

ST. TAMMANY PARISH COUNCIL

RESOLUTION

RESOLUTION COUNCIL SERIES NO. C-2459

COUNCIL SPONSOR: BINDER/DAVIS

PROVIDED BY: BOND COUNSEL

RESOLUTION APPROVING THE HOLDING OF AN ELECTION IN FIRE PROTECTION DISTRICT NO. 11 OF THE PARISH OF ST. TAMMANY, STATE OF LOUISIANA, ON TUESDAY, NOVEMBER 4, 2008, TO AUTHORIZE THE LEVY OF A SPECIAL TAX THEREIN.

WHEREAS, the Board of Commissioners of Fire Protection District No. 11 of the Parish of St. Tammany, State of Louisiana (the "Governing Authority"), acting as the governing authority of Fire Protection District No. 11 of the Parish of St. Tammany, State of Louisiana (the "District"), adopted a resolution on August 19, 2008, calling a special election in the District on Tuesday, November 4, 2008, to authorize the levy of a special tax therein; and

WHEREAS, the governing authority of the District has requested that this Parish Council, acting as the governing authority of the Parish of St. Tammany, State of Louisiana, give its consent and authority for the District to hold the aforesaid election, and in the event that the election carries to levy and collect the special tax provided for therein; and

WHEREAS, as required by Article VI, Section 15 of the Constitution of the State of Louisiana of 1974, it is now the desire of this Parish Council to approve the holding of said election and in the event that the election carries, to levy and collect the special tax provided for therein;

NOW, THEREFORE, BE IT RESOLVED by the Parish Council of the Parish of St. Tammany, State of Louisiana, acting as the governing authority of said Parish, that:

SECTION 1. In compliance with the provisions of Article VI, Section 15 of the constitution of the State of Louisiana of 1974, and in accordance with the request of the Board of Commissioners of Fire Protection District No. 11 of the Parish of St. Tammany, State of Louisiana, this Parish Council hereby approves the holding of an election in the District, on Tuesday, November 4, 2008, at which election there will be submitted the following proposition, to-wit:

PROPOSITION (TAX RENEWAL)

SUMMARY: 10 YEAR, 10 MILLS PROPERTY TAX RENEWAL FOR ACQUIRING, CONSTRUCTING, IMPROVING, MAINTAINING AND/OR OPERATING WORKS OF PUBLIC IMPROVEMENT FOR FIRE PROTECTION PURPOSES AND, TO THE EXTENT PERMITTED BY LAW, PROVIDING SERVICES TO INJURED OR ILL PERSONS IN EMERGENCY SITUATIONS.

Shall Fire Protection District No. 11 of the Parish of St. Tammany, State of Louisiana (the "District"), levy a special tax of ten (10) mills on all property subject to taxation in the District for a period of ten (10) years, beginning with the 2010 and ending with the year 2019 (an estimated \$130,000 reasonably expected at this time to be collected from the levy of the Tax for an entire year), for the purpose of acquiring, constructing, improving, maintaining and/or operating works of public improvement for fire protection purposes and, to the extent permitted by law, providing services to injured or ill persons in emergency situations?

SECTION 2. In the event the election carries, this Parish Council does hereby further consent to and authorize the District to levy and collect the special tax provided for therein.

THIS RESOLUTION HAVING BEEN SUBMITTED TO A VOTE. THE VOTE THEREON WAS AS FOLLOWS:

MOVED FOR ADOPTION BY _____, SECONDED BY _____:

YEAS:

NAYS:

ABSTAIN:

ABSENT:

THIS RESOLUTION WAS DECLARED ADOPTED ON THE 4TH DAY OF SEPTEMBER, 2008. AT A REGULAR MEETING OF THE PARISH COUNCIL, A QUORUM OF THE MEMBERS BEING PRESENT AND VOTING.

JERRY BINDER, COUNCIL CHAIRMAN

ATTEST:

THERESA L. FORD, COUNCIL CLERK

STATE OF LOUISIANA

PARISH OF ST. TAMMANY

I, the undersigned Council Clerk of the Parish Council of the Parish of St. Tammany, State of Louisiana, do hereby certify that the foregoing two (2) pages constitute a true and correct copy of a resolution adopted by said Parish Council on September 4, 2008, approving the holding of an election in Fire Protection District No. 11 of the Parish of St. Tammany, State of Louisiana, to authorize the levy of a special tax therein.

IN FAITH WHEREOF, witness my official signature and the impress of the official seal of said at Covington, Louisiana, on this, the 4th day of September, 2008.

(SEAL)

Council Clerk

C-4101

The following resolution was offered by _____ and seconded

by _____:

RESOLUTION

A resolution ordering and calling a special election to be held in Fire Protection District No. 11 of the Parish of St. Tammany, State of Louisiana, to authorize the levy of a special tax therein; making application to the State Bond Commission in connection therewith; and providing for other matters in connection therewith.

BE IT RESOLVED by the Board of Commissioners of Fire Protection District No. 11 of the Parish of St. Tammany, State of Louisiana (the "Governing Authority"), acting as the governing authority of Fire Protection District No. 11 of the Parish of St. Tammany, State of Louisiana (the "District"), that:

SECTION 1. Election Call. Subject to the approval of the State Bond Commission and the St. Tammany Parish Council, and under the authority conferred by Article VI, Sections 30 and 32 of the Constitution of the State of Louisiana of 1974, the applicable provisions of Chapter 5 and Chapter 6-A of the Louisiana Election Code, and other constitutional and statutory authority, a special election is hereby called and ordered to be held in the District on **TUESDAY, NOVEMBER 4, 2008**, between the hours of six o'clock (6:00) a.m., and eight o'clock (8:00) p.m., in accordance with the provisions of La. R.S. 18:541, and at the said election there shall be submitted to all registered voters qualified and entitled to vote at the said election under the Constitution and laws of this State and the Constitution of the United States, the following proposition, to-wit:

PROPOSITION (TAX RENEWAL)

SUMMARY: 10 YEAR, 10 MILLS PROPERTY TAX RENEWAL FOR ACQUIRING, CONSTRUCTING, IMPROVING, MAINTAINING AND/OR OPERATING WORKS OF PUBLIC IMPROVEMENT FOR FIRE PROTECTION PURPOSES AND, TO THE EXTENT PERMITTED BY LAW, PROVIDING SERVICES TO INJURED OR ILL PERSONS IN EMERGENCY SITUATIONS.

Shall Fire Protection District No. 11 of the Parish of St. Tammany, State of Louisiana (the "District"), levy a special tax of ten (10) mills on all property subject to taxation in the District for a period of ten (10) years, beginning with the 2010 and ending with the year 2019 (an estimated \$130,000 reasonably expected at this time to be collected from the levy of the Tax for an entire year), for the purpose of acquiring, constructing, improving, maintaining and/or operating works of public improvement for fire protection purposes and, to the extent permitted by law, providing services to injured or ill persons in emergency situations?



SECTION 2. Publication of Notice of Election. A Notice of Special Election shall be published in the *St. Tammany News Banner*, a tri-weekly (Sunday, Wednesday & Friday) newspaper of general circulation within the District, published in Covington, Louisiana, and being the official journal of the District, once a week for four consecutive weeks, with the first publication to be made not less than forty-five (45) days nor more than ninety (90) days prior to the date of the election, which Notice shall be substantially in the form attached hereto as "Exhibit A" and incorporated herein by reference the same as if it were set forth herein in full.

SECTION 3. Canvass. This Governing Authority shall meet at its regular meeting place, the Fire Station, Pine Extension, Pearl River, Louisiana, on **TUESDAY, NOVEMBER 18, 2008**, at **SIX O'CLOCK (6:00) P.M.**, and shall then and there in open and public session proceed to examine and canvass the returns and declare the result of the said special election.

SECTION 4. Polling Places. The polling places set forth in the aforesaid Notice of Special Election are hereby designated as the polling places at which to hold the said election, and the Commissioners-in-Charge and Commissioners, respectively, will be the same persons as those designated in accordance with law.

SECTION 5. Election Commissioners; Voting Machines. The officers designated to serve as Commissioners-in-Charge and Commissioners pursuant to Section 4 hereof, or such substitutes therefor as may be selected and designated in accordance with La. R.S. 18:1287, shall hold the said special election as herein provided, and shall make due returns of said election for the meeting of the Governing Authority to be held on Tuesday, November 18, 2008, as provided in Section 3 hereof. All registered voters in the District will be entitled to vote at the special election, and voting machines shall be used.

SECTION 6. Authorization of Officers. The Secretary of the Governing Authority is hereby empowered, authorized and directed to arrange for and to furnish to said election officers in ample time for the holding of said election, the necessary equipment, forms and other paraphernalia essential to the proper holding of said election and the Chairman and/or Secretary of the Governing Authority are further authorized, empowered and directed to take any and all further action required by State and/or Federal law to arrange for the election, including but not limited to, appropriate submission to the Federal Department of Justice under Section 5 of the Federal Voting Rights Act of 1965, as amended.

SECTION 7. Furnishing Election Call to Election Officials. Certified copies of this resolution shall be forwarded to the Secretary of State, the Clerk of Court and *Ex-Officio* Parish Custodian of Voting Machines of St. Tammany Parish and the Registrar of Voters of St. Tammany Parish, as notification of the special election, in order that each may prepare for said election and perform their respective functions as required by law.

SECTION 8. Application to State Bond Commission. Application is made to the State Bond Commission for consent and authority to hold the special election as herein provided, and in the event said election carries for further consent and authority to levy and collect the special tax provided for therein. A certified copy of this resolution shall be forwarded to the State Bond Commission on behalf of this Governing Authority, together with a letter requesting the prompt consideration and approval of this application.

SECTION 9. Approval of Governing Authority of the Parish. Application is hereby made to the Parish Council of the Parish of St. Tammany, State of Louisiana, for consent and authority to hold the special election as herein provided, and in the event the election carries, for its further consent and authority to levy and collect the special tax provided for therein. A certified copy of his resolution shall be forwarded to the Parish Council of the Parish of St. Tammany on behalf of the District, together with a letter requesting the prompt consideration and approval of this application.

This resolution having been submitted to a vote, the vote thereon was as follows:

<u>MEMBERS</u>	<u>YEAS</u>	<u>NAYS</u>	<u>ABSENT</u>	<u>ABSTAINING</u>
Donna Christopher	_____	_____	_____	_____
Jane Christopher	_____	_____	_____	_____
Gary Dyess	_____	_____	_____	_____
Lola Monroe	_____	_____	_____	_____
James Wallace	_____	_____	_____	_____

And the resolution was declared adopted on this, the 19th day of August, 2008.

/s/ Donna Christopher
Secretary

/s/ Jane Christopher
Chairman

NOTICE OF SPECIAL ELECTION

Pursuant to the provisions of a resolution adopted by the Board of Commissioners of Fire Protection District No. 11 of the Parish of St. Tammany, State of Louisiana (the "Governing Authority"), acting as the governing authority of Fire Protection District No. 11 of the Parish of St. Tammany, State of Louisiana (the "District"), on August 19, 2008, NOTICE IS HEREBY GIVEN that a special election will be held within the District on **TUESDAY, NOVEMBER 4, 2008**, and that at the said election there will be submitted to all registered voters in the District qualified and entitled to vote at the said election under the Constitution and Laws of the State of Louisiana and the Constitution of the United States, the following proposition, to-wit:

PROPOSITION (TAX RENEWAL)

SUMMARY: 10 YEAR, 10 MILLS PROPERTY TAX RENEWAL FOR ACQUIRING, CONSTRUCTING, IMPROVING, MAINTAINING AND/OR OPERATING WORKS OF PUBLIC IMPROVEMENT FOR FIRE PROTECTION PURPOSES AND, TO THE EXTENT PERMITTED BY LAW, PROVIDING SERVICES TO INJURED OR ILL PERSONS IN EMERGENCY SITUATIONS.

Shall Fire Protection District No. 11 of the Parish of St. Tammany, State of Louisiana (the "District"), levy a special tax of ten (10) mills on all property subject to taxation in the District for a period of ten (10) years, beginning with the 2010 and ending with the year 2019 (an estimated \$130,000 reasonably expected at this time to be collected from the levy of the Tax for an entire year), for the purpose of acquiring, constructing, improving, maintaining and/or operating works of public improvement for fire protection purposes and, to the extent permitted by law, providing services to injured or ill persons in emergency situations?

The said special election will be held at the following polling places situated within the District, which polls will open at six o'clock (6:00) a.m., and close at eight o'clock (8:00) p.m., in accordance with the provisions of La. R.S. 18:541, to-wit:

POLLING PLACES	
Precinct	Location
P01	(IN PART) Pearl River Community Center, 39443 Hwy. 41 Spur, Pearl River
603	(IN PART) Rec. District #7 Community Center, 67835 Hwy. 41, Pearl River

STATE OF LOUISIANA

PARISH OF ST. TAMMANY

I, the undersigned Secretary of the Board of Commissioners of Fire Protection District No. 11 of the Parish of St. Tammany, State of Louisiana (the "Governing Authority"), the governing authority of Fire Protection District No. 11 of the Parish of St. Tammany, State of Louisiana (the "District"), do hereby certify that the foregoing five (5) pages constitute a true and correct copy of the proceedings taken by the Governing Authority on August 19, 2008, ordering and calling a special election to be held in Fire Protection District No. 11 of the Parish of St. Tammany, State of Louisiana, to authorize the levy of a special tax therein; making application to the State Bond Commission in connection therewith; and providing for other matters in connection therewith.

IN FAITH WHEREOF, witness my official signature and the impress of the official seal of the District at Pearl River, Louisiana, on this, the 19th day of August, 2008.

Secretary

(SEAL)