

EXCERPTS FROM THE MINUTES OF REGULAR MEETING
OF THE BALDWIN COUNTY COMMISSION

In the Matter of
A Special 3 Mill Ad Valorem School District Tax
in
District 8 (Am. 382) School Tax District

BALDWIN COUNTY, ALABAMA
HARRY D'OLIVE, JR. PROBATE JUDGE
Filed/cert. 9/ 6/2022 3:09 PM
TOTAL \$ 0.00
13 Pages



2022174

The Baldwin County Commission, as governing body of Baldwin County, Alabama, met in regular public session at the Baldwin County Administration Building County Commission Chambers, located at 322 Courthouse Square, Bay Minette, Alabama, at 10:00 a.m. on September 6, 2022.

The meeting was called to order by the Chairman, and the roll was called with the following results:

Present: James E. Ball
 Matthew P. McKenzie
 Billie Jo Underwood
 Charles F. Gruber

Absent:

* * *

The Chairman stated that a quorum was present and that the meeting was open for the transaction of business.

* * *

The Chairman stated it was appropriate pursuant to Sections 6-13-184 and 16-13-188 of the Code of Alabama 1975 to canvass the returns and declare the results of the school tax election held in District 8 (Am. 382) School Tax District in Baldwin County on August 30, 2022.

As to the following proposition submitted at such election:

LEVY OF SPECIAL 3 MILL SCHOOL DISTRICT TAX FOR THIRTY (30)
YEARS IN DISTRICT 8 (AM. 382) SCHOOL TAX DISTRICT
IN BALDWIN COUNTY, ALABAMA FOR PUBLIC SCHOOL PURPOSES

Shall a special ad valorem district school tax be levied and collected annually in District 8 (Am. 382) School Tax District in Baldwin County, Alabama, (the area within which District being the area within the corporate limits of the City of Daphne, Alabama, and the areas outside such corporate limits which the County Board of Education of Baldwin County, Alabama, has determined is served by the public schools of said Board in said municipalities and in such area) (the "District"), pursuant to Amendment No. 382 to the Constitution of Alabama of 1901, as amended, and in addition to all ad valorem taxes now or hereafter levied in the District, for public school purposes in the District at the uniform rate of thirty cents (\$0.30) on each one hundred dollars of taxable property in the District for a period of 30 years beginning with the levy for the tax year October 1, 2022 to September 30, 2023 (the tax for which year becoming due and payable on October 1, 2023) and ending with the levy for the tax year October 1, 2051 to September 30, 2052 (the tax for which year becoming due and payable on October 1, 2052).

_____ FOR proposed taxation

_____ AGAINST proposed taxation

The following votes were cast for said proposed taxation and against said proposed taxation:

1,355 Votes cast FOR proposed taxation

1,105 Votes cast AGAINST proposed taxation

There were no illegible, unmarked or disqualified ballots.

Thereupon, the following Resolution and Order was introduced in writing by the Chairman and considered by the Commission:

A RESOLUTION #2022-161 AND ORDER OF THE BALDWIN COUNTY COMMISSION AMENDING RESOLUTION #2022-157 DECLARING THE ELECTION RESULTS FOR, AND MAKING PROVISIONS FOR THE LEVY OF, THE SPECIAL THREE-MILL DISTRICT AD VALOREM SCHOOL TAX IN DISTRICT 8 (AM. 382) SCHOOL TAX DISTRICT IN BALDWIN COUNTY, ALABAMA

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

ARTICLE 1

Representations and Definitions

The Baldwin County Commission finds and determines on the basis of evidence presented to and duly considered by it that:

(a) Pursuant to and in accordance with Amendment No. 382 of the Constitution of Alabama of 1901, as amended ("Amendment No. 382"), and Article 9 of Chapter 13 of Title 16 of the Code of Alabama 1975 ("Article 9"), a request in writing (the "Request") has been filed with and presented to the Baldwin County Commission of Baldwin County, Alabama, on May 20, 2022, signed by the County Board of Education of Baldwin County, Alabama, requesting that this Commission call and order an election to be held pursuant to Amendment No. 382 and Article 9 in District 8 (Am. 382) School Tax District (the "District") in Baldwin County, Alabama, the boundaries of which are described in Article 1(b), on August 30, 2022, to determine whether a special ad valorem district school tax shall be levied and collected annually in the District, pursuant to Amendment No. 382 and in addition to all ad valorem taxes now or hereafter levied in the District, for public school purposes in the District at the uniform rate of thirty cents (\$0.30) on each one hundred dollars of taxable property in the District for a period of 30 years beginning with the levy for the tax year October 1, 2022 to September 30, 2023 (the tax for which year becoming due and payable on October 1, 2023) and ending with the levy for the tax year October 1, 2051 to September 30, 2052 (the tax for which year becoming due and payable on October 1, 2052);

(b) the area within the District includes the area within the corporate limits of the City of Daphne, Alabama, and the areas outside such corporate limits which the County Board of Education of Baldwin County, Alabama, has determined is served by the public schools of said Board in said municipalities and such area, which area is more particularly described as follows:

Special Tax District 8 shall consist of all parcels of real property located in Baldwin County, Alabama within the following described area:

Beginning at a point at the Southwest corner of Section 26, Township 4 South, Range 1 East, thence East along the South line of Section 26, Township 4 South, Range 1 East to the Southeast corner of Section 26, Township 4 South, Range 1 East. Thence generally South to the Southwest corner of Parcel 05-31-07-36-0-000-002.000; thence East along the North right

of way of Interstate 10, crossing the right of way of State Hwy 181, to the Southeast corner of Parcel 05-32-07-36-0-000-001.005.

Thence South along the East lines of Section 36, Township 4 South, Range 2 East, and Section 1, Township 5 South, Range 2 East to the Southeast corner of Section 1, Township 5 South, Range 2 East. Thence South along the East line of Parcel 05-43-01-12-0-000-001.000 to the Southeast corner of Parcel 05-43-01-12-0-000-001.000; thence West along the South line of Parcel 05-43-01-12-0-000-001.000 to the Northwest corner of Parcel 05-43-01-12-0-000-024.000. Thence South along the West lines of Parcels 05-43-01-12-0-000-024.000, 05-43-06-13-0-000-001.006 and 05-42-04-18-0-000-003.000 to the South line of Parcel 05-42-04-18-0-000-003.000.

Thence generally Southeast crossing the right-of-way of County Road 64 to the Northwest corner of Parcel 05-42-04-19-0-000-002.000; thence South along the West lines of Parcels 05-42-04-19-0-000-002.000 and 05-42-04-19-0-000-001.000 to the Southwest corner of Parcel 05-42-04-19-0-000-001.000; thence East along the South line of Parcel 05-42-04-19-0-000-001.000 to the Northwest corner of Parcel 05-42-04-19-0-000-008.000; thence South along the West lines of Parcels 05-42-04-19-0-000-008.000, 05-42-09-30-0-000-001.001 and 05-42-09-30-0-000-006.000 to the Northwest corner of Parcel 05-42-09-30-0-000-006.003. Thence East along the North lines of parcels 05-42-09-30-0-000-006.003, 05-42-09-30-0-000-006.006, 05-42-09-30-0-000-006.001 and 05-42-09-30-0-000-006.002 to the Northeast corner of Parcel 05-42-09-30-0-000-006.002; thence South along the West line of Parcel 05-42-09-29-0-000-003.000 to the Southwest corner of Parcel 05-42-09-29-0-000-003.000; thence Southeast to the South line of Parcel 05-42-09-29-0-000-003.000; thence East along the South line of Parcel 05-42-09-29-0-000-003.000 to the Northwest corner of Parcel 05-42-09-32-0-000-003.001. Thence South along the West lines of Parcels 05-42-09-32-0-000-003.001, 05-42-09-32-0-000-003.000, 05-42-09-32-0-000-012.000, 05-42-09-32-0-000-012.002, 05-42-09-32-0-000-012.003 and 05-42-09-32-0-000-012.001 to the Southwest corner of Parcel 05-42-09-32-0-000-012.001; thence South across the right-of way of County Road 54 to the Northwest corner of Parcel 05-42-09-32-0-000-021.000; thence South along the West lines of Parcels 05-42-09-32-0-000-021.000, 05-42-09-32-0-000-039.000, 05-42-09-32-0-000-040.000, 05-42-09-32-0-000-041.000, 05-47-03-05-0-000-006.000, 05-47-03-05-0-000-016.000, 05-47-03-05-0-000-018.000, 05-47-03-05-0-000-019.000, 05-47-03-05-0-000-019.001, 05-47-03-05-0-000-020.000, 05-47-03-05-0-000-020.001, 05-47-03-05-0-000-047.007, 05-47-03-05-0-000-047.029, 05-47-03-05-0-000-047.030, 05-47-03-05-0-000-047.008, 05-47-03-05-0-000-047.009, 05-47-03-05-0-000-047.010, 05-47-03-05-0-000-047.000, 05-47-03-05-0-000-047.026 and 05-47-03-05-0-000-047.011 to the Southwest corner of Parcel 05-47-03-05-0-000-047.011.

Thence West along the North right of way of State Hwy 104 to the Southwest corner of Parcel 05-47-03-05-0-000-046.000; thence North along the West line of Parcel 05-47-03-05-0-000-046.000 to the Southeast corner of Parcel 05-47-03-06-0-000-010.000; thence West along the South line of Parcel 05-47-03-06-0-000-010.000 to the Southwest corner of Parcel 05-47-03-06-0-000-010.000; thence North along the West line of Parcel 05-47-03-06-0-000-010.000 to the Southeast corner of Parcel 05-47-03-06-0-000-009.000; thence West along the South lines of Parcels 05-47-03-06-0-000-009.000 and 05-47-03-06-0-000-004.001 to the Southwest corner of Parcel 05-47-03-06-0-000-004.001; thence North along the West line of Parcel 05-47-03-06-0-000-004.001 to the Southeast corner of Parcel 05-47-03-06-0-000-004.000; thence West along the South line of Parcel 05-47-03-06-0-000-004.000 to the Southwest corner of Parcel 05-47-03-06-0-000-004.000; thence North along the West line of Parcel 05-47-03-06-0-000-004.000 to the Southeast corner of Parcel 05-43-07-36-0-000-002.014; thence West along the South line of Parcel 05-43-07-36-0-000-002.014 to the Southwest corner of Parcel 05-43-07-36-0-000-002.014; thence North along the West line of Parcel 05-43-07-36-0-000-002.014 to the Northwest corner of Parcel 05-43-07-36-0-000-002.014; thence West along the South line of Parcel 05-43-07-36-0-000-002.012 to the Southwest corner of Parcel 05-43-07-36-0-000-002.012; thence North along the West line of Parcel 05-43-07-36-0-000-002.012 to the Northwest corner of Parcel 05-43-07-36-0-000-002.012; thence West along the South line of

Parcel 05-43-07-36-0-000-002.001 to the Southwest corner of Parcel 05-43-07-36-0-000-002.001; thence North along the West line of Parcel 05-43-07-36-0-000-002.001 to the Northwest corner of Parcel 05-43-07-36-0-000-002.001; thence West along the South line of Parcel 05-43-07-36-0-000-002.000 to the Southwest corner of Parcel 05-43-07-36-0-000-002.000.

Thence generally North along the West line of Parcel 05-43-07-35-0-000-001.000 to the Northwest corner of Parcel 05-43-07-35-0-000-001.000; thence West along the North lines of Parcels 05-43-07-35-0-000-001.001 and 05-43-07-35-0-000-004.000 to the Northwest corner of Parcel 05-43-07-35-0-000-004.000; thence South along the West line of Parcel 05-43-07-35-0-000-004.000 to the Southwest corner of Parcel 05-43-07-35-0-000-004.000. Thence generally Southwest to the Northeast corner of Parcel 05-43-08-34-0-000-002.002; thence West along the North lines of 05-43-08-34-0-000-002.002 and 05-43-08-34-0-000-002.001 to the Northwest corner of Parcel 05-43-08-34-0-000-002.001. Thence West across the right of way of County Road 13 to the Southeast corner of Parcel 05-43-08-33-0-000-003.000; thence North along the West right of way of County Road 13 to the Southeast corner of Parcel 05-43-08-28-0-000-033.001; thence West along the South lines of Parcels 05-43-08-28-0-000-033.001, 05-43-08-28-0-000-032.003, and 05-43-08-28-0-000-032.000 to the Southwest corner of Parcel 05-43-08-28-0-000-032.000. Thence South along the East line of Parcel 05-43-09-29-1-000-141.000 to the Northeast corner of Parcel 05-43-09-29-0-001-028.000; thence generally West across the North line of Parcel 05-43-09-29-0-001-028.000 to the Northwest corner of Parcel 05-43-09-29-0-001-028.000; thence generally West across the right of way of Dale Dr to the Northeast corner of Parcel 05-43-09-29-0-000-002.000; thence generally West along the North right of way of Dale Dr to the East right of way of US Hwy 98; thence North along the East right of way of US Hwy 98 to a point due East of the Southeast corner of Parcel 05-43-09-29-2-000-042.006; thence West across the right of way of US Hwy 98 to the Southeast corner of 05-43-09-29-2-000-042.006; thence West along the South lines of Parcels 05-43-09-29-2-000-042.006, 05-43-09-29-2-000-042.007, 05-43-09-29-2-000-042.008, 05-43-09-29-2-000-042.009, 05-43-09-29-2-000-042.010, 05-43-09-29-2-000-042.011 and 05-43-09-29-2-000-042.012 to the Southwest corner of 05-43-09-29-2-000-042.012. Thence North along the West line of Parcel 05-43-09-29-2-000-042.013 to the Northwest corner of Parcel 05-43-09-29-2-000-042.013; thence West across the right of way of Main St to the Southeast corner of Parcel 05-43-09-30-0-000-001.000; thence South along the West right of way of Main St to the Southeast corner of Parcel 05-43-09-30-0-000-002.001; thence generally West along the South lines of Parcels 05-43-09-30-0-000-002.001, 05-43-09-42-0-001-039.000, 05-43-09-42-0-001-038.000, and 05-43-09-42-0-001-037.000 to the Southwest corner of 05-43-09-42-0-001-037.000; thence generally North along the Southwest lines of Parcels 05-43-09-42-0-001-036.001, 05-43-09-42-0-001-036.000, and 05-43-09-42-0-001-031.001 to the Northeast corner of Parcel 05-43-09-42-0-002-010.002. Thence West along the North line of Parcel 05-43-09-42-0-002-010.002 to the Northwest corner of Parcel 05-43-09-42-0-002-010.002. Thence due West to the West line of Section 42, Township 5 South, Range 2 East, thence North along the West line of Section 42, Township 5 South, Range 2 East to the Southwest corner of Section 19, Township 5 South, Range 2 East, thence North along the West line of Section 19, Township 5 South, Range 2 East to the Southwest corner of Section 41, Township 5 South, Range 2 East; thence North along the West line of Section 41, Township 5 South, Range 2 East to the Southwest corner of Section 07, Township 5 South, Range 2 East; thence North along the West line of Section 07, Township 5 South, Range 2 East to the Southwest corner of Section 71, Township 5 South, Range 2 East; thence North along the West line of Section 71, Township 5 South, Range 2 East to the Southeast corner of Section 36, Township 4 South, Range 1 East; thence generally North along the West line of Section 36, Township 4 South, Range 1 East to the point of beginning.

All references herein to "Parcels" shall refer to the parcel identification number as assigned by the Baldwin County Revenue Commissioner as of the 4th day of April, 2022.

(c) on June 7, 2022 the Baldwin County Commission did call and order an

election to be held on August 30, 2022 accordance with applicable law and the Request;

(d) due notice of the election was given as required by law by the Sheriff of Baldwin County, Alabama;

(e) at the time the Commission adopted Resolution No. 2022-157, 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 August 30, 2022;

(f) the provisional ballots have now been certified, tabulated, returned or canvassed, and the Commission desires to amend Resolution No. 2022-157 to reflect the final election results; and

(g) the election was held in District 8 (Am. 382) School Tax District in Baldwin County, Alabama, on August 30, 2022 in strict accordance with applicable law and Resolution and Order No. 2022-099 of the Commission; due return was made and certified to this Commission by the cognizant officials holding such election; on this September 6, 2022, the Commission met to canvass the result of the election and thereupon determined that 1,355 votes were cast for the proposed taxation and 1,105 votes were cast against the proposed taxation; and a majority of the qualified electors of District 8 (Am. 382) School Tax District voting at such election voted in favor of the proposed taxation.

ARTICLE 2

Levy of Special Three-Mill School District Tax in District 8 (Am. 382) School Tax District in Baldwin County, Alabama

Now Therefore:

(a) A special ad valorem district school tax shall be, and hereby is, levied, and shall be collected, annually in District 8 (Am. 382) School Tax District in Baldwin County, Alabama (the area within which District being the area within the corporate limits of the City of Daphne, Alabama, and the areas outside such corporate limits which the County Board of Education of Baldwin County, Alabama, has determined is served by the public schools of said Board within said municipalities and such area) (the "District"), pursuant to Amendment No. 382 to the Constitution of Alabama of 1901, as amended, and in addition to all ad valorem taxes now or hereafter levied in the District, for public school purposes in the District at the uniform rate of thirty cents (\$0.30) on each one hundred dollars of taxable property in the District for a period of 30 years beginning with the levy for the tax year October 1, 2022 to September 30, 2023 (the tax for which year becoming due and payable on October 1, 2023) and ending with the levy for the tax year October 1, 2051 to September 30, 2052 (the tax for which year becoming due and payable on October 1, 2052);

(b) The appropriate officials of the County are hereby authorized and directed to levy, assess and collect such tax in District 8 (Am. 382) School Tax District for such period and such purposes;

(c) The written report of the Baldwin County Commission, under oath, declaring the results of the said election shall be published in Gulf Coast Newspapers, a newspaper published in the County and the original of said report shall be filed and recorded in the Office of the Judge of Probate of Baldwin County, Alabama as required by law.

ARTICLE 3

Provisions of General Application

Section 3.01 Repeal of Other Proceedings

Any resolution, order, ordinance, or part thereof, in conflict or inconsistent with the provisions of this Resolution is hereby, to the extent of such conflict or inconsistency, repealed.

Section 3.02. Effect of this Resolution

This Resolution and Order shall take effect immediately.

Commissioner Billie Jo Underwood moved that said Resolution and Order be adopted. Commissioner Charles F. Gruber 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: James E. Ball
 Matthew P. McKenzie
 Billie Jo Underwood
 Charles F. Gruber

Nays:

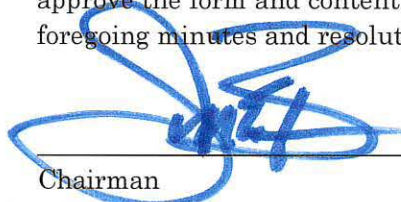
The Chairman declared the Resolution and Order passed and adopted.


* * *

There being no further business to come before the meeting, it was moved and seconded that the meeting be adjourned. Motion carried.

Approval of Minutes:

Each of the undersigned does hereby approve, and waive notice of, the date, time, place and purpose of the meeting of the Baldwin County Commission recorded in the above and foregoing minutes thereof and does hereby approve the form and content of the above and foregoing minutes and resolution therein.


Chairman


Member


Member


Member

SEAL

Attest: 
County Administrator



**CERTIFICATION OF PROCEEDINGS
AND RESOLUTION OF SEPTEMBER 6, 2022**

Baldwin County Commission

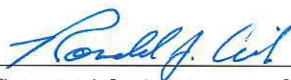
September 6, 2022

Regular Meeting

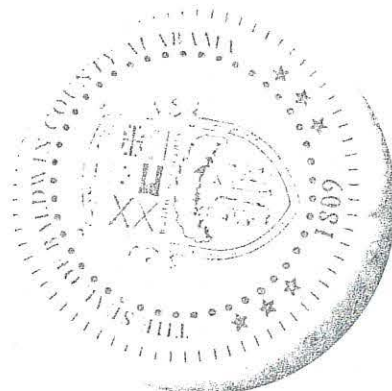
The undersigned County Administrator of the Baldwin County Commission hereby certifies as follows:

1. I am the duly appointed, qualified and acting County Administrator of the Baldwin County Commission.
2. I have access to all original records of the Baldwin County Commission and am authorized to certify copies of such records on behalf of the Baldwin County Commission.
3. The attached pages constitute a complete, verbatim and compared copy of excerpts from a meeting of the Baldwin County Commission duly held and conducted on September 6, 2022, the original of which is in the records of the Baldwin County Commission in my custody.
4. The Resolution and Order set forth in such excerpts is a complete, verbatim and compared copy of such Resolution and Order as adopted on such date and is in full force and effect and has not been amended or repealed.

IN WITNESS WHEREOF, I have executed this Certificate under seal on behalf of the Baldwin County Commission on the above date.



County Administrator of the Baldwin
County Commission



AMENDED REPORT OF CANVASS
A SPECIAL 3 MILL AD VALOREM SCHOOL DISTRICT TAX
IN DISTRICT 8 (AM. 382) SCHOOL TAX DISTRICT

(1) Findings. In a resolution and order duly adopted on September 6, 2022 the BALDWIN COUNTY COMMISSION (herein called "the Commission") did ascertain, find, determine and declare as follows:

(a) pursuant to and in accordance with Amendment No. 382 of the Constitution of Alabama of 1901, as amended ("Amendment No. 382"), and Article 9 of Chapter 13 of Title 16 of the Code of Alabama 1975 ("Article 9"), a request in writing (the "Request") was heretofore filed with and presented to the Baldwin County Commission of Baldwin County, Alabama, on May 20, 2022, signed by the County Board of Education of Baldwin County, Alabama, requesting that this Commission call and order an election to be held pursuant to Amendment No. 382 and Article 9 in District 8 (Am. 382) School Tax District (the "District") in Baldwin County, Alabama on August 30, 2022, to determine whether a special ad valorem district school tax shall be levied and collected annually in the District, pursuant to Amendment No. 382 and in addition to all ad valorem taxes now or hereafter levied in the District, for public school purposes in the District at the uniform rate of thirty cents (\$0.30) on each one hundred dollars of taxable property in the District for a period of 30 years beginning with the levy for the tax year October 1, 2022 to September 30, 2023 (the tax for which year becoming due and payable on October 1, 2023) and ending with the levy for the tax year October 1, 2051 to September 30, 2052 (the tax for which year becoming due and payable on October 1, 2052);

(b) that the Commission did, on June 7, 2022, duly adopt Resolution #2022-099, a resolution and order calling said special election to be held in the District on Tuesday, August 30, 2022, 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; and

(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 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) that the said special election was held in the District on Tuesday, August 30, 2022, in all respects as provided in said Resolution #2022-099 and in said notice; that the ballots used in said special election were in all respects in the form provided therefor set out in said Resolution #2022-099; and

(e) that on August 31, 2022 the Commission adopted Resolution #2022-157 and executed a Report of Canvass prior to the certification, tabulation, return and canvass of the provisional ballots, and the Commission desires to amend the said Report of Canvass to

reflect the final election results in accordance with Resolution #2022-161 adopted this 6th day of September 2022; and

(f) and that 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, with the following results:

A total of 1,355 votes were cast "FOR" said proposed taxation, and a total of 1,105 votes were cast "AGAINST" said proposed taxation, resulting in more than a majority of votes "FOR" said proposed taxation;

(2) Canvass of Election. Recordation. We the undersigned, constituting all the members of the Commission, have on this date canvassed the returns of the said special election, and we do hereby declare and report, under oath, the results of said special election to be as follows:

FOR proposed taxation	<u>1,355</u> votes
AGAINST proposed taxation	<u>1,105</u> votes

and we do further declare and report, under oath, that more than a majority of those voting at the said special election voted for and in favor of the levy and collection of the said proposed tax. In accordance with the provisions of the aforesaid resolution and order of the Commission adopted on September 6, 2022, the original of this report is being filed in the office of the Judge of Probate of Baldwin County, Alabama, and a copy thereof shall be published one time in the Gulf Coast Newspapers, a newspaper published and having general circulation in the County.

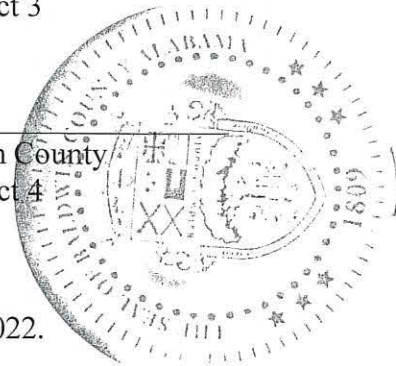
DATED this 6th day of September, 2022.

James E. Ball, Chairman and Member of the Baldwin
County Commission and Commissioner for District 1

Matthew P. McKenzie, Member of the Baldwin County
Commission and Commissioner for District 2

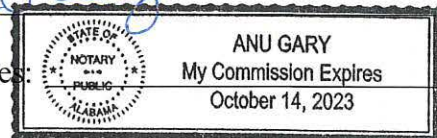
Billie Jo Underwood, Member of the Baldwin County
Commission and Commissioner for District 3

Charles F. Gruber, Member of the Baldwin County
Commission and Commissioner for District 4



Sworn to and subscribed before me this 6th day of September, 2022.

Notary Public
My Commission Expires:



[NOTARIAL SEAL]

