

A RESOLUTION

APPROVING THE REIMPOSITION OF A ONE PERCENT EDUCATION CAPITAL IMPROVEMENTS SALES AND USE TAX IN HORRY COUNTY, SUBJECT TO REFERENDUM APPROVAL; REQUESTING THE BOARD OF VOTER REGISTRATION AND ELECTIONS OF HORRY COUNTY TO HOLD A REFERENDUM; SETTING FORTH THE BALLOT QUESTION; AND OTHER MATTERS RELATING THERETO.

BE IT RESOLVED BY THE BOARD OF EDUCATION ACTING AS THE BOARD OF TRUSTEES OF THE SCHOOL DISTRICT OF HORRY COUNTY, SOUTH CAROLINA, AS FOLLOWS:

Section 1. Findings. The Board of Education acting as the Board of Trustees (the “Board”), as the governing body of the School District of Horry County, South Carolina (the “School District”), hereby finds and determines:

(a) Pursuant to Act No. 79 (1971 Acts), the central authority of Horry County’s education system is vested in the Board. The Board is ex officio the Board of Education acting as the Board of Trustees of the School District, and all functions and powers vested in school trustees by general or special enactment shall be vested in the Board.

(b) The Education Capital Improvements Sales and Use Tax Act (the “Act”), codified at Sections 4-10-410 to 4-10-470 of the South Carolina Code of Laws 1976 as amended (the “Code”), was enacted by the South Carolina General Assembly on June 5, 2008.

(c) Horry County (the “County”) is a county where a one percent education capital improvements sales and use tax (the “Tax”) may be reimposed pursuant to Sections 4-10-460 of the Act; and

(d) The Board qualifies as a “school district board of trustees” under the Act.

Section 2. Approval of Tax. The Board hereby approves the reimposition in the County of the Tax authorized by the Act, upon approval of the imposition of the Tax by referendum open to all qualified electors residing in the County.

Section 3. Period for Which the Tax Must Be Imposed. The Tax must be reimposed for a period of 15 calendar years.

Section 4. Date of Referendum. The date of the referendum shall be November 8, 2022.

Section 5. Sharing of Revenues. A portion of the revenue from the Tax shall be shared with and distributed to the respective governing bodies of Coastal Carolina University and Horry-Georgetown Technical College, pursuant to the Act and in accordance with the Memorandum of Agreement.

Section 6. Incorporation of Memorandum of Agreement. The Memorandum of Agreement by and among the School District, the Board of Trustees for Coastal Carolina University and the Horry-Georgetown Technical College Commission is incorporated herein by reference.

Section 7. Specific Capital Improvements. The Board hereby covenants and agrees to use the School District's share of the distribution of revenues from the Tax only to pay for those capital improvements provided in Exhibit I to this Resolution, incorporated herein by reference, and included in the referendum question directly, or to service general obligation debt incurred by the School District for such improvements, or a combination of these purposes.

Section 8. Ballot Question. The ballot to be voted upon in the referendum must read substantially as follows:

EDUCATION CAPITAL IMPROVEMENTS SALES
AND USE TAX ACT REFERENDUM FOR
HORRY COUNTY

Must a special one percent sales and use tax be reimposed in Horry County for not more than 15 years with the revenue of the tax used to pay, directly or indirectly, the cost of the following education capital improvement projects in Horry County:

- (a) 80% of the revenue of the tax shall be used for the following projects of the School District of Horry County:
 - (1) Existing Facilities
Additions, renovations, repairs, improvements and replacements including modular classrooms and equipment for any existing elementary/primary schools, middle/intermediate schools, high schools, academies, and administrative and support facilities, including necessary planning, design and project management.
 - (2) New Facilities
Constructing and equipping elementary/primary schools, middle/intermediate schools, high schools, academies, modular classrooms, other educational facilities and administrative and support facilities, including necessary planning, design and project management.
 - (3) Land acquisition
Purchase and preparation of land for new school facilities, as necessary.
 - (4) Technology, Safety, Security and Telecommunications
For use district wide, the acquisition and installation of technology, safety, security and telecommunications equipment, infrastructure, subscriptions and software, including necessary planning, design and project management.

(4) Technology, Safety, Security and Telecommunications

For use system wide in Horry County, the acquisition and installation of technology, safety, security and telecommunications equipment, infrastructure, subscriptions and software, including necessary planning, design and project management?

All revenue received by the School District from the sales and use tax will be used to pay debt service on School District bonds and to directly pay costs of education capital improvements projects of the School District identified herein. Shared revenue will be used to pay debt service on bonds issued for Coastal Carolina University and Horry-Georgetown Technical College and to directly pay costs of education capital improvement projects as identified herein.

If the voter wishes to vote in favor of the question, select “Yes, In favor of the question”; if the voter wishes to vote against the question, select “No, Opposed to the question.”

Yes, In Favor of the question

No, Opposed to the question

Section 9. Expenses of Referendum. The School District hereby agrees to pay the expenses of the referendum.

Section 10. Forwarding to Election Authority. The Board hereby authorizes and directs the Superintendent of the School District or a lawfully authorized designee to forward this Resolution upon adoption to the Board of Voter Registration and Elections for Horry County.

Section 11. Record Keeping. The Board hereby authorizes and directs the Superintendent of the School District or a lawfully authorized designee, if and when the Tax is imposed, to maintain records which demonstrate that Tax proceeds are spent only for the purposes approved by the Board in Section 7 of this Resolution and in accordance with the Act.

Section 12. Application of Tax Revenues to Debt Service. The Board hereby authorizes and directs the Superintendent of the School District or a lawfully authorized designee, if and when the Tax is reimposed, to notify the Horry County Treasurer in writing no later than the first day of August of each year of the amount of the Tax to be applied to offset the debt service millage levy for the general obligation debt incurred by the School District for the improvements listed in Exhibit I to this Resolution. The amount so specified must not exceed the amount of Tax proceeds held by the Horry County Treasurer for the School District as of the June thirtieth immediately preceding such first day of August. If the School District presents the Horry County Treasurer with a surety bond or letter of credit that satisfies the description in Section 4-10-445(B) of the Act, the Horry County Treasurer may treat the amount available under the surety bond or letter of credit as if it were taxes held by the Horry County Treasurer, for the purposes and under the conditions described in the Act. The notice applies only to debt service payments to be made in the eighteen-month period following that June thirtieth.

The Board hereby authorizes the use of any Tax proceeds allocated to the School District and not required to accomplish the purposes described in Section 7 of this Resolution to be applied to debt service on any general obligation bonds of the School District.

Section 13. Miscellaneous. All rules, regulations, resolutions and parts thereof, procedural or otherwise, in conflict herewith or the proceedings authorizing the imposition of the Tax are, to the extent of such conflict, hereby repealed and this Resolution shall take effect and be in full force from and after its adoption.

Adopted this 9th day of May, 2022.

SCHOOL DISTRICT OF HORRY COUNTY,
SOUTH CAROLINA



Chair, Board of Education acting as the
Board of Trustees

SEAL

ATTEST:



Secretary, Board of Education acting
as the Board of Trustees