

A RESOLUTION OF THE BOARD OF COMMISSIONERS OF ROCKDALE COUNTY, GEORGIA 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 CALL AN ELECTION OF THE VOTERS OF ROCKDALE 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 "Act") authorizes the imposition of a one percent sales and use tax for the purpose, inter alia, of financing certain capital outlay projects and retiring certain general obligation debt; and

WHEREAS, the Board of Commissioners of Rockdale County, Georgia (the "Board of Commissioners") has determined that it is in the best interest of the citizens of Rockdale County, Georgia (the "County") that such one percent sales and use tax (the "Sales and Use Tax") be continued within a special district in the County in order to fund certain capital outlay projects for the benefit of the County (collectively, the "County Projects") and certain capital outlay projects for the benefit of the City of Conyers (collectively, the "City Projects" and together with the County Projects, the "Projects"), a municipality located within the County; and

WHEREAS, the Board of Commissioners has also determined that it is in the best interest of the citizens of the County that not more than \$20,000,000 of general obligation debt of the County (the "Debt") be issued, in whole or in part and in one or more series, to fund a portion of the County Projects, the costs of issuing the Debt and capitalized interest on the Debt; and

WHEREAS, the Board of Commissioners 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 Board of Commissioners delivered or mailed a written notice (the "Notice") to the Mayor of the City of Conyers (the "City") regarding the imposition/continuation of the Sales and Use Tax; and

WHEREAS, the City is the only municipality within the County;

WHEREAS, the Notice contained the date, time, place and purpose of a meeting at which designated representatives of the County and the City 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 10 days prior to the date of the meeting, and the meeting was held at least 30 days prior to the issuance of a call for the referendum; and

WHEREAS, after such meeting, the County and the City entered into an Intergovernmental Agreement, dated as of December 1, 2021 (the "Agreement"), as authorized by Article IX, Section III, Paragraph I(a) of the Georgia Constitution and the Act, governing the use of the Sales and Use Tax proceeds;

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 special district created in the County as provided in the Act a Sales and Use Tax in the amount of one percent on all sales and uses in the County as provided in the Act. As required by Section 48-8-111(a) of the Act:

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

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

<u>County Projects</u>	<u>Estimated Cost</u>
Roads, Bridges, Sidewalks and Transportation	\$35,199,846
Sheriff	5,346,000
Fire & E911	8,019,000
Parks & Recreation/Senior	4,455,000
Courthouse	19,602,000

<u>City Projects</u>	<u>Estimated Cost</u>
Public Safety	\$ 5,108,228
Road, Bridges, Sidewalks and Transportation	7,909,514
Parks & Greenspace	1,812,597
Equipment and Vehicles	1,647,815

Each Project may include land, facilities, equipment, vehicles 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 at the time the Agreement was executed. The actual Sales and Use Tax collections may vary from the estimated amounts. The County may fund the County Projects in any order or priority it may deem necessary or convenient. The City may fund the City Projects in any order or priority that it may deem necessary or convenient, as provided in the Agreement.

(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 such Sales and Use Tax 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 \$20,000,000. The proceeds of the Debt, if issued, shall be used to fund a portion of the County Projects, the costs of issuing the Debt and capitalized interest on the Debt. 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>
2023	\$3,550,000
2024	3,760,000
2025	3,985,000
2026	4,225,000
2027	4,480,000

The proceeds of the Debt shall be deposited by the County in a separate account or accounts. The Sales and Use Tax proceeds received by the County in any year 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.

2. The Board of Elections and Registration of Rockdale County (the "Board of Elections") is hereby requested to call an election (the "Election") to be held in in all the voting precincts in the County on the 24th day of May, 2022, for the purpose of submitting to the qualified voters of the County the question 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. It is hereby requested that the Election be held by the Board of Elections in accordance with the election laws of the State of Georgia, including, without limitation, the election laws relating to special elections. It is hereby further requested that the Board of Elections 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 the Election attached hereto as Exhibit B (the "Call") in the newspaper in which sheriff's advertisements for the County are published (the "Legal Organ") at least 90 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. This Resolution shall take effect immediately upon its adoption.

ADOPTED this 25th day of January, 2022.

BOARD OF COMMISSIONERS OF ROCKDALE
COUNTY



By: 
Oz Nesbitt, Sr., Chairman

By: 
Jennifer O. Rutledge, County Clerk

EXHIBIT "A"

NOTICE OF ELECTION

TO THE QUALIFIED VOTERS OF ROCKDALE COUNTY, GEORGIA:

NOTICE IS HEREBY GIVEN that on the 24th day of May, 2022, an election will be held at the regular polling places in all the election districts of Rockdale 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 (the "Sales and Use Tax") of one percent shall be continued on all sales and uses in the special district created 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 for the purpose of funding the capital outlay projects listed in the form of the ballot set forth below.

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 secured by the Sales and Use Tax, in an aggregate principal amount not to exceed \$20,000,000 (the "Debt"). The proceeds of the Debt, if issued, shall be used to fund all or a portion of any of the County Projects, the costs of issuing the Debt, and capitalized interest on 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 to be 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% per annum. The amount of principal to be paid in each year during the life of such Debt shall be as follows:

<u>Year</u>	<u>Amount</u>
2023	\$3,550,000
2024	3,760,000
2025	3,985,000
2026	4,225,000
2027	4,480,000

The principal and interest on the Debt are expected to be paid from proceeds of the Sales and Use Tax.

Any brochures, listings, or other advertisements issued by the Board of Commissioners of Rockdale 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.

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

- () Yes Shall a special one percent sales and use tax be continued in the special district of Rockdale County for a period of time of six years
- () No for the raising of approximately \$89,100,000 for the purpose of funding (a) (i) roads, bridges, sidewalks and transportation, (ii) Sheriff, (iii) fire & E911, (iv) parks & recreation/senior and (v) courthouse, all for the benefit of Rockdale County and (b) (i) public safety, (ii) roads, bridges, sidewalks and transportation, (iii) parks & greenspace and (iv) equipment and vehicles, all for the benefit of the City of Conyers, Georgia? If imposition of the tax is approved by the voters, such vote shall also constitute an approval of the issuance of general obligation debt of Rockdale County in the maximum principal amount of \$20,000,000 for the purposes of funding all or a portion of any of the County 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. Early voting by mail will be offered April 25, 2022 through May 13, 2022, and early voting in-person will be offered May 2, 2022 through May 20, 2022.

The last day to register to vote in this election shall be April 25, 2022.

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.

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.

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

Board of Elections and Registration of Rockdale
County

EXHIBIT B

NOTICE OF CALL OF SPECIAL ELECTION CALL DATE: JANUARY 26, 2022 TO THE QUALIFIED VOTERS OF ROCKDALE COUNTY

THE BOARD OF ELECTIONS AND REGISTRATION OF ROCKDALE COUNTY has called a special election (the "Election") on the 24th day of May, 2022 at the regular polling places in all the election districts of Rockdale 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 (the "Sales and Use Tax") of one percent shall be continued on all sales and uses in the special district created 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 for the purpose of funding the capital outlay projects listed in the form of the ballot set forth below.

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 secured by the Sales and Use Tax, in an aggregate principal amount not to exceed \$20,000,000 (the "Debt"). The proceeds of the Debt, if issued, shall be used to fund all or a portion of any of the County Projects, the costs of issuing the Debt and capitalized interest one the Debt.

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

- () Yes Shall a special one percent sales and use tax be continued in the special district of Rockdale County for a period of time of six years
- () No for the raising of approximately \$89,100,000 for the purpose of funding (a) (i) roads, bridges sidewalks and transportation, (ii) Sheriff, (iii) fire & E911, (iv) parks & recreation/senior and (v) courthouse, all for the benefit of Rockdale County and (b) (i) public safety, (ii) roads, bridges, sidewalks and transportation, (iii) parks & greenspace and (iv) equipment and vehicles, all for the benefit of the City of Conyers, Georgia? If imposition of the tax is approved by the voters, such vote shall also constitute an approval of the issuance of general obligation debt of Rockdale County in the maximum principal amount of \$20,000,000 for the purposes of funding all or a portion of any of the County projects.

Those qualified to vote in said election shall be qualified electors determined in accordance with the laws of the State of Georgia and residing in Rockdale County. The Polls for said election will be open from 7:00 a.m. to 7:00 p.m., Eastern Standard Time, on the day fixed for said election. Early voting by mail will be offered April 25, 2022 through May 13, 2022, and early voting in-person will be offered May 2, 2022 through May 20, 2022.

The last day to register to vote in this election shall be April 25, 2022.

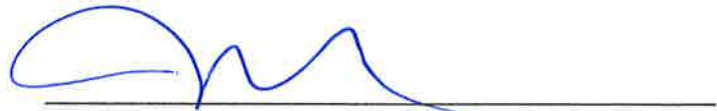
This notice is given pursuant to a resolution of the Board of Elections and Registration of Rockdale County.

By: _____
Board of Elections and Registration of Rockdale
County

CLERK'S CERTIFICATE

The undersigned Clerk of the Board of Commissioners of Rockdale County, do hereby certify that the foregoing pages of typewritten matter constitute a true and correct copy of a resolution adopted by the Board of Commissioners of Rockdale County, Georgia on January 25, 2022, at a meeting duly called and assembled and open to the public and at which a quorum was present and acting throughout, which resolution has not been modified, repealed, revoked or rescinded as of the date hereof.

This 25th day of January, 2022.



Clerk, Board of Commissioners of Rockdale
County, Georgia

