

**RESOLUTION #2018-037 OF THE BALDWIN COUNTY COMMISSION
AMENDING RESOLUTION #2018-031**

BE IT RESOLVED and ORDERED by the BALDWIN COUNTY COMMISSION (herein called "the Commission") as follows:

Section 1. Findings. The Commission has ascertained and found and does hereby determine and declare as follows:

(a) that there had heretofore been duly filed with and presented to the Commission in the manner provided by law (i) an instrument in writing signed on behalf of the Board of Education of Baldwin County, and (ii) a request or petition in writing signed by more than two hundred (200) qualified electors of Baldwin County, Alabama (herein called "the County"), each of which requested that the Commission make and enter an order calling a special election of the qualified electors in the County to be held, in conjunction with the statewide special election to be held on Tuesday, December 12, 2017, for the purpose of determining whether or not a special county tax for educational purposes within the County shall be levied and collected for a period commencing with the tax year of the County beginning October 1, 2017 (for which tax year county taxes will become due and payable on October 1, 2018), and continuing until and including the tax year of the County beginning October 1, 2047 (for which tax year county taxes will become due and payable on October 1, 2048), at the uniform rate of ten cents (\$0.10) on each one hundred dollars (\$100.00) of the assessed value of the taxable property in the County, as assessed for county taxation, pursuant to the provisions of Article XIV, § 269.04 (Amendment No. 202) of the Constitution of Alabama of 1901, as amended;

(b) that the Commission did, on October 3, 2017, duly adopt Resolution #2018-009, a resolution and order calling said special election to be held in the County on Tuesday, December 12, 2017, in conjunction with the aforesaid statewide special election, and that the election officers were thereafter appointed and notified, and the voting places for the said special election were fixed, in the manner provided by law;

(c) that notice of the said special election was duly given by the Sheriff of the County in the manner prescribed by law, *viz.*, by publication in The Baldwin Times edition of the Gulf Coast Newspapers, a newspaper published and having general circulation in the County, once a week for four consecutive weeks prior to the date fixed for said special election, the first of said publications having been not later than thirty (30) days prior to the date of said special election; and

(d) at the time the Commission adopted Resolution No. 2018-031, all provisional ballots that were cast at the aforesaid special election were not expected to be either certified, tabulated, returned or canvassed, in accordance with applicable provisions of law (including



particularly, but without limitation, Section 17-10-2 of the Code of Alabama 1975, as amended), prior to December 16, 2017; and

(e) the provisional ballots have now been certified, tabulated, returned or canvassed, and the Commission desires to amend Resolution No. 2018-031 to reflect the final election results; and

(f) the said special election was held in the County on Tuesday, December 12, 2017, in all respects as provided in said Resolution #2018-009 and in said notice; the ballots used in said special election were in all respects in the form provided therefor set out in said Resolution #2018-009; and the appropriate election officers have duly made and delivered to the returning officers their respective reports and certificates, which, after being in turn delivered by the returning officers to the Commission, have been duly canvassed by the Commission, including the provisional ballots, with the following results:

A total of 37,798 votes were cast "FOR" said proposed taxation, and a total of 23,048 votes were cast "AGAINST" said proposed taxation, resulting in a majority of votes in favor of said proposed taxation;

(g) the Commission, as the governing body of the County, must, under the provisions of Section 16-13-184 of the Code of Alabama 1975, as amended, canvass the returns thereof and make a written report under oath declaring the result of the said special election.

Section 2. Canvass of Election. Declaration of Results. Upon the basis of the findings contained in the preceding Section 1, the Commission hereby declares:

(a) that a majority of the qualified electors of the County who voted in said special election on the question of the levy of said special county-wide school tax voted in favor of authorizing the levy and collection of said county-wide school tax at the rate of ten cents (\$0.10) on each one hundred dollars (\$100.00) of the assessed value of the taxable property in the County; and

(b) that the County is accordingly authorized to levy and collect said special county-wide tax at said rate; all for the period specified in subsection (a) of the preceding Section 1.

Section 3. Recordation of Canvass. This resolution and order shall be recorded in the proceedings of the Commission and this resolution and order shall be deemed to constitute the canvass, declarations and findings of the Commission, acting as a board of canvassers. The election results as set forth in Resolution No. 2018-031 are hereby amended and modified as set forth in this resolution. Further, the County Administrator is hereby authorized and directed, (a) as promptly as practicable following the meeting of the Commission at which the final result of

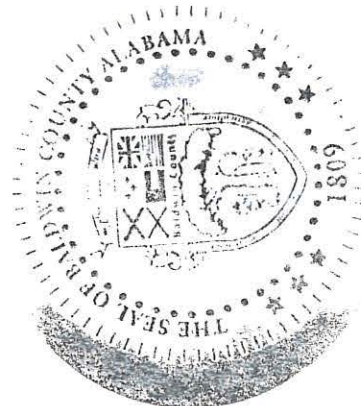
the aforesaid special election is hereafter declared, to cause to be filed in the office of the Judge of Probate of Baldwin County, Alabama, a written report of the Commission, under oath, in substantially such form as the Commission shall hereafter approve, declaring the result of said special election, and (b) thereafter to cause a copy of said written report to be published one time in Gulf Coast Newspapers, a newspaper published in the County.

Done, under the Seal of the County Commission of Baldwin County, Alabama, at the Baldwin County Administration Building located at 322 Courthouse Square, Bay Minette, Alabama, on this 19th day of December, 2017.


Frank Burt, Jr., Chairman and Member of the
Baldwin County Commission

ATTEST:


Ronald J. Cink, County Administrator
Baldwin County Commission



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