

**STATE OF GEORGIA**

**CITY OF HAMPTON**

**RESOLUTION NO. 22-40**

**A RESOLUTION TO APPROVE AND ADOPT A DISTRIBUTION OF THE LOST PROCEEDS WITHIN HENRY COUNTY BETWEEN THE COUNTY AND THE CITIES OF HENRY COUNTY; TO MOVE TO NON-BINDING ARBITRATION IF DISTRIBUTION IS NOT ACCEPTED BY HENRY COUNTY; TO PROVIDE FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.**

**WHEREAS**, the City of Hampton (hereinafter “City”) is governed by the Mayor and Council; and

**WHEREAS**, the City is a recipient of Local Option Sales Tax proceeds (hereinafter “LOST”) as a city within Henry County (hereinafter “County”) and such funds are shared amongst all Henry County cities, including Hampton, McDonough, Locust Grove and Stockbridge (hereinafter “HC Cities”) and the County; and

**WHEREAS**, every ten years, to determine the City’s share in the LOST, the County and the HC Cities should assess the eight criteria provided in O.C.G.A. § 48-8-89(b), including population and the services provided to its citizens; and

**WHEREAS**, the LOST was last negotiated in early 2013 and the decennial census triggers the County and the HC Cities to renegotiate the distribution of LOST proceeds; and

**WHEREAS**, the City is similarly situated with the other HC Cities in seeking the County’s cooperation in determining the HC Cities’ share of the LOST; and

**WHEREAS**, both the County and the HC Cities have different interpretations of which services to which LOST may be applied, the actual populations served, and the eight criteria as reflected in their opening positions in their negotiations of LOST proceeds; and

**WHEREAS**, since the parties have reached an impasse in negotiations and mediation is closed, it is in the City's best interest to agree with the County on a distribution that maintains a status quo distribution of 66% to the County and 34% to the HC Cities for the next ten years; and

**WHEREAS**, if LOST is not renewed, then all property owners will no longer receive any property tax rollback which will result in a property tax increase for all property owners in Henry County;

**WHEREAS**, unless the County agrees to maintain the status quo, the HC Cities will present its case before an arbitration panel in accordance with O.C.G.A. § 48-8-89(d)(3) in an attempt to avoid such a tragic outcome for our taxpayers.

**NOW THEREFORE IT IS HEREBY RESOLVED** the City of Hampton hereby authorizes and approves the LOST proceeds to be allocated to the County at 66% and to the HC Cities as a group at 34% for the next ten years. If this distribution is not accepted by the County by October 19, 2022, then the City will move onto non-binding arbitration to be held as soon as possible.

**SO RESOLVED**, this 11<sup>th</sup> day of October 2022.

**ATTEST:**

  
Rashida Fairley, City Clerk

**THE CITY OF HAMPTON, GEORGIA**

  
ANN N. TARPLEY, MAYOR

**APPROVED AS TO FORM:**

  
L'Erin Barnes Wiggins, City Attorney