RESOLUTION #2015-049 OF THE BALDWIN COUNTY COMMISSION

A RESOLUTION AND ORDER OF THE BALDWIN COUNTY COMMISSION OF BALDWIN COUNTY, ALABAMA, IN THE MATTER OF THE REQUEST AND PETITION FOR A SPECIAL THREE MILL DISTRICT SCHOOL TAX ELECTION IN SCHOOL TAX DISTRICT NO. 2 IN BALDWIN COUNTY, ALABAMA

WHEREAS, a Request in writing having been filed with and presented to the Baldwin County Commission of Baldwin County, Alabama, on the 13th day of November, 2014, requesting that this Commission call and order an election to be held on the 31st day of March, 2015, in School Tax District No. 2 in Baldwin County, Alabama, to determine whether or not a special district school tax for public school purposes in said School Tax District No. 2 in said County shall be levied and collected for a period commencing with the tax year of said county beginning on October 1, 2016 (for which tax year state and county ad valorem taxes will become due and payable on October 1, 2017), and continuing until and including the tax year of said county beginning on October 1, 2044 (for which tax year state and county ad valorem taxes will become due and payable on October 1, 2045), at uniform rate of thirty cents on each one hundred dollars worth of taxable property in said School Tax District No. 2 in said County pursuant to the provisions of Amendment No. 3 of the Constitution of Alabama of 1901; said levy and collection, if authorized, not to operate to increase any present three mill district school tax presently levied and collected pursuant to the provisions of Amendment No. 3 of the Constitution of Alabama of 1901 in said School Tax District No. 2, but to be in lieu thereof and in continuation thereof; and said election to be called, held and canvassed as provided in Article 9 of Chapter 13, CODE OF ALABAMA 1975 (Sections 16-13-180 to16-13-199); and

WHEREAS, a Petition signed by two hundred or more qualified electors of Baldwin County, Alabama, having been filed with and presented to the Baldwin County Commission of Baldwin County, Alabama, on the 25th day of November, 2014, requesting that this Commission call and order elections to be held in the School Tax District No. 2 in said County on the 31st day of March, 2015, to determine whether or not a special district school tax for public school purposes within said district shall be levied and collected for a period commencing with the tax year of said county beginning on October 1, 2016 (for which tax year state and county ad valorem taxes will become due and payable on October 1, 2017), and continuing until and including the tax year of said county beginning on October 1, 2044 (for which tax year state and county ad valorem taxes will become due and payable on October 1, 2045), at uniform rate of thirty cents on each one hundred dollars worth of taxable property in School Tax District No. 2, as assessed for County taxation; said levy and collection, if authorized, not to operate to increase any present three mill school tax in such District imposed pursuant to the provisions of Amendment No. 3 of the Constitution of Alabama of 1901, but to be held in lieu thereof and in continuation thereof; and said election to be called, held and canvassed as provided in Article 9 of Chapter 13, Title 16, CODE OF ALABAMA 1975; and

WHEREAS, the boundaries of School Tax District No. 2 in Baldwin County, Alabama, are as follows:

The boundaries of said School Tax District No. 2 are coterminous with the

boundaries of Baldwin County, Alabama, and the line set forth below, and said district includes all of the property within Baldwin County which lies south of the following described line:

> Beginning at a point on the East line of Baldwin County, Alabama, where the line dividing Township 2 North and Township 3 North, intersects the same, run thence West on the said township line to the range line dividing Ranges 3 East and 4 East in said county; run thence North on the said range line to the corner of Sections 24 and 25 in Township 3 North, Range 3 East, and Sections 19 and 30 in Township 3 North, Range 4 East; run thence West to the West line of Baldwin County.

WHEREAS, it appears that said Request is in proper order and requests that an election be called and ordered in School Tax District No. 2 in Baldwin County, by this Commission to determine whether or not a special district school tax for public school purposes within said School Tax District No. 2 shall be levied and collected for a period commencing with the tax year of said county beginning on October 1, 2016 (for which tax year state and county ad valorem taxes will become due and payable on October 1, 2017), and continuing until and including the tax year of said county beginning on October 1, 2044 (for which tax year state and county ad valorem taxes will become due and payable on October 1, 2045), at uniform rate of thirty cents on each one hundred dollars worth of taxable property in said School Tax District No. 2, as described in the immediately preceding recital above; which period does not extend beyond the period for which this Baldwin County Commission finds and determines that a special county-wide school tax for school purposes of not less than three mills (thirty cents on each one hundred dollars worth of all taxable property in Baldwin County, Alabama) has been voted and is presently being levied and collected in Baldwin County, Alabama; and that such request in all things conforms to the requirements of the statutes hereinabove set forth; and

WHEREAS, the County Board of Education of Baldwin County, Alabama, has heretofore submitted a map showing the boundaries of said School Tax District No. 2 for which the special tax levy is proposed and has caused a copy of said map to be recorded in the office of the Judge of Probate of Baldwin County;

THEREFORE, IT IS RESOLVED, ORDERED, ADJUDGED AND DECREED by the Baldwin County Commission of Baldwin County, Alabama, as follows:

1. The Baldwin County Commission finds and determines on the basis of evidence presented to and duly considered by it that a special school tax in District No. 2 for school purposes of not less than three mills on each one hundred dollars worth of all taxable property within Baldwin County has been voted and is being levied and collected, and that the recitals to this resolution and order are true and correct.

2. A special election is hereby ordered and called in School Tax District No. 2 in Baldwin County to be held on the 31st day of March, 2015, as requested in writing by the County

Board of Education of Baldwin County, Alabama, and as requested by petition of two hundred or more qualified electors of Baldwin County, Alabama, to determine whether or not a special district school tax for public school purposes shall be levied and collected annually in said School Tax District No. 2 for a period commencing with the tax year of said county beginning on October 1, 2016 (for which tax year state and county ad valorem taxes will become due and payable on October 1, 2017), and continuing until and including the tax year of said county beginning on October 1, 2044 (for which tax year state and county ad valorem taxes will become due and payable on October 1, 2045), at a uniform rate of thirty cents on each one hundred dollars worth of taxable property in said School Tax District No. 2 pursuant to the provisions of Amendment No. 3 of the Constitution of Alabama of 1901, said levy and collection, if authorized, not to operate to increase any present three mill district school tax presently levied and collected pursuant to the provisions of Amendment No. 3 to the Constitution of Alabama of 1901 in said district, but to be in lieu thereof and in continuation thereof.

3. The Sheriff of Baldwin County shall and must give notice at least thirty (30) days before said election by publication in The Courier, The Foley Onlooker, The Independent and The Islander editions of the Gulf Coast Newspapers, newspapers published in Baldwin County, Alabama, once a week for four successive weeks, the first publication to be not less than thirty (30) days before the date of said election, and by posting a notice of said election in three public places within said School Tax District No. 2 thirty (30) days prior to said election. Said publication and notice shall show the rate of such proposed tax, the time it is proposed to be continued, the purpose for which the levy is proposed to be made, a description of the boundaries of said School Tax District No. 2, and, if applicable, any special voting places designated as such by the Judge of Probate of Baldwin County, Alabama.

4. The Baldwin County Commission of Baldwin County shall provide the proper forms and necessary number of ballots, poll lists, tally sheets, ballot boxes, booths, and all other necessary and property stationery, voting machines, instructions, and all other equipment and supplies for holding said election and the Sheriff of the County shall see that the same are delivered to the managers or proper election officials within the time provided by law and before the day of the election.

5. The form of ballot to be used in said election shall be as follows:

OFFICIAL BALLOT

RENEWAL OF SPECIAL DISTRICT THREE-MILL SCHOOL
TAX ELECTION

SCHOOL TAX DISTRICT NO. 2

MARCH 31, 2015

Shall Baldwin County, Alabama, be authorized to levy annually in the special school tax district sometimes known as School District No. 2 in said county, for public school purposes in

said district and in addition to all other taxes, a special district school tax not exceeding thirty cents on each one hundred dollars of taxable property in said district for the period commencing with the tax year of said county beginning on October 1, 2016 (for which tax year state and county ad valorem taxes will become due and payable on October 1, 2017), and continuing until and including the tax year of said county beginning on October 1, 2044 (for which tax year state and county ad valorem taxes will become due and payable on October 1, 2045), which levy shall not operate to increase any presently existing three-mill district school tax in said district but shall be in continuation of the three-mill district school tax now being levied in said district?

( ) FOR proposed taxation

( ) AGAINST proposed taxation

6. The election shall be held and canvassed in accordance with the provisions of Article 9 of Chapter 13, Title 16 of the CODE OF ALABAMA 1975 (Sections 16-13-180 to 16-13-199).

7. The Request of the Board of Education presented to and filed with the Commission shall be recorded in the minutes of the Commission.

8. The Petition signed by two hundred or more qualified electors of Baldwin County, Alabama presented to and filed with the Commission shall be recorded in the minutes of the Commission.

Commissioner Dorsey moved that said Resolution and Order be adopted. Commissioner Burt seconded the motion. The question being put as to the adoption of said motion and passage of said Resolution and Order, the roll was called with the following results:

Ayes: Commissioner Frank Burt, Jr.
Commissioner J. Tucker Dorsey
Commissioner Charles F. Gruber

Nays: Ø

Absent: Commissioner Chris Elliott

DONE, Under the Seal of the County Commission of Baldwin County, Alabama, on this the 2nd day of December, 2014.

CHARLES F. GRUBER, Chairman

ATTEST:

RONALD J. CINK, Interim County Administrator