



# Baldwin County Commission

## Legislation Text

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File #: 20-0701, Version: 1

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**Meeting Type:** BCC Work Session  
**Meeting Date:** 2/11/2020  
**Item Status:** New  
**From:** Eddie Harper, Building Official  
**Submitted by:** Kim Nelson, Office Administrator

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### ITEM TITLE

Agreement with the Town of Elberta - Enforcement of Flood Damage Prevention Ordinance

### STAFF RECOMMENDATION

Take the following actions:

- 1) With respect to Section 34-14A-12 of the Code of Alabama 1975, authorize the Baldwin County Building Inspection Department to enforce the Town of Elberta's Municipal Flood Damage Prevention Ordinance No. 2019-03, and any amendments thereto, with the understanding that all fees collected under this authorization and by the Baldwin County Building Inspection Department shall be retained by the Baldwin County Commission; and
- 2) Authorize the execution of the Agreement between the Baldwin County Commission and the Town of Elberta, Alabama to accomplish the aforementioned. *(The term of this Agreement shall be for thirty-six (36) months beginning on the date of full execution, and either party shall be entitled to terminate the Agreement by passing a resolution expressing their desire to terminate and providing written notice of the same to the other party).*

### BACKGROUND INFORMATION

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

**Background:** Section 34-14A-12 of the Code of Alabama 1975, applies to the application of county building laws and codes within corporate limits and police jurisdiction of municipalities and administration and enforcement of their building laws and codes by mutual agreement, compact and/or contract between the county and municipal government.

The Agreement has been reviewed by the County Attorney and has been signed by the Mayor of the Town of Elberta.

### 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: Reviewed by Brad Hicks, County Attorney, February 5, 2020

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: No

**Individual(s) responsible for follow up:** Chairman to sign two (2) copies of the original Agreement; Bay Minette Administration staff to mail one (1) executed copy to the Town of Elberta; email a copy of the executed Agreement to Eddie Harper, Building Official and email a copy of the executed Agreement to Kim Nelson, Office Administrator, Building Inspection for the file.

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

Honorable Jim Hamby  
Mayor, Town of Elberta  
Post Office Drawer 277  
Elberta, Alabama 36530

Cc: Email copies to  
Eddie Harper, Building Official  
Kim Nelson, Office Administrator  
Wayne Dyess, County Administrator

**Additional instructions/notes:** Original Agreement sent to Bay Minette Admin office