

CERTIFICATE AS TO RESOLUTION AND ADOPTING VOTE

I, the undersigned, being the duly qualified and acting recording officer of School District No. 9 (Browning), Glacier County, Montana (the "District"), hereby certify that the attached resolution is a true copy of a Resolution entitled: "A RESOLUTION OF SCHOOL DISTRICT NO. 9 (BROWNING), GLACIER COUNTY, SUBMITTING TO THE QUALIFIED ELECTORS OF THE DISTRICT THE QUESTION OF ISSUING IMPACT AID REVENUE SCHOOL BUILDING BONDS IN THE PRINCIPAL AMOUNT OF UP TO THREE MILLION NINE HUNDRED FIFTY-FIVE THOUSAND DOLLARS (\$3,955,000) FOR THE PURPOSE OF PAYING A PORTION OF THE COSTS OF DESIGNING, CONSTRUCTING, FURNISHING, AND EQUIPPING IMPROVEMENTS TO THE BROWNING MIDDLE SCHOOL FACILITIES, TO INCLUDE BUILDING A NEW GYMNASIUM AND LOCKER ROOMS, A NEW KITCHEN, AND A NEW COMMONS AREA, AND INSTALLING NEW BOILERS; REMODELING THE EXISTING KITCHEN AND GYMNASIUM; UPGRADING BUILDING FINISHES; UPGRADING THE TRACK AND PRACTICE FIELDS AND PAVED AREAS; RELATED IMPROVEMENTS; FUNDING A RESERVE ACCOUNT; AND PAYING 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 regular meeting on July 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notice of such meeting given as required by law; and that the Resolution has not as of the date hereof been amended or repealed.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: \_\_\_\_\_; voted against the same: \_\_\_\_\_; abstained from voting thereon: \_\_\_\_\_; or were absent: \_\_\_\_\_.

WITNESS my hand officially this \_\_\_\_\_ day of July, 2018.

\_\_\_\_\_  
School District Clerk

A RESOLUTION OF SCHOOL DISTRICT NO. 9 (BROWNING), GLACIER COUNTY, SUBMITTING TO THE QUALIFIED ELECTORS OF THE DISTRICT THE QUESTION OF ISSUING IMPACT AID REVENUE SCHOOL BUILDING BONDS IN THE PRINCIPAL AMOUNT OF UP TO THREE MILLION NINE HUNDRED FIFTY-FIVE THOUSAND DOLLARS (\$3,955,000) FOR THE PURPOSE OF PAYING A PORTION OF THE COSTS OF DESIGNING, CONSTRUCTING, FURNISHING, AND EQUIPPING IMPROVEMENTS TO THE BROWNING MIDDLE SCHOOL FACILITIES, TO INCLUDE BUILDING A NEW GYMNASIUM AND LOCKER ROOMS, A NEW KITCHEN, AND A NEW COMMONS AREA, AND INSTALLING NEW BOILERS; REMODELING THE EXISTING KITCHEN AND GYMNASIUM; UPGRADING BUILDING FINISHES; UPGRADING THE TRACK AND PRACTICE FIELDS AND PAVED AREAS; RELATED IMPROVEMENTS; FUNDING A RESERVE ACCOUNT; AND PAYING COSTS ASSOCIATED WITH THE SALE AND ISSUANCE OF THE BONDS

#### RECITALS

WHEREAS, pursuant to Section 20-9-403, M.C.A., the board of trustees of a school district may issue impact aid revenue bonds 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. 9 (Browning), Glacier County, Montana (the "District"), has determined that the District needs to add on to or improve and remodel its middle school facility and has further determined that it is in the best interest of the residents, taxpayers and students of the District that the proposed work be paid for from a combination of sources, including the proceeds of impact aid revenue bonds and impact aid revenues currently on hand; and

WHEREAS, 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 impact aid revenue bonds of the District to obtain funds for the purpose of paying a portion of the costs of designing, constructing, furnishing, and equipping improvements to the Browning Middle School facilities, to include building a new gymnasium and locker rooms, a new kitchen, and a new commons area, and installing new boilers; remodeling the existing kitchen and gymnasium; upgrading

building finishes; upgrading the track and practice fields and paved areas; related improvements; funding a reserve account; and paying costs associated with the sale and issuance of the bonds; and

WHEREAS, pursuant to Section 13-19-104, M.C.A., such 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 Glacier 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 District Clerk will serve as Election Administrator for the election and shall prepare the Mail Ballot Plan in accordance with the provisions of Section 13-19-205, M.C.A. and submit it to the Secretary of State; and

WHEREAS, it is the judgment of the Board that the sum of \$11,955,000 will be necessary to carry out the purposes set forth above, with \$3,955,000 from the sale of impact aid revenue school building bonds, and \$8,000,000 from impact aid moneys that the District has on hand and available therefor; and

WHEREAS, the indebtedness to be evidenced by the proposed impact aid revenue school building bonds does not exceed the limitation thereon as set forth in Section 20-9-406, M.C.A.; and

WHEREAS, it is the judgment and determination of the Board that said bonds will be payable during a term of not more than fifteen (15) years and to be redeemable on any date not later than the date that is one-half of the term for which they are issued.

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 the question of issuing the bonds on September 25, 2018, 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 impact aid revenue school building bonds of the District in the principal amount of up to Three Million Nine Hundred Fifty Five Thousand Dollars (\$3,955,000) for the purpose of paying a portion of the costs of designing, constructing, furnishing, and equipping improvements to the Browning Middle School facilities, to include building a new gymnasium and locker rooms, a new kitchen, and a new commons area, and installing new boilers; remodeling the existing kitchen and gymnasium; upgrading building finishes; upgrading the track and practice fields and paved areas; related improvements; funding a reserve account; and paying costs associated with the sale and issuance of the bonds. The bonds shall be payable during a term of not more than fifteen (15) years, subject to redemption as required by law, and shall bear interest at a rate or rates to be determined at the time of the sale.

2. 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, as Election Administrator, is hereby authorized and directed to give notice of the call and details of this election and to provide this resolution to the Glacier County Election Administrator no less than 3 three (3) days after this resolution is passed. The District Clerk is authorized to give proper notice of the close of registration and thereafter directed to instruct the Glacier County Election Administrator to close registration and 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 and distribute the same to the District Clerk, as Election Administrator. The District Clerk shall prepare the ballot and arrange for the printing of the ballot and shall conduct the election in accordance with all legal requirements.

3. Notice of Election. The District Clerk 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 Glacier Reporter, a newspaper of general circulation in Glacier County, and 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 DISTRICT BOND ELECTION

NOTICE IS HEREBY GIVEN by the Board of Trustees (the "Board") of School District No. 9 (Browning), Glacier County, Montana (the "District"), that pursuant to a resolution duly adopted at a meeting of the Board on July 10, 2018, a special election of the registered voters of the District will be held by mail ballot election on September 25, 2018 for the purpose of voting on the question of whether the Board may sell and issue impact aid revenue school building bonds of the District in the total principal amount of up to Three Million Nine Hundred Fifty Five Thousand Dollars (\$3,955,000) for the purpose of paying a portion of the costs of designing, constructing, furnishing, and equipping improvements to the Browning Middle School facilities, to include building a new gymnasium and locker rooms, a new kitchen, and a new commons area, and installing new boilers; remodeling the existing kitchen and gymnasium; upgrading building finishes; upgrading the track and practice fields and paved areas; related improvements; funding a reserve account; and paying costs associated with the sale and issuance of the bonds. The bonds shall bear interest at a rate or rates to be determined at the time of sale, and be payable semiannually during a term of not more than fifteen (15) years. Federal impact aid basic support payments to the District would be pledged to the repayment of the impact aid revenue school building bonds.

The total cost of designing, constructing, furnishing, and equipping the Browning Middle School improvements is estimated to be \$11,955,000. Costs in excess of the proceeds of the proposed bonds are expected to be paid by \$8,000,000 of impact aid moneys of the District on hand and available therefor.

The election will be conducted by the District solely by mail ballot by the District Clerk as Election Administrator. Ballots will be mailed to all eligible registered voters in the District on September 7, 2018, and must be returned by each voter, by mail to the District Clerk, Browning School District Administration Office, P.O. Box 610, Browning, Montana 59417-0610, or in person to the District Clerk, Browning Public Schools, 129 1st Ave. SE, Browning, Montana during regular business hours (8:00 a.m. to 5:00 p.m.), weekdays, September 10, 2018 through September 24, 2018.

On Election Day, September 25, 2018, the only place for deposit of voted ballots will be the office of the District Clerk, Browning Public Schools, 129 1st Ave. SE, Browning, Montana, which will be open from 8:00 a.m. to 8:00 p.m., and all ballots must be in the District Clerk's office by 8:00 p.m. in order to be counted. All ballots will be counted on September 25, 2018, 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 District Clerk as soon as the ballots are available and until noon on September 6, 2018; or

(b) make a written request prior to noon on September 6, 2018, signed by the applicant and addressed to the office of the District Clerk 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 September 7, 2018.

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 District Clerk 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 District Clerk as 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 District and are registered to vote by the close of registration on August 27, 2018.

For electors who miss the close of registration deadline, late registration is available through the office of the County Election Administrator until noon on September 24, 2018, and will resume on Election Day, September 25, 2018, from 8:00 a.m. until 8:00 p.m.

DATED this 10th day of July, 2018.

/s/Stacy Edwards  
District Clerk

Publication Dates: August 30, 2018, September 6, 2018, and September 13, 2018

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

OFFICIAL BALLOT  
SCHOOL DISTRICT NO. 9 (BROWNING)  
GLACIER COUNTY, MONTANA  
SCHOOL DISTRICT BOND ELECTION  
TO BE CONDUCTED BY MAIL BALLOT  
ON SEPTEMBER 25, 2018

INSTRUCTIONS TO VOTERS: Make an X or similar mark in the vacant square before the words “BONDS—YES” if you wish to vote for the bond issue; if you are opposed to the bond issue, make an X or similar mark in the square before the words “BONDS—NO.”

Shall the Board of Trustees of School District No. 9 (Browning), Glacier County, Montana (the "District"), be authorized to sell and issue Impact Aid Revenue School Building Bonds of the District in the total principal amount of up to Three Million Nine Hundred Fifty-Five Thousand Dollars (\$3,955,000), bearing interest at rates to be determined at the time of sale, payable semiannually, during a term of not more than fifteen (15) years, for the purpose of paying a portion of the costs of designing, constructing, furnishing, and equipping improvements to the Browning Middle School facilities, to include building a new gymnasium and locker rooms, a new kitchen, and a new commons area, and installing new boilers; remodeling the existing kitchen and gymnasium; upgrading building finishes; upgrading the track and practice fields and paved areas; related improvements; funding a reserve account; and paying costs associated with the sale and issuance of the bonds?

Federal impact aid basic support payments to the District would be pledged to the repayment of the District's Impact Aid Revenue School Building Bonds.

The total cost of designing, constructing, furnishing, and equipping the Browning Middle School improvements described above is estimated to be \$11,955,000. Costs in excess of the proceeds of the proposed bonds are expected to be paid by \$8,000,000 of impact aid moneys of the District on hand and available therefore.

BONDS – YES

BONDS – NO

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

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Chair, Board of Trustees

Attest:

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District Clerk  
School District No. 9 (Browning)