



# Baldwin County Commission

## Legislation Text

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**File #:** 19-1806, **Version:** 1

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**Meeting Type:** BCC Work Session

**Meeting Date:** 8/13/2019

**Item Status:** Addendum

**From:** Vince Jackson, Planning Director; Linda Lee, Planner

**Submitted by:** Vince Jackson, Planning Director; Linda Lee, Planner

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### **ITEM TITLE**

Baldwin County Planning and Zoning Commission - Board Appointment

### **STAFF RECOMMENDATION**

As relates to the Baldwin County Planning and Zoning Commission, take the following actions:

- 1) Appoint Mr. Robert Davis as a regular member (BCC District 3 Nominee) to the place seat and expired term formerly held by Mr. Marvin Dewane Hayes, for a four (4) year term pro-rata reduced term, said term to commence on August 20, 2019, and expire on June 30, 2023.
- 2) Send a letter to Mr. Marvin Dewane Hayes, thanking him for his prior civic service as a member of the board.

### **BACKGROUND INFORMATION**

**Previous Commission action/date:** February 19, 2019

**Background:** The Baldwin County Planning and Zoning Commission was created by Baldwin County Local Legislative Act, specifically Act No. 91-719 (1991), as amended by Act. No 93-668 (1993), as amended by Act No. 98-665 (1998), as amended by Act No. 2006-609 (2006), as amended by Act No. 2010-719 (2010). The aforementioned Alabama laws are codified at Section 45-2-261 through 45-2-261.18 of the Code of Alabama 1975.

Section 45-2-261.01 of the Code of Alabama 1975 provides that the Planning and Zoning Commission shall be composed as a board of nine (9) regular members and other temporary members appointed by the Baldwin County Commission. All regular members shall be qualified electors and actual residents of Baldwin County; one (1) and only one (1) regular member may be a qualified elector who resides in the corporate limits of a Baldwin County municipality. All regular members shall serve a term of four (4) years each except when filing a vacant place seat (which shall be for the balance of the unexpired term). All temporary members shall serve a one-time term of three (3) years each and represent, respectively and singularly, a new Planning (Zoning) district which elects to come within the planning and zoning authority of the Baldwin County Commission. A

temporary member shall be a qualified elector from the new Planning (Zoning) District. In the event of any vacancy, such vacancy shall be filled by appointment of the Baldwin County Commission.

All members of the Planning and Zoning Commission shall serve without compensation and no member shall be a county officer or employee.

Furthermore, Section 45-2-261.40 of the Code of Alabama 1975 authorizes the Baldwin County Commission to appoint real estate agents or other persons in the field of real estate to the Planning and Zoning Commission; however, such number shall not exceed three (3) members.

The Baldwin County Planning and Zoning Commission term of Mr. Marvin Dewane Hayes expired on June 30, 2019. The Planning Department staff now respectfully requests the appointment of Mr. Robert Davis to fill the place seat and expired term formerly held by Mr. Hayes, said term to commence on August 20, 2019, and expire on June 30, 2023.

Mr. Davis is a qualified elector of Baldwin County, he is not a county employee or officer, and is not involved in real estate. Planning staff has verified that this appointment meets the qualifications to be appointed to the Baldwin County Planning and Zoning Commission.

A list of the current Planning Commission membership is attached to this agenda item for the convenience of the Commissioners.

### **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?**  
N/A

**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:** Commission Administration Office

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

Send appointment letter to:

Mr. Robert Davis  
17138 County Road 34 South  
Summerdale, Alabama 36580

Send thank you letter to:

Mr. Marvin Dewane Hayes  
28551 Rose Run Road  
Robertsdale, Alabama 36567

CC:  
Vince Jackson  
DJ Hart

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