



Baldwin County Commission

Legislation Details (With Text)

File #: 22-1412 **Version:** 1
Type: Other Staff Recommendations **Status:** Agenda Ready
File created: 8/22/2022 **In control:** Baldwin County Commission Regular
On agenda: 9/6/2022 **Final action:**
Title: *Certification and Declaration of the Final Results of the Special School Tax Election Held on August 30, 2022, in the District 8 (Am. 382) School Tax District in Baldwin County (Daphne), Alabama

Indexes:

Attachments: 1. *Addendum Attachment-RES 2022-161-Amended Final Election Results 20220906, 2. *Addendum Attachment-Report of Canvass Amended (Final Results) 20220906, 3. *FA4-Resolution 2022-161-SIGNED.pdf

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

Meeting Type: BCC Regular Meeting

Meeting Date: 9/6/2022

Item Status: New

From: Ronald J. Cink, Budget Director/Interim County Administrator

Submitted by: Anu Gary, Administrative Services Manager

ITEM TITLE

*Certification and Declaration of the Final Results of the Special School Tax Election Held on August 30, 2022, in the District 8 (Am. 382) School Tax District in Baldwin County (Daphne), Alabama

STAFF RECOMMENDATION

In order to certify and declare the final, official election results of the Special School Tax Election held on August 30, 2022, in the District 8 (Am. 382) School Tax District in Baldwin County (Daphne), Alabama, including provisional ballots, take the following action:

- 1) Adopt Resolution #2022-161 of the Baldwin County Commission which amends Resolution #2022-157 (regarding the adoption, levy, assessment and collection of a Special Three (3) Mill Ad Valorem Tax in the District 8 (Am. 382) School Tax District in Baldwin County, Alabama); and
- 2) Approve the Report of Canvass; and
- 3) Approve the one-time advertisement of Resolution #2022-161 and the Report of Canvass in the Gulf Coast Newspapers and file and record the same in the Office of the Judge of Probate of Baldwin County, Alabama.

BACKGROUND INFORMATION

Background: At this time, the Commission must certify and declare the final results of the Special School Tax Election held on August 30, 2022. These results include the provisional ballots to be canvassed by the Appointing Board on September 6, 2022. **Resolution #2022-161 and Report of**

Canvass are forthcoming once final election results are received.

The Baldwin County Commission, Baldwin County, Alabama, ordered a special election in accordance with the petition and request filed by the Baldwin County Board of Education requesting that a special election be held on August 30, 2022, to determine whether or not a special school tax in District 8 (Am. 382) School Tax District in Baldwin County (Daphne), Alabama, shall be levied and collected in Baldwin County.

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).

Previous Commission action/date: See below.

August 31, 2022, BCC Special Meeting - The BCC approved the following actions:

In order to certify and declare the results of the Special School Tax Election held on August 30, 2022, in the District 8 (Am. 382) School Tax District in Baldwin County (Daphne), Alabama, subject to final determination regarding provisional ballots, take the following action:

- 1) Adopt Resolution #2022-157 of the Baldwin County Commission and Report of Canvass (regarding the adoption, levy, assessment and collection of a Special Three (3) Mill Ad Valorem Tax in the District 8 (Am. 382) School Tax District in Baldwin County, Alabama); and
- 2) Approve copies of such reports to be printed in a newspaper published in the county, and for the original reports to be filed in the Office of the Probate Judge.

August 11, 2022, BCC Special Meeting - BCC approved the following action:

Adopt Resolution #2022-115 which confirms, ratifies and approves the appointment of Returning Officers, Managers and Election Officials, including, but not limited to, one returning Officer and three Managers for each precinct for the August 30, 2022, Special School Tax Election for District 8 (Am. 382) School Tax District in Baldwin County (Daphne), Alabama.

June 7, 2022, BCC Regular Meeting - BCC approved the following actions:

- 1) Pursuant to a May 19, 2022, Baldwin County Board of Education resolution submitted to the Baldwin County Commission on May 20, 2022, adopt Resolution #2022-099 of the Baldwin County Commission which 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 8 (Am. 382) School Tax District in Baldwin County (Daphne), 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 public school purposes 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 30 years beginning with the levy for the tax year October 1, 2022 to September 30, 2023 (the tax for which year becoming due and payable on October 1, 2023) and ending with the levy for the tax year October 1, 2051 to September 30, 2052 (the tax for which year becoming due and payable on October 1, 2052).

Said matter shall be put to a vote of the qualified electors of District 8 (Am. 382) School Tax District in Baldwin County (Daphne), Alabama at the special election to be held on August 30, 2022, with said tax proceeds used, less the cost of collection, exclusively for district public school purposes.

2) Memorialize for the record, a Petition signed by 200+ qualified electors of Baldwin County, Alabama, which was filed and presented to the Baldwin County Commission, requesting that the Commission call and order an election to be held in said District 8 (Am. 382) School Tax District in Baldwin County (Daphne), Alabama on the 30th day of August 2022, to determine whether or not a special ad valorem district school tax shall be levied and collected annually in District 8 (Am. 382) School Tax District in Baldwin County (Daphne), Alabama, for the support and furtherance of education within said district.

FINANCIAL IMPACT

Total cost of recommendation: Any costs to the County will be reimbursed by the Board of Education and/or municipality.

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, County Attorney review is required.

Reviewed/approved by: Pending County Attorney's review - akg

Additional comments: N/A

ADVERTISING REQUIREMENTS

Is advertising required for this recommendation? Yes. Executed Resolution #2022-161 and Report of Canvass are to be published as one-time advertisement (display ad) in the Gulf Coast Newspapers following the Commission approval.

If the proof of publication affidavit is not attached, list the reason: Advertising will take place after Commission approval.

FOLLOW UP IMPLEMENTATION

For time-sensitive follow up, select deadline date for follow up: TIME SENSITIVE.

Individual(s) responsible for follow up: Administration:

1) Record original Resolution #2022-161 and Canvassing Report in Probate.

2) Forward copies of signed and recorded documents to:

Harry D'Olive, Judge of Probate
Huey Hoss Mack, Sheriff

Cc:

Tammy Chance, Elections Coordinator
Violetta Smith, Probate Office
Ron Cink, Budget Director/Interim County Administrator
Cian Harrison, Clerk Treasurer
Brad Hicks, County Attorney
Sarah Young, BOE Attorney
Eddie Tyler, BOE Superintendent
Brenda Ganey, Circuit Clerk

3) Save in Mtg Info, Resolutions, and 08/30/2022 BOE Tax Election File and upload resolution with canvassing report attached on BCAP.

4) File original documents in 8/30/2022 BOE Tax Election file.

5) Advertise final election results (Resolution #2022-161 and Canvassing Report) in Gulf Coast Newspapers, one-time display ad required. Obtain proof of publication after ad has run, scan in and attach affidavit to original documents in Election file.

6) Provide ad invoice to Accounting with cc: Ron Cink, Cian Harrison, Eva Cutsinger, Christie Davis.

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

Additional instructions/notes: N/A