

CHAMBERS COUNTY COMMISSION MEETING.....MARCH 16, 2015

The Chambers County Commission met on Monday, March 16, 2015 at 4:00 P.M. CST with the following members in attendance: Chairman David Eastridge, Commissioners Charlie Williams, James Brown, Joe Blanks and Henry Osborne. Engineer Harvill, County Attorney McCoy and County Manager Dendy were also in attendance. Commissioner Wood was absent.

Chairman Eastridge called the meeting to order. Commissioner Brown led the pledge of allegiance and Commissioner Blanks gave the invocation. County Clerk Chambers conducted a roll call. The results of the roll call were as follow: District 1 – Present, District 2 – Present, District 3 – Present, District 4 – Present, District 5 – Present, District 6 – Absent

PROCLAMATION: COMMENDING THE 2015 BULLDOGS BASKETBALL TEAM AS THE 2A STATE CHAMPIONSHIP TEAM

Commissioner Brown presented a proclamation to Coach Threadgill and the 2015 Bulldogs Basketball Team commending them as the 2A State Championship Team (see page 201).

PROCLAMATION: VALLEY HAVEN HIKE/BIKE/RUN – LAFAYETTE DAY

Commissioner Brown presented a proclamation to Mr. Craig Brown for LaFayette Day and Hike/Bike/Run Week (see page 202).

BYRON PIGG 911

Mr. Byron Pigg informed the commission that he would like to, on behalf of the Chambers County Commission and the Chambers County Emergency Communications (911/EMA) Board, commend the members of our 911/EMA Mobile Communications and Technology (MCAT) team. This was for their deployment to provide emergency communications in support of the 50th Anniversary Dream March in Selma, Alabama, March 4th thru 9th, 2015 (see page 203). Mr. Donnie Smith, Mr. Johnny Powell, Ms. Jessica Yeager and Ms. Darlene Billingsley were in attendance to receive their award of recommendation.

MINUTES AND WARRANTS PAYABLE

Commissioner Osborne motioned to adopt the March 2, 2015 minutes and warrants payable. Commissioner Brown seconded the motion. It was **approved** by the “**I**” vote.

RESOLVED: “To adopt the March 2, 2015 minutes and warrants payable.”

AGENDA APPROVAL

Commissioner Osborne motioned to approve the agenda as presented for the March 16, 2015 meeting. Commissioner Brown seconded the motion. It was **approved** by the “I” vote.

RESOLVED: “To approve the agenda for the March 16, 2015 meeting.”

RESOLUTION NUMBER 03.16.15.1: TAX ABATEMENT FOR KNAUF INSULATION, LLC

Ms. Kimberly Carter approached the commission to request a resolution to approve an amended tax abatement for Knauf Insulation, LLC (see pages 204-217). Chairman Eastridge informed that the Rules, Ways and Means Committee has recommended approval of this resolution. It was **approved** by the “I” vote.

RESOLVED: “To approve the amended tax abatement for Knauf Insulation, LLC as attached hereto on pages 203-216.”

**RESOLUTION NO. 03.16.15
EQUALIZATION SALES TAX RESOLUTION**

Attorney McCoy presented Resolution No. 03.16.15 to the commission for their consideration (see pages 217-219). Commissioner Williams motioned to adopt this resolution as presented. Commissioner Blanks seconded the motion. It was **approved** by the “I” vote.

RESOLVED: “To adopt Resolution No. 03-16.15 as attached hereto on pages 218-220.”

PUBLIC HEARING FOR A PETITION TO VACATE ROADWAY FROM CHRIST-SERV, INC.

Attorney McCoy requested advertisement and a public hearing to be held Monday, April 20th at 3:45 for comments for a petition of Christ-Serv, Inc. to vacate or quit claim roadway. Commissioner Williams motioned to grant this public hearing. Commissioner Brown seconded the motion. It was **approved** by the “I” vote.

RESOLVED: “To advertise and have a public hearing on Monday, April 20th at 3:45 for comments for a petition of Christ-Serv, Inc. to vacate or quit claim roadway.”

FORT CUSSETA – REAL PROPERTY TRANSFER

Attorney McCoy informed in 1987, the county received property from the Gay and Goree families. The property was donated to the county conditioned upon the county making it as a public museum. The museum was never established. The issue became questionable about exactly where Fort Cusseta was situated. An adjoining landowner, the Montgomery and Lawrence families had property next to the property transferred to the county. These families donated to the county, the property next to where Fort

Cusseta was potentially located. In 2008, the Gay and Goree families approached the county and advised a public museum was never established so they wanted their property back, which was returned by quit claim deed on August 25, 2008. The problem with the legal descriptions is that they appeared to be overlapping. The property from the Goree family and the property from the Montgomery family appear to overlap. There was no public need or use for the property since the museum was not established. The county has been approached by another property owner who seeks to purchase the property the county received from the Montgomery family. The Public Facilities and Infrastructure Committee reviewed the issues at hand and recommended the property be returned to the Montgomery and Lawrence families by quit claim deed and let the individual deal directly with the Montgomery and Goree families with regards to his acquisition of this property. It was **approved** by the “**I**” vote.

RESOLVED: “To authorize Attorney McCoy to prepare a quit claim deed back to the Montgomery and Lawrence families and the Chairman to execute same.”

EXECUTIVE SESSION

Attorney McCoy requested an executive session be held to discuss pending litigation and probable litigation. Commissioner Osborne motioned to have this executive session. Commissioner Brown seconded this motion. It was **approved** by the “**I**” vote.

RESOLVED: “To hold an executive session to discuss pending litigation.”

The executive was held and the meeting reconvened.

Attorney McCoy informed that the purpose of the executive session was to discuss pending and potential litigation. No action was taken as a result of the executive session.

I have read the minutes and reviewed the warrants payable. I do hereby **APPROVE** the minutes and warrants payable.

Chairman David Eastridge _____

Commissioner Charlie Williams _____

Commissioner James Brown _____

Commissioner Joe Blanks _____

Commissioner Henry Osborne _____

Commissioner Debbie Wood _____ **ABSENT**

PROCLAMATION



STATE OF ALABAMA
CHAMBERS COUNTY

COMMENDING THE 2015 BULLDOGS BASKETBALL TEAM
AS THE
2A STATE CHAMPIONSHIP TEAM

WHEREAS, it is with great pride and pleasure that the 2015 LaFayette Bulldogs Basketball Team is congratulated as Winner of the 2A State Championship game and in recognition thereof, the team members, the coaching staff, and all of those individuals associated with the team are deserving of special public commendation; and

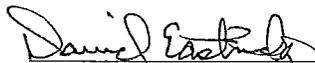
WHEREAS, members of this talented team of whom we are justly proud are: Cordeski Floyd, Jatarvious Whitlow, Quentavious Whitlow, Zen Heard, Maurice Foster, Trevond Barnes, Quentin Ray, Jamal Sims, Anfernee Bullard, Shanthesis Williams, Kentral Holloway, DaVonte King, JaMarquez Boston-Gaines, LaCharles Turner, Kaminski Bledsoe, JaMarius Beatty; and

WHEREAS, the success of the team is the result of not only the devotion and hard work of the members themselves, but also the experience, dedication and leadership provided by Coaches: Obadiah Threadgill, IV; Travis Smith; Douglas Jones, Jr.; Michael Bratcher; Managers: Quentarviez Tolbert; Trevoy Goodgame; Ziontavious Turner; and Statisticians: Terricka Mangram and Miciah Vines; and

WHEREAS, these fine young athletes have indeed brought great honor to themselves and their community and are deserving of highest praise and recognition for their exceptional efforts and contributions; and

THEREFORE, be it proclaimed by the Chambers County Commission that we hereby commend and congratulate the 2015 LaFayette Bulldogs Basketball Team as the 2A State Championship Team.

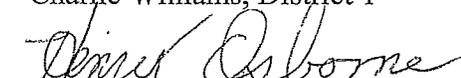
IN WITNESS WHEREOF, We have hereunto set our hands this 16th day of March in the year of our Lord Two Thousand and Fifteen.



David Eastridge, Chairman, District 5



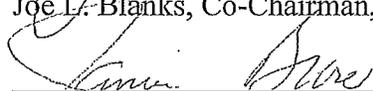
Charlie Williams, District 1



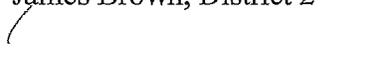
Henry Osborne, District 4



Joe L. Blanks, Co-Chairman, District 3



James Brown, District 2



Debbie Wood, District 6

PROCLAMATION



STATE OF ALABAMA
CHAMBERS COUNTY

LAFAYETTE DAY & HIKE/BIKE/RUN WEEK

WHEREAS, Valley Haven School provides a valuable service to our area individuals with handicapping conditions; and

WHEREAS, The whole community combines efforts each year to support the Hike/Bike/Run for Valley Haven School; and

WHEREAS, The Annual Hike/Bike/Run is the most important fundraising event for Valley haven School each year; and

WHEREAS, This is the 39th Annual Hike/Bike/Run and the 18th Annual LaFayette Day for Valley Haven; and

THEREFORE, be it proclaimed by the Chambers County Commission that the week of April 5th through April 11th, 2015 as "LaFayette Days for Valley Haven School" in the City of LaFayette. We call upon all the citizens of our county to join with thousands of other individuals in generously helping to provide the funds for support of our Valley Haven School. We ask everyone to please support LaFayette Day on Saturday, April 11th and the Hike/Bike/Run on Saturday, May 2nd.

IN WITNESS WHEREOF, We have hereunto set our hands this 16th day of March in the year of our Lord Two Thousand and Fifteen.

David Eastridge
David Eastridge, Chairman, District 5

Joe L. Blanks
Joe L. Blanks, Co-Chairman, District 3

Charlie Williams
Charlie Williams, District 1

James Brown
James Brown, District 2

Henry Osborne
Henry Osborne, District 4

Debbie Wood
Debbie Wood, District 6

**CCECD**Chambers County Emergency
Communications District, Inc

Sheriff * Police * Fire * EMS

9-1-1Chambers County  Alabama**March 16, 2015**

On behalf of the Chambers County Commission and the Chambers County Emergency Communications (9-1-1/EMA) Board, we extend our gratitude and commend the members of our 9-1-1/EMA Mobile Communications and Technology (MCAT) team during its deployment to provide emergency communications in support of the 50th Anniversary Dream March in Selma, Alabama March 4th thru 9th, 2015.

Chambers County "MCAT" Team Members

Donnie Smith, Director, Chambers County 9-1-1/EMA

Jessica Yeager, Operations Administrator, Chambers County 9-1-1/EMA

Darlene Billingsley, Supervisor, Chambers County 9-1-1/EMA

Johnny Powell, Communications Officer, Chambers County 9-1-1/EMA

Johnny Langley, Deputy Director, Lee County EMA

Bob Franklin, Director, Russell County EMA

David Martin, Training Coordinator / IT Specialist, Russell County EMA

David R. Brunson, Deputy Director, Elmore County EMA

The professionalism and dedication you exhibited towards your fellow public safety personnel, as well as to visitors and officials from all over the United States, was truly second to none.

We sincerely appreciate your dedication and hereby commend you all for your performance during this historical event.

Sincerely,

Byron Pigg, Chairman
Chambers County Emergency
Communications District

David Eastridge, Chairman
Chambers County
Commission



ALABAMA DEPARTMENT OF REVENUE
Application to Local Granting Authority
for Abatement of Taxes

Date of original abatement was 06/06/2013

Noneducational Sales and Use Taxes,
Noneducational Property Taxes, and/or Mortgage and Recording Taxes

This form is to be submitted to the local granting authority for their consideration in granting an abatement of all state and local noneducational property taxes, all construction related transaction (sales and use) taxes, except those local construction related transaction taxes levied for educational purposes or for capital improvements for education, and/or mortgage and recording fees, in accordance with the provisions of Section 40-9B-1 et seq., Code of Alabama 1975.

1. TYPE OF ABATEMENT APPLYING FOR: [X] Sales & Use Taxes [X] Property Taxes [] Mortgage & Recording Taxes
2. PROJECT NAICS CODE: 4 2 3 3 9 0
3. TYPE OF PROJECT: [] New Project [X] Major Addition To An Existing Facility
4. DOES MAJOR ADDITION EQUAL THE LESSER OF: (CHECK APPLICABLE BOX) [X] \$2,000,000 OR [] 30% of original cost of existing property, original cost \$
5. PROJECT APPLICANT: Knauf Insulation, LLC DBA:
6. ADDRESS OF APPLICANT: 1 Knauf Drive
CITY: Shelbyville STATE: IN ZIP CODE: 46176
7. NAME OF CONTACT PERSON: Tax Department TELEPHONE NUMBER: (317) 398-4434 8. DATE COMPANY ORGANIZED: 06/13/1984
9. PHYSICAL LOCATION OF PROJECT: 3502 43rd Street SW
CITY (IF OUTSIDE CITY LIMITS, PLEASE INDICATE): Lanett COUNTY: Chambers ZIP CODE: 36863
10. BRIEF DESCRIPTION OF PROJECT (PLEASE ATTACH A COMPLETE AND DETAILED LISTING OF PROJECT PROPERTY COSTS TO ENABLE A COST/BENEFIT ANALYSIS BY GRANTING AUTHORITY): See attached project summary

11. ESTIMATED DATE CONSTRUCTION WILL BEGIN: Phase I:05/13; Phase II:11/14
12. ESTIMATED DATE CONSTRUCTION WILL BE COMPLETED: Phase I:11/13; Phase II:3/16
13. ESTIMATED DATE PROPERTY WILL BE PLACED IN SERVICE: Phase I:11/13; Phase II:3/1
14. HAVE BONDS BEEN ISSUED FOR PROJECT: [X] No [] Yes If yes, date bonds issued:
15. WILL BONDS BE ISSUED FOR PROJECT: [X] No [] Yes If yes, projected date of issue:

Table with 5 columns: 16. ESTIMATED NUMBER OF NEW EMPLOYEES, 17. ESTIMATED ANNUAL PAYROLL OF NEW EMPLOYEES, Estimated Investment for Project, 18. COST OR VALUE FOR PROPERTY TAX, 19. COST SUBJECT TO SALES TAX. Rows include Land, Existing Building(s), Existing Personal Property, New Building(s) and/or New Additions to Existing Building(s), New Manufacturing Machinery, Other New Personal Property, and TOTALS.

The abatement of noneducational property taxes is based on the market value of specific assets; therefore, the actual amount of taxes abated is determined each year as the property is assessed and valued. An abatement of noneducational sales and use taxes shall apply only to tangible personal property and taxable services incorporated into private use industrial property, the cost of which may be added to capital account with respect to the property, determined without regard to any rule which permits expenditures properly chargeable to capital account to be treated as current expenses. No abatement of sales and use taxes shall extend beyond the date private use industrial property is placed in service. A verification inspection of qualifying property will be conducted by the Alabama Department of Revenue to insure compliance with Section 40-9B-1 et seq., Code of Alabama 1975, as amended.

I hereby affirm that to the best of my knowledge and belief the information in this application and any accompanying statement, schedules, and other information is true, correct and complete.

Joseph A Rogers
NAME (PRINT)

CFO

SIGNATURE

TITLE

DATE

Application to Local Granting Authority for Abatement of Taxes

AMENDMENT

Applicant: Knauf Insulation, LLC
38-2560723

Project Site: 3502 43rd Street SW
Lanett AL 36863

Initial Statement

The following is the statement attached to and made part of the initial application for abatement by Knauf Insulation GmbH (35-1417383) in March 2013, revised June 2013:

This project consists of two phases. The first, which is scheduled to start immediately, is to reopen our existing plant in Lanett Alabama. This startup will include normal start up expense and additional capital items. The capital items will include an addition to the building (\$800,000), new packaging equipment (\$12,700,000) and startup capital items (\$2,871,875). Also included, will be a prototype roll-up machine that has been developed at the plant (\$2,200,000) that has not been placed in service. An additional \$700,000 is estimated for the installation of this roll-up machine.

The second phase, likely to occur 24-30 months after phase one, will include updating and extending the current 621 furnace to the 622 line to produce products that this line has not *made in the past*. Also, we expect to restart our blowing wool lines. The minimum investment at this time is estimated to be \$30,000,000.

Amended Statement

The following statement, attached to and made part of the amendment to the application for abatement by Knauf Insulation, LLC (Knauf Insulation GmbH transferred their operations into Knauf Insulation, LLC, a single-member LLC organized under the laws of Delaware, effective January 1, 2015.)

The project consists of two phases:

Phase I: scheduled to start immediately, is to reopen our existing plant in Lanett Alabama. This startup will include normal start up expense and additional capital items. The capital items will include an addition to the building (\$800,000), new packaging equipment (\$12,700,000) and startup capital items (\$2,871,875). Also included, will be a prototype roll-up machine that has been developed at the plant (\$2,200,000) that has not been placed in service. An additional \$700,000 is estimated for the installation of this roll-up machine.

Completed as planned, Phase I restarted the 621 furnace at Lanett and became operational in November 2013.

Phase II: Revised schedule to begin October 2014 with completion in July 2015. The project phase will consist of expanding the 621 line by restarting two (2) loosefill fiberizers, planned to be completed in Quarter 1 2015. Knauf will also recommission -622 & 623 line to produce rolls and blowing wool, to be completed in Quarter 3 2015.

The projected cost for this portion of the project is \$41,375,000; an increase of \$11,375,000 from the initial application.



ALABAMA DEPARTMENT OF REVENUE
SALES, USE & BUSINESS TAX DIVISION

Application For
Sales and Use Tax Certificate of Exemption
For an Industrial or Research Enterprise Project

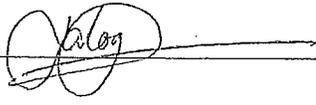
This Certificate of Exemption will be limited to purchases which qualify for an abatement of sales and use taxes pursuant to *Code of Alabama 1975*, Section 40-9B-1, et seq.

APPLICANT'S LEGAL NAME <i>KnauF INSULATION, LLC</i>		FEDERAL EMPLOYER IDENTIFICATION NUMBER (FEIN) <i>38-2560723</i>
MAILING ADDRESS <i>1 KnauF Drive</i>		
CITY, STATE, AND ZIP <i>Shelbyville IN 46176</i>		
ADDRESS OF THE PROJECT SITE <i>3502 43rd St #SW Lanett AL 36863</i>		
CONTACT PERSON <i>Aaron Wine</i>	IF CONTRACTOR APPLICATION, NAME OF PRIVATE USER	
BUSINESS PHONE NUMBER <i>(334) 576-8141</i>	DATE ABATEMENT WAS GRANTED	ESTIMATED PROJECT COMPLETION DATE PER ABATEMENT AGREEMENT

A prime contractor must attach written confirmation from the private user that it will be making purchases of tangible personal property to be incorporated into the project referenced above. A contractor or subcontractor must attach written confirmation from the private user or the prime contractor that it will be making purchases of tangible personal property to be incorporated into the project referenced above.

The undersigned hereby makes application for a certificate of exemption (Form STE-2) in accordance with the provisions of Sales and Use Tax Rule 810-6-4-.24 and further agrees to abide by the procedures outlined in Sales and Use Tax Rule 810-6-4-.24.01.

Name *Joseph Rogers*
(PLEASE PRINT)

Signature 

Title *CFO*

Date *1-29-2015*

Mail to:

Alabama Department of Revenue
Attn: Abatement Program Administrator
P. O. Box 327001
Montgomery, AL 36132-7001
(334) 242-1175

RESOLUTION NUMBER 03.16.15.1

This Resolution is made this **16th day of March, 2015**, (the Effective Date) by the Chambers County Commission (the Granting Authority), for an **AMENDED** tax abatement for **Knauf Insulation, LLC** (the Company).

WHEREAS, the Company has announced plans for a (check one):

new project or major addition to their existing facility (the Project), located within the jurisdiction of the Granting Authority; and previously submitted a tax abatement agreement dated 05-24-2013 concerning said project.

WHEREAS, pursuant to the Tax Incentive Reform Act of 1992 (Section 40-9B-1 et seq., **Code of Alabama 1975**) (the Act), the Company has requested from the Granting Authority an Abatement of (check all that apply):

all state and local noneducational property taxes,
 all construction related transaction taxes, except those construction related transaction taxes levied for educational purposes or for capital improvements for education, and/or
 all mortgage and recording taxes; and

WHEREAS, the Company has requested that the abatement of state and local non-educational property taxes (if applicable) be extended for a **period of 10 (ten) years**, in accordance with the Act; and

WHEREAS, the Granting Authority has considered the request of the Company and the completed applications (copy attached) filed with the Granting Authority by the Company, in connection with its request; and

WHEREAS, the Granting Authority has found the information contained in the Company's application to be sufficient to permit the Granting Authority to make a reasonable cost/benefit analysis of the proposed project and to determine the economic benefits to the community; and

WHEREAS, the construction of the project will involve a capital investment of **\$66,146,875**; and

WHEREAS, the Company is duly qualified to do business in the State of Alabama, and has powers to enter into, and to perform and observe the agreements and covenants on its part contained in the Tax Abatement Agreement; and

WHEREAS, the Granting Authority represents and warrants to the Company that it has power under that constitution and laws of the State of Alabama (including particularly the provisions of the Act) to carry out provisions of the **Amended Tax Abatement Agreement**;

NOW THEREFORE, be it resolved by the Granting Authority as follows:

Section 1. Approval is hereby given to the application of the Company and abatement is hereby granted of (check all that apply):

all state and local noneducational property taxes,

all construction related transaction taxes, except those construction related transaction taxes levied for educational purposes or for capital improvements for education, and/or

all mortgage and recording taxes

as the same may apply to the fullest extent permitted by the Act. The period of the abatement for the noneducational property taxes (if applicable) shall extend for a **period of 10 (ten) years** measured as provided in Section 40-9B-3(a)(12) of the Act.

Section 2. The governing body of the Granting Authority is authorized to enter into an amended abatement agreement with the Company to provide for the abatement granted in Section 1.

Section 3. A certified copy of this resolution, with the application and abatement agreement, shall be forwarded to the Company to deliver to the appropriate local taxing authorities (if applicable) and to the Alabama Department of Revenue in accordance with the Act.

Section 4. The governing body of the Granting Authority is authorized to take any and all actions necessary or desirable to accomplish the purpose of the foregoing of this resolution.

I hereby certify that the above and foregoing was duly adopted by the Chambers County Commission of Alabama at a meeting held on the 16th day of March, 2015.

(Secretary)

(5)

AMENDED Tax Abatement Agreement

This AMENDED Abatement Agreement is made this **16th day of March, 2015**, (the Effective Date) by and between the Chambers County Commission (the Granting Authority), and **Knauf Insulation, LLC** (the Company), its successors and assigns and amends the tax abatement agreement between the parties dated 05-24-2013.

WHEREAS, the Company's NAICS Code, 423390, meets the qualifications of an industrial or research enterprise in accordance with Section 40-9B-3(a)(10), **Code of Alabama 1975**, as amended.

WHEREAS, the Company has announced plans for a (check one):
 new project or major addition to their existing facility (the Project),
 located within the jurisdiction of the Granting Authority; and

WHEREAS, the Project is estimated to be completed by the 31st day of July, 2016; and

WHEREAS, the Project will be located in the County of Chambers (check whichever is applicable)

inside the city limits of _____,
 inside the police jurisdiction of _____,
 outside the city limits and police jurisdiction of all incorporated municipalities located in Chambers County

WHEREAS, pursuant to the Tax Incentive Reform Act of 1992 (Section 40-9B-1 et seq., **Code of Alabama 1975**) (the Act), the Company has requested from the Granting Authority an Abatement of (check all that apply):

all state and local noneducational property taxes,
 all construction related transaction taxes, except those construction related transaction taxes levied for educational purposes or for capital improvements for education, and/or
 all mortgage and recording taxes; and

WHEREAS, the Granting Authority has considered the request of the Company and the completed applications filed with the Granting Authority by the Company, in connection with its request; and

WHEREAS, the Granting Authority has found the information contained in the Company's application to be sufficient to permit the Granting Authority to make a reasonable cost/benefit analysis of the proposed project and to determine the economic benefits to the community; and

WHEREAS, at its meeting held on the **16th day of March, 2015** (the Meeting), the Granting Authority approved the Company's application for abatement of (check all that apply):

all state and local noneducational property taxes,
 all construction related transaction taxes, except those construction related transaction taxes levied for educational purposes or for capital improvements for education, and/or
 all mortgage and recording taxes; and

WHEREAS, the Project will consist of private use industrial development property, which is composed of all real and related personal property to be acquired, constructed, and installed thereon, as described in Attachment One hereto; and

WHEREAS, the private use industrial development property for which the abatement is applied shall be (check whichever is applicable):

(6)

owned by the entity applying for the abatement,
 leased from a public authority, municipal, or county government; and

WHEREAS, in the event that the private use industrial development property is leased from a public authority, municipal, or county government, the lessee shall be treated as the owner of such property for federal income tax purposes; and

WHEREAS, it shall be indicated whether the Granting Authority intends to issue bonds in connection with the private use industrial development property herein described, and, if so intends, shall attach a copy of the inducement agreement; and

WHEREAS, for the purposes of abatement of all noneducational property taxes (if applicable), it has been determined that a portion of the Project has been placed in service or operation by the Company or by a related party, as defined in 26 U.S.C. §267, with respect to the Company prior to the Effective Date of this Agreement; and

WHEREAS, for the purposes of the abatement of all construction related transaction taxes (if applicable), no portion of the Project which has been requested for abatement has been purchased prior to the Effective Date of this Agreement; and

WHEREAS, the Project conducts trade or business as described in the 2007 North American Industry Classification System, promulgated by the Executive Office of the President of the United States, Office of Management and Budget, Sectors 31 (other than National Industry 311811), 32, 33; Subsectors 423, 424, 511, and 927; Industry Groups 5417, 5415, and 5182 (without regard to the premise that data processing and related services be performed in conjunction with a third party); Industries 11331 and 48691; and National Industries 115111, 517110, 541380, and 561422 (other than establishments that originate telephone calls) and includes such trades and businesses as may be hereafter reclassified in any subsequent publication of the North American Industry Classification System or other industry classification system developed in conjunction with the United States Department of Commerce, or any process or treatment facility which recycles, reclaims, or converts any materials, which include solids, liquids, or gases, to a reusable product; and

WHEREAS, if the Project is a major addition to an existing facility, the request for abatement of all state and local non-educational property taxes (if applicable) and/or all construction related transaction taxes (if applicable) does not include any capitalized repairs, rebuilds, maintenance, replacement equipment, or costs associated with the renovating or remodeling of existing facilities of industrial development property previously placed in service by the Company; and

WHEREAS, if the Project is a major addition to an existing facility the addition equals the lesser of (i) thirty (30) percent of the original cost of the industrial development property, or (ii) \$2,000,000; and

WHEREAS, the Company is duly qualified to do business in the State of Alabama, and has powers to enter into, and to perform and observe the agreements and covenants on its part contained in this Agreement; and

WHEREAS, the Granting Authority represents and warrants to the Company (a) that it has power under that constitution and laws of the State of Alabama (including particularly the provisions of the Act) to carry out provisions of this Agreement, (b) that the execution of this Agreement on its behalf has been duly authorized by resolution adopted by the governing body of the Granting Authority;

WHEREAS, the amount to be invested, the type or category of property to be purchased, the prospective number of employees resulting from the project, the annual payroll associated with the project or other information used to calculate any tax savings estimated herein are estimates provided by the Company. All estimated tax savings are computed by third parties based on said estimates and the Granting Authority makes no representation as to the accuracy thereof. As provided for herein, the actual tax savings will vary as the project progresses and upon completion, and, if certain conditions, statutory and contractual, are not met, the Company may not qualify for the tax savings anticipated herein;

NOW, THEREFORE, the Granting Authority and the Company, in consideration of the mutual promises and benefits specified herein, hereby agree as follows:

1. In accordance with the Act, the Granting Authority hereby grants to the Company an abatement from liability for the following taxes as permitted by the Act (check all that apply):

(a) Noneducational Property Taxes: all property taxes that are not required to be used for educational purposes or for capital improvements for education;

(b) Construction Related Transaction Taxes: the transaction taxes imposed by Chapter 23 of Title 40 of the **Code of Alabama 1975** on the tangible personal property and taxable services to be incorporated into the Project, the cost of which may be added to capital account with respect to the Project, except for those local construction related transaction taxes levied for educational purposes or for capital improvements for education;

(c) Mortgage and Recording Taxes: all taxes imposed by Chapter 22 of Title 40 of the **Code of Alabama 1975** relating to mortgages, deeds, and documents relating to issuing or securing obligations and conveying title into or out of the Granting Authority with respect to the Project.

2. An estimate of the amount of tax abated pursuant to this Agreement is set forth below. The Granting Authority and the Company hereby acknowledge that this estimate reflects the amount of tax abated for the period stated, under current law, and that the actual abatement for such taxes may be for a greater or lesser amount depending upon the actual amount of such taxes levied during the abatement period as stated. (Check all that apply)

(a) If no bonds are to be issued, non-educational property taxes are expected to be approximately **\$225,998.90** per year and the maximum period for such abatement shall be valid for a **period of 10 years**, beginning with the October 1 lien date next proceeding the acquisition date of abated property.

(b) If bonds are issued, non-educational property taxes are expected to be approximately \$___ per year and the maximum period for such abatement shall be valid for a period of 10 years, beginning the initial date bonds are issued to finance project.

(c) Construction related transaction taxes, except those construction related transaction taxes levied for educational purposes or for capital improvements for

education, are expected to be approximately \$2,229,891 and such abatement shall not extend beyond the date the Project is placed in service.

 (d) Mortgage and recording taxes are expected to be approximately \$0

3. The Company hereby makes the following good faith projections:

(a) Amount to be invested in the Project: \$66,146,875 total capital investment

(b) Number of individuals to be employed initially at the Project and in each of the succeeding three years:

Initially 102 Year 1 10 Year 2 15 Year 3 93;

(c) Annual payroll initially at the Project and in each of the succeeding three years:

Initially \$4,914,694 Year 1 \$5,062,135 Year 2 \$5,213,999 Year 3 \$6,567,317;

4. The Company shall file with the Alabama Department of Revenue within 90 days after the date of the Meeting a copy of this agreement as required by Section 40-9B-6(c) of the Act.

GENERALLY

5. Compliance. If the Company fails to comply with any provision in this Agreement or if any of the material statements contained herein or in Attachment Two (*Note: This attachment shall include the application for abatement*), are determined to have been misrepresented whether intentionally, negligently, or otherwise, the Granting Authority shall terminate this Agreement and take such equitable action available to it as if this Agreement had never existed. If it is determined that certain items, which are identified on application form for abatement of taxes, are not in compliance with the Act or governing regulations, these items may be subject to taxation for all local and state taxing authorities.

6. Binding Agreement. Each party to this Agreement hereby represents and warrants that the person executing this Agreement on behalf of the party is authorized to do so and that this Agreement shall be binding and enforceable when duly executed and delivered by each party. This Agreement shall be binding upon and inure to the benefit of each of the parties and their respective successors.

7. Limitations. Notwithstanding any provision contained herein to the contrary, this Agreement is limited solely to the abatement of (check all that apply):

all state and local noneducational property taxes,

all construction related transaction taxes, except those construction related transaction taxes levied for educational purposes or for capital improvements for education, and/or

 all mortgage and recording taxes fees for the periods specified herein. Nothing in this Agreement shall be construed as a waiver by the Company of any greater benefits that the Project or any portion thereof may have available under provisions of the law other than the Act.

8. Severability. This Agreement may be amended or terminated upon mutual consent of the Company and the Granting Authority. Any such amendment or termination shall not in any manner affect the rights and duties by and between the Company and the Granting Authority.

9. Company and its successors and assigns does hereby waive, release, indemnify, and hold harmless the Granting Authority, its, successors, assigns, directors, officers, agents, employees, and elected or appointed officials against any and all claims, actions, demands, causes of action, liabilities, suits, expenses (including attorneys fees and costs) of whatever kind or nature, either in law or in equity which are related to the variance in the tax savings anticipated hereby or the failure of the project to qualify in any way for the tax savings anticipated hereby.

Releasor does further release releasee, their heirs, administrators, executors, successors, assigns, directors, officers, agents, employees, and members from any and all claims, demands, causes of action, liabilities, suits, expenses (including attorneys fees and costs) of whatever kind or nature, either in law or in equity which are related to or arise out of any first aid, treatment or service rendered me from any such injury or death resulting from the activity

This Agreement is executed as of the dates specified below.

Knauf Insulation, LLC
(the Company)

The Chambers County Commission
(the Granting Authority)

By: _____

By: _____

Name: Joe Rogers

Name: David Eastridge

Title: Plant Manager GFO

Title: Chairman

Date: 03-16-15

Date: 03-16-15

INFORMATION SHEET FOR TAX ANALYSIS

3/6/2015

Prepared by the Alabama Department of Revenue, Office of Economic Development

16:38

USER INPUTS ARE IN BLUE ON THE SCREEN

Project name: **PROJECT KNAUF**
 Location: **Unincorporated, Chambers County, Alabama**
 Criteria:

PROJECT CRITERIA: Total project costs are \$65,346,875, per Kimberly Carter with the Chambers County Development Authority. Project costs consist of: Building - \$800,000; Manufacturing Equipment - \$65,346,875.

Project Cost or Investment Figures

Existing Real Property		\$0
Cost of New Land		\$0
Value of Donated Land	\$0	
Full Cost of New Buildings		\$800,000
% of building cost for materials for sales tax	50.00%	\$400,000
Total Real Property Costs		\$800,000
Total Real Property Value for Property Tax (costs + donated land)		\$800,000
Manufacturing Equipment (10-year life)		
New manufacturing equipment		\$62,796,875
Item 2		\$0
Item 3		\$0
Equipment costs not subject to sales and use tax		
Transferred/used equipment	\$0	
Installation labor	\$2,550,000	
Total owned/used manufacturing eqpt.		\$2,550,000
Total Manufacturing Equipment Costs		\$65,346,875
Nonmanufacturing Equipment (10-year life)		
New nonmanufacturing equipment		\$0
Item 2		\$0
Item 3		\$0
Equipment costs not subject to sales and use tax		
Transferred/used equipment	\$0	
Installation labor	\$0	
Total owned/used nonmanufacturing eqpt.		\$0
Computer Equipment (3-year life)		\$0
Total Nonmanufacturing Equipment Costs		\$0
Vehicles (assessed per state manual)		\$0
Pollution Control Equipment (exempt from sales & use taxes and property taxes)		\$0
Other Labor & Miscellaneous Costs (not taxed for sales tax & not part of property tax value)		\$0
TOTAL REAL & PERSONAL PROPERTY INVESTMENT (for Capital Credit)		\$66,146,875

SALES TAX RATES

	General	Educ Part	Mfg. Mach.	Educ Part
State Alabama	4.000%	0.000%	1.500%	0.000%
County Chambers County	5.000%	1.000%	2.500%	0.500%
City Unincorporated	0.000%	0.000%	0.000%	0.000%
TOTAL all jurisdictions	9.000%	1.000%	4.000%	0.500%

PROPERTY TAX MILLAGE RATES

	Total	Educ Part
State Alabama	0.0065	0.0030
County Chambers County	0.0360	0.0137
City Unincorporated	0.0000	0.0000
TOTAL all jurisdictions	0.0425	0.0167

local total 0.0360 local total 0.0137

**ALABAMA
SALES AND USE TAX SAVINGS
WITH ABATEMENTS**
(Estimated from best information available)

PROJECT KNAUF
Unincorporated, Chambers County, Alabama

	Cost	Amount of Tax with NO Abatements (4)(5)(6)(7)	Amount of Tax with FULL Abatements (4)(5)(6)(7)	TAX SAVINGS
Items Taxed at GENERAL Sales & Use Tax Rates				
Building Materials (1) 50.00%	\$400,000	9.000% \$36,000	1.000% \$4,000	8.000% \$32,000
New Non-manufacturing Equipment (2)	\$0	\$0	\$0	\$0
Items Taxed at MANUFACTURING Rates				
New Manufacturing Machinery (2)	\$62,796,875	4.000% \$2,511,875	0.500% \$313,984	3.500% \$2,197,891
Items EXEMPT or NOT TAXED				
Building Labor (1) 50.00%	\$400,000	0.000% \$0	0.000% \$0	\$0
Land and Existing Real Property(1)	\$0	\$0	\$0	\$0
Used equipment already owned (2)	\$2,550,000	\$0	\$0	\$0
Pollution Control Equipment (3)	\$0	\$0	\$0	\$0
Other Labor & Miscellaneous Costs	\$0	\$0	\$0	\$0
TOTAL PROJECT VALUE & TOTAL TAXES	\$66,146,875	\$2,547,875	\$317,984	\$2,229,891
Breakdown by jurisdiction				
		State Taxes \$957,953	\$0	\$957,953
		County Taxes \$1,589,922	\$317,984	\$1,271,938
		City Taxes \$0	\$0	\$0

NOTES:

PROJECT CRITERIA: Total project costs are \$65,346,875, per Kimberly Carter with the Chambers County Development Authority. Project costs consist of: Building - \$800,000; Manufacturing Equipment - \$65,346,875.

(1) Assume that the percentage of total building cost shown above is for building materials, and the remaining percentage of building cost is for labor. Assume further that all of the building materials cost is subject to sales and use taxes. Labor is not taxable for sales and use taxes in Alabama. Land is not taxable for sales and use taxes in Alabama.

(2) Manufacturing equipment is taxed at a reduced rate in Alabama. Non-manufacturing equipment (including warehouse, computer, furniture & fixtures, etc.) is taxed at the general rate. Used equipment already owned by the company, or purchased from the former owner, is not subject to sales tax. Installation labor, when billed as a separate item, is not subject to sales and use tax.

(3) All equipment, facilities, or materials constructed or acquired primarily for the control, reduction, or elimination of air or water pollution are statutorily exempt from sales and use taxes in Alabama.

(4) Project criteria show that the site will be located inside the city limits of: Unincorporated, Chambers County, Alabama

(5) Sales and use tax rates are as follows:

LOCATION	General	Educational	Mfg. Machinery	Educational
Alabama	4.000%	0.000%	1.500%	0.000%
Chambers County	5.000%	1.000%	2.500%	0.500%
Unincorporated	0.000%	0.000%	0.000%	0.000%
TOTALS	9.000%	1.000%	4.000%	0.500%

(6) State sales and use taxes and local non-educational sales and use taxes may be abated if a company meets certain requirements. An abatement of state and local sales and use taxes is granted at the local level, by a City Government, a County Government, or a Public Authority. The non-abatable portions of state and local sales and use taxes are indicated in the chart above.

(7) The sales and use tax abatement is effective the date it is granted by the local granting authority. Therefore, any purchases made prior to the effective date would not qualify for the abatement. The sales and use tax abatement is only available until the project is placed in service, and only for capitalized purchases. The full sales and use tax would be due for periods subsequent to date the project is placed in service.

**ALABAMA
PROPERTY TAX SAVINGS
WITH ABATEMENTS**
(Estimated from best information available)

PROJECT KNAUF
Unincorporated, Chambers County, Alabama

	Assessed Value @ 20% of Market Value for Real & Personal	Amount of Tax with NO Abatements @ 0.0425	Amount of Tax with FULL Abatements @ 0.0167	ESTIMATED TAX SAVINGS 0.0258
Year 1	\$12,706,600	\$540,031	\$212,200	\$327,830
Year 2	\$12,445,213	\$528,922	\$207,835	\$321,086
Year 3	\$11,530,356	\$490,040	\$192,557	\$297,483
Year 4	\$10,746,194	\$456,713	\$179,461	\$277,252
Year 5	\$9,700,644	\$412,277	\$162,001	\$250,277
Year 6	\$8,524,400	\$362,287	\$142,357	\$219,930
Year 7	\$7,217,463	\$306,742	\$120,532	\$186,211
Year 8	\$6,041,219	\$256,752	\$100,888	\$155,863
Year 9	\$4,734,281	\$201,207	\$79,062	\$122,144
Year 10	\$3,950,119	\$167,880	\$65,967	\$101,913
Totals		\$3,722,851	\$1,462,861	\$2,259,989

NOTES:

PROJECT CRITERIA: Total project costs are \$65,346,875, per Kimberly Carter with the Chambers County Development Authority. Project costs consist of: Building - \$800,000; Manufacturing Equipment - \$65,346,875.

- (1) For calculation purposes, land is valued at cost, including the current value of any donated land. However, the savings granted by an abatement will vary based upon the assessed value of the land every year. Land is valued at market value, including purchased land and donated land.
- (2) Real property is valued on an "observed condition," with reappraisal occurring approximately every 3 to 5 years. For easier calculation, the value of real property will remain constant. However, this figure is likely to change throughout the 10 year abatement period.
- (3) All equipment, facilities or materials constructed or acquired primarily for the control, reduction or elimination of air or water pollution are statutorily exempt from property taxes in Alabama. All inventory is statutorily exempt from property taxes in Alabama.
- (4) All manufacturing equipment is valued using current trend factors and the applicable economic life for your type of industry. All non-manufacturing equipment is valued using current trend factors and a 10 year economic life, except computers having a 3 year economic life.
- (5) All business property is assessed at 20% of market value and taxes are collected by the local tax officials.
- (6) Project criteria show that the site will be located inside the city limits of: Unincorporated, Chambers County, Alabama
- (7) Property tax millage rates:

LOCATION	Full millage	Education Millage	Abatable Millage
Alabama	0.0065	0.0030	0.0035
Chambers County	0.0360	0.0137	0.0223
Unincorporated	0.0000	0.0000	0.0000
TOTALS	0.0425	0.0167	0.0258

(8) Non-educational state and local property taxes may be abated for a period of up to ten years for a qualifying industry. If no bonds are issued, the abatement period begins when the project is placed in service. Therefore, any CIP would be taxable at the full millage rate. In addition, the property would be fully taxable at the end of the abatement period. An abatement is granted at the local level, by a City Government, a County Government, or a Public Authority.

PROJECT KNAUF
PROPERTY TAX DATA FOR PERSONAL & REAL PROPERTY TAX COMPUTATIONS USING PROJECTIONS OF FUTURE MARKET VALUE

YEAR	10Y COMPOSITE FACTOR	ME=10Y*Cost MARKET VALUE FOR MFG EQPT	10Y COMPOSITE FACTOR	NM=10Y*Cost MARKET VALUE FOR NONMFG EQPT	3Y COMPOSITE FACTOR	CE=3Y*Cost MARKET VALUE FOR COMPUTER EQPT	PERS = ME+NM+CE TOTAL MARKET VALUE FOR PERSONAL PROPERTY	Real TOTAL MARKET VALUE FOR REAL PROPERTY	PERS+Real TOTAL MARKET VALUE FOR PERSONAL & REAL PROPERTY	20% AV=(PERS+Real)*20%	0.0065 * AV			0.0425 State + Local			0.0090 * AV			0.0167 State + Loc		
											STATE TAX WITH NO ABMTS	LOCAL TAX WITH NO ABMTS	TOTAL TAX WITH NO ABMTS	STATE TAX WITH ABMTS	LOCAL TAX WITH ABMTS	TOTAL TAX WITH ABMTS	STATE TAX WITH ABMTS	LOCAL TAX WITH ABMTS	TOTAL TAX WITH ABMTS			
1	0.96	\$62,733,000	0.96	\$0	0.84	\$0	\$62,733,000	\$800,000	\$63,533,000	\$12,706,600	\$82,593	\$457,438	\$540,031	\$38,120	\$174,080	\$212,200	\$37,836	\$170,499	\$207,335	\$174,080	\$174,080	\$348,160
2	0.94	\$61,426,063	0.94	\$0	0.87	\$0	\$61,426,063	\$800,000	\$62,226,063	\$12,445,213	\$80,884	\$448,028	\$528,922	\$38,120	\$170,499	\$207,335	\$34,591	\$157,966	\$192,556	\$170,499	\$170,499	\$341,995
3	0.87	\$56,851,781	0.87	\$0	0.84	\$0	\$56,851,781	\$800,000	\$57,651,781	\$11,590,356	\$74,947	\$415,093	\$490,040	\$38,120	\$170,499	\$207,335	\$32,239	\$147,223	\$179,462	\$170,499	\$170,499	\$341,995
4	0.81	\$52,950,969	0.81	\$0	0.80	\$0	\$52,950,969	\$800,000	\$53,750,969	\$10,746,194	\$63,054	\$386,863	\$450,000	\$38,120	\$170,499	\$207,335	\$29,102	\$132,899	\$162,000	\$170,499	\$170,499	\$341,995
5	0.73	\$47,703,219	0.73	\$0	0.78	\$0	\$47,703,219	\$800,000	\$48,503,219	\$9,700,644	\$55,409	\$306,878	\$362,287	\$38,120	\$170,499	\$207,335	\$25,573	\$116,784	\$142,357	\$170,499	\$170,499	\$341,995
6	0.64	\$41,822,000	0.64	\$0	0.76	\$0	\$41,822,000	\$800,000	\$42,622,000	\$8,524,400	\$46,914	\$259,829	\$306,742	\$38,120	\$170,499	\$207,335	\$21,852	\$98,879	\$120,531	\$170,499	\$170,499	\$341,995
7	0.54	\$35,287,313	0.54	\$0	0.74	\$0	\$35,287,313	\$800,000	\$36,087,313	\$7,217,463	\$30,773	\$170,434	\$201,207	\$38,120	\$170,499	\$207,335	\$14,203	\$64,860	\$79,063	\$170,499	\$170,499	\$341,995
8	0.45	\$29,406,094	0.45	\$0	0.72	\$0	\$29,406,094	\$800,000	\$30,206,094	\$6,041,219	\$25,678	\$142,204	\$167,880	\$38,120	\$170,499	\$207,335	\$11,950	\$54,117	\$66,067	\$170,499	\$170,499	\$341,995
9	0.35	\$22,871,406	0.35	\$0	0.70	\$0	\$22,871,406	\$800,000	\$23,671,406	\$4,784,281	\$23,127	\$128,089	\$151,217	\$38,120	\$170,499	\$207,335	\$9,231	\$48,858	\$58,089	\$170,499	\$170,499	\$341,995
10	0.29	\$18,950,594	0.29	\$0	0.68	\$0	\$18,950,594	\$800,000	\$19,750,594	\$3,950,119	\$23,127	\$128,089	\$151,217	\$38,120	\$170,499	\$207,335	\$8,127	\$44,732	\$52,859	\$170,499	\$170,499	\$341,995
11	0.26	\$16,990,188	0.26	\$0	0.67	\$0	\$16,990,188	\$800,000	\$17,790,188	\$3,568,088	\$21,428	\$118,679	\$140,108	\$38,120	\$170,499	\$207,335	\$7,428	\$42,321	\$49,749	\$170,499	\$170,499	\$341,995
12	0.24	\$15,683,250	0.24	\$0	0.66	\$0	\$15,683,250	\$800,000	\$16,483,250	\$3,296,650	\$21,428	\$118,679	\$140,108	\$38,120	\$170,499	\$207,335	\$7,428	\$42,321	\$49,749	\$170,499	\$170,499	\$341,995
13	0.24	\$15,683,250	0.24	\$0	0.66	\$0	\$15,683,250	\$800,000	\$16,483,250	\$3,296,650	\$21,428	\$118,679	\$140,108	\$38,120	\$170,499	\$207,335	\$7,428	\$42,321	\$49,749	\$170,499	\$170,499	\$341,995
14	0.24	\$15,683,250	0.24	\$0	0.66	\$0	\$15,683,250	\$800,000	\$16,483,250	\$3,296,650	\$21,428	\$118,679	\$140,108	\$38,120	\$170,499	\$207,335	\$7,428	\$42,321	\$49,749	\$170,499	\$170,499	\$341,995
15	0.24	\$15,683,250	0.24	\$0	0.66	\$0	\$15,683,250	\$800,000	\$16,483,250	\$3,296,650	\$21,428	\$118,679	\$140,108	\$38,120	\$170,499	\$207,335	\$7,428	\$42,321	\$49,749	\$170,499	\$170,499	\$341,995
16	0.24	\$15,683,250	0.24	\$0	0.66	\$0	\$15,683,250	\$800,000	\$16,483,250	\$3,296,650	\$21,428	\$118,679	\$140,108	\$38,120	\$170,499	\$207,335	\$7,428	\$42,321	\$49,749	\$170,499	\$170,499	\$341,995
17	0.24	\$15,683,250	0.24	\$0	0.66	\$0	\$15,683,250	\$800,000	\$16,483,250	\$3,296,650	\$21,428	\$118,679	\$140,108	\$38,120	\$170,499	\$207,335	\$7,428	\$42,321	\$49,749	\$170,499	\$170,499	\$341,995
18	0.24	\$15,683,250	0.24	\$0	0.66	\$0	\$15,683,250	\$800,000	\$16,483,250	\$3,296,650	\$21,428	\$118,679	\$140,108	\$38,120	\$170,499	\$207,335	\$7,428	\$42,321	\$49,749	\$170,499	\$170,499	\$341,995
19	0.24	\$15,683,250	0.24	\$0	0.66	\$0	\$15,683,250	\$800,000	\$16,483,250	\$3,296,650	\$21,428	\$118,679	\$140,108	\$38,120	\$170,499	\$207,335	\$7,428	\$42,321	\$49,749	\$170,499	\$170,499	\$341,995
20	0.24	\$15,683,250	0.24	\$0	0.66	\$0	\$15,683,250	\$800,000	\$16,483,250	\$3,296,650	\$21,428	\$118,679	\$140,108	\$38,120	\$170,499	\$207,335	\$7,428	\$42,321	\$49,749	\$170,499	\$170,499	\$341,995

Property Tax Abatements expire after 10 Years.

14

STATE OF ALABAMA

CHAMBERS COUNTY

RESOLUTION NO. 03.16.15

WHEREAS, the Chambers County Commission fully recognizes the needs of its citizens for public safety and life protection services; and,

WHEREAS, the Chambers County Commission further recognizes that in order to attract industry to Chambers County and to compete for jobs for its citizens that quality infrastructure must be in place and incentives must be provided; and,

WHEREAS, Act 2006-396 p. 1,000 Section 3 and Act 2010-526 p. 887 Section 1 have heretofore been passed by the State of Alabama legislature so as to create a levelized sales and use tax in Chambers County, Alabama to provide funding for public safety and industrial development purposes; and,

WHEREAS, Act 2006-396 provided that the Chambers County Commission may levy, in addition to all other taxes presently levied, an additional sales and use tax not to exceed the highest municipal rates collected in the County; and,

WHEREAS, Act 2010-526 restated the language referenced above as in Act 2006-396, however, set a determination date of April 14, 2006 as to the calculated rate; and,

WHEREAS, the various municipalities in Chambers County, Alabama have now increased their sales and use tax rates; and,

WHEREAS, the purposes of Act 2006-396 was to create a unified and levelized sales and use tax rate throughout all areas of Chambers County; and,

WHEREAS, the Chambers County Commission seeks the Chambers County local legislative delegation to introduce a local bill so as to recreate a levelized and equal sales and use tax rate throughout Chambers County.

NOW THEREFORE, BE IT RESOLVED by the Chambers County Commission as follows:

1. That the Chambers County Commission hereby requests that the Chambers County legislative delegation introduce a bill, a proposed bill of which is attached hereto as Exhibit "A" and incorporated herein by reference, so as to recreate a levelized sales and use tax rate throughout Chambers County such that the rate in the unincorporated areas of Chambers County is revised to the current and future levels of the highest municipal rates levied in the County.
2. That the County Attorney shall furnish a copy of this Resolution to Senator Dial, Representative Whorton, and Representative Fincher on behalf of the Commission and work with them in regards to said bill and its implementation.

Adopted this 16th day of March, 2015.

CHAMBERS COUNTY COMMISSION

ATTEST:

Regenia Chambers
County Clerk

By: David Eastridge
David Eastridge, Chairman

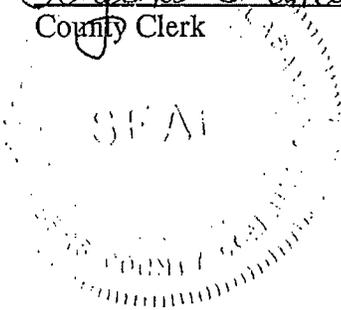


Exhibit "A"

A BILL

TO BE ENTITLED

AN ACT

The County Commission of Chambers County may levy, in addition to all other taxes presently levied, an additional sales and use tax not to exceed the highest municipal rates collected in the County. These additional rates shall be as follows: General sales, sales and use tax rate of a rate equal to the highest municipal rate collected at the time of enactment of this act or henceforth; automobile sales and use rate of two percent; agricultural machinery sales and use tax of two percent; and manufacturing machine sales and use tax rate of two percent. Except as herein provided, these rates shall apply only in the areas in the County outside the corporate limits of Lanett, Valley, LaFayette, Waverly, and Five Points as determined on April 14, 2006. These rates shall also apply to the area of the County which constitutes the police jurisdiction for a municipality located outside the County provided the municipality has a sales and use tax in effect in the police jurisdiction in the County on April 14, 2006. The additional sales and use tax rates in the County outside the corporate limits of Lanett, Valley, LaFayette, Waverly, and Five Points, as determined on April 14, 2006, but within the respective police jurisdiction of Lanett, Valley, LaFayette, Waverly, or Five Points, shall be only one-half the corresponding municipal rates of the municipality having jurisdiction. The gross receipts of any business and the gross proceeds of all sales, which are presently exempt under the state sales and use tax statutes, are exempt from the tax authorized by this part.