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July 6, 2022

VIA E-MAIL/FIRST CLASS MAIL

Mr. Bruce Palmer - Chairman
Habersham County Board of Commissioners
130 Jacob's Way,
Suite 301
Clarkeville, GA 30523
Email - bpalmer@habershamga.com

Ms. Alicia Vaughn— Habersham County Manager
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Clarkeville, GA 30523
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Mr. Donald Hunt
County Attorney, Habersham County
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Re: Request for Placement on Agenda for Adoption of Tax Levy Resolution
On Behalf of the Habersham County Board of Education and the Issuance of
General Obligation Bonds

This firm represents the Habersham County Board of Education, and this letter is to request the County Commission review and adopt a tax levy resolution in connection with the Board of Education's issuance of general obligation bonds. We would request that this matter be placed on the County Commission's agenda for adoption at its regularly scheduled meeting on July 18, 2022. I have provided a draft copy of the proposed Tax Levy Resolution for your review. A finalized version of the resolution will be forwarded to you prior to July 18th.

As you know, timing is very important when dealing with bond issues and it is important that the Commission act at this meeting so the validation process can move forward and the refunding bonds close. The resolution simply binds the Commission to levy the millage rate determined necessary by the Board of Education to pay the principal and interest of the general obligation bonds.

I understand that any issue dealing with the millage rate can potentially receive a lot of attention from local residents and the media. I would like to answer any and all questions you or the Board of Commissioners has before that meeting. I am willing to attend the County Commission meeting if you feel that it is necessary or to have the superintendent or some other representative of the Board of Education present if you feel that will be helpful. On the other hand, if we can answer any questions prior to the meeting and if you are sure that the passage of the resolution will be routine, then I would see no reason for anyone to attend that meeting and we can obtain signed copies from you on the following day.

If you have any questions or need additional information, please give me a call. Thank you for your assistance with this matter.

Very truly yours,



Cory Q. Kirby

COK: gmb
Enclosure

cc: Mr. Matthew Cooper, Superintendent
Ms. Staci Newsome

A RESOLUTION PROVIDING FOR THE LEVY AND COLLECTION OF AN
ANNUAL TAX TO PROVIDE FUNDS FOR THE PAYMENT OF THE
PRINCIPAL OF AND INTEREST ON A HABERSHAM COUNTY SCHOOL
DISTRICT GENERAL OBLIGATION SALES TAX BOND, SERIES 2022 IN
THE PRINCIPAL AMOUNT OF \$15,000,000

WHEREAS, on May 24, 2022, the voters of the Habersham County School District (the “School District”), which embraces all of Habersham County, Georgia, did, at an election called for the purpose, authorize the reimposition of a special sales and use tax of one percent on all sales and uses in the School District for a period of time not to exceed 20 calendar quarters, commencing upon the expiration of a special one percent sales and use tax currently being collected within the School District, to raise not more than \$59,000,000 (the “Sales and Use Tax”), and the issuance of general obligation debt of the School District in the principal amount of up to \$15,000,000 (the “Debt”), for the purpose of paying, or reimbursing the School District for the cost of paying, or to be applied toward the cost of (a) a portion of the principal and interest due on the outstanding Habersham County School District General Obligation Refunding Bonds, Series 2013, the Habersham County School District, Georgia General Obligation Refunding Bond, Taxable Series 2020, and any indebtedness refunding such bonds, the maximum amount of debt service to be paid not to exceed \$25,000,000, (b) acquiring, constructing, equipping and furnishing of new school buildings and facilities, (c) purchasing safety and security equipment and infrastructure for schools, system facilities and buses, (d) purchasing school buses and other transportation vehicles, (e) adding to, renovating, equipping and furnishing existing school buildings, fine arts facilities, physical education facilities, student activity facilities, parking areas, and other school facilities, (f) acquiring land and conducting site preparation for current and future school district purposes, (g) purchasing classroom technology and making system-wide technology improvements, (h) purchasing instructional and support software, textbooks, library books and band instruments, and (i) acquiring any capital property necessary or desirable for the foregoing purposes, both real and personal (together, the “Projects”); and (b) issuing the Debt; and

WHEREAS, the reimposition of the Sales and Use Tax and the issuance of the Debt were approved by a majority of the voters voting in said election; and

WHEREAS, the School District desires to issue \$15,000,000 of the Debt authorized to be issued in the form of its General Obligation Sales Tax Bond, Series 2022 (the “Bond”), and the Board of Education of Habersham County (the “Board of Education”), on behalf of the School District, has adopted a bond resolution authorizing the issuance of such Bond; and

WHEREAS, the Board of Education, the body charged with contracting debts and managing the affairs of the School District, in order to issue the Bond, is required by Article IX, Section V, Paragraph VI of the Constitution of the State of Georgia to cause the assessment by the Board of Commissioners of Habersham County, Georgia of a direct annual tax for the purpose of paying the principal of and interest on the Bond in the amounts and for the years hereinafter stated; and

WHEREAS, it is necessary at this time that a tax be assessed annually in amounts sufficient to pay the principal of and interest on the Bond as the same become due, which tax must be levied in the year preceding the year in which the payments are required to be made so that said payments may be made in a timely fashion, and such tax shall be collected only in the event and to the extent the net proceeds of the Sales and Use Tax are insufficient to pay the principal of and interest on the Bond as the same become due and payable;

NOW, THEREFORE, AT THE REQUEST OF THE BOARD OF EDUCATION AND AS APPROVED BY THE VOTERS OF HABERSHAM COUNTY AT THE REFERENDUM HELD ON MAY 24, 2022, BE IT RESOLVED by the Board of Commissioners of Habersham County, Georgia, in a meeting duly assembled and open to the public, and it is hereby resolved by authority of the same, pursuant to Article IX, Section V, Paragraph VI of the Constitution of the State of Georgia, and as requested by the Board of Education pursuant to a Bond Resolution adopted by the Board of Education on July 18, 2022, that there be and is hereby assessed a direct annual tax for the years 2022 through 2027 in order to pay debt service on the Bond coming due in the years 2023 through 2028 upon all property subject to taxation for school bond purposes and located in the School District, which School District embraces all of the territory comprising Habersham County, Georgia, which tax shall be sufficient to raise the sums in each of the years as more fully set forth in Exhibit A hereto attached and made a part hereof. The sums hereby levied are irrevocably pledged and appropriated to the payment of the principal of and interest on the Bond as the same become due and payable.

To the extent the net proceeds of the Sales and Use Tax are insufficient to pay the principal of and interest on the Bond as the same become due and payable, the said several sums shall be collected by the Tax Commissioner of Habersham County, Georgia, in each of said years, and shall be annually (or sooner) paid into a sinking fund to be maintained for and applied to the payment of the principal of and interest on the Bond as the same become due and payable, and provisions to meet the requirements of this Resolution shall be made annually (or sooner) thereafter.

BE IT FURTHER RESOLVED by the authority aforesaid, and it is hereby resolved by authority of the same, that all orders and resolutions in conflict with this Resolution this day passed, if any, be and the same are hereby repealed.

[Continued on following page]

ADOPTED by the Board of Commissioners of Habersham County, Georgia this July 18, 2022.

**BOARD OF COMMISSIONERS OF
HABERSHAM COUNTY**

(SEAL)

By: _____
Chairperson

Attest:

Clerk

EXHIBIT A

DEBT SERVICE SCHEDULE

<u>Period</u> <u>Ending</u>	<u>Principal</u>	<u>Interest</u>	<u>Debt Service</u>	<u>Annual Debt</u> <u>Service</u>
4/1/2023		\$280,729.17	\$280,729.17	\$280,729.17
10/1/2023		206,250.00	206,250.00	
4/1/2024	\$2,880,000	206,250.00	3,086,250.00	3,292,500.00
10/1/2024		166,650.00	166,650.00	
4/1/2025	2,940,000	166,650.00	3,106,650.00	3,273,300.00
10/1/2025		126,225.00	126,225.00	
4/1/2026	3,000,000	126,225.00	3,126,225.00	3,252,450.00
10/1/2026		84,975.00	84,975.00	
4/1/2027	3,060,000	84,975.00	3,144,975.00	3,229,950.00
10/1/2027		42,900.00	42,900.00	
4/1/2028	<u>3,120,000</u>	<u>42,900.00</u>	<u>3,162,900.00</u>	<u>3,205,800.00</u>
	\$15,000,000	\$1,534,729.17	\$16,534,729.17	\$16,534,729.17

CLERK'S CERTIFICATE

HABERSHAM COUNTY, GEORGIA

I, the undersigned Clerk of the Board of Commissioners of Habersham County, Georgia, 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 Habersham County, Georgia, in a meeting duly assembled, on July 18, 2022 in connection with the issuance of a Habersham County School District General Obligation Sales Tax Bond, Series 2022, in the principal amount of \$15,000,000, the original of which resolution has been duly recorded in the Minute Book of said office, which is in my custody and control.

WITNESS my official hand and the seal of the Board of Commissioners of Habersham County, this July 18, 2022.

Clerk

(SEAL)

