



Baldwin County Commission

Legislation Details (With Text)

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File created: 7/15/2019 **In control:** Baldwin County Commission Regular
On agenda: 7/16/2019 **Final action:** 7/16/2019
Title: Resolution #2019-126, which Repeals Resolution #2019-097 of the Baldwin County Commission - September 17, 2019, Special School Tax Election Regarding the Adoption, Levy, Assessment and Collection of a Special Three (3) Mill Ad Valorem Tax in the District 7 (Am. 382) School Tax District in Baldwin County (Spanish Fort), Alabama

Indexes:

Attachments: 1. BCC Resolution 2019-126 (Repeals Resolution 2019-097) 20190716, 2. BOE Revised Resolution SPANISH FORT (adopted by BOE 20190620), 3. BCC Resolution 2019-097 (adopted by BCC 20190618), 4. *IA3 - Resolution 2019-126 SIGNED

Date	Ver.	Action By	Action	Result
7/16/2019	1	Baldwin County Commission Regular	Approved	Pass

Meeting Type: BCC Regular Meeting
Meeting Date: 7/16/2019
Item Status: Addendum
From: Wayne Dyess, County Administrator
Submitted by: Anu Gary, Administration/Records Manager

ITEM TITLE

Resolution #2019-126, which Repeals Resolution #2019-097 of the Baldwin County Commission - September 17, 2019, Special School Tax Election Regarding the Adoption, Levy, Assessment and Collection of a Special Three (3) Mill Ad Valorem Tax in the District 7 (Am. 382) School Tax District in Baldwin County (Spanish Fort), Alabama

STAFF RECOMMENDATION

Take the following action:

1) Pursuant to a June 6, 2019, Baldwin County Board of Education resolution, submitted to the Baldwin County Commission on June 10, 2019, and a June 20, 2019, Baldwin County Board of Education resolution, submitted to the Baldwin County Commission on July 15, 2019, adopt Resolution #2019-126 of the Baldwin County Commission which repeals Resolution #2019-097 (adopted by the Baldwin County Commission on June 18, 2019) and authorizes, among other things associated thereto, the submission of the question if a special ad valorem district school tax shall be levied and collected annually in District 7 (Am. 382) School Tax District in Baldwin County, Alabama, pursuant to Amendment No. 382 to the Constitution of Alabama of 1901, as amended, and in addition to all ad valorem taxes now or hereafter levied in the District, for the public school purposes of academic enhancement and life skills programs in the District at the uniform rate of thirty cents

(\$0.30) on each one hundred dollars of taxable property in the District for a period of 10 years beginning with the levy for the tax year October 1, 2019 to September 30, 2020 (the tax for which year becoming due and payable on October 1, 2020) and ending with the levy for the tax year October 1, 2028 to September 30, 2029 (the tax for which year becoming due and payable on October 1, 2029).

Said matter shall be put to a vote of the qualified electors of District 7 (Am. 382) School Tax District in Baldwin County, Alabama at the special election to be held on September 17, 2019, with said tax proceeds used, less the cost of collection, exclusively for educational purposes.

BACKGROUND INFORMATION

Previous Commission action/date: June 18, 2019, BCC Regular Meeting

Background: The Baldwin County Board of Education (BOE) submitted, on June 10, 2019, a resolution to the Baldwin County Commission (Commission) adopted by BOE, at its June 6, 2019, BOE meeting, requesting the Commission to place the adoption, levy, assessment and collection of a Special Three (3) Mill Ad Valorem Tax in in the District 7 (Am. 382) School Tax District in Baldwin County (Spanish Fort), Alabama, on the ballot at a special election to be held on September 17, 2019, in District 7 (Am. 382) School Tax District in Baldwin County, Alabama.

In addition, the Board of Education forwarded a petition signed by the requisite qualified electors in accordance with State law. The petition was verified by the Baldwin County Board of Registrars on June 10, 2019, and contains the signatures of 222 qualified electors. The petition was made a part of the record during the June 18, 2019, BCC Regular Meeting.

After review of the aforesaid BOE resolution, the Commission considered said request and adopted Resolution #2019-097, which, among other things associated thereto, submitted the question of if a special three (3) mill ad valorem district school tax shall be levied and collected annually in District 7 (Am. 382) School Tax District in Baldwin County, Alabama, to a vote of the qualified electors of District 7 (Am. 382) School Tax District in Baldwin County, Alabama at the Special Election on September 17, 2019, with tax proceeds used, less the cost of collection, exclusively by the Baldwin County Board of Education for academic enhancement and life skills programs in the District.

The election shall be held and canvassed in accordance with the provisions of Article 9 of Chapter 13, Title 16 of the Code of Alabama 1975 (Sections 16-13-180 to 16-13-199).

The Baldwin County Board of Education (BOE) submitted, on July 15, 2019, a revised resolution to the Baldwin County Commission (Commission) adopted by BOE, at its June 20, 2019, meeting. The revised resolution corrects the language related to the purpose of the election, which should be for "public school purposes of academic enhancement and life skills programs" in the District 7 (Am. 382) School Tax District in Baldwin County (Spanish Fort), Alabama. The Baldwin County Commission will also need to adopt a resolution repealing its original resolution adopted on June 18, 2019, and correcting the language related to the purpose of the election.

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?
County Attorney has reviewed and approved.

Reviewed/approved by: N/A

Additional comments: N/A

ADVERTISING REQUIREMENTS

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: TIME SENSITIVE

Individual(s) responsible for follow up: Correspondence and resolution delivered to:

The Honorable Harry D'Olive
Office of Judge of Probate of
Baldwin County
Bay Minette, Alabama

Cc:

4BCC
Sheriff Huey Hoss Mack
Eddie Tyler, BOE Superintendent
Wayne Dyess, County Administrator
Ron Cink, Budget Director
Donna Bryars, Interim Clerk Treasurer
David Conner, County Attorney

Scotty Lewis, BOE Attorney
Jody Wise, Circuit Clerk
Violetta Smith, Elections Coordinator

Action required (list contact persons/addresses if documents are to be mailed or emailed):
N/A

Additional instructions/notes: N/A