



Baldwin County Commission

Legislation Details (With Text)

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Type: Consent **Status:** Agenda Ready

File created: 8/17/2022 **In control:** Baldwin County Commission Regular

On agenda: 9/6/2022 **Final action:**

Title: Sales and Use Tax Collection Agreement with Orange Beach City Board of Education

Indexes:

Attachments: 1. Sales and Use Tax Collection Agreement, 2. Amendment 879 ratified, 3. Code of Alabama Section 45-2-243, 4. Baldwin County Resolution 2001-07, 5. Orange Beach Resolution No. 22-053

Date	Ver.	Action By	Action	Result
9/6/2022	1	Baldwin County Commission Regular		

Meeting Type: BCC Regular Meeting
Meeting Date: 9/6/2022
Item Status: New
From: Ronald J. Cink, Budget Director
Submitted by: Shelby Middleton, Audit Compliance Officer

ITEM TITLE

Sales and Use Tax Collection Agreement with Orange Beach City Board of Education

STAFF RECOMMENDATION

As authorized by Section 45-2-243 of the Code of Alabama 1975, and without limitation, authorize the Chairman to execute a Sales and Use Tax Collection Agreement between the Baldwin County Commission and the Orange Beach City Board of Education.

This Agreement shall commence on October 1, 2022, and expire on September 30, 2025, unless terminated sooner in accordance with the Agreement.

BACKGROUND INFORMATION

Background: Act. No. 2000-45 codified as Section 45-2-243 of the Code of Alabama 1975 (The Act) authorizes, among other things, the Baldwin County Commission to enter into an agreement by which a designee may administer, enforce and collect county taxes and license fees due to the Baldwin County Commission or accomplish the same itself and, thus, self-collect. The Act authorizes such permissive authority for the County to self-collect as aforementioned described only upon a resolution adopted by the Baldwin County Commission. The Baldwin County Commission, during their November 21, 2000, regular meeting, adopted Resolution #2001-07 in order for the Baldwin County Commission to itself administer, collect and enforce all County Sales and Use Taxes for the Baldwin County Commission.

Section 45-2-243 also provides that if the County self collects that the Baldwin County Commission

may retain no more than (2) percent of the total amount of taxes collected to be distributed to any other entity.

This agenda item addresses entering into a Sales and Use Tax Collection Agreement between the Baldwin County Commission and the Orange Beach City Board of Education in order for the Baldwin County Commission to begin collecting County Sales and Use Taxes for and due to the Orange Beach City Board of Education.

Previous Commission action/date: N/A

FINANCIAL IMPACT

Total cost of recommendation: N/A

Budget line item(s) to be used: N/A

If this is not a budgeted expenditure, does the recommendation create a need for funding?
N/A

LEGAL IMPACT

Is legal review necessary for this staff recommendation and related documents?
YES

Reviewed/approved by: Brad Hicks, County Attorney

Additional comments: N/A

ADVERTISING REQUIREMENTS

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Is advertising required for this recommendation? N/A

If the proof of publication affidavit is not attached, list the reason: N/A

FOLLOW UP IMPLEMENTATION

For time-sensitive follow up, select deadline date for follow up: N/A

Individual(s) responsible for follow up: Administrative Staff

Action required (list contact persons/addresses if documents are to be mailed or emailed):
Administrative staff to send correspondence and agreement to:

Mr. Ford Handley
Post Office Box 458
Orange Beach, Alabama 36561

CC: Ronald J. Cink, Heather A. Gwynn

Additional instructions/notes: N/A