

HABERSHAM COUNTY BOARD OF COMMISSION

EXECUTIVE SUMMARY

SUBJECT: Resolution to Regulate and Provide for the Calling of an Election to Impose a Floating Homestead Local Option Sales Tax (FLOST)

DATE: July 20, 2026

BUDGET INFORMATION:

ANNUAL- N/A

CAPITAL- N/A

(X) RECOMMENDATION

() POLICY DISCUSSION

() STATUS REPORT

() OTHER

COMMISSION ACTION REQUESTED ON: July 20, 2026

PURPOSE:

To request approval of the Board of Commissioners to adopt a Resolution authorizing the calling of a special referendum election on November 3, 2026, to determine whether a special one percent (1%) sales and use tax (FLOST) shall be imposed for five years within Habersham County to reduce ad valorem property taxes, to approve the associated FLOST Intergovernmental Agreement (IGA), and to authorize the Chairman to execute said IGA.

BACKGROUND / HISTORY:

Under Article 2b of Chapter 8, Title 48 of the O.C.G.A. (the "Act"), Habersham County and its municipalities—the Town of Alto, the City of Baldwin, the City of Clarkesville, the City of Cornelia, the City of Demorest, the Town of Mount Airy, and the Town of Tallulah Falls—are eligible to implement a Floating Homestead Local Option Sales Tax (FLOST) to exclusively reduce property taxes because both the County and the Cities have the requisite base year homestead exemptions in effect.

Prior to calling a referendum to implement the FLOST, the County must enter into an Intergovernmental Agreement (FLOST IGA) with municipalities representing at least fifty percent (50%) of the municipal population within the Special District. This Resolution formalizes the adoption of that IGA, authorizes the Chairman to execute the agreement, and officially calls for the special election on November 3, 2026, while requesting that the Habersham County Board of Elections and Voter Registration join in the call and conduct the referendum.

FACTS AND ISSUES:

- Resolution Adoption & IGA Execution: The Resolution formally adopts and approves the FLOST IGA (Exhibit A) and authorizes Chairman Bruce Harkness to execute the agreement and affix the County seal.
- Election Call & Timeline: The Board of Commissioners hereby calls, and requests the Board of Elections and Voter Registration to join in issuing the call, for a special election on November 3, 2026, with polls open from 7:00 a.m. to 7:00 p.m.

- **Referendum Question:** The ballot question will submit to the qualified voters whether a special 1% sales and use tax shall be imposed for 5 years within Habersham County to be used exclusively to reduce property taxes.
- **Required Legal Timelines:** The Call of Election (Exhibit B) must be published in the Legal Organ as soon as practicable, but no later than August 5, 2026 (90 days preceding the Election). The Notice of Election (Exhibit C) must be published once a week for four weeks preceding the Election (weeks of Oct 5, Oct 12, Oct 19, and Oct 26, 2026).
- **Key Voter Dates:** The last day to register to vote in this special election is October 5, 2026. Early in-person voting begins October 13, 2026. The last day to submit an absentee ballot application is October 23, 2026.
- **Success Protocol:** In the event of voter approval, a certified copy of the Resolution and the IGA must be forwarded to the Georgia State Revenue Commissioner within five (5) business days after certification of the results.

OPTIONS:

- Adopt the Resolution calling for the special FLOST election on November 3, 2026, and authorizing the execution of the FLOST IGA.
- Deny the Resolution, which will prevent the calling of the November 3, 2026, special referendum and halt implementation of the property tax roll-backs.
- Commission-defined alternative.

RECOMMENDED SAMPLE MOTION:

Motion to approve and adopt the Resolution calling for a special election on November 3, 2026, to determine the imposition of a 1% Floating Homestead Local Option Sales Tax (FLOST), to approve the FLOST Intergovernmental Agreement (IGA), and authorize Chairman Bruce Harkness to execute said agreement.

DEPARTMENT: Administration

Prepared by: County Manager's Office

Director: County Manager

ADMINISTRATIVE

COMMENTS: _____

County Manager

DATE: _____

**A RESOLUTION OF THE HABERSHAM COUNTY BOARD OF COMMISSIONERS
TO REGULATE AND PROVIDE FOR THE CALLING OF AN ELECTION TO
DETERMINE WHETHER A SPECIAL ONE PERCENT SALES AND USE TAX SHALL
BE IMPOSED FOR FIVE YEARS WITHIN HABERSHAM COUNTY TO REDUCE AD
VALOREM PROPERTY TAXES (FLOST); TO APPROVE AND AUTHORIZE THE
CHAIRMAN TO EXECUTE AN INTERGOVERNMENTAL AGREEMENT TO
REGULATE AND IMPLEMENT THE FLOST; AND FOR OTHER PURPOSES.**

WHEREAS, Article 2b of Chapter 8, Title 48 of the Official Code of Georgia Annotated, as amended (the “Act”), authorizes the imposition of a Floating Homestead Local Option Sales Tax (“FLOST”) for the reduction of county and municipal ad valorem taxes within Habersham County, Georgia (the “County”) for county and municipal property taxes levied within the geographic boundaries of the County (the “Special District”); and

WHEREAS, the Habersham County Board of Commissioners (the “Board of Commissioners”), the body charged with managing the affairs of the County, and the governing authorities of each municipality within the County, including the Town of Alto, the City of Baldwin, the City of Clarkesville, the City of Cornelia, the City of Demorest, the Town of Mount Airy, and the Town of Tallulah Falls (collectively, the “Cities”) desire to implement a FLOST within Habersham County; and

WHEREAS, Habersham County is eligible to implement a FLOST because the County and each of the Cities has in effect a base year value homestead exemption or adjusted base year value homestead exemption as required by the Act; and

WHEREAS, prior to the issuance of a call for a special election to authorize a FLOST, it is necessary for the County to enter into an intergovernmental agreement to establish the proposed rate, duration, implementation, and administration of the FLOST (the “FLOST IGA”) with the Cities representing at least fifty percent of the Special District’s residents of municipalities that levy an ad valorem tax on property; and

WHEREAS, the proposed FLOST IGA provides for a FLOST to be levied at a rate of one percent on all applicable sales and uses within the Special District for a term of five years, commencing on January 1, 2027, and terminating on December 31, 2031, and all revenues generated by the FLOST to be used by the County and Cities exclusively to reduce county and municipal ad valorem taxes within the County; and

WHEREAS, the Board of Commissioners has determined that there should be a special election on November 3, 2026, to submit to the electors of the County the question of whether the FLOST should be levied at a rate of one percent for a term of five years to be used exclusively to reduce county and municipal ad valorem taxes within the County; and

WHEREAS, the Board of Commissioners desires to approve the FLOST IGA and issue the call for the FLOST special election.

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

1. Adoption of the Intergovernmental Agreement. The Intergovernmental Agreement governing the rate, duration, implementation, administration, and use of the FLOST, which is attached hereto incorporated herein as Exhibit “A” (the “FLOST IGA”), is hereby adopted and approved by the Board of Commissioners on behalf of the County. The Chairman of the Board of Commissioners is authorized to execute the FLOST IGA and affix the seal of the County thereto. The Chairman is authorized to take such additional actions consistent with this Resolution to implement the and to cause a special election for the FLOST.

2. Rate of Tax; Estimated Amount; Effective Date and Term of the Tax. Subject to approval in a special election to be held on November 3, 2026, the FLOST shall be imposed at the rate of one percent on all applicable sales and uses under the Act for a term of five years, s commencing on January 1, 2027, and terminating on December 31, 2031, to be used exclusively to fund the reduction of county and municipal ad valorem taxes within the County under the terms of the FLOST IGA.

3. Authorization for FLOST and Call of Election. The Board of Commissioners hereby calls, and requests that the Habersham County Board of Elections and Voter Registration join in issuing the call, an election to be held on November 3, 2026 (the “Election”) for the purpose of submitting the question of whether a FLOST should be levied at as rate of one percent for a term of five years within the County to the electors of Habersham County in the next scheduled election on November 3, 2026 (the “Election”). A copy of this Resolution shall be forwarded to the Habersham County Board of Elections and Voter Registration.

4. Manner of Election. The Habersham County Board of Elections and Registration (the “Board of Elections”) is hereby requested to call and conduct the Election in accordance with the election laws of the State of Georgia, including, without limitation, the Act and all election laws relating to special elections. The expense of the election shall be paid from County funds. The Elections Superintendent shall declare and certify the result of the Election in the manner required by law.

5. Call of Election. The Call of the Election shall be substantially in the form of the “Call of Election” attached hereto as Exhibit “B” and shall be published in the newspaper in which Sheriff’s advertisements for the County are published (the “Legal Organ”) as soon as practicable, but in any case on or before August 5, 2026, which is at least 90 days preceding the Election.

6. Notice of Election and Form of Ballot. 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 “C” (the

“Notice of Election”). The Notice of Election shall be published in the Legal Organ once a week in each of the four weeks preceding the Election, including the weeks of October 5, October 12, October 19, and October 26, 2026.

7. Notice of Successful Election. In the event that the FLOST is approved by a majority of the electors voting in the Election, a certified copy of this Resolution and the FLOST IGA shall be forwarded to the State Revenue Commissioner within five business days after certification of a successful Election by the Election Superintendent.

8. General Authority. The proper officers, employees and agents of the County are hereby authorized to take any and all further actions and to execute all such documents and certificates as may be required in connection with the FLOST and Election which are consistent with all applicable laws, this Resolution, and the FLOST IGA.

9. Ratification. All acts and doings of the officers, employees and agents of the County which are in conformity with the purposes and intent of this Resolution and in furtherance of the FLOST are hereby ratified and approved.

10. Effective Date. This Resolution shall take effect immediately upon its adoption.

11. Conflicting Resolutions. All resolutions that conflict in whole or in part with this Resolution are hereby repealed.

SO RESOLVED AND ADOPTED, this _____ day of _____, 2026, by the Board of Commissioners of Habersham County, Georgia.

**HABERSHAM COUNTY, GEORGIA
BOARD OF COMMISSIONERS**

Bruce Harkness, Chairman

Attest:

Brandalin Carnes, County Clerk

(SEAL)

EXHIBIT “A”

FLOST IGA

EXHIBIT “B”

CALL OF ELECTION

NOTICE OF CALL OF ELECTION

TO THE QUALIFIED VOTERS OF HABERSHAM COUNTY

YOU ARE HEREBY NOTIFIED THAT the Habersham County Board of Commissioners and the Habersham County Board of Elections and Voter Registration have called, and do hereby call, an election on November 3, 2026, at the regular polling places in all the election districts of Habersham County, Georgia. At the election, there will be submitted to the qualified voters for their determination of whether a special one percent sales and use tax shall be imposed for five years within Habersham County, Georgia, with the proceeds to be used exclusively to reduce property taxes imposed by Habersham County, the Town of Alto, the City of Baldwin, the City of Clarkesville, the City of Cornelia, the City of Demorest, the Town of Mount Airy, and the Town of Tallulah Falls.

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 October 5, 2026. Early in-person voting begins October 13, 2026. The last day to submit an absentee ballot application shall be October 23, 2026.

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.

Laurel Ellison, Election Supervisor

EXHIBIT “C”

NOTICE OF ELECTION

NOTICE OF SALES AND USE TAX ELECTION

TO THE QUALIFIED VOTERS OF HABERSHAM COUNTY

YOU ARE HEREBY NOTIFIED that on November 3, 2026, an election will be held at the regular polling places in all the election districts of Habersham County, Georgia. At the election, there will be submitted to the qualified voters for their determination of whether a special one percent sales and use tax shall be imposed for five years within Habersham County, Georgia, with the proceeds to be used exclusively to reduce property taxes imposed by Habersham County, the Town of Alto, the City of Baldwin, the City of Clarkesville, the City of Cornelia, the City of Demorest, the Town of Mount Airy, and the Town of Tallulah Falls.

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

☐ Yes	Shall a special 1% sales and use tax be imposed for 5 years within the special district of Habersham County with the proceeds used
☐ No	exclusively to reduce property taxes imposed by Habersham County, the Town of Alto, the City of Baldwin, the City of Clarkesville, the City of Cornelia, the City of Demorest, the Town of Mount Airy, and the Town of Tallulah Falls?

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 October 5, 2026. Early in-person voting begins October 13, 2026. The last day to submit an absentee ballot application shall be October 23, 2026.

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 resolutions of the Habersham County Board of Commissioners and the Habersham County Board of Elections and Voter Registration.

Laurel Ellison, Election Supervisor

CLERK'S CERTIFICATE

The undersigned Clerk of Habersham County, Georgia (the "County") does hereby certify that the foregoing pages of typewritten matter and exhibits constitute a true and correct copy of a resolution adopted by the Habersham County Board of Commissioners on _____, _____, 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 in 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 ____ day of _____, 2026.

Brandalin Carnes, County Clerk

(SEAL)