

A RESOLUTION OF THE BOARD OF COMMISSIONERS OF EFFINGHAM COUNTY TO ASSURE COMPLIANCE WITH THE CONSTITUTION OF THE STATE OF GEORGIA BY ASSESSING AND PROVIDING FOR THE COLLECTION OF A DIRECT ANNUAL TAX SUFFICIENT TO PAY THE PRINCIPAL OF AND INTEREST ON GENERAL OBLIGATION BONDS TO BE ISSUED BY THE EFFINGHAM COUNTY SCHOOL DISTRICT IN THE AGGREGATE PRINCIPAL AMOUNT OF \$55,375,000, AS AUTHORIZED AT AN ELECTION HELD FOR THAT PURPOSE ON JUNE 9, 2020, PURSUANT TO AND IN CONFORMITY WITH THE CONSTITUTION AND STATUTES OF THE STATE OF GEORGIA, AND FOR OTHER PURPOSES.

WHEREAS, at an election duly called and held on June 9, 2020 (the “**Election**”), in Effingham County, constituting the Effingham County School District (the “**School District**”), a political subdivision of the State of Georgia, after notice thereof had been given to the qualified voters of the School District for the time and in the manner required by law, a majority of the qualified voters of the School District voting in the Election voted in favor of the question of whether the issuance of general obligation debt by the School District in the maximum amount of \$100,000,000 and the reimposition in Effingham County of a one percent sales and use tax for educational purposes (the “**Educational Sales Tax**”) for a period of time not to exceed 20 consecutive calendar quarters, as described in a resolution of the Board of Education of Effingham County (the “**Board of Education**”), as the controlling and managing body of the School District, adopted on December 11, 2019, as amended by that certain Amendment to Resolution adopted by the Board of Education on April 1, 2020, and further amended by that certain Second Amendment to Resolution adopted by the Board of Education on April 16, 2020; and

WHEREAS, pursuant to the results of the Election, the School District issued on February 17, 2022, its EFFINGHAM COUNTY SCHOOL DISTRICT GENERAL OBLIGATION BONDS, SERIES 2022, in the aggregate principal amount of \$44,625,000, reserving the right to incur additional general obligation indebtedness approved by the voters at the Election in the aggregate principal amount not to exceed \$55,375,000; and

WHEREAS, pursuant to the results of the Election and the provisions of a Bond Resolution adopted on January 16, 2025 (the “**Bond Resolution**”), the Board of Education has authorized the issuance of \$55,375,000 in aggregate principal amount of its EFFINGHAM COUNTY SCHOOL DISTRICT GENERAL OBLIGATION BONDS, SERIES 2025 (the “**Bonds**”); and

WHEREAS, the Bonds shall constitute a debt of the School District within the meaning of Article IX, Section V, Paragraph I of the Constitution of the State of Georgia; and

WHEREAS, Article IX, Section V, Paragraph VI of the Constitution of the State of Georgia provides that, at or before the time of incurring bonded indebtedness, provision must be made for the assessment and collection of an annual tax in an amount sufficient to pay the principal of and interest on said debt within 30 years from incurring such bonded indebtedness; and

WHEREAS, the Bonds and the issuance thereof have been confirmed and validated by judgment of the Superior Court of Effingham County, Georgia, which judgment has ordered and adjudged that the Board of Education was and is authorized and empowered to recommend to the Board of Commissioners of Effingham County (the “**Board of Commissioners**”), the governing body of Effingham County, Georgia (the “**County**”), the assessment and collection of a continuing direct annual tax to be levied on all the taxable property located within the boundaries of the School District, which constitutes all of the County, in an amount sufficient to pay the principal of and the interest on the Bonds in accordance with the terms thereof, to the extent that capitalized interest on such debt and the proceeds of the Educational Sales Tax received by the School District are not sufficient for that purpose; and

WHEREAS, in order to provide for the assessment and collection of a continuing direct annual tax to be levied on all the taxable property subject to taxation for Bonds purposes located within the boundaries of School District in an amount sufficient to pay the principal of and the interest on the Bonds as the same shall mature or is otherwise payable and become due, the Board of Education, by resolution adopted on January 16, 2025, a certified copy of which resolution has been received by the Board of Commissioners, has recommended to the Board of Commissioners that such tax be assessed and collected in the appropriate years, sufficient in amount to produce the sums required to pay the principal of and interest on the Bonds, and that the funds provided by said tax shall be pledged irrevocably to and appropriated for the payment of the principal of and the interest on the Bonds.

NOW, THEREFORE, be it resolved by the Board of Commissioners, in meeting assembled, that:

Section 1. Tax Assessment for Payment of the Bonds. For the purpose of providing funds for the payment of the principal of and interest on the Bonds on the dates on which such principal and interest shall become due and be payable, there shall be and hereby is assessed and collected and there hereafter shall be collected in the appropriate years, beginning in the year 2025, a continuing direct annual tax upon all the taxable property within the boundaries of the School District, sufficient in amount to produce the sums required to pay the principal of the Bonds coming due on September 1 and the interest coming due on the Bonds on March 1 and September 1 in each of the years set forth on Exhibit A attached hereto and incorporated herein, through September 1, 2047.

Section 2. Funds Pledged for Payment of the Bonds. The funds provided by said tax shall be and hereby are irrevocably pledged to and appropriated for the payment of the principal of and interest on the Bonds, and provisions to meet the requirements hereof shall be made hereafter in due time and manner in the annual appropriation measure in each year, so that the Bonds, as to principal and interest, shall be fully paid as the same shall mature and become due.

Section 3. Publication of Tax Rate. The Board of Commissioners, as levying authority, together with the Board of Education, as recommending authority, shall comply with the provisions of O.C.G.A. § 48-5-32, and all other statutory requirements as may exist from time to time relating to the publication of any reports or notices required prior to establishing millage rates each year for educational purposes, and shall take such other actions as may be required for the assessment and collection of taxes to provide funds in the years and amounts set

forth in this resolution. The Board of Commissioners and the Board of Education shall cause a report to be published in a newspaper of general circulation throughout the County at least two weeks prior to the establishment of the millage rates for *ad valorem* taxes for educational purposes during the current calendar year, in accordance with O.C.G.A. § 48-5-32.

Section 4. Compliance with Constitution. This resolution is adopted in order to assure compliance with Article IX, Section V, Paragraph VI of the Constitution of the State of Georgia. The Board of Commissioners will take sufficient action to establish a millage levy for the payment of the principal of and interest on the Bonds from *ad valorem* taxes.

Section 5. Conflicting Provisions Repealed. Any and all resolutions or parts of resolutions, if any, in conflict herewith shall be and the same are repealed by the passage of this resolution.

RESOLUTION APPROVED AND ADOPTED, this January 21, 2025.

EFFINGHAM COUNTY, GEORGIA

By: _____
Chairman
Board of Commissioners

Exhibit A

DEBT SERVICE SCHEDULE

[To Be Provided On January 16, 2025]

CLERK'S CERTIFICATE

I, the undersigned County Clerk of the Board of Commissioners of Effingham County (the "Board of Commissioners"), keeper of the records and seal thereof, hereby certify that the foregoing is a true and correct copy of a resolution approved and adopted by a majority vote of the Board of Commissioners in public meeting assembled on January 21, 2025, the original of which resolution has been entered in the official records of Effingham County under my supervision and is in my official possession, custody, and control.

I further certify that the meeting was held in conformity with the requirements of Title 50, Chapter 14 of the Official Code of Georgia Annotated.

(S E A L)

County Clerk