



Baldwin County Commission

Legislation Text

File #: 21-1258, **Version:** 1

Meeting Type: BCC Regular Meeting
Meeting Date: 9/7/2021
Item Status: New
From: Matthew Brown, Planning Director
Submitted by: DJ Hart, Planning Technician

ITEM TITLE

Baldwin County Planning and Zoning Commission - Board Appointment(s)

STAFF RECOMMENDATION

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

- 1) Accept the resignation of Ms. Bonnie Lowry dated August 24, 2021, and thank Ms. Lowry for her former civic service as a regular member of the Board (BCC District 4 Nominee); and
- 2) Appoint Mr. Ernest Anthony Church, Jr., as a regular member of the Board (BCC District 4 Nominee) for a four (4) year pro-rata reduced term, to fill the place seat and unexpired term formerly held by Ms. Bonnie Lowry, said term to commence on September 7, 2021, and expire on November 16, 2021.

BACKGROUND INFORMATION

Previous Commission action/date: 7/6/2021

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 filling 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 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.

Due to the recent resignation of Ms. Bonnie Lowry, the Baldwin County Planning and Zoning Commission currently has one (1) vacancy. The Planning staff therefore respectfully requests the appointment of Mr. Ernest Anthony Church, Jr. as a regular member to fill the place-seat and unexpired term formerly held by Ms. Lowry, said term to commence on September 7, 2021, and expire on November 16, 2021.

Mr. Church is a BCC District 4 nominee and is a resident of unincorporated Baldwin County. He is a qualified elector of Baldwin County, 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.

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 staff

Action required (list contact persons/addresses if documents are to be mailed or emailed):
Administration staff to update the current board list and prepare correspondence.

Send thank you letter to:

Ms. Bonnie Lowry
9327 State Highway 180
Gulf Shores, Alabama 36542

Send appointment letter to:

Mr. Ernest Church, Jr.
5601 State Highway 180 #4
Gulf Shores, Alabama 36542

Additional instructions/notes: N/A