

STATE OF ALABAMA)
COUNTY OF BALDWIN)

**RESOLUTION #2020-066
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 DETERMINATIONS BY THE BALDWIN COUNTY COMMISSION THAT A GRANT OF FUNDS AND THINGS OF VALUE WILL 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 or granting of things of value 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 has proposed the grant of funds to a firm, corporation, or other business entity, 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 the granting of funds to a firm, corporation, or other business entity, for the purpose of promoting the economic and industrial development of Baldwin County, as listed below:

- [1] By the execution and delivery by the County of a Project Agreement (the “Project Agreement”) to be entered by and among the County, Airbus Americas, Inc. (“AAI”), and

Alabama Aviation Education Center, Inc. ("Flight Works Alabama"), which Agreement is attached hereto as **Exhibit A**, made a part hereof, and incorporated herein by reference.

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 March 3, 2020, public meeting of the Baldwin County Commission provides determinations by said county governing body that the individual action, as above referenced, which involves an expenditure (grant) of public things of value to a firm, corporation, or other business entity, 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, said respective determinations as follows:

- [1] As above recited, the grant of funds shall serve a valid and sufficient public purpose for AAI and Flight Works Alabama to, among other things enumerated in the Project Agreement, incur expenditures in connection with the purpose and mission of Flight Works Alabama and to support the development of the Projects, as defined in the Project Agreement.

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 March 3, 2020, public meeting of the Baldwin County Commission, provided notice, on Friday, February 21, 2020, as published in the newspapers having the largest circulation in Baldwin County, Alabama (Gulf Coast 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 B**.

DONE, under the Seal of the County of Baldwin, at the County Seat in Bay Minette, Alabama, on this the 3rd day of March, 2020.

Commissioner Billie Jo Underwood, Chairman
Baldwin County Commission

ATTEST:

Wayne A. Dyess
County Administrator

EXHIBIT A

**TO RESOLUTION NO. 2020-066
OF THE BALDWIN COUNTY COMMISSION**

Copy of Project Agreement

EXHIBIT B

**TO RESOLUTION NO. 2020-066
OF THE BALDWIN COUNTY COMMISSION**

Copy of Notice Published on February 21, 2020