



Baldwin County Commission

Legislation Text

File #: 19-0162, Version: 2

Meeting Type: BCC Regular Meeting
Meeting Date: 11/6/2018
Item Status: Replacement
From: Joey Nunnally, P.E., County Engineer
Submitted by: Mary Booth, Design Tech II

ITEM TITLE

*Sunrise Property Owners' Association - Construction Agreement for Drainage Improvements in and Around Sunrise Subdivision

STAFF RECOMMENDATION

Take the following actions:

- 1) Authorize the Chairman to execute a Construction Agreement with Sunrise Property Owners' Association contingent upon their corporation being qualified to do business in the State of Alabama; and
- 2) Authorize the Chairman to sign any other project related documents.

(The terms of this agreement shall commence upon full execution of the agreement and shall remain in effect for ten (10) years from date of full execution.)

BACKGROUND INFORMATION

Previous Commission action/date: June 6, 2017 - The Commission approved the Chairman sending a letter to the United States Navy requesting an easement to construct a detention pond near Sunrise Subdivision to address flooding conditions in the area.

Background:

Per the County Attorney, the Staff Recommendation was changed to include that the Agreement is contingent upon Sunrise Property Owners' Association being qualified to do business in the State of Alabama.

During the August 28, 2018, work session the Commission discussed the draft easement to construct a detention pond near Sunrise Subdivision and requested a construction agreement with the Sunrise Property Owners' Association. The construction agreement has been reviewed by Legal, has been reviewed and executed by the Sunrise Property Owners' Association, and was discussed during the

October 18, 2018, Road & Bridge Meeting.

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: County Attorney has reviewed the agreement.

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 Staff have the Chairman execute the Construction Agreement.

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

Administration Staff forward a copy of the fully executed construction agreement to the address listed below and forward a copy of the fully executed construction agreement to Matthew Brown.

Contact:

Sunrise Property Owners Association, Inc.
c/o Mr. Brian Utterback, President
PO Box 424
Elberta, Alabama 36530

Additional instructions/notes: N/A