

ST. TAMMANY PARISH COUNCIL

RESOLUTION

RESOLUTION COUNCIL SERIES NO. C-2639

COUNCIL SPONSOR: BINDER/DAVIS

PROVIDED BY: BOND COUNSEL

RESOLUTION APPROVING THE HOLDING OF AN ELECTION IN FIRE PROTECTION DISTRICT NO. 7 OF THE PARISH OF ST. TAMMANY, LOUISIANA, ON SATURDAY, OCTOBER 17, 2009, TO AUTHORIZE THE LEVY OF A SPECIAL TAX THEREIN.

WHEREAS, the Board of Commissioners of Fire Protection District No. 7 of the Parish of St. Tammany, Louisiana (the "Governing Authority"), acting as the governing authority of Fire Protection District No. 7 of the Parish of St. Tammany, Louisiana (the "District"), adopted a resolution on May 13, 2009, calling a special election in the District on Saturday, October 17, 2009, 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. 7 of the Parish of St. Tammany, Louisiana, this Parish Council hereby approves the holding of an election in the District, on Saturday, October 17, 2009, at which election there will be submitted the following proposition, to-wit:

PROPOSITION (TAX RENEWAL)

Summary: 10 year, 5 mills tax renewal for acquiring, constructing, improving, maintaining and/or operating fire protection facilities and equipment in and for St. Tammany Fire Protection District No. 7, including paying the cost of obtaining water for fire protection purposes.

Shall Fire Protection District No. 7 of the Parish of St. Tammany, Louisiana (the "District"), levy a five (5) mills tax on all the property subject to taxation in the District (an estimated \$124,500 reasonably expected at this time to be collected from the levy of the tax for an entire year), for a period of ten (10) years, beginning with the year 2010 and ending with the year 2019, for the purpose of acquiring, constructing, improving, maintaining and/or operating fire protection facilities and equipment in and for the District, including paying the cost of obtaining water for fire protection purposes?

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 JUNE, 2009, 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

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. 7 of the Parish of St. Tammany, 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. 7 of the Parish of St. Tammany, Louisiana (the "Governing Authority"), acting as the governing authority of Fire Protection District No. 7 of the Parish of St. Tammany, 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 **SATURDAY, OCTOBER 17, 2009**, 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, 5 mills tax renewal for acquiring, constructing, improving, maintaining and/or operating fire protection facilities and equipment in and for St. Tammany Fire Protection District No. 7, including paying the cost of obtaining water for fire protection purposes.

Shall Fire Protection District No. 7 of the Parish of St. Tammany, Louisiana (the "District"), levy a five (5) mills tax on all the property subject to taxation in the District (an estimated \$124,500 reasonably expected at this time to be collected from the levy of the tax for an entire year), for a period of ten (10) years, beginning with the year 2010 and ending with the year 2019, for the purpose of acquiring, constructing, improving, maintaining and/or operating fire protection facilities and equipment in and for the District, including paying the cost of obtaining water for fire protection purposes?

SECTION 2. Publication of Notice of Election. A Notice of Special Election shall be published in the *St. Tammany Farmer*, a weekly (Thursday) 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 Volunteer Fire Station, 73469 Highway 41, Pearl River, Louisiana, on **WEDNESDAY, NOVEMBER 11, 2009, at SIX-THIRTY O'CLOCK (6:30) 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 Wednesday, November 11, 2009, 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 this 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>
Don Scroggins	_____	_____	_____	_____
Richard Singletary	_____	_____	_____	_____
John Sammons	_____	_____	_____	_____
Bill Duncan	_____	_____	_____	_____
Edward Smith	_____	_____	_____	_____

And the resolution was declared adopted on this, the 13th day of May, 2009.

 /s/ John Sammons
 Secretary

 /s/ Don Scroggins
 Chairman

NOTICE OF SPECIAL ELECTION

Pursuant to the provisions of a resolution adopted by the Board of Commissioners of Fire Protection District No. 7 of the Parish of St. Tammany, Louisiana (the "Governing Authority"), acting as the governing authority of Fire Protection District No. 7 of the Parish of St. Tammany, Louisiana (the "District"), on May 13, 2009, NOTICE IS HEREBY GIVEN that a special election will be held within the District on **SATURDAY, OCTOBER 17, 2009**, 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, 5 mills tax renewal for acquiring, constructing, improving, maintaining and/or operating fire protection facilities and equipment in and for St. Tammany Fire Protection District No. 7, including paying the cost of obtaining water for fire protection purposes.

Shall Fire Protection District No. 7 of the Parish of St. Tammany, Louisiana (the "District"), levy a five (5) mills tax on all the property subject to taxation in the District (an estimated \$124,500 reasonably expected at this time to be collected from the levy of the tax for an entire year), for a period of ten (10) years, beginning with the year 2010 and ending with the year 2019, for the purpose of acquiring, constructing, improving, maintaining and/or operating fire protection facilities and equipment in and for the District, including paying the cost of obtaining water for fire protection purposes?

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
406	(IN PART) St. Tammany Parish Hwy. 59 Admin. Complex, 21490 Koop Drive, Mandeville
409	(IN PART) Monteleone Junior High School, 63000 Blue Marlin Drive, Mandeville
503	(IN PART) Bush Polling Booth, 81605 Hwy. 41, Bush
504	(IN PART) R. C. Milling Fire Station, 75474 Hwy. 1083, Covington

STATE OF LOUISIANA

PARISH OF ST. TAMMANY

I, the undersigned Secretary of the Board of Commissioners of Fire Protection District No. 7 of the Parish of St. Tammany, Louisiana (the "Governing Authority"), the governing authority of Fire Protection District No. 7 of the Parish of St. Tammany, 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 May 13, 2009, ordering and calling a special election to be held in Fire Protection District No. 7 of the Parish of St. Tammany, 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 13th day of May, 2009.

Secretary

(SEAL)
