

ORDER

AN ORDER AUTHORIZING THE CALLING AND HOLDING OF AN ELECTION IN MUSKOGEE COUNTY, STATE OF OKLAHOMA, FOR THE PURPOSE OF SUBMITTING TO THE REGISTERED VOTERS OF SAID COUNTY THE QUESTION OF THE ISSUANCE OF THE REGISTERED BONDS OF SAID COUNTY IN THE SUM OF TWENTY MILLION DOLLARS (\$20,000,000) TO PROVIDE FUNDS FOR THE PURPOSES OF ECONOMIC AND COMMUNITY DEVELOPMENT WITHIN OR NEAR MUSKOGEE COUNTY, INCLUDING JOB CREATION PROGRAMS, WITH OR WITHOUT THE USE OF OTHER FUNDS, LEVYING AND COLLECTING AN ANNUAL TAX, IN ADDITION TO ALL OTHER TAXES, UPON ALL THE TAXABLE PROPERTY IN SAID COUNTY SUFFICIENT TO PAY THE INTEREST AND PRINCIPAL ON SAID BONDS AS IT COMES DUE; PROVIDED HOWEVER, THAT IN NO EVENT SHALL THE REAL AND PERSONAL TAXABLE PROPERTY IN SAID COUNTY BE SUBJECT TO A SPECIAL TAX IN EXCESS OF FIVE MILLS ON THE DOLLAR FOR ALL BONDS ISSUED PURSUANT TO SECTION 35, ARTICLE X OF THE OKLAHOMA CONSTITUTION; PROVIDING FOR ELECTION PROCEDURES; AND CONTAINING OTHER PROVISIONS RELATING THERETO.

WHEREAS, it is deemed advisable by the Board of County Commissioners of Muskogee County, State of Oklahoma, to issue general obligation limited tax bonds to provide funds for economic and community development within or near Muskogee County, including job creation programs; and

WHEREAS, the estimated amount necessary for such purpose is TWENTY MILLION DOLLARS (\$20,000,000); and

WHEREAS, there are no funds in the treasury of Muskogee County, Oklahoma, for such purposes, and power is granted said County by Section 35, Article X of the Oklahoma Constitution and Title 62, Sections 801 *et seq.* of the Oklahoma Statutes, to issue such bonds to provide funds for such purposes, provided the same be authorized by the registered voters thereof, voting at an election held for that purpose.

NOW, THEREFORE, BE IT ORDERED BY THE BOARD OF COUNTY COMMISSIONERS OF MUSKOGEE COUNTY, IN THE STATE OF OKLAHOMA:

SECTION 1.

That the Chairman of the Board of County Commissioners of Muskogee County, Oklahoma be, and he is hereby authorized and directed to call a special election to be held in said County on the 11th day of May, 2021, for the purpose of submitting to the registered voters thereof the following proposition:

PROPOSITION

SHALL THE COUNTY OF MUSKOGEE, STATE OF OKLAHOMA, INCUR AN INDEBTEDNESS BY ISSUING ITS BONDS IN THE SUM OF TWENTY MILLION DOLLARS (\$20,000,000) TO PROVIDE FUNDS FOR THE PURPOSES OF ECONOMIC AND COMMUNITY DEVELOPMENT WITHIN OR NEAR MUSKOGEE COUNTY, INCLUDING JOB CREATION PROGRAMS, WITH OR WITHOUT THE USE OF OTHER FUNDS, AND LEVY AND COLLECT AN ANNUAL TAX, IN ADDITION TO ALL OTHER TAXES, UPON ALL THE TAXABLE PROPERTY IN SAID COUNTY SUFFICIENT TO PAY THE INTEREST ON SAID BONDS AS IT FALLS DUE, AND ALSO TO CONSTITUTE A SINKING FUND FOR THE PAYMENT OF THE PRINCIPAL THEREOF WHEN DUE, SAID BONDS TO BEAR INTEREST AT NOT TO EXCEED THE RATE OF FOURTEEN PERCENT (14%) PER ANNUM, OR THE MAXIMUM RATE ALLOWED BY LAW, PAYABLE SEMI-ANNUALLY AND TO BECOME DUE SERIALY WITHIN THIRTY (30) YEARS FROM THEIR DATE; PROVIDED HOWEVER, THAT IN NO EVENT SHALL THE TAXABLE PROPERTY IN SAID COUNTY BE SUBJECT TO AN ANNUAL SPECIAL TAX IN EXCESS OF FIVE (5) MILLS ON THE DOLLAR FOR ALL BONDS ISSUED PURSUANT TO SECTION 35, ARTICLE X OF THE OKLAHOMA CONSTITUTION?

SECTION 2.

The specific projects for which at least ninety percent (90%) of the proceeds of the aforesaid bonds shall be expended, which may be accomplished through participation with other governmental agencies and others, and which may be accomplished in phases, shall be as follows:

PROJECT DESCRIPTION:

COSTS

The Economic and Community Development Projects for which the proceeds of the aforesaid \$20,000,000 Economic and Community Development Bonds shall be loaned, granted or expended shall be limited to qualified economic and community development purposes as defined in Title 62, Section 802 of the Oklahoma Statutes, as amended, to include job creation programs, and for the purpose of encouraging economic and community development within or near Muskogee County by providing loans, grants, other incentives or by County expenditures in furtherance of economic and community development, job creation and private investment in the community; for the expenses of implementation, administration and planning; and, for expenses of the bond issue. Guidelines will be established by the County which will assure accountability and adherence to sound economic and community development standards. Proceeds of the Economic and Community Development Bonds may be expended with or without the participation by other economic and community development agencies and entities.

\$20,000,000

the remainder to be used for the above specified projects, or other lawful purposes.

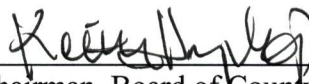
SECTION 3.

That such call for said election shall be by Proclamation and Notice of Election, signed by the Chairman of the Board of County Commissioners and attested by the County Clerk, with the seal of said County affixed thereto, and said Notice shall set forth the date and purpose of the election, the Proposition to be voted upon, the hours of opening and closing of the polls; that the voting machines or ballot used at such election shall set forth the Proposition to be voted upon substantially as set out in Section 1 hereof; and that the returns of said election shall be made to and canvassed by the Muskogee County Election Board.

SECTION 4.

The number and location of the polling places for said election shall be the same as the regular precinct polling places designated for statewide and local elections by the County Election Board. The persons who shall conduct the election shall be those precinct officers designated by the County Election Board, which officers shall also act as counters and certify the election results as required by law.

PASSED AND APPROVED this ____ day of _____, 2021.



Chairman, Board of County Commissioners
Muskogee County, Oklahoma

(SEAL)
ATTEST:



County Clerk, Muskogee County, Oklahoma



CERTIFICATE OF COUNTY CLERK

STATE OF OKLAHOMA)
) SS
COUNTY OF MUSKOGEE)

I, the undersigned, the duly qualified and acting County Clerk of the County of Muskogee, in said State, hereby certify that the foregoing is a true and complete copy of an Order authorizing the calling and holding of an election for the purpose therein set out, adopted by the governing board of said County, and transcript of proceedings of said governing body at a regular meeting thereof held on the date therein set out, insofar as the same relates to the introduction, reading and adoption thereof as the same appears of record in my office.

I further certify that attached hereto is a true and complete copy of public notice posted at the offices of the Board of County Commissioners in the Muskogee County Courthouse at least twenty-four (24) hours prior to said meeting wherein said Order was adopted, excluding Saturdays, Sundays, and legal holidays.

WITNESS my hand and the seal of said County this 1 day of Mar, 2021.

(SEAL)



Perry King
County Clerk

CERTIFICATE OF SERVICE

STATE OF OKLAHOMA)
) SS
COUNTY OF MUSKOGEE)

I, the undersigned, the duly qualified and acting Secretary of the County Election Board of the above County, hereby certify that a copy of the Order adopted on _____, 2021, by the Board of County Commissioners of Muskogee County, calling an election to be held in said County on May 11, 2021, was personally served upon the office of the County Election Board of said County on the ___ day of _____, 2021.

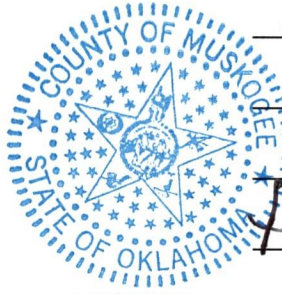
WITNESS my hand and seal of said County Election Board of said County this ___ day of _____, 2021.

(SEAL)

Secretary, County Election Board of
Muskogee County, Oklahoma

THE BOARD OF COUNTY COMMISSIONERS OF MUSKOGEE COUNTY, OKLAHOMA, MET IN REGULAR SESSION IN THE OFFICE OF THE BOARD OF COUNTY COMMISSIONERS AT THE COUNTY SERVICES BUILDING, 400 WEST BROADWAY, MUSKOGEE, OKLAHOMA, ON THE 1ST DAY OF MARCH, 2021, AT 8:30 O'CLOCK, A.M.

PRESENT:

 _____, Chairman
_____, Commissioner
_____, Commissioner
_____, County Clerk

ABSENT:

None.

[Notice of this regular meeting of the Board of County Commissioners for the calendar year 2021 was given in writing to the County Clerk of Muskogee County, Oklahoma, and public notice of this meeting was posted in prominent view at the office of the Board twenty-four hours prior to this meeting, excluding Saturdays, Sundays and legal holidays, all in compliance with the Oklahoma Open Meeting Act.]

(OTHER PROCEEDINGS)

THEREUPON, Commissioner _____ introduced a Special Election Proclamation and Notice. Commissioner _____ moved that the Special Election Proclamation and Notice be adopted, and Commissioner _____ seconded the motion. The motion carrying with it the adoption of the Order prevailed by the following vote:

AYE:

NAY:

Said Special Election Proclamation and Notice was thereupon signed by the members of the Board of County Commissioners, attested by the Clerk, sealed with the seal of the County, and it is, as follows: