

STATE OF ALABAMA )

COUNTY OF BALDWIN )

**RESOLUTION #2016-016  
OF THE  
BALDWIN COUNTY COMMISSION**

**PURSUANT TO AMENDMENT NO. 750 TO THE CONSTITUTION OF ALABAMA 1901, AND RELATED TO THE PROMOTION OF LOCAL ECONOMIC AND INDUSTRIAL DEVELOPMENT, PROVIDING FOR RESPECTIVE DETERMINATIONS BY THE BALDWIN COUNTY COMMISSION THAT A VARIETY OF EXPENDITURES OF PUBLIC FUNDS, AS RELATES TO A MYRIAD OF APPROPRIATIONS AUTHORIZED BY THE BALDWIN COUNTY FISCAL YEAR 2015-2016 BUDGET, WILL, RESPECTIVELY, SERVE VALID AND SUFFICIENT PUBLIC PURPOSES.**

WHEREAS, Amendment No. 750 to the Constitution of Alabama 1901 authorizes, among other things enumerated within said Amendment and for the promotion of local economic and industrial development, the Baldwin County Commission to lend its credit or grant public funds and things of value in aid of or to any individual, firm, corporation, or other business entity, public or private, for the purpose of promoting the economic and industrial development of Baldwin County; and

WHEREAS, further, Amendment No. 750 to the Constitution of Alabama 1901 provides that the authority provided by said Amendment be exercised only after the following has been accomplished:

- [1] The action proposed to be taken by the Baldwin County Commission is at a public meeting of the governing body of Baldwin County by resolution containing a determination by the Baldwin County Commission that the expenditure of public funds for such purpose will serve a valid and sufficient public purpose, notwithstanding any incidental benefit accruing to any private entity or entities; and
- [2] At least seven days prior to the public meeting, a notice is published in the newspaper having the largest circulation in the county describing in reasonable detail: [i] the action proposed to be taken, [ii] a description of the public benefits sought to be achieved by such action and [iii] identifying each individual, firm, corporation, or other business entity to whom or for whose benefit Baldwin County proposes to lend its credit or grant public funds or thing of value; and

WHEREAS, at this time, the Baldwin County Commission is considering the expenditure of public funds, in conformance with applicable Alabama law and during the November 3, 2015, regular meeting of said honorable county governing body; and

WHEREAS, within the Baldwin County Fiscal Year 2015-2016 Budget, the Baldwin County Commission approved several appropriations, which would be respective grants of public funds, to firms, corporations, or other business entities, public or private, for the purpose of promoting the economic and industrial development of Baldwin County; now therefore

**BE IT RESOLVED, BY THE BALDWIN COUNTY COMMISSION, IN REGULAR SESSION ASSEMBLED, That pursuant to the authority provided by Amendment No. 750 to the Constitution of Alabama 1901, the Baldwin County Commission, by this instrument, a resolution of the Baldwin County**

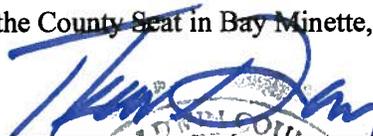
Commission, authorizes an appropriation not to exceed \$66,000 to Adams and Reese LLP, which shall achieve the public benefits of Adams and Reese LLP's provision of consultant and advisor services to the Baldwin County Commission with regard to task specific federal, state and economic development representation, which said consultant and advisor services, with regard to task specific federal, state, and economic development representation, shall enhance Baldwin County's presence before federal, state and other agencies which will help leverage resources to increase Baldwin County's quality of life, long term planning, economic growth and competitiveness, as part of the Baldwin County Fiscal Year 2015-2016 Budget, as adopted during the September 15, 2015, regular (public) meeting of the Baldwin County Commission; and

FURTHER, BE IT RESOLVED, That, respecting Amendment No. 750 to the Constitution of Alabama 1901, the Baldwin County Commission, by this instrument, a resolution of the Baldwin County Commission, as adopted during the November 3, 2015, regular (public) meeting of the Baldwin County Commission provides respective determination by said county governing body that the individual action (appropriation), as above referenced, which involves respective expenditure (grant) of public funds to firms, corporations, or other business entities, public or private, for the purpose of promoting the economic and industrial development of Baldwin County will serve a valid and sufficient public purpose, notwithstanding any respective incidental benefit accruing to any private entity or entities, said respective determination as follows:

- [1] As above recited, the appropriation not to exceed \$66,000 to Adams and Reese LLP, shall serve a valid and sufficient public purpose for Adams and Reese LLP to provide consultant and advisor services to the Baldwin County Commission with regard to task specific federal, state and economic development representation, which said consultant and advisor services to the Baldwin County Commission, with regard to task specific federal, state and economic development representation, shall enhance Baldwin County's presence before federal, state and other agencies, which will help leverage resources to increase Baldwin County's quality of life, long term planning, economic growth and competitiveness.

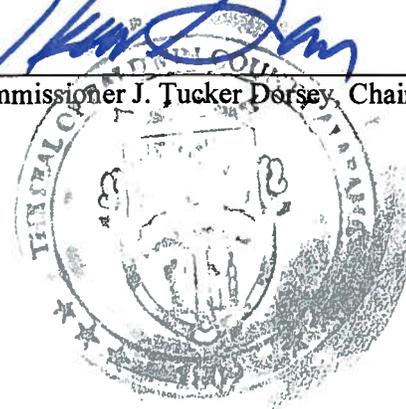
FURTHER, BE IT RESOLVED, That, respecting Amendment No. 750 to the Constitution of Alabama 1901, the Baldwin County Commission, at least seven days prior to the November 3, 2015, regular (public) meeting of the Baldwin County Commission, provided notice, on Sunday, October 25, 2015, as published in the newspaper having the largest circulation in Baldwin County, Alabama, (Mobile Press Register newspaper) which described in reasonable detail: [i] the action(s) proposed to be taken as identified by this instrument, [ii] respective description(s) of the public benefits sought to be achieved by such respective action(s) identified by this instrument and [iii] identified each individual, firm, corporation, or other business entity to whom or for whose benefit Baldwin County proposes to lend its credit or grant public funds or thing of value as identified by this instrument, a copy of said notice attached to this instrument as *Exhibit "A."*

DONE, under the Seal of the County of Baldwin, at the County Seat in Bay Minette, Alabama, on this the 3<sup>rd</sup> day of November, 2015.

  
Commissioner J. Tucker Dorsey, Chairman

ATTEST:

  
Ronald J. Cink, County Administrator



# Vigorous tree also a big water hog

## Eucalyptus

Continued from Page 1

They point to California, which has been overrun by eucalyptus trees since their introduction there in the 1850s, and South Africa, which experienced a similar invasion. In those places, the trees are blamed for displacing native species and drying up wetlands and streams due to a voracious thirst for water, and to a tap root that can reach 40 feet deep. Making matters worse, eucalyptus trees are infamous for enabling fires to spread more quickly. To many, the eucalyptus is considered a scourge, the West Coast version of kudzu.

### Chilled out

The key factor that prevented eucalyptus trees from invading the South after conquering California was their inability to withstand freezing temperatures. Non-modified eucalyptus are farmed in central Florida, primarily for mulch, but for the most part the species is unable to survive further north, meaning anywhere that they are exposed to temperatures below 23 degrees.

Until, that is, ArborGen's adjustments. These new eucalyptus are designed to withstand temperatures as low as 14 degrees. Trees in Falhope and Loxley, planted in batches seven and three years ago, lived up to their cold-tolerant billing, enduring even a multi-day ice storm in 2013.

ArborGen directed AL.com to a map on the company website that suggests these modified trees could survive in parts of Alabama, Georgia, Mississippi, Louisiana, South Carolina and Texas.

In 2008, ArborGen petitioned the U.S. Department of Agriculture for permission to begin selling the seedlings commercially. Environmental groups responded with



"It hasn't turned out quite the way they planned. The trees just haven't grown like they thought they would," said Malcomb Pegues, director of the university's Gulf Coast Research and Extension Center. (Wikipedia)

lawsuits. In 2011, the agency announced that it would draft an Environmental Impact Statement. That document has yet to be released, although agency scientists have published papers examining the trees' water consumption and the possibility that they'd become established in the wild, despite the company's efforts to render them genetically sterile. USDA officials did not respond to calls seeking information about the status of the environmental review.

Meanwhile, ArborGen was allowed to begin trial plantings in dozens of locations, including two in Alabama, both in Baldwin County.

In an emailed response, an ArborGen spokesperson wrote that the "trees actually did really well at the Alabama field test site. Many of the trees grew to be 6 to 7 years old, which is typically the age when eucalyptus is harvested."

An Auburn expert offered a mixed view.

"It hasn't turned out quite the way they planned. The trees just haven't grown like they thought they would," said

Malcomb Pegues, director of the university's Gulf Coast Research and Extension Center. "These were a variety that was supposedly more cold-hardy. They survived two winters where it went down to 14 degrees, but the growth has been uneven. Some didn't grow uniformly."

Pegues said that ArborGen will end the experiment two years early, and will cut the trees down this winter. A third of the trees were cut last year, so the trunks could be studied in the lab.

"There are probably 30 to 40 percent of them re-growing on the stumps. I'm hoping they are not going to be a nuisance," Pegues said.

### Gulping water

Pegues' concern is one shared by groups fighting the genetically modified trees. Eucalyptus are known to be exceptionally vigorous, and difficult to kill.

The trees also crave water, even sending tap roots down to suck straight from aquifers. In an Environmental Assessment, the USDA noted that the

conversion of a pine plantation to eucalyptus had reduced the flow in nearby streams up to 20 percent, in some cases. A more recent paper by USDA scientists concluded that "localized reductions in water resources may occur immediately downstream of (Frost Tolerant) Eucalyptus plantations." If a large number of the trees were planted, the report explained, "regional reductions" in stream flow and the overall level of the water table could occur.

"Areas where changes are anticipated to be the greatest include the Florida Panhandle, south Alabama, southwest Georgia, Louisiana, and southern Mississippi," according to the report.

The USDA scientists also predicted "a strong likelihood that the modified species used in plantation forestry will become naturalized." They noted, however, that the trees at various test tracts had not become invasive.

"It would be an awful species for us to commercialize in the U.S.," said Susan Quinlan, communications director with the Dogwood Alliance, one of several groups that sued to prevent ArborGen from selling the frost-tolerant trees.

"Eucalyptus is huge in Brazil, New Zealand, Indonesia, and it has caused big problems. The reason ArborGen and other companies are interested in eucalyptus, it's a soft hardwood, but a hardwood nonetheless, and it is fast-growing. They can use it for paper where a hardwood component is needed, and they can use it for wood pellets for stoves. There's a growing market for wood pellets, and this is an easy way to feed it."

Quaranda said, "We need to think carefully about planting a modified frost-tolerant tree in the South. Eucalyptus is known for being incredibly thirsty, and really invasive. These are not qualities we want to promote."

# State taking steps on voter accessibility

## Archibald

Continued from Page 1

Strange and his office declined to comment on the letter, referring questions to Alabama Secretary of State John Merrill and Alabama Secretary of Law Enforcement Spencer Collier.

Merrill said he and Collier began discussions on how to comply with the Motor Voter Act long before he was made aware of the Justice Department letter in September.

He said the two have agreed in principle to spend between \$500,000 to \$1 million — Merrill said he found the money to do it — to create software and applications to bring the state into compliance. The efforts would allow driver's license offices to communicate virtually with voter registration offices.

Collier, in a statement, said his office began reviewing procedures of the former Department of Public Safety in January.

"As a result, we began discussions with the Secretary of State (SOS) in the spring and in April formulated a plan to better integrate the ability for citizens to register to vote when performing certain driver license functions," the statement said. "We were well under way when we were contacted by Department of Justice (DOJ). Since that time we have been working with the SOS and in consultation with DOJ in implementing our plan."

Various studies of late have put Alabama last among states for implementation of Motor Voter. The Center for American Progress Action Fund listed Alabama as 51st of 51 in compliance, giving the state an "F" in voter accessibility.

Gupta, in her letter, said Justice hopes to resolve the matter amicably and without "protracted litigation." He said he would delay filing a complaint for a short time to try to settle the matter.

Merrill said he hopes the steps taken will speak to the Justice Department's concerns.

If the lawsuit is filed, Alabama would become the 15th state sued by the Justice Department for failure to comply with the law. Florida, Louisiana and Rhode Island were the states most recently sued. Tennessee and Mississippi have also been sued, as have states across the eastern U.S.

Attempts to reach Justice Department officials for comment were unsuccessful.

In discussing recent lawsuits, Thomas E. Perez, assistant AG for the Justice Department's Civil Rights Division, said, "The voting process begins with registration. Therefore, it is essential that all citizens have unfettered access to voter registration opportunities."

### NOTICE

In accordance with, and respecting the parameters set forth by, Amendment No. 750 to the Constitution of Alabama 1901, please be informed that the Baldwin County Commission will consider at its regular meeting on November 3, 2015, the adoption of Resolutions #2016-016 and #2016-017 of the Baldwin County Commission which will authorize two appropriations as part of the comprehensive Baldwin County Fiscal Year 2015-2016 Budget, which would be respective grants of public county funds, to firms, corporations, or other business entities, public or private, for the purpose of promoting the economic and industrial development of Baldwin County.

The November 3, 2015, regular meeting of the Baldwin County Commission begins at 8:30 a.m. in the County Commission Chambers at the Baldwin County Administration Building as located at 322 Courthouse Square in Bay Minette, Alabama.

The appropriation, contained in Resolution #2016-016 of the Baldwin County Commission, is as follows:

[1] An appropriation not to exceed \$66,000 to Adams and Reese LLP which shall achieve the public benefits of Adams and Reese LLP's provision of consultant and advisor services to the Baldwin County Commission with regard to task specific federal, state and economic development representation, which said consultant and advisor services, with regard to task specific federal, state and economic development representation, shall enhance Baldwin County's presence before federal, state and other agencies which will help leverage resources to increase Baldwin County's quality of life, long term planning, economic growth and competitiveness.

The appropriation, contained in Resolution #2016-017 of the Baldwin County Commission, is as follows:

[1] An appropriation not to exceed \$38,500 to Christie Strategy Group which shall achieve the public benefits of Christie Strategy Group's provision of consultant and advisor services to the Baldwin County Commission with regard to various state legislative issues, which said consultant and advisor services, with regard to various state legislative issues, shall enhance Baldwin County's presence before the Alabama Legislature and other State agencies which will help leverage resources to increase Baldwin County's quality of life, long term planning, economic growth and competitiveness.

If you have any questions regarding this Notice, please contact:  
 Ronald J. Cink, County Administrator for the  
 Baldwin County Commission, at (251) 580-2550

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