

STATE OF ALABAMA)
COUNTY OF BALDWIN)

**RESOLUTION # 2020-073
OF THE
BALDWIN COUNTY COMMISSION**

**AS REQUIRED BY ACT NO. 90-449, PROVIDING FOR APPROVAL OF AN
EXCEPTION TO THE SPENDING GUIDELINES AS REQUESTED BY THE
BALDWIN COUNTY FIRE CHIEF’S ASSOCIATION.**

KNOW ALL MEN BY THESE PRESENTS, that Act No. 90-449, 1990 Regular Session [Acts 1990, Vol. 1, p. 634], also codified as Section 45-2-242 of the Code of Alabama (1975), 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 various Baldwin County fire departments are duly incorporated under the laws of the State of Alabama and remain qualified to receive proceeds derived from Act No. 90-449 and, furthermore, the Baldwin County Fire Chiefs’ Association has presented, on behalf of Baldwin County fire departments, a written request (attached hereto as **Exhibit “A”**) for the consideration of the Baldwin County Commission to approve the utilization of their proceeds of said taxes to pay for the purchase of contracts to provide aeromedical services to the members of the various Baldwin County Volunteer fire departments, which will provide a service to the Baldwin County fire departments (volunteer fire fighters); and

WHEREAS, the Baldwin County Commission 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 "A"**), and finds that the requested exception to the spending guidelines set forth in said Act No. 90-449 should be approved; now, therefore

BE IT RESOLVED BY THE BALDWIN COUNTY COMMISSION, IN REGULAR SESSION ASSEMBLED, That the various Baldwin County fire departments in good standing are hereby authorized to use their proceeds of taxes derived by Act No. 90-449 to pay for the purchase of contracts to provide aeromedical services to members.

FURTHER, BE IT RESOLVED, that this Resolution, codified as *Resolution #2020-073 of the Baldwin County Commission*, shall in no way obligate the Baldwin County Commission as to the purchase, payments or contract commitments sought by or secured by the various Baldwin County fire departments or the Baldwin County Fire Chief's Association as hereinabove referenced.

DONE, at the County Seat, in Bay Minette, Alabama, and under the Seal of Baldwin County, Alabama, as affixed on this the 17th day of March 2020.

Commissioner Billie Jo Underwood, Chairman

ATTEST:

Wayne Dyess, County Administrator