



# Baldwin County Commission

## Legislation Details (With Text)

**File #:** 19-0053      **Version:** 1  
**Type:** Consent      **Status:** Passed  
**File created:** 10/9/2018      **In control:** Baldwin County Commission Regular  
**On agenda:** 10/16/2018      **Final action:** 10/16/2018  
**Title:** Intergovernmental Service Agreement with Municipalities for the Use of County Voting Machines and the Services of the County Voting Machine Custodian and Employees for Municipal Elections

**Indexes:**

**Attachments:** 1. Resolution 2019-010 - Muncipal Use of County Voting Machines and County Staff during Elections FINAL, 2. Intergovernmental Service Agreement - Use of Voting Machines and Custodian - FINAL, 3. Ethics Advisory Opinion No 2018-03.pd, 4. \*BA5 - Resolution 2019-010 SIGNED

Date	Ver.	Action By	Action	Result
10/16/2018	1	Baldwin County Commission Regular	Approved	

**Meeting Type:** BCC Regular Meeting  
**Meeting Date:** 10/16/2018  
**Item Status:** New  
**From:** Ronald J. Cink, County Administrator/Budget Director  
**Submitted by:** Anu Gary, Administration/Records Manager

### **ITEM TITLE**

Intergovernmental Service Agreement with Municipalities for the Use of County Voting Machines and the Services of the County Voting Machine Custodian and Employees for Municipal Elections

### **STAFF RECOMMENDATION**

Take the following actions:

- 1) Adopt Resolution #2019-010 of the Baldwin County Commission, as authorized by Code of Alabama 1975, Section 11-102-1, providing for a determination by the Baldwin County Commission to enter into an Intergovernmental Service Agreement with municipalities in Baldwin County, Alabama, to allow the municipalities to use the County's voting machines and the services of the County Voting Machine Custodian for municipal elections; and
- 2) Authorize the Chairman to execute an Intergovernmental Service Agreement with each Baldwin County municipality that wishes to use County-owned voting machines.

### **BACKGROUND INFORMATION**

**Previous Commission action/date:** N/A

**Background:** The State of Alabama Ethics Commission, Advisory Opinion No. 2018-03 issued on

June 6, 2018, states that counties and municipalities may enter into contracts through which the municipality reimburses the county for the use of the county's election equipment and county employees who possess the requisite skill and knowledge to operate the equipment; but municipalities may not directly engage the county employee to do so under these facts without putting the employee in the position of violating Code of Alabama 1975, Section 36-25-S (a) and (c).

October 9, 2018, BCC Work Session - The Commission discussed the State of Alabama Ethics Commission Advisory Opinion No. 2018-03 issued on June 6, 2018, and the proposed resolution and intergovernmental service agreement. At that time, the Commission determined the draft resolution and agreement were acceptable and staff was directed to forward the draft documents to each municipality in Baldwin County for their review and consideration.

### **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.

**Reviewed/approved by:** County Attorney

**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:** Administration - forward copy of the resolution and the agreement to each municipality in Baldwin County, addressed to Mayor, ATTN: City/Town Clerk:

City of Bay Minette

Bob Wills, Mayor  
Rita Diedtrich, Clerk  
301 D'Olive Street  
Bay Minette, Alabama 36507

City of Daphne  
Dane Haygood, Mayor  
Candace Antinarella, Clerk  
P.O. Box 400  
Daphne, Alabama 36526

Town of Elberta  
Jim Hamby, Mayor  
Lisa Salter, Clerk  
P.O. Box 277  
Elberta, Alabama 36530

City of Fairhope  
Karin Wilson, Mayor  
Lisa A. Hanks, Clerk  
P.O. Drawer 429  
Fairhope, Alabama 36533

City of Foley  
John Koniar, Mayor  
Katy Taylor, Clerk  
P.O. Box 1750, Foley, AL 36536

City of Gulf Shores  
Robert Craft, Mayor  
Wanda Parris, Clerk  
P.O. Box 299  
Gulf Shores, Alabama 36547

Town of Loxley  
Billy Middleton, Mayor  
Melissa Lawrence, Clerk  
P.O. Box 9  
Loxley, Alabama 36551

City of Orange Beach  
Tony Kennon, Mayor  
Renee Eberly, Clerk  
P.O. Box 458  
Orange Beach, Alabama 36561

Town of Magnolia Springs  
Bob Holk, Mayor  
Jenny Opal White, Clerk  
P.O. Box 890  
Magnolia Springs, Alabama 36555

Town of Perdido Beach  
Kae Hamilton, Mayor  
Lynn Thompson, Clerk  
9212 Co Rd 97  
Perdido Beach, Alabama 36530

City of Robertsdale  
Charles Murphy, Mayor  
Shannon Burkett, Clerk  
P.O. Box 429  
Robertsdale, Alabama 36567

Town of Silverhill  
Tim Wilson  
Patricia Bankester, Clerk  
P.O. Box 309  
Silverhill, Alabama 36576

City of Spanish Fort  
Mike McMillan, Mayor  
Mary Lynn Williams, Clerk  
7361 Spanish Fort Blvd  
Spanish Fort, Alabama 36577

Town of Summerdale  
David Wilson, Mayor  
Tiffany Lynn, Clerk  
502 W. Lee Ave  
Summerdale, Alabama 36580

**Action required (list contact persons/addresses if documents are to be mailed or emailed):**  
N/A

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