

STATE OF ALABAMA )

COUNTY OF BALDWIN )

**RESOLUTION #2021-036  
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 BON SECOUR VOLUNTEER FIRE RESCUE INC.**

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 Bon Secour Volunteer Fire Rescue Inc. 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 \$447,200.00 (and the repayment of said loan’s applicable interest) to purchase one (1) 2019 Ferrara MVP Demon (H-6643) fire apparatus in the total amount not to exceed \$559,000.00, to continue to provide a vital service to the ever growing population and the mutual and automatic aid areas; 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 Bon Secour Volunteer Fire Rescue Inc. 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 \$447,200.00 (and the repayment of said loan's applicable interest) to purchase one (1) 2019 Ferrara MVP Demon (H-6643) fire apparatus in the total amount not to exceed \$559,000.00, to continue to provide a vital service to the ever growing population and the mutual and automatic aid areas.

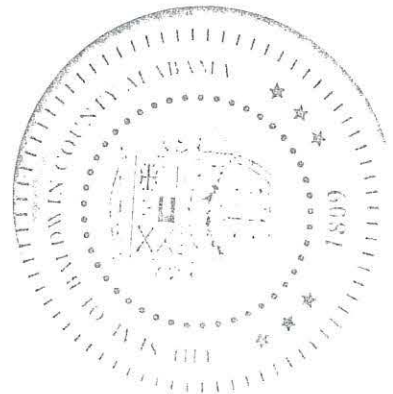
FURTHER, BE IT RESOLVED, that this instrument, codified as *Resolution #2021-036 of the Baldwin County Commission*, shall in no way obligate the Baldwin County Commission as to the loan sought by the Bon Secour Volunteer Fire Rescue Inc. as hereinabove referenced, or any loan, sought or secured by the Bon Secour Volunteer Fire Rescue Inc.

DONE, at the County Seat, in Bay Minette, Alabama, and under the Seal of Baldwin County, Alabama, as affixed on this the 5<sup>th</sup> day of January 2021.

  
Commissioner Joe Davis, III, Chairman

ATTEST:

  
Wayne Dyess, County Administrator



Bon Secour Volunteer Fire / Rescue Inc.

P. O. Box 1  
Bon Secour, AL 36511  
251-949-6644

DEC 21 2020



December 18, 2020

Baldwin County Commission;

The Bon Secour Volunteer Fire / Rescue is requesting that the Baldwin County Commission approve our department's planned purchase of a 2019 Ferrara MVP Demon (H-6643) fire apparatus. The cost of the rescue pumper is \$559,000.00 of which a 10% down payment of \$111,800.00 will be required. The balance of \$447,200.00 will be financed through United Bank for 10 years.

This rescue pumper will be replacing a high maintenance apparatus and will ensure that we will have the ability to continue to provide a vital service to our ever growing population, to our mutual and automatic aid areas, as well as maintain the ISO rating – class 4 and in hopes to lower the rating to a class 3 that our community deserves.

Thank you in advance for your continued support, which allows our department to provide the best fire and rescue service to our community and County.

Respectfully,

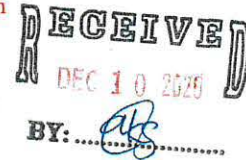


Paul E. Shoenight  
Fire Chief





Exhibit B  
to Resolution  
#2021-036



**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, Bon Secour Volunteer Fire/Rescue Department is 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 Bon Secour Volunteer Fire/Rescue Department 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 at the regular monthly meeting held on November 5th, 2020 located at Baldwin 911, 23171 McAuliffe Dr, Robertsdale, AL 36567.

ATTEST:

  
Lisa Pinkston  
Secretary

BALDWIN COUNTY  
FIRE CHIEFS'  
ASSOCIATION

BY:

  
Raymond A. Lovell



Bon Secour Volunteer Fire/Rescue Department  
Equipment Approved to Purchase

- 2019 Ferrara MVP Demo (H-6643) at the cost of \$559,000.00.

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.