

ORDINANCE 2002-176

**ORDINANCE LIMITING THE USE OF FUNDS RECEIVED FROM BOND ISSUE
DATED OCTOBER 29, 2002, FOR THE PURPOSE CONSTRUCTION PROJECTS AND
OTHER CAPITAL IMPROVEMENTS**

WHEREAS, the Town of Brookwood recently borrowed approximately 2.1 Million Dollars for the purposes of refinancing existing indebtedness, and raise capital for various construction projects and capital improvements with the Town of Brookwood: and

WHEREAS, the Town of Brookwood has approximately \$1,100,000.00 in a separate account from the proceeds of said Bond Issue; and

WHEREAS, the Town of Brookwood finds it in the best interest of the public health, safety and welfare to limit the use of those funds for construction projects, and other capital improvements; and

WHEREAS, the Town of Brookwood desires to outline a procedure for the use of those funds to protect the integrity of the funds and preserve their use for construction projects and capital improvements;

NOW, THEREFORE, BE IT ORDAINED by the Town Council of the Town of Brookwood as follows:

1. The funds derived from the Bond Issue dated October 29, 2002, shall be maintained in a separate account, and not commingled with other funds for the Town of Brookwood.

2. The funds in said account shall not be used for general operating expenses, salaries, purchases of materials or supplies or other expenses of the Town, but shall be used solely for the purposes of construction projects, and/or other capital improvements pursuant to the preliminary official statement executed by the Town in the furtherance of said Bond Issue.

3. If the Town Council desires to use any funds received from said Bond Issue, the procedure for the payment of any invoices, expenses, or other expenditures from said funds shall be requested as follows:

(a) The Mayor shall request in writing, of the Town Council of the Town of Brookwood the use of said funds specifying the specific purpose for said funds, and the amount of funds sought to be used.

(b) The Town Council shall consider the request of the Mayor at the next regularly scheduled Town Council meeting, or a properly called council meeting in accordance with the Code of Alabama(1975), and the Rules of Procedure for the Town Council of the Town of Brookwood.

(c) If the Town Council authorizes the expenditure of said funds through a resolution passed by a majority of the council members present at any such meeting for the purposes as outlined by the Mayor, the Town Council shall direct the Town Clerk to issue a check, or draft to be used solely for the purposes outlined in the Mayor's request.

(d) In the absence of the Mayor's request for funds, any Town Council member may make a motion that the council approve the use of the funds for a construction project or capital improvement project. However, the council member must present the motion for the use of funds to the Town Council either two weeks prior to a regularly scheduled council meeting, or the motion shall be offered for a first reading at the meeting when it is offered, and shall not be voted upon until the next regularly scheduled council meeting.

ORDAINED this the 20th day of Nov., 2002.

TOWN OF BROOKWOOD

Alton Hyche
Alton Hyche, Mayor

ATTEST Linda Barger
Town Clerk

CERTIFICATE OF POSTING

I hereby certify that the above and foregoing Resolution was posted on the 26 day of Nov, 2002 at the following locations:

1. Brookwood Town Hall
2. Henry's
3. Hudson's Hardware
4. Jerry (C) Store
5. Brookwood Shell
6. A.T.'s Restaurant

Linda Barger
Linda Barger
Town Clerk

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