



# Baldwin County Commission

## Legislation Details (With Text)

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**File #:** 23-0240      **Version:** 1

**Type:** Consent      **Status:** Agenda Ready

**File created:** 11/16/2022      **In control:** Baldwin County Commission Regular

**On agenda:** 12/5/2022      **Final action:**

**Title:** Approval of Bonds Issued by The Educational Building Authority of the City of Fairhope, Alabama - St. Michael Catholic High School

**Indexes:**

**Attachments:** 1. Certificate of the Baldwin County Commission 20221205, 2. Email request from Maynard Cooper, dated Nov. 16, 2022, 3. BCC Res #2015-148, adopted Sept. 1, 2015

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 / Interim County Administrator

**Submitted by:** Anu Gary, Administrative Services Manager

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### **ITEM TITLE**

Approval of Bonds Issued by The Educational Building Authority of the City of Fairhope, Alabama - St. Michael Catholic High School

### **STAFF RECOMMENDATION**

At the request of The Educational Building Authority of the City of Fairhope, Alabama - St. Michael Catholic High School (the Authority), authorize the Chairman to execute the Certificate of Baldwin County Commission related to the Authority's issuance of Revenue Bonds, Series 2022, for the use by St. Michael Catholic School to refinance the indebtedness incurred by the Authority for the benefit of the school to pay the costs of the educational facilities, library, technology center, dining halls, media center, recreational facilities, multi-purpose building, and parking facilities which constitute St. Michael Catholic High School located at 11732 Higbee Road within the jurisdiction of the Authority.

### **BACKGROUND INFORMATION**

**Background:** A request was received on November 16, 2022, from Maynard Cooper (see attached email) for the Commission to approve a "Certificate by the Baldwin County Commission," consisting of the approval by the local governmental unit (the Commission) of the location and nature of the financed project, which is required by Section 147 of the Internal Revenue Code, and applicable regulations, for the debt for the School to be issued at a tax-exempt rate.

**Note:** Paragraph 5 of the Certificate makes it clear that this Certificate will not have any impact on the borrowing capacity of the County and does not impose any liability upon the county.

The Commission approved the initial bonds issued by the Archdiocese of Mobile for St. Michael Catholic High School in 2015.

**Previous Commission action/date:**

09/01/2015, BCC Regular Meeting - The Commission adopted Resolution #2015-148 which approved the bonds issued by the Archdiocese of Mobile for St. Michael Catholic High School.

**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, County Attorney review required.

**Reviewed/approved by:** Approved by County Attorney, Brad Hicks 11/21/2022 akg

**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:** Administration

**Action required (list contact persons/addresses if documents are to be mailed or emailed):**  
Email notification of Commission action to:

Heyward Hosch [hhosch@maynardcooper.com](mailto:hhosch@maynardcooper.com)  
F. Grey Redditt, Jr. [gredditt@maynardcooper.com](mailto:gredditt@maynardcooper.com)

Place correspondence and original fully executed certificate in the mail to:

Heyward Hosch  
Maynard Cooper Gale  
1901 Sixth Ave N, Suite 1700  
Birmingham, Alabama 35203

Cc:

Cian Harrison  
Ron Cink  
Brad Hicks

**Additional instructions/notes:** N/A