

A RESOLUTION OF ELEMENTARY SCHOOL DISTRICT NO. 1 (HELENA), LEWIS AND CLARK COUNTY, SUBMITTING TO THE QUALIFIED ELECTORS OF THE ELEMENTARY SCHOOL DISTRICT THE QUESTION OF ISSUING GENERAL OBLIGATION SCHOOL BUILDING BONDS IN THE AGGREGATE PRINCIPAL AMOUNT OF UP TO FORTY-THREE MILLION AND NO/100 DOLLARS (\$43,000,000.00) FOR THE PURPOSE OF PAYING THE COSTS OF DESIGNING, CONSTRUCTING, FURNISHING, AND EQUIPPING A NEW KESSLER SCHOOL BUILDING IN REPLACEMENT OF THE EXISTING KESSLER SCHOOL BUILDING; RELATED IMPROVEMENTS AND COSTS; AND PAYING 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 school building projects, upon approval of the electorate of the district; and

WHEREAS, a board of trustees 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 Elementary School District No. 1 (Helena), Lewis and Clark County, Montana (the "Elementary School District"), has determined that there should be submitted to the electors of the Elementary School District qualified to vote at bond elections the question of whether the Board shall be authorized to sell and issue bonds of the Elementary School District in the aggregate principal amount of Forty-Three Million and No/100 (\$43,000,000.00) for the purpose of providing funds to pay the costs of demolishing the existing Kessler School building and designing, constructing, furnishing, and equipping a new Kessler School building in replacement thereof sized to accommodate student enrollment and making associated site and other improvements; related improvements and costs, including, but not limited to, transition costs; and paying 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 Elementary School District and the electors thereof, and notified the County Election Administrator of Lewis and Clark 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 Lewis and Clark 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 submit it to the Secretary of State; and

WHEREAS, it is the judgment of the Board that up to Forty-Three Million and No/100 dollars (\$43,000,000.00) in principal amount of bonds will be necessary to carry out the entire purpose set forth above; and

WHEREAS, the indebtedness to be evidenced by the proposed bonds and all other indebtedness of the Elementary School 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 issued pursuant to the bond election called for below will be payable semiannually during a term of not more than twenty (20) years.

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

1. Calling Election. The Board of the Elementary School District hereby calls and directs an election to be held on the question of issuing bonds of the Elementary School District on September 9, 2025, 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 providing funds to pay the costs of demolishing the existing Kessler School building and designing, constructing, furnishing, and equipping a new Kessler School building in replacement thereof sized to accommodate student enrollment and making associated site and other improvements; related improvements and costs, including, but not limited to, transition costs; and paying costs associated with the sale and issuance of the bonds. 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 at the time of the sale.

2. State Debt Service Assistance. The Elementary School District may receive debt service assistance under Sections 20-9-367 and 20-9-371, M.C.A., for debt service payments on the bonds. The availability and amount of debt service assistance is difficult to calculate because of the variability in and conditions to funding the debt service assistance program.

3. Conduct of Election. All qualified electors of the Elementary School 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 Lewis and Clark County Election Administrator no later than three (3) days after this resolution is passed. The District Clerk is directed to instruct the Lewis and Clark County Election Administrator to close registration and thereafter prepare printed lists of the electors in the Elementary School District entitled to vote in the election in the Elementary School 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 *Helena Independent*

Record, a newspaper of general circulation in the Elementary School District, and the District Clerk is hereby authorized and directed to cause the notice to be posted at three public places in the Elementary School District and, if the Elementary School District has a website, is directed to post notice on the Elementary School 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 or revisions as may be required by the Mail Ballot Plan or as are otherwise appropriate:

FORM OF NOTICE OF ELEMENTARY SCHOOL DISTRICT BOND ELECTION

NOTICE IS HEREBY GIVEN by the Board of Trustees (the "Board") of Elementary School District No. 1 (Helena), Lewis and Clark County, Montana (the "Elementary School District"), that pursuant to a resolution duly adopted at a meeting of the Board on June 10, 2025, an election of the registered voters of the Elementary School District will be held by mail ballot election on September 9, 2025 for the purpose of voting on the question of whether the Board may sell and issue general obligation school building bonds of the Elementary School District in the aggregate principal amount of up to Forty-Three Million and No/100 Dollars (\$43,000,000.00), for the purpose of providing funds to pay the costs of demolishing the existing Kessler School building and designing, constructing, furnishing, and equipping a new Kessler School building in replacement thereof sized to accommodate student enrollment and making associated site and other improvements; related improvements and costs, including, but not limited to, transition costs; and paying costs associated with the sale and issuance of the bonds. The term of each series of the bond would not exceed twenty (20) years.

If the bond election passes, based on information available to the Elementary School District prior to certification of taxable values, the Elementary School District estimates property taxes on a home with an assessed market value for tax purposes of \$100,000 would increase by approximately \$13.15 in the first year, of \$300,000 would increase by approximately \$39.46 in the first year, and of \$600,000 would increase by approximately \$90.68 in the first year. An increase in property taxes may lead to an increase in rental costs.

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 Elementary School District on August 22, 2025, and must be returned by each voter, by mail or in person to the County Election Administrator's office, Lewis and Clark County, 316 North Park Ave., Room 168, Helena, MT 59623, during regular business hours (8:00 a.m. to 5:00 p.m.) Monday through Friday (exclusive of holidays), August 25, 2025 through September 8, 2025.

On Election Day, September 9, 2025, the only place for deposit of voted ballots will be the County Election Administrator's office, Lewis and Clark County, 316 North Park Ave., Room 168, Helena, Montana, by 8:00 p.m. in order to be counted. All ballots will be counted on September 9, 2025, 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 Elementary School 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 8:00 p.m. Election Day; or
- (b) make a written request prior to noon on September 8, 2025, 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.

An elector may obtain a replacement ballot if his or her ballot is destroyed, spoiled, lost, or not received by the elector by filling out and mailing, emailing, or faxing back a completed

replacement ballot request form or by the elector personally appearing at the County Election Administrator's office, Lewis and Clark County, 316 North Park Ave., Room 168, Helena, Montana, Montana.

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 at the County Election Administrator's Office by the 8:00 p.m. Election Day deadline to be counted.

Please note, all electors, as defined in Section 20-20-301, M.C.A., are those who reside within the Elementary School District and are registered to vote by the close of registration on August 11, 2025.

For electors who miss the close of registration deadline, such electors may register late and vote in the election by appearing in person at the County Election Administrator's office, Lewis and Clark County, 316 North Park Ave., Room 168, Helena, Montana, Montana and providing to the County Election Administrator the electors' voter registration information in verifiable form prior to 8 p.m. on September 9, 2025.

DATED this 10th day of JUNE, 2025.

Lewis and Clark County Election Administrator

Publication Dates: August 7, 2025, August 14, 2025, and August 21, 2025

5. Form of Ballot. The ballot shall be printed in substantially the following form with such completions and additions or revisions as may be required or desired:

