

STATE OF ALABAMA)

COUNTY OF BALDWIN)

**RESOLUTION # 2023-048
OF THE
BALDWIN COUNTY COMMISSION**

**AS REQUIRED BY ACT NO. 90-449, PROVIDING FOR A DETERMINATION
BY THE BALDWIN COUNTY COMMISSION RELATING TO A REQUEST FROM
THE ELBERTA VOLUNTEER FIRE DEPARTMENT.**

KNOW ALL MEN BY THESE PRESENTS, that Act No. 90-449, 1990 Regular Session [Acts 1990, Vol. 1, p. 634] provided for a levy of a 1½ mill tax on all property located in Baldwin County, Alabama, to be distributed among qualified fire departments in Baldwin County, Alabama, based upon the outcome of a referendum election; and

WHEREAS, the required and aforesaid referenced referendum election was held on June 26, 1990, wherefore a majority of the qualified electors, voting at such election and in Baldwin County, Alabama, voted for said tax; and

WHEREAS, within Act No. 90-449, Section 3 provides as follows:

“Section 3. (a) Fire departments which participate in the distribution of tax proceeds shall expend such funds only for the acquisition of fire trucks, fire stations, fire equipment, communications, fire training, fire vehicle and station insurance, oil, gas, hydrants, utilities, and vehicle or station repair. Such funds shall not be used to pay salaries, purchase food or drink, or to hold fund raising projects.

“(b) Any exceptions to the above spending guidelines must be approved by the Baldwin County Fire Chiefs Association and the Baldwin County Commission.”

; and

WHEREAS, the Elberta Volunteer Fire Department is duly incorporated under the laws of the State of Alabama and remains qualified to receive proceeds derived from Act No. 90-449 and, furthermore, has presented a written request (attached hereto as **Exhibit “A”**) for the consideration of the Baldwin County Commission to approve the utilization of its proceeds of said taxes as security for repayment of a loan not to exceed \$50,000.00 (and the repayment of said loan’s applicable interest) for the purchase of new radio equipment; and

WHEREAS, this honorable county governing body, pursuant to Act No. 90-449, has reviewed the aforementioned written request, as well as the accompanying instrument indicating the required approval of the Baldwin County Fire Chiefs’ Association related to the same

(attached hereto as **Exhibit "B"**), and finds that such remains an exception to the spending guidelines set forth in said Act No. 90-449 and seeks to provide its approval to said spending exception; now therefore

BE IT RESOLVED BY THE BALDWIN COUNTY COMMISSION, IN REGULAR SESSION ASSEMBLED, That the Elberta Volunteer Fire Department is hereby authorized to use its proceeds of taxes derived by Act No. 90-449 as security for repayment of a loan not to exceed \$50,000.00 (and the repayment of said loan's applicable interest) for the purchase of new radio equipment; and

FURTHER, BE IT RESOLVED, that this instrument, codified as *Resolution #2023-048 of the Baldwin County Commission*, shall in no way obligate the Baldwin County Commission as to the loan sought by the Elberta Volunteer Fire Department as hereinabove referenced, or any loan, sought or secured by the Elberta Volunteer Fire Department.

DONE, under the Seal of Baldwin County, Alabama, as affixed on this the 3rd day of January 2023.





Commissioner Charles F. Gruber, Chairman



Ronald J. Cink, Budget Director/
Interim County Administrator



Elberta Volunteer Fire Department



12/02/2022

To whom it may concern:



The Elberta Volunteer Fire Department Inc. is requesting the ability to barrow funds from Government Capital Corporation. The funds would be used to cover the difference in cost for new radio equipment from which we received a grant. The purchase will include the following:

- 34 Motorola APX 6000 Portable Radios
- 10 Motorola APX 4500 Mobile Radios
- 2 Motorola APX 1500 Mobile Radios
- 34 Motorola XE5000 Remote Speakers

We are requesting to barrow \$50,000.00 on a 3 year loan with a 6.3% interest rate. The payments will be \$18,445.20 annually for 3 payments totaling \$55,335.60.

Frank Stewart

Deputy Chief

Elberta Volunteer Fire Department Inc.

251-747-2190

frank@elbertafire.com

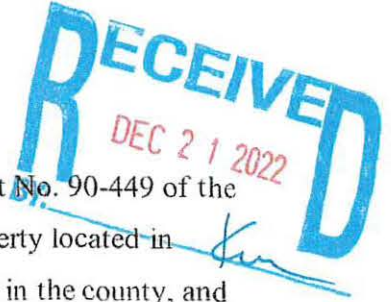


Baldwin County Fire Chiefs' Association

established 1969

RESOLUTION

KNOW ALL MEN BY THESE PRESENTS, THAT WHEREAS, Act No. 90-449 of the 1990 Legislature provides for a levy of a one and one-half mill tax on all property located in Baldwin County, Alabama, to be distributed among qualified fire departments in the county, and



WHEREAS, said Act provides as follows:

“(a) Fire departments which participate in the distribution of the tax proceeds shall expend such funds only for the acquisition of fire trucks, fire stations, fire equipment communications, fire training, fire vehicle and station insurance, oil, gas, hydrants, utilities, and vehicle or station repair. Such funds shall not be used to pay salaries, purchase food and drink, or to hold fund raising projects.”

“(b) Any exception to the above spending guidelines must be approved by the Baldwin County Fire Chiefs' Association and the Baldwin County Commission.”

AND, WHEREAS, Baldwin County Fire Departments are duly incorporated under the laws of this State and qualified pursuant to Section 9-13-17, Code of Alabama, 1975, has presented an application for approval by the Baldwin County Fire Chiefs' Association to use proceeds of the taxes derived from Act 90-449 for the acquisition of equipment, property or services as set forth in said act and to pledge said taxes as security for repayment of a loan to acquire said properties;

NOW, THEREFORE, to be resolved by the Baldwin County Fire Chiefs' Association, that Baldwin County Fire Departments in good standing be, and is hereby, authorized to purchase the equipment and or properties set forth in said application and to pledge the proceeds from Act 90-449 for repayment of the same.

IN WITNESS WHEREOF, the undersigned have hereunto set their hands and affixed the official seal of the Baldwin County Fire Chiefs' Association.

Approved in the regular monthly meeting on November 3rd, 2022 located at the 911 Baldwin County Training Center, 23171 McAuliffe Drive, Robertsedale, AL 36567.



Baldwin County Fire Chiefs' Association

established 1969

Elberta Volunteer Fire Department

Approved to finance \$50,000 for

Motorola APX radios

Financed by Government Capital Corporation

Execution of this document in no way creates liability on the part of the Baldwin County Fire Chiefs Association or the Baldwin County Commission or Baldwin County and said parties are not responsible for the repayment of any bonds issued pursuant hereto.

ATTEST:

Paul A. Lee
Teresa Mitchell

BALDWIN COUNTY FIRE CHIEFS'
ASSOCIATION

BY: *President*
BY: *Secretary*