of facilities, and other capital costs related to such Project.

The costs of the Projects set forth above are estimates based upon the estimated Sales and Use Tax collections and the needs of the County and the Cities at the time the Agreement was executed. The actual Sales and Use Tax collections may vary from the estimated amounts and the needs of the County and/or the Cities may change. Therefore, the County has the sole right to determine how much it will spend on the County Projects, and each of the Cities has the sole right to determine how much it will spend on its City Projects. The County and the Cities are not required to spend the amounts set forth above for the Projects if the Projects can be completed for a lesser amount or the actual Sales and Use Tax collections are less than estimated (and in the latter case, neither the County nor the Cities are required to (a) apply money from their respective General Funds to complete the Projects or (b) fund the Projects with future Sales and Use Tax collections). Furthermore, the County and the Cities may spend more than the amounts set forth above for the Projects. Notwithstanding the foregoing, a Project may not be abandoned in its entirety unless the parties agree, and the provisions of the Sales and Use Tax Act are satisfied.

The County may fund the County Projects in any order or priority it may deem necessary or convenient, and the Cities may fund the City Projects in any order or priority they may deem necessary or convenient.

(c) The Sales and Use Tax is hereby authorized to be imposed for a period of six years commencing upon the expiration of the Sales and Use Tax currently in effect.

(d) Assuming that the imposition of the Sales and Use Tax and the issuance of the Debt is approved by the voters of the County in the Election (hereinafter defined), the County is hereby authorized to issue the Debt (in whole or in part and in one or more series) in an aggregate principal amount not to exceed \$40,000,000. The Debt shall bear interest from the first day of the month during which the Debt is issued or from such other date as may be designated by the County prior to the issuance of the Debt, at a rate or rates to be determined in a supplemental resolution or resolutions to be adopted by the

County prior to the issuance of the Debt, which rate or rates shall not exceed 6.0% per annum. The maximum amount of principal to be paid with respect to the Debt in each year shall be as follows:

<u>Year</u>	<u>Amount</u>
2022	\$ 6,020,000
2023	6,200,000
2024	6,445,000
2025	6,770,000
2026	7,105,000
2027	<u>7,460,000</u>
	<u>\$40,000,000</u>

The proceeds of the Debt shall be deposited by the County in a separate account or accounts and shall be used to fund in whole or in part any of the Projects and the costs of issuing the Debt. Any interest earnings on such proceeds shall be similarly applied by the County and/or any beneficiary of the Debt.

If Debt is issued, the Sales Tax proceeds allocable to the beneficiary of that Debt shall only be used for paying debt service requirements on the Debt until such time as there is on deposit in a separate account sufficient monies to pay all principal and interest on the Debt coming due in that year as more fully provided in the Agreement.

2. The Carroll County Board of Elections and Registration (the “Board of Elections”) is hereby requested to call an election (the “Election”) to be held in all the voting precincts in the County on March 16, 2021 for the purpose of submitting to the qualified voters of the County the question set forth in the ballot referred to in paragraph 3 below.

3. The ballots to be used in the Election shall be substantially in the form set forth in the Notice of Election attached hereto as Exhibit A (the “Notice”).

4. The Board of Elections is hereby requested to hold the Election in accordance with the election laws of the State of Georgia, including, without limitation, the election laws relating to special elections. The Board of Elections is hereby further requested to canvass the returns, declare the result of the Election and certify the result to the Secretary of State and to the Commissioner of Revenue.

5. The Board of Elections is hereby authorized and requested to publish (a) the Call of Election attached hereto as Exhibit B (the “Call”) in the newspaper in which Sheriff’s advertisements for the County are published (the “Legal Organ”) as soon as practicable, but in any case at least 30 days preceding the Election and (b) the Notice in the Legal Organ once a week for four weeks immediately preceding the Election.

6. Any brochures, listings, or other advertisements issued by the Board of Commissioners or by any other person, firm, corporation or association with the knowledge and consent of the Board of Commissioners, shall be deemed to be a statement of intention of the Board of Commissioners concerning the use of the proceeds of the Debt, and such statement of

intention shall be binding upon the Board of Commissioners in the expenditure of such Debt funds or interest received from such Debt funds to the extent provided in Section 36-82-1 of the Official Code of Georgia Annotated.

7. Should the Debt be authorized by the requisite number of qualified voters, the Board of Commissioners of the County shall levy, upon all property subject to taxation for general obligation bond purposes within the County, a tax in an amount sufficient to pay the principal of and interest on the Debt as the same become due. Such tax shall be collected to the extent there is any deficiency in the Sales and Use Tax proceeds.

8. The Clerk of the Board of Commissioners is hereby authorized and directed to deliver a copy of this Resolution to the Board of Elections, with a request that the Board of Elections call the Election.

9. The proper officers and agents of the County are hereby authorized to take any and all further actions as may be required in connection with the imposition of such Sales and Use Tax, the acquisition, equipping and installation of the Projects, and the issuance of the Debt as herein provided.

10. Raymond James & Associates, Inc. shall be the underwriter or placement agent for the Debt, and Murray Barnes Finister LLP shall be the County's bond and disclosure counsel for the Debt.

11. This Resolution shall take effect immediately upon its adoption.

Adopted this 5th day of January, 2021.

CARROLL COUNTY BOARD OF  
COMMISSIONERS

(SEAL)

By: \_\_\_\_\_  
Chairman

By: \_\_\_\_\_  
Clerk



EXHIBIT A

NOTICE OF ELECTION

TO THE QUALIFIED VOTERS OF CARROLL COUNTY, GEORGIA:

NOTICE IS HEREBY GIVEN that on March 16, 2021 an election will be held at the regular polling places in all the election districts of Carroll County, Georgia (the “County”), at which time there will be submitted to the qualified voters of the County for their determination the question of whether a sales and use tax of one percent shall be continued on all sales and uses in the County for a period of time of six years commencing upon the expiration of the one percent sales and use tax currently in effect and for the raising of approximately \$119,000,000 for the purpose of funding the capital outlay projects listed in the form of the ballot set forth below (the “Projects”). Each of the Projects may include the acquisition of land, equipment, technology, vehicles, construction and renovation of facilities, and other capital costs related to such Project.

If the imposition of such tax is approved by the voters, such vote shall also constitute approval of the issuance of general obligation debt of the County in an aggregate principal amount not to exceed \$40,000,000 (the “Debt”). The proceeds of the Debt will be used to fund in whole or in part any of the Projects and the costs of issuing the Debt.

The Debt, if so authorized, may be issued by the County in whole or in part and in one or more series. The Debt shall bear interest from the first day of the month during which the Debt is issued or from such other date as may be designated by the County prior to the issuance of the Debt, at a rate or rates not to exceed 6.0% per annum. The maximum amount of principal to be paid with respect to the Debt in each year shall be as follows:

<u>Year</u>	<u>Amount</u>
2022	\$ 6,020,000
2023	6,200,000
2024	6,445,000
2025	6,770,000
2026	7,105,000
2027	<u>7,460,000</u>
	<u>\$40,000,000</u>

Any brochures, listings, or other advertisements issued by the Board of Commissioners of Carroll County or by any other person, firm, corporation or association with the knowledge and consent of the Board of Commissioners, shall be deemed to be a statement of intention of the Board of Commissioners concerning the use of the proceeds of the Debt, and such statement of intention shall be binding upon the Board of Commissioners in the expenditure

of such Debt funds or interest received from such Debt funds to the extent provided in O.C.G.A. Section 36-82-1.

The principal and interest on the Debt are expected to be paid from proceeds of the sales and use tax. **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 “Debt Audit”) will be conducted with respect to the Debt. However the County will continue to ensure that Debt proceeds are expended efficiently and economically, as intended by the Debt Audit.**

The ballots to be used in said election shall have written or printed thereon substantially the following:

- ( ) Yes
- ( ) No
- Shall a special one percent sales and use tax be continued in Carroll County for a period of time of six years for the raising of approximately \$119,000,000 for the purpose of funding capital outlay projects, including facilities and equipment: (a) for **Carroll County, Georgia**: (i) roads, streets, bridges, sidewalks, and transportation, and public works, (ii) public safety and fire department, (iii) administrative, (iv) recreation and parks, (v) judicial, (vi) community impact and economic development and (vii) agricultural projects and farmland and watershed protection; (b) for the City of **Bowdon, Georgia**: (i) roads, streets, bridges, and sidewalks, (ii) water, (iii) wastewater, (iv) economic development, (v) public safety, (vi) library, (vii) recreation, (viii) parks, (ix) historic preservation and (x) municipal complex; (c) for the City of **Bremen, Georgia**: (i) public safety and (ii) sanitary sewer; (d) for the City of **Carrollton, Georgia**: (i) fire, (ii) parks and recreation, (iii) engineering, (iv) police and (v) information technology; (e) for the City of **Mount Zion, Georgia**: (i) recreation, (ii) water, (iii) police, (iv) roads, (v) administration and (vi) economic development; (f) for the Town of **Roopville, Georgia**: (i) administrative, (ii) water and (iii) recreation; (g) for the benefit of the City of **Temple, Georgia**: (i) senior center, (ii) recreation, (iii) public works, (iv) public safety, (v) sewer, (vi) economic development and (vii) equipment and vehicles; (h) for the City of **Villa Rica, Georgia**: (i) transportation, (ii) recreation, (iii) economic development and (iv) public safety; and (i) for the City of **Whitesburg, Georgia**: (i) city hall, (ii) police department, (iii) recreation, (iv) water and (v) streets and sidewalks? If imposition of the tax is approved by the voters, such vote shall also constitute approval of the issuance of general obligation debt of Carroll County, Georgia in the principal amount of \$40,000,000 for the purposes of funding all or a portion of any of the Projects.

The several places for holding said election shall be at the regular and established voting precincts of the 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 February 16, 2021.

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

This notice is given pursuant to a resolution of the Carroll County Board of Elections and Registration.

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Election Supervisor

EXHIBIT B

NOTICE OF CALL OF ELECTION

TO THE QUALIFIED VOTERS OF CARROLL COUNTY

THE CARROLL COUNTY BOARD OF ELECTIONS AND REGISTRATION has called an election (the "Election") on March 16, 2021 at the regular polling places in all the election districts of Carroll County, Georgia (the "County"). At the Election, there will be submitted to the qualified voters of the County for their determination the question of whether a sales and use tax of one percent shall be continued in the County for a period of time of six years for the purpose of funding certain capital outlay projects for the County (the "County Projects") and certain capital outlay projects for the cities and town within the County (the "City Projects" and together with the County Projects, the "Projects").

If the imposition of such tax is approved by the voters, such vote shall also constitute approval of the issuance of the general obligation debt of the County in an aggregate principal amount not to exceed \$40,000,000 (the "Debt"). The proceeds of the Debt, if issued, shall be used to fund in whole or in part any of the Projects and the costs of issuing the Debt.

The several places for holding said election shall be at the regular and established voting precincts of the 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 February 16, 2021.

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

This notice is given pursuant to a resolution of the Carroll County Board of Elections.

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Election Supervisor

CLERK'S CERTIFICATE

The undersigned Clerk of Carroll 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 Carroll County Board of Commissioners on January 5, 2021, at a meeting duly called and assembled and open to the public and at which a quorum was present and acting throughout, that the original of such resolution has been inserted into the County's minute book, which is my custody and control, and that such resolution has not been modified, repealed, revoked or rescinded as of the date hereof.

WITNESS my official hand and the seal of the County, this 5<sup>th</sup> day of January, 2021.

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Clerk

(SEAL)