STATE OF ALABAMA)

COUNTY OF BALDWIN)

RESOLUTION #2022-166
OF THE
BALDWIN COUNTY COMMISSION

PURSUANT TO AMENDMENT NO. 750 AND/OR AMENDMENT NO. 772 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 2022-2023 BUDGET, WILL, RESPECTIVELY, SERVE VALID AND SUFFICIENT PUBLIC PURPOSES.

WHEREAS, Amendment No. 750 and/or Amendment No. 772 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 and/or Amendment No. 772 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 adoption of the Baldwin County Fiscal Year 2022-2023 Budget, codified as *Resolution #2022-165 of the Baldwin County Commission*, in conformance with applicable Alabama law and during the September 20, 2022, regular meeting of said honorable county governing body; and

WHEREAS, within said Baldwin County Fiscal Year 2022-2023 Budget, the Baldwin County Commission has proposed several appropriations, which would include respective grants and payments 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 and/or Amendment No. 772 to the Constitution of Alabama 1901, the Baldwin County Commission, by this instrument, a resolution of the Baldwin County Commission, authorizes a myriad of actions (appropriations), which would include respective grants and payments 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, as listed below and as part of the Baldwin County Fiscal Year 2022-2023 Budget, as adopted during the September 20, 2022, regular (public) meeting of the Baldwin County Commission, said actions (appropriations) as follows:

[1] An appropriation not to exceed $72,000 to Adams and Reese LLP; and
[2] An appropriation of $467,000 to the Baldwin County Economic Development Alliance, Inc.; and
[3] An appropriation of $5,000 to the Central Baldwin Chamber of Commerce; and
[4] An appropriation of $5,000 to the Coastal Alabama Business Chamber; and
[5] An appropriation of $5,000 to the Eastern Shore Chamber of Commerce; and
[6] An appropriation of $5,000 to the North Baldwin Chamber of Commerce; and
[7] An appropriation not to exceed $55,000 to the South Baldwin Chamber of Commerce; and
[8] An appropriation of $25,000 to Southwest Alabama Workforce Development Council; and
[9] An appropriation of $10,000 to the USS Alabama Battleship Commission; and
[10] An appropriation not to exceed $114,000 to Van Scoyoc Associates, Inc.

FURTHER, BE IT RESOLVED, That, respecting Amendment No. 750 and/or Amendment No. 772 to the Constitution of Alabama 1901, the Baldwin County Commission, by this instrument, a resolution of the Baldwin County Commission, as adopted during the September 20, 2022, regular (public) meeting of the Baldwin County Commission provides respective determinations by said county governing body that the individual actions (appropriations), as above referenced, which involve respective expenditures (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 will each serve a valid and sufficient public purpose, notwithstanding any respective incidental benefit accruing to any private entity or entities, said respective determinations as follows:

[1] As above recited, the appropriation not to exceed $72,000 to Adams and Reese, LLP, shall serve a valid and sufficient public purpose for Adams and Reese, LLP, to, among other things enumerated in the applicable Agreement with Baldwin County, provide consulting and advising services to the Baldwin County Commission with regard to specific federal, state and economic development representation that shall enhance Baldwin County's presence before federal, state and other agencies and will help leverage resources to increase Baldwin County's quality of life, long term planning, economic growth and competitiveness.

[2] As above recited, the appropriation of $467,000 to the Baldwin County Economic Development Alliance, Inc., shall serve a valid and sufficient public purpose for the Baldwin County Economic Development Alliance, Inc., to, among other things enumerated in the applicable Agreement with Baldwin County, work for the mutual economic and industrial development of Baldwin County; further, to continue a public / private partnership program for economic development in Baldwin County; further, to recruit new economic development investment; further, to seek, discover and endeavor to attract and promote new and expanding commercial prospects within Baldwin County,

and to create new jobs and employment and economic improvements and expansion for the benefit of the citizens of Baldwin County.

[3] As above recited, the appropriation of $5,000 to the Central Baldwin Chamber of Commerce shall serve a valid and sufficient public purpose for the Central Baldwin Chamber of Commerce to, among other things enumerated in the applicable Agreement with Baldwin County, continue their advertisement, promotion and assistance within and for the county's business and commercial community and continue their work with the Baldwin County Economic Development Alliance, Inc., to attract and promote new and expanding commercial and industrial prospects within Baldwin County, Alabama.

[4] As above recited, the appropriation of $5,000 to the Coastal Alabama Business Chamber shall serve a valid and sufficient public purpose for the Coastal Alabama Business Chamber to, among other things enumerated in the applicable Agreement with Baldwin County, continue their advertisement, promotion and assistance within and for the county's business and commercial community and continue their work with the Baldwin County Economic Development Alliance, Inc., to attract and promote new and expanding commercial and industrial prospects within Baldwin County.

[5] As above recited, the appropriation of $5,000 to the Eastern Shore Chamber of Commerce shall serve a valid and sufficient public purpose for the Eastern Shore Chamber of Commerce to, among other things enumerated in the applicable Agreement with Baldwin County, continue their advertisement, promotion and assistance within and for the county's business and commercial community and continue their work with the Baldwin County Economic Development Alliance, Inc., to attract and promote new and expanding commercial and industrial prospects within Baldwin County.

[6] As above recited, the appropriation of $5,000 to the North Baldwin Chamber of Commerce shall serve a valid and sufficient public purpose for the North Baldwin Chamber of Commerce to, among other things enumerated in the applicable Agreement with Baldwin County, continue their advertisement, promotion and assistance within and for the county's business and commercial community and continue their work with the Baldwin County Economic Development Alliance, Inc., to attract and promote new and expanding commercial and industrial prospects within Baldwin County.

[7] As above recited, the appropriation not to exceed $55,000 to the South Baldwin Chamber of Commerce shall serve a valid and sufficient public purpose for the South Baldwin Chamber of Commerce to, among other things enumerated in the applicable Agreement with Baldwin County, continue their advertisement, promotion and assistance within and for the county's business and commercial community and continue their work with the Baldwin County Economic Development Alliance, Inc., to attract and promote new and expanding commercial and industrial prospects within Baldwin County. Furthermore, continue their work with the Gateway Initiative to promote and enhance workforce development within Baldwin County.

[8] As above recited, the appropriation of $25,000 to Southwest Alabama Workforce Development Council shall serve a valid and sufficient public purpose for the Southwest Alabama Workforce Development Council to, among other things enumerated in the applicable Agreement with Baldwin County, develop a comprehensive, integrated workforce development system to enhance the economic well-being of the citizens of Baldwin County, by and through a myriad of activities related to economic development and employee retention.

[9] As above recited, the appropriation of $10,000 to the USS Alabama Battleship Commission shall serve a valid and sufficient public purpose for the USS Alabama Battleship Commission to, among other things enumerated in the applicable Agreement with Baldwin County, provide for the operation of the "USS Alabama Battleship Memorial Park" which remains a public museum promoting the economic well-being of the citizens of Baldwin County, by and through a myriad of activities related to tourism.

[10] As above recited, the appropriation not to exceed $114,000 to Van Scoyoc Associates, Inc., shall serve a valid and sufficient public purpose for Van Scoyoc Associates, Inc. to, among other things enumerated in the applicable Agreement with Baldwin County, provide federal relations services to the Baldwin County Commission that shall enhance Baldwin County's presence before the United States Congress and Executive Branch Agencies of the United States and will help leverage federal 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 and/or Amendment No. 772 to the Constitution of Alabama 1901, the Baldwin County Commission, at least seven days prior to the September 20, 2022, regular (public) meeting of the Baldwin County Commission, provided notice, on Wednesday, September 14, 2022, as published in the newspaper having the largest circulation in Baldwin County, Alabama (Baldwin Times of the Gulf Coast Media newspapers) 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 Fairhope Satellite Courthouse, in Fairhope, Alabama, on this the 20th day of September, 2022.

_____
Commissioner James E. Ball, Chairman
Baldwin County Commission

ATTEST:

_____
Ronald J. Cink
Budget Director/Interim County Administrator