

# PUBLIC NOTICE

The Murray County Commissioner will hold a called public meeting on Friday September 6, 2019, 2019 at 10:00 a.m. in the Murray County Annex. The public is invited and encouraged to attend.

## TENATIVE AGENDA

1. Call to Order
2. Approval of Agenda
3. New Business

- A. Intergovernmental Agreement: Chatsworth, Eton and Murray County for distribution of proposed TSPLOST funds
- B. Resolution: 2020-2025 TSPLOST Election

Adjourn

Commissioner Available for Questions or Comments

# **GEORGIA, Murray County**

## **MINUTES**

**The Murray County Commissioner held a public meeting Friday September 6, 2019 at 10:00 a.m. in the hearing room of the Murray County Annex.**

**Commissioner Hogan called the meeting to order and welcomed those in attendance.**

**Under new business the following items were addressed and approved.**



## B. Resolution: 2020-2025 TSPLOST Election (documents are stored in the 2019 Auxiliary Files)

### RESOLUTION

A RESOLUTION OF THE SOLE COMMISSIONER OF MURRAY COUNTY TO IMPOSE, LEVY, AND COLLECT A SPECIAL SALES TAX WITHIN MURRAY COUNTY, CONDITIONED UPON APPROVAL BY A MAJORITY OF THE QUALIFIED VOTERS RESIDING WITHIN MURRAY COUNTY VOTING IN A REFERENDUM THEREON TO BE HELD NOVEMBER 5, 2019; AND FOR OTHER PURPOSES.

WHEREAS, the Sole Commissioner of Murray County (the "Commissioner") has considered and evaluated the provisions of Part 1 of Article 5A of Chapter 8 of Title 48 of the Official Code of Georgia Annotated as amended by H. B. 134 (2017) (the "Act"), which authorizes a special county one percent sales and use tax for various transportation purposes and projects and has considered the effects of the implementation of such special one percent sales and use tax (the "Special Sales Tax") upon Murray County (the "County") and its residents; and

WHEREAS, the Sole Commissioner has determined that it is in the best interest of the citizens of the County to impose the Special Sales Tax and that such tax be imposed in the County beginning April 1, 2020, for the purpose of funding the various transportation purposes and projects as allowed by law; and

WHEREAS, prior to the vote of the Sole Commissioner on this resolution, the Sole Commissioner caused to be delivered or mailed a written notice (the "Notice") to the municipalities in the County, namely the City of Chatsworth and the City of Etowah (jointly hereafter the "Municipalities"), containing the date, time, place and purpose of meeting; and

WHEREAS, the governing authorities of the County and the Municipalities did meet on August 12, 2019, to discuss the purposes and projects for inclusion in the referendum called by this resolution; and

WHEREAS, the Notice was delivered or mailed at least 10 days prior to the day of the meeting, and the meeting was held at least 30 days prior to the issuance of a call for the referendum; and

WHEREAS, Official Code of Georgia Annotated ("O.C.G.A.") §48-8-260 et seq., authorizes the Special Sales Tax to be imposed for the purpose of providing funds to be used and expended on a transportation project or projects to be owned or operated, or both, either by the County, the Municipalities, or any combination thereof, with respect to which the County has, prior to the call of the election, entered into an intergovernmental contract or agreement, as authorized by Article IX, Section III of the Constitution, with one or more qualified municipalities in the County, which municipality or municipalities contain more than one-half of the aggregate population of all municipalities within the County; and

WHEREAS, the County has considered approved, and executed an intergovernmental

agreement (the "Intergovernmental Agreement") with the Municipalities to allocate proceeds of the Special Sales Tax for the transportation projects described in the Intergovernmental Agreement attached hereto; and

WHEREAS, the governing authorities of the County and Municipalities desire to provide the voters of the County with the opportunity to vote pursuant to law in favor of or against the imposition of the Special Sales Tax.

NOW, THEREFORE, BE IT RESOLVED by the Sole Commissioner of Murray County, Georgia, in public meeting assembled, and it is hereby resolved by the authority of the same, that:

1. The Sole Commissioner of Murray County, subject to the assent of a majority of the qualified voters of the County voting in an election for such purpose, shall impose within the County a Special Sales Tax for a period of five years for the raising of an estimated \$23,500,000 for the funding of transportation purposes as set forth in the Notice of Election attached hereto and made a part hereof.

2. The period of time for which the Special Sales Tax shall be imposed shall be five years. The Special Sales Tax shall be collected beginning April 1, 2020 and shall cease to be imposed on March 31, 2025. Proceeds received from the Special Sales Tax shall be kept in a separate account from other funds of the County in accordance with O.C.G.A. § 48-8-269.35.

3. The estimated cost of the transportation purposes and projects to be funded from proceeds of the Special Sales Tax, if approved by the voters, will be \$23,500,000, which estimated cost is the estimated amount of net proceeds to be raised by the Special Sales Tax.

4. A copy of this resolution shall be delivered to the Board of Elections and Registration of Murray County, as election superintendent (the "Election Superintendent"), and the Election Superintendent is requested to issue the call for the election to be held on November 5, 2019, for the purpose of submitting the question of the imposition of the Special Sales Tax to the voters of the County. Such call shall be issued not less than 29 days prior to the date of the election. The Election Superintendent shall cause the date and purpose of the election to be published once at least 29 days preceding the date of the election and once each week for the four weeks preceding the date of the election in the official organ of the County and the Notice of Election will be substantially in the form attached hereto and made a part hereof.

5. All qualified voters desiring to vote in favor of imposing the Special Sales Tax shall vote "Yes" and all qualified voters opposed to levying the Special Sales Tax shall vote "No". If more than one-half of the votes cast are in favor of imposing the Special Sales Tax, then the Special Sales Tax shall be imposed as provided by Georgia law. Otherwise, the Special Sales Tax shall not be imposed and the question of imposing the Special Sales Tax may be resubmitted by the County from time to time upon compliance with the requirements as authorized by O. C. G. A. § 48-8-263(c). The Election Superintendent shall hold and conduct the election under the same rules and regulations as govern special elections. The Election Superintendent shall canvass the returns, declare the results of the election, and certify the results to the Secretary of State and to the

Commissioner of the Department of Revenue of the State of Georgia.

6. 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 (a) the calling and holding of the special election, (b) the imposition of the Special Sales Tax, and (c) the acquisition, construction, and equipping of the County Projects described herein. The execution and delivery of the Intergovernmental Agreement by the County prior to the adoption of this resolution is hereby ratified and confirmed.

7. All resolutions or parts of resolutions, if any, in conflict herewith shall be and the same are hereby repealed.

APPROVED AND ADOPTED in public meeting, this 6th day of September, 2019.

SOLE COMMISSIONER OF  
MURRAY COUNTY, GEORGIA

BY:   
Greg Hogan, Commissioner

By:   
Tommy Parker, County Clerk

### NOTICE OF SPECIAL PURPOSE SALES AND USE TAX ELECTION ON NOVEMBER 5, 2019

Pursuant to a resolution adopted by the Sole Commissioner of Murray County, Georgia on September 6, 2019, and a call for an election issued by the Board of Elections and Registration of Murray County as Election Superintendent for Murray County, notice is hereby given as follows:

1. On November 5, 2019, a special election will be held in Murray County to submit to the qualified voters of Murray County the following question:

#### IMPOSE 1% SALES AND USE TAX

- ( ) YES Shall a special one percent sales and use tax be imposed in the special district consisting of Murray County for a period of time not to exceed five (5) years and for the raising of not more than an estimated amount of \$23,500,000 for road, street and bridge purposes and related equipment?
- ( ) NO

2. All qualified voters desiring to vote in favor of imposing the tax shall vote "Yes" and all qualified voters opposed to levying the tax shall vote "No." If more than one-half of the votes cast are in favor of imposing the tax then the tax shall be imposed beginning April 1, 2020, or the earliest date authorized by law.

3. The estimated cost of the above described capital outlay projects to be funded with the special one percent sales and use tax proceeds shall be \$23,500,000. Proceeds from the special one percent sales and use tax may be combined with any other available funds to pay the costs of the above described transportation purposes and projects. Plans and specification for these projects have not been completed and bids have not been received. Depending upon acquisition and construction costs and available funds, the County and the other governmental bodies receiving proceeds from the special one percent sales and use tax may establish or reestablish priorities and choose which transportation projects to undertake or not undertake, or to delay until additional funding is available, to the extent that proceeds of the special one percent sales and use tax together with other available funds actually received by the County or such governmental body are insufficient to complete any of the transportation projects.

4. Projects for the Municipalities shall be funded in order and priority as determined by the Municipalities. Projects for the County shall be considered as "County Projects" and will be funded in order and priority as determined by the Sole Commissioner. The Intergovernmental Agreement is a public record on file in the office of the County Clerk of Murray County.

5. The last day to register to vote in the election is October 7, 2019. Anyone desiring to register may do so by applying in person at the Board of Elections and Registration office located at the Murray County Courthouse Annex located at 121 North 4th Avenue, Chatsworth, Georgia, or by any other method authorized by the Georgia Election Code.

6 The election will be held on Tuesday, November 5, 2019. The polls will be open from 7:00 a.m. until 7:00 p.m. Advance/Early voting will begin on October 14, 2019 in the Elections and Registration Office at the Murray County Courthouse Annex, from 8:30 a.m. until 4:30 p.m. and continue, during the same hours each week, from Monday through Friday. Advance/Early voting will end at 4:30 p.m. on Friday November 1, 2019.

This 16 day of September, 2019.

  
Larry Sampson, Chairperson  
Board of Elections and Registration of Murray County,  
as Election Superintendent


To be published on October 9, October 16, October 23, and October 30, 2019.

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#### CLERK'S CERTIFICATE

The undersigned Clerk of the Sole Commissioner of Murray County, keeper of the records and seal thereof, certifies that the foregoing is a true and correct copy of a resolution approved and adopted by majority vote of the Sole Commissioner of Murray County in a public meeting assembled on 09-06-19 the original of which resolution has been entered in the official records of said Sole Commissioner under my supervision and is in my official possession, custody and control.

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

  
County Clerk  
Murray County, Georgia

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STATE OF GEORGIA )  
COUNTY OF MURRAY )

#### ORDER

The Board of Elections and Registration of Murray County, Georgia, having been furnished with a certified copy of the resolution of the Sole Commissioner of Murray County, adopted on 9/6/19, requesting the undersigned to call an election on November 5, 2019, relative to the imposition of a Special Sales Tax described in said resolution, does hereby call said election on November 5, 2019, and orders and directs that the form of election notice contained in said resolution and required by law to be published in connection with the election be published as provided by law.

This 16 day of September, 2019.

BOARD OF ELECTIONS AND  
REGISTRATION OF MURRAY COUNTY,  
AS ELECTION SUPERINTENDENT

BY:   
Larry Sampson, Chairperson

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**ADJOURNMENT:**

**Executed this 6<sup>th</sup> day of September 2019**

**ATTEST:**

\_\_\_\_\_  
**Tommy Parker, County Clerk**

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**Greg Hogan, Commissioner**

**In Attendance: Greg Hogan, Tommy Parker, K.W. Gong, Larry Sampson, Jimmy Espy**