RESOLUTION #2015-050 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 FIVE MILL SCHOOL TAX ELECTION 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, by the County Board of Education of Baldwin County, Alabama, requesting that this Commission call and order an election to be held on the 31st day of March, 2015, in Baldwin County, Alabama, to determine whether or not a special county school tax for educational purposes within said County shall be levied and collected annually for a period commencing with the tax year of said county beginning on October 1, 2015 (for which tax year state and county ad valorem taxes will become due and payable on October 1, 2016), 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 fifty cents on each one hundred dollars worth of taxable property in said County pursuant to the provisions of Amendment No. 202, of the Constitution of Alabama of 1901; said levy and collection, if authorized, to be in addition to any and all county school taxes presently levied and collected in said County; and said election to be called, held and canvassed as provided in Article 9 of Chapter 13, Title 16, CODE OF ALABAMA 1975 (Sections 16-13-180 to 16-13-199); 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 an election to be held in said County on the 31st day of March, 2015, to determine whether or not a special county tax for educational purposes within said County shall be levied and collected annually for a period commencing with the tax year of said county beginning on October 1, 2015 (for which tax year state and county ad valorem taxes will become due and payable on October 1, 2016), 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 fifty cents on each one hundred dollars worth of taxable property in said County, as assessed for County taxation, pursuant to the provisions of Amendment No. 202 to the Constitution of Alabama of 1901; said levy and collection, if authorized, to be in addition to any and all county school taxes presently levied and collected in said County, 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, it appears that said Request is in proper order and it appears that said Petition is in proper order and signed by two hundred or more qualified electors of Baldwin County, Alabama, and that the same request that an election be called and ordered in said County by this Commission to determine whether or not a special county tax for educational purposes within said County shall be levied and collected annually for a period commencing with the tax year of said county beginning on October 1, 2015 (for which tax year state and county ad valorem taxes will

become due and payable on October 1, 2016), 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 fifty cents on each one hundred dollars worth of taxable property in said County, as described above; and that such request and petition in all things conform to the requirements of the statutes hereinabove set forth; and

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 the recitals to this resolution and order are true and correct.

2. A special election is hereby ordered and called 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 county tax for educational purposes within said County shall be levied and collected annually for a period commencing with the tax year of said county beginning on October 1, 2015 (for which tax year state and county ad valorem taxes will become due and payable on October 1, 2016), 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 fifty cents on each one hundred dollars worth of taxable property in said County pursuant to the provisions of Amendment No. 202, of the Constitution of Alabama of 1901, said levy and collection, if authorized, to be in addition to any and all county school taxes presently levied and collected in said County pursuant to the provisions of Amendment No. 3, Amendment No. 111 and Amendment No. 162 to the Constitution of Alabama of 1901.

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. 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, 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

SPECIAL COUNTY-WIDE FIVE-MILL SCHOOL
TAX ELECTION

BALDWIN COUNTY, ALABAMA

MARCH 31, 2015

Shall Baldwin County, Alabama, be authorized to levy annually in said county, for educational purposes within said county and in addition to all other taxes, a special county-wide school tax not exceeding fifty cents on each one hundred dollars of taxable property in said county for the period commencing with the tax year of said county beginning on October 1, 2015 (for which tax year state and county ad valorem taxes will become due and payable on October 1, 2016), 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)?

( ) FOR proposed taxation

( ) AGAINST proposed taxation

---

6. The election shall be held and canvassed and the results of such election declared 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