Baldwin County Commission

Legislation Details (With Text)

File #:	23-0236 **Version:** 1		
Type:	Consent	**Status:**	Agenda Ready
File created:	11/15/2022	**In control:**	Baldwin County Commission Regular
On agenda:	12/5/2022	**Final action:**	
Title:	Resolution #2023-030 of the Baldwin County Commission - Act No. 90-449 (Fire Tax) - Crossroads Volunteer Fire Department - Approval of Use of Fire Tax Proceeds		
Indexes:			
Attachments:	1. Resolution #2023-030 - Use of Fire Tax Proceeds - Crossroads VFD, 2. Exhibit A to Resolution #2023-030, 3. Exhibit B to Resolution #2023-030, 4. *CA9-Resolution 2023-030-SIGNED.pdf		

Date	Ver.	Action By	Action	Result
12/5/2022	1	Baldwin County Commission Regular		

Meeting Type: BCC Regular Meeting
Meeting Date: 12/5/2022
Item Status: New
From: Ronald J. Cink, Budget Director
Submitted by: Kristen M. Rawson, Assistant Administrative Services Manager

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ITEM TITLE

Resolution #2023-030 of the Baldwin County Commission - Act No. 90-449 (Fire Tax) - Crossroads Volunteer Fire Department - Approval of Use of Fire Tax Proceeds

STAFF RECOMMENDATION

Take the following actions:

1) Adopt Resolution #2023-030 of the Baldwin County Commission which provides the Baldwin County Commission's required approval for the Crossroads Volunteer Fire Department to utilize its proceeds of taxes derived by Act. No. 90-449 as security for repayment of a loan not to exceed $621,546.00 (and the repayment of said loan's applicable interest) for the purchase of one (1) 1500-Gallon Rosenbauer Pumper fire truck complete with Rosenbauer chassis and custom cab truck at a cost of $621,546.00; and

2) Authorize the Baldwin County Commission Chairman to execute any other necessary documentation related to the adoption of Resolution #2023-030, including any other assurances, certificates and financing documents or approvals to affect such approval and purchase of the above-described equipment.

This approval does not in any way constitute any financial involvement or obligation of the Baldwin County Commission.

BACKGROUND INFORMATION

Previous Commission action/date: N/A

Background: The Baldwin County Commission received a written request (see Exhibit A to Resolution #2023-030) from Crossroads Volunteer Fire Department on November 15, 2022, requesting the Commission for approval for said entity to use its proceeds of taxes derived by Act No. 90-449 as security repayment of a loan not to exceed $621,546.00 (and the repayment of said loan's applicable interest) for the purchase of one (1) 1500-Gallon Rosenbauer Pumper fire truck complete with Rosenbauer chassis and custom cab truck at a cost of $621,546.00.

The Baldwin County Fire Chiefs' Association has approved the request by resolution as required (see Exhibit B to Resolution #2023-030).

BACKGROUND ON ACT NO. 90-449:

In 1990, Act No. 90-449 was adopted by the Alabama Legislature as a Local Act calling for a referendum election on the question of whether or not the qualified voters of Baldwin County desired to levy upon themselves a 1 ½ mill tax on all property for the specific use by the fire departments in the county. The referendum election was held on June 26, 1990, whereby the qualified voters of the county voted in the majority to install the "fire tax."

Act No. 90-449, specifically sets forth certain requirements of which one remains what the revenue can be spent for by each fire department.

Act No, 90-449, specifically at Section 3, states that revenue derived from the fire tax may be used for the following purposes:

"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 appending guidelines must be approved by the Baldwin County Fire Chiefs' Association and the Baldwin County Commission."

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?
N/A

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: N/A

Individual(s) responsible for follow up: Commission Administration

Action required (list contact persons/addresses if documents are to be mailed or emailed):
Commission Administration - Letter and Resolution to:

Crossroads Volunteer Fire Department
Chief John “Chip” Mays
41961 State Highway 225
Bay Minette, Alabama 36507

cc: Chief Tony Lovell, President
Baldwin County Fire Chiefs’ Association
23100 McAuliffe Drive
Robertsdale, Alabama 36567

Additional instructions/notes: Upload resolution with exhibits to BCAP