



# Baldwin County Commission

## Legislation Text

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**File #:** 18-0712, **Version:** 1

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**Meeting Type:** BCC Regular Meeting

**Meeting Date:** 8/7/2018

**Item Status:** New

**From:** Ronald J. Cink, County Administrator

**Submitted by:** Miranda McKinnon, Administrative Support Specialist III

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### **ITEM TITLE**

Amended Application to Establish Private Cemetery - Lloyd G. Hastings Family Cemetery

### **STAFF RECOMMENDATION**

Due to a scrivener's error in the legal description found on "Exhibit A" to the Application to Establish a Private Cemetery (Lloyd G. Hastings Family Cemetery), which was approved by the Baldwin County Commission on June 19, 2018, take the following actions:

- 1) Approve the Amended Application to Establish Private Cemetery, which corrects the scrivener's error in the legal description, as submitted by Eric L. Hastings and Jennifer, acting by and through William L. Brantley, his attorney of record and filed at Probate Office on June 27, 2018; and
- 2) Authorize the Chairman to execute any and all necessary documents and/or orders related to the Baldwin County Commission's approval to establish the Lloyd G. Hastings Family Cemetery.

### **BACKGROUND INFORMATION**

**Previous Commission action/date:** June 19, 2018

#### **Background:**

On June 19, 2018, Administration Department received an Application to Establish Family Cemetery in Bay Minette, Baldwin County, Alabama. The application was filed at the Judge of Probate Office on June 18, 2018, by Eric L. Hastings and Jennifer Hastings.

Chairman Frank Burt, Jr. (District 1) visited the proposed cemetery site on June 19, 2018 and recommended approval of the application.

At the June 19, 2018 Regular Baldwin County Commission Meeting, the cemetery application came before the Commission from the floor.

At that time, the Commission took the following actions:

1. Waived Baldwin County Commission Policy #2.7 - Licensing of Cemeteries, and approved the application to establish a private cemetery located just north of 47553 Lloyd Hastings Road, Bay Minette, Alabama 36507 and more accurately described as Parcel A in the application to establish a private cemetery; and
2. Made the application to establish a private cemetery a party of the June 19, 2018, Baldwin County Commission regular meeting minutes.

The Judge of Probate issued the Order Granting License to Establish Private Cemetery for The Lloyd G. Hastings Family Cemetery on June 19, 2018.

On June 27, 2018, the applicants filed an Amended Application to Establish Private Cemetery at the Probate Office, due to a scrivener's error in the legal description found on "Exhibit A" to the original Application to Establish a Private Cemetery.

At this time Staff is bringing forward the Amended Application to Establish a Private Cemetery for the Commission's consideration and approval. Once the final Order is issued by the Judge of Probate the Order will be brought back before the Commission to make it and any other supporting documentation a part of the record.

### **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?**  
No

**Reviewed/approved by:** N/A

**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: N/A

**Action required (list contact persons/addresses if documents are to be mailed or emailed):** If the request is approved, staff will forward certified minutes of the August 7, 2018, BCC Regular Meeting to the Judge of Probate. Judge of Probate will issue an Order Establishing a Family Cemetery, which will be made a part of the record at the following Regular BCC meeting.

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