**STATE OF ALABAMA )**

**COUNTY OF BALDWIN )**

***RESOLUTION # 2017-006***
***OF THE***
***BALDWIN COUNTY COMMISSION***

**AS REQUIRED BY ACT NO. 90-449, PROVIDING FOR A DETERMINATION BY THE BALDWIN COUNTY COMMISSION RELATING TO A REQUEST FROM THE BARNWELL VOLUNTEER FIRE & RESCUE.**

KNOW ALL MEN BY THESE PRESENTS, that Act No. 90-449, 1990 Regular Session [Acts 1990, Vol. 1, p. 634] provided for a levy of a 1½ mill tax on all property located in Baldwin County, Alabama, to be distributed among qualified fire departments in Baldwin County, Alabama, based upon the outcome of a referendum election; and

WHEREAS, the required and aforesaid referenced referendum election was held on June 26, 1990, wherefore a majority of the qualified electors, voting at such election and in Baldwin County, Alabama, voted for said tax; and

WHEREAS, within Act No. 90-449, Section 3 provides as follows:

> *"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 spending guidelines must be approved by the Baldwin County Fire Chiefs Association and the Baldwin County Commission."***

; and

WHEREAS, the Barnwell Volunteer Fire & Rescue is duly incorporated under the laws of the State of Alabama and remains qualified to receive proceeds derived from Act No. 90-449 and, furthermore, has presented a written request (attached hereto as **Exhibit "A"**) for the consideration of the Baldwin County Commission to approve the utilization of their proceeds of said taxes as security for repayment of a loan (and the repayment of said loan's applicable interest) to purchase a: (1) 3,500 Gallon Tanker, to strengthen their provision of fire fighting and other related emergency services to Baldwin County, Alabama; and

WHEREAS, this honorable county governing body, pursuant to Act No. 90-449, has reviewed the aforementioned written request, as well as the accompanying instrument indicating the required approval of the Baldwin County Fire Chiefs Association related to the same (attached hereto as **Exhibit "B"**), and finds that such remains an exception to the spending guidelines set forth in said Act No. 90-449 and seeks to provide its approval to said spending exception; now therefore

BE IT RESOLVED BY THE BALDWIN COUNTY COMMISSION, IN REGULAR SESSION ASSEMBLED, That the Barnwell Volunteer Fire & Rescue be, and is hereby, authorized to use their proceeds of taxes derived by Act No. 90-449 as security for repayment of a loan (and the repayment of said loan's applicable interest) to purchase a: (1) 3,500 Gallon Tanker, to strengthen their provision of fire fighting and other related emergency services to Baldwin County, Alabama.

FURTHER, BE IT RESOLVED, That this instrument, codified as *Resolution #2017-006 of the Baldwin County Commission*, shall in no way obligate the Baldwin County Commission as to the loan sought by the Barnwell Volunteer Fire & Rescue as hereinabove referenced, or any loan, sought or secured by the Barnwell Volunteer Fire & Rescue.

DONE, at the County Seat, in Bay Minette, Alabama, and under the Seal of Baldwin County, Alabama, as affixed on this the 1st day of November, 2016.

_____
Commissioner T. Christopher Elliott, Chairman

*ATTEST:*

_____
Ronald J. Cink, County Administrator/Budget Director