

OPTION 1
CERTIFICATE AS TO RESOLUTION AND ADOPTING VOTE

I, the undersigned, being the duly qualified and acting recording officer of School District No. 44 (Belgrade), Gallatin County, Montana (the "District"), hereby certify that the attached resolution is a true copy of a Resolution entitled: "A RESOLUTION OF SCHOOL DISTRICT NO. 44 (BELGRADE), GALLATIN COUNTY, SUBMITTING TO THE QUALIFIED ELECTORS OF THE DISTRICT THE QUESTION OF ISSUING GENERAL OBLIGATION SCHOOL BUILDING BONDS IN THE AGGREGATE PRINCIPAL AMOUNT OF UP TO FORTY-EIGHT MILLION AND NO/100 DOLLARS AND NO/100 DOLLARS (\$48,000,000.00) FOR THE PURPOSE OF ACCOMMODATING STUDENT ENROLLMENT IN THE DISTRICT BY PROVIDING FUNDS TO PAY THE COSTS OF ACQUIRING SITES AND BUILDING THEREON ELEMENTARY SCHOOLS; EXPANDING OR ADDING A NEW COMMONS AREA AND CAFETERIA AT SADDLE PEAK ELEMENTARY; AND MAKING IMPROVEMENTS TO HECK-QUAW SCHOOL; RELATED IMPROVEMENTS AND COSTS; AND PAYING THE COSTS ASSOCIATED WITH THE SALE AND ISSUANCE OF THE BONDS" (the "Resolution"), on file in the original records of the District in my legal custody; that the Resolution was duly adopted by the Board of Trustees of the District at a meeting on December 10, 2018, and that the meeting was duly held by the Board of Trustees and was attended throughout by a quorum, pursuant to call and notice of such meeting given as required by law; and that the Resolution has not as of the date hereof been amended or repealed.

I further certify that, upon vote being taken on the Resolution at said meeting, the following Trustees voted in favor thereof: Peter Morgan, Mary Ellen Fitzgerald, Dee Batey, and Ted Mongeon; voted against the same: Bob Marx and Frank Stock; abstained from voting thereon: none; or were absent: Davey Lynn Haglund.

WITNESS my hand and seal officially this 10th day of December, 2018.

Jay G. Bates
School District Clerk

A RESOLUTION OF SCHOOL DISTRICT NO. 44 (BELGRADE), GALLATIN COUNTY, SUBMITTING TO THE QUALIFIED ELECTORS OF THE DISTRICT THE QUESTION OF ISSUING GENERAL OBLIGATION SCHOOL BUILDING BONDS IN THE AGGREGATE PRINCIPAL AMOUNT OF UP TO FORTY-EIGHT MILLION AND NO/100 DOLLARS AND NO/100 DOLLARS (\$48,000,000.00) FOR THE PURPOSE OF ACCOMMODATING STUDENT ENROLLMENT IN THE DISTRICT BY PROVIDING FUNDS TO PAY THE COSTS OF ACQUIRING SITES AND BUILDING THEREON ELEMENTARY SCHOOLS; EXPANDING OR ADDING A NEW COMMONS AREA AND CAFETERIA AT SADDLE PEAK ELEMENTARY; AND MAKING IMPROVEMENTS TO HECK-QUAW SCHOOL; RELATED IMPROVEMENTS AND COSTS; AND PAYING THE COSTS ASSOCIATED WITH THE SALE AND ISSUANCE OF THE BONDS

RECITALS

WHEREAS, the board of trustees of a school district may issue bonds on the credit of the school district for the purpose of building, altering, repairing, buying, furnishing, equipping, purchasing lands for, and/or obtaining a water supply for a school, teacherage, dormitory, gymnasium, other building, or combination of said buildings for school purposes, upon approval of the electorate of the district; and

WHEREAS, a board is authorized pursuant to Section 20-9-421, M.C.A., to call a bond election by adopting a resolution to that effect; and

WHEREAS, the Board of Trustees (the "Board") of School District No. 44 (Belgrade), Gallatin County (the "District"), has determined that there should be submitted to the electors of the District qualified to vote at bond elections the question of whether the Board shall be authorized to sell and issue bonds of the District to obtain funds in one or more series in the aggregate principal amount of up to Forty-Eight Million and No/100 Dollars (\$48,000,000.00) for the purpose of accommodating student enrollment in the District by providing funds to pay the costs of acquiring approximately 18.9 acres of real property in the District located north of Interstate 90 and to the west of Bolinger Road and east of Astor Avenue in the vicinity of the planned Prescott property development or other real property to be acquired by the District in accordance with Montana law, and designing, constructing, furnishing and equipping thereon a new elementary school in replacement of the existing Heck-Quaw School and making associated improvements, including site work such as roads, utilities, parking lots, and related improvements and costs; acquiring a second site in the District to be selected in accordance with Montana law and designing, constructing, furnishing and equipping thereon an additional new elementary school and making associated improvements, including site work such as roads, utilities, parking lots, and related improvements and costs; expanding or adding a new commons area and cafeteria at Saddle Peak Elementary; and making improvements to Heck-Quaw School, to include one or more of staff training areas, adult education classrooms, alternative school classrooms, and/or other improvements; related improvements and costs; and paying the costs associated with the sale and issuance of the bonds; and

WHEREAS, pursuant to Section 13-19-104, M.C.A., a school district bond election can be conducted by a mail ballot election; and

WHEREAS, the Board has determined that a mail ballot election conducted in accordance with the provisions of Title 13, Chapter 19, Parts 1-3, M.C.A. (the "Mail Ballot Act"), is in the best interests of the District and the electors thereof, and notified the County Election Administrator of Gallatin County of its intent to conduct a mail ballot election, which notification was not less than seventy days prior to the date of the proposed election; and

WHEREAS, the County Election Administrator will prepare a mail ballot election plan in accordance with the provisions of Section 13-19-205, M.C.A. (the "Mail Ballot Plan"); and

WHEREAS, it is the judgment of the Board that the sum of up to Forty-Eight Million and No/100 Dollars (\$48,000,000.00) will be necessary to carry out the purpose set forth above; and

WHEREAS, the indebtedness to be evidenced by the proposed bonds and all other indebtedness of the District does not exceed the limitation as set forth in Section 20-9-406, M.C.A.; and

WHEREAS, it is the judgment and determination of the Board that each series of bonds issued pursuant to the bond election called for below will be payable during a term of not more than twenty (20) years.

NOW, THEREFORE, BE IT RESOLVED by the Board of the District as follows:

1. Calling Election. The Board of the District hereby calls and directs a special election to be held in the District on February 26, 2019, which date is not less than 70 days after the date of passage of this resolution, such election to be conducted by mail ballot pursuant to the provisions of the Mail Ballot Act, for the purpose of voting on the question of whether the Board may sell and issue general obligation school building bonds of the District in one or more series in the aggregate principal amount of up to Forty-Eight Million and No/100 Dollars (\$48,000,000.00) for the purpose of accommodating student enrollment in the District by providing funds to pay the costs of acquiring approximately 18.9 acres of real property in the District located north of Interstate 90 and to the west of Bolinger Road and east of Astor Avenue in the vicinity of the planned Prescott property development or other real property to be acquired by the District in accordance with Montana law, and designing, constructing, furnishing and equipping thereon a new elementary school in replacement of the existing Heck-Quaw School and making associated improvements, including site work such as roads, utilities, parking lots, and related improvements and costs; acquiring a second site in the District to be selected in accordance with Montana law and designing, constructing, furnishing and equipping thereon an additional new elementary school and making associated improvements, including site work such as roads, utilities, parking lots, and related improvements and costs; expanding or adding a new commons area and cafeteria at Saddle Peak Elementary; and making improvements to Heck-Quaw School, to include one or more of staff training areas, adult education classrooms, alternative school classrooms, and/or other improvements; related improvements and costs; and paying the costs associated with the sale and issuance of the bonds. Each series of the bonds

shall be payable semiannually during a term of not more than twenty (20) years, subject to redemption as required by law, and shall bear interest at a rate or rates to be determined by the Board at the time of the sale.

2. Estimate of State Debt Service Assistance. Pursuant to Section 20-9-422, M.C.A., the District has requested from the Superintendent of Public Instruction a statement of the estimated amount of state debt service assistance that the District may receive under Sections 20-9-367 and 20-9-371, M.C.A., for debt service payments on the bonds in the first fiscal year in which a debt service payment is due. The current estimate of debt service assistance received from the Superintendent of Public Instruction is \$0.00 for the District, unless current legislation or the availability of funding should change. For fiscal year 2018/19, debt service assistance available for schools is not available because the revenue used to fund debt service assistance is derived from riverbed rents that are currently in escrow pending the outcome of litigation and timber sales that do not occur until the end of each fiscal year. Additionally, pursuant to changes made by the 2017 Legislature, funds for debt service assistance are paid from the State School Facility Technology Account and are second in priority behind funds allocated for school technology as provided in state law. Finally, the legislature may divert revenues from timber sales and riverbed rents, if any, to other purposes. Currently, funds for debt service assistance are not available.

3. Conduct of Election. All qualified electors of the District shall be entitled to vote at the bond election. Pursuant to Section 20-20-201, M.C.A., the District Clerk is hereby authorized and directed to give notice of the call and details of this election and to provide this resolution to the Gallatin County Election Administrator no less than three (3) days after this resolution is passed. The District Clerk is directed to instruct the Gallatin County Election Administrator to close registration and thereafter prepare printed lists of the electors in the District entitled to vote in the election in the District in the form and manner prescribed by law and consistent with the Mail Ballot Plan. The County Election Administrator shall prepare the ballot and arrange for the printing of the ballot and conduct the election in accordance with all legal requirements.

4. Notice of Election. The County Election Administrator is hereby authorized and requested to cause notice of the call and holding of the election to be given at least three times no earlier than 40 days and no later than 10 days before the election, in the *Bozeman Daily Chronicle* and the *Belgrade News*, both newspapers of general circulation in the District, and the District Clerk is hereby authorized and directed to cause the notice to be posted at three public places in the District, with at least one notice being posted in each ward or precinct in the District, and, if the District has a website, is directed to post notice on the District's website for 10 days prior to the election. The notice of election as published and posted shall read substantially as follows with such completions and additions as may be required by the Mail Ballot Plan or otherwise:

NOTICE OF SCHOOL BOND ELECTION

NOTICE IS HEREBY GIVEN by the Board of Trustees (the “Board”) of School District No. 44 (Belgrade), Gallatin County (the “District”), that pursuant to a resolution duly adopted at a meeting of the Board on December 10, 2018, a special election of the registered voters of the District will be held by mail ballot election on February 26, 2019 for the purpose of voting on the question of whether the Board may sell and issue general obligation bonds of the District in one or more series in the aggregate principal amount of up to Forty-Eight Million and No/100 Dollars (\$48,000,000.00), bearing interest at rates to be determined at the time of the sale, payable semiannually, during a term of not more than twenty (20) years as to each series of bonds, for the purpose of accommodating student enrollment in the District by providing funds to pay the costs of acquiring approximately 18.9 acres of real property in the District located north of Interstate 90 and to the west of Bolinger Road and east of Astor Avenue in the vicinity of the planned Prescott property development or other real property to be acquired by the District in accordance with Montana law, and designing, constructing, furnishing and equipping thereon a new elementary school in replacement of the existing Heck-Quaw School and making associated improvements, including site work such as roads, utilities, parking lots, and related improvements and costs; acquiring a second site in the District to be selected in accordance with Montana law and designing, constructing, furnishing and equipping thereon an additional new elementary school and making associated improvements, including site work such as roads, utilities, parking lots, and related improvements and costs; expanding or adding a new commons area and cafeteria at Saddle Peak Elementary; and making improvements to Heck-Quaw School, to include one or more of staff training areas, adult education classrooms, alternative school classrooms, and/or other improvements; related improvements and costs; and paying the costs associated with the sale and issuance of the bonds. Each series of bonds shall be payable semiannually during a term of not more than twenty (20) years.

The election will be conducted by the County Election Administrator solely by mail ballot. Ballots will be mailed to all eligible registered voters in the District on February 8, 2019, and must be returned by each voter by mail or in person to the Gallatin County Election Administrator, Gallatin County, 311 W. Main Street, Bozeman, Montana 59715. In the alternative, ballots may be delivered in person to the following locations during the days and times noted, excluding holidays:

Gallatin County Election Office,
311 W. Main, Room 210, Bozeman

Mon- Fri. 8am – 5pm through February 25, 2019
On Election Day, February 26, 2019 7am – 8pm

Belgrade Administration Office,
312 N. Weaver, Belgrade, MT

Mon.-Fri. 8am – 4:30pm through February 25, 2019
On Election Day, February 26, 2019 8am – 8pm

On Election Day, February 26, 2019, the only places for deposit of voted ballots will be the office of the Gallatin County Election Administrator or in the drop box at the Belgrade Administration Office, in either case, by 8:00 p.m. in order to be counted. All ballots will be counted on February 26, 2019, in accordance with Montana law with the results, if known, expected to be released after 8:00 p.m. on that day.

A qualified voter who will be absent from the District during the time the election is being conducted may:

(a) vote in person in the office of the County Election Administrator as soon as the ballots are available and until noon on February 7, 2019; or

(b) make a written request prior to noon on February 7, 2019, signed by the applicant and addressed to the office of the County Election Administrator requesting the ballot be mailed to an address other than that which appears on the registration records. All ballots to be mailed will be mailed no later than February 8, 2019.

An elector may obtain a replacement ballot if his ballot is destroyed, spoiled, lost, or not received by the elector by personally appearing at the office of the County Election Administrator and by:

(a) signing an affidavit form stating the reason for the request for replacement; and

(b) if the reason given for replacement is "spoiled ballot," by returning the spoiled ballot to the office of the County Election Administrator.

Ballots may be returned in person at the place of deposit listed above, or returned by mail. If returning by mail, please use the then-prevailing first-class-postage price or one Forever Stamp. Postmark date does not apply; ballots returned by mail must be received by the 8:00 p.m. Election Day deadline to be counted.

Please note, all electors, as defined in MCA 20-20-301, are those who reside within the School District and are registered to vote by the close of registration on January 28, 2019.

For electors who miss the close of registration deadline, late registration is available through the office of the County Election Administrator until noon on February 25, 2019, and will resume on Election Day, February 26, 2019, from 8:00 a.m. until 8:00 p.m.

DATED this _____ day of _____, 20__.

Gallatin County Election Administrator

Publication Dates: January 27, 2019
February 3, 2019
February 10, 2019

5. Form of Ballot. The ballot shall be printed in substantially the following form:

SCHOOL DISTRICT NO. 44 (BELGRADE)
GALLATIN COUNTY, MONTANA

SCHOOL BOND ELECTION
TO BE CONDUCTED BY MAIL BALLOT
ON FEBRUARY 26, 2019

INSTRUCTIONS TO VOTERS: Completely fill in the oval using a blue or black pen before the words “BONDS—YES” if you wish to vote for the bond issue; if you are opposed to the bond issue, completely fill in the oval using a blue or black pen before the words “BONDS—NO.”

Shall the Board of Trustees of School District No. 44 (Belgrade), Gallatin County, Montana (the “District”) be authorized to sell and issue general obligation bonds of the District in one or more series in the aggregate principal amount of up to Forty-Eight Million and No/100 Dollars (\$48,000,000.00), bearing interest at rates to be determined at the time of the sale, payable semiannually, during a term of not more than twenty (20) years as to each series of bonds, for the purpose of accommodating student enrollment in the District by providing funds to pay the costs of acquiring approximately 18.9 acres of real property in the District located north of Interstate 90 and to the west of Bolinger Road and east of Astor Avenue in the vicinity of the planned Prescott property development or other real property to be acquired by the District in accordance with Montana law, and designing, constructing, furnishing and equipping thereon a new elementary school in replacement of the existing Heck-Quaw School and making associated improvements, including site work such as roads, utilities, parking lots, and related improvements and costs; acquiring a second site in the District to be selected in accordance with Montana law and designing, constructing, furnishing and equipping thereon an additional new elementary school and making associated improvements, including site work such as roads, utilities, parking lots, and related improvements and costs; expanding or adding a new commons area and cafeteria at Saddle Peak Elementary; and making improvements to Heck-Quaw School, to include one or more of staff training areas, adult education classrooms, alternative school classrooms, and/or other improvements; related improvements and costs; and paying the costs associated with the sale and issuance of the bonds?

BONDS – YES

BONDS – NO

Passed and approved this 10th day of December, 2018.

Chair, Board of Trustees

ATTEST:

District Clerk
School District No. 44