



# Baldwin County Commission

## Legislation Text

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File #: 20-0046, Version: 1

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**Meeting Type:** BCC Work Session

**Meeting Date:** 11/12/2019

**Item Status:** New

**From:** Wayne Dyess, County Administrator

**Submitted by:** Michelle Howard, Commission Executive Assistant

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### ITEM TITLE

North Baldwin County Health Care Authority Board - Board Appointment(s)

### STAFF RECOMMENDATION

As related to the North Baldwin County Health Care Authority, consider the following actions (individuals marked with an (\*) asterisk are the Authority's Board of Directors' recommendations for the appointments):

1) Appoint one of the following nominees as a member (Slot 2) to the place seat currently held by Mr. Dennis Goodwin, for a six (6) year term, said term to commence on January 1, 2020, and expire on January 1, 2026:

\*Dennis Goodwin  
Craig Smith  
Alicia Gourlay

1) Appoint one of the following nominees as a member (Slot 5) to the place seat currently held by Mr. Jason Padgett, for a six (6) year term, said term to commence on January 1, 2020, and expire on January 1, 2026:

\*Jason Padgett  
Earl Stephens  
Gordon Prescott

1) Appoint one of the following nominees as a member (Slot 9) to the place seat currently held by Mr. Robert Zarr, Dr., for a six (6) year term, said term to commence on January 1, 2020, and expire on January 1, 2026:

\*Robert Zarr, Sr.  
Jamie Jay  
Connie Gordon

### BACKGROUND INFORMATION

**Previous Commission action/date:**

December 5, 2017 - Last BCC Board Appointment

**Background:** Jason M. Padgett, President of the Board of Directors of the North Baldwin County Health Care Authority submitted correspondence dated October 14, 2019, including a Resolution to the Baldwin County Commission with a proposed a list of nine (9) nominees each for three (3) seats or places which respective terms of office will expire on January 1, 2026.

The aforementioned copy of the Authority's Resolution is required to be submitted, within statutorily set time parameters and in resolution/certified form, to the Commission pursuant to Alabama law, specifically, §22-21-352, Code of Alabama 1975, which is found within "The Health Care Authorities Act of 1982" [codified collectively at §22-21-310, et seq., Code of Alabama 1975].

In relation to such certified Resolution, the Commission is required to choose only one (1) nominee, of the nine (9) nominees, set forth in the Resolution for each seat or place which terms of office will expire.

Please note that the certified Resolution was received by the Commission within the statutorily required time parameters and form, prescribed in §22-21-352, Code of Alabama 1975, in order for the Commission to consider applicable action. Specifically, within the Code of Alabama 1975, at §22-21-352 (a)(2) remain the time parameters and form governing submittal of the certified Resolution such applicable portions as follows:

(2) That in the case of a vacancy resulting from the expiration of the stated term of office of any such director, the board shall, not more than 90 nor less than 10 days prior to the expiration of such term of office (or in case of a vacancy resulting from the death or resignation of any such director or from a cause other than the expiration of the stated term of office of any such director, within 30 days following the occurrence of such vacancy):

- a. By resolution duly adopted, propose a list of nominees (not less than three in number) for each place or seat on the board that is or is to become vacant as aforesaid; and
- b. Cause a certified copy of such resolution to be filed with the governing body of the authorizing subdivision or subdivisions empowered to elect or appoint such director.

Applicable Portions - (Acts 1987, No. 87-745, p. 1458, §3.)

Further, please note that there remain no "required qualifications" set forth in §22-21-310, et seq., Code of Alabama 1975 for citizens to be appointed to the Authority. However, within §22-21-316, Code of Alabama 1975, such "required qualifications" are self-imposed by the Authority through their Certificate of Reincorporation, as amended by the Authority on December 17, 2001, which requires that they only be "residents of Baldwin County, Alabama."

Therefore, the Authority submitted its Resolution on time for the Commission to act upon and set forth a proposed list of nine (9) nominees for the three (3) seats or places which will expire on January 1,

2026.

### 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:

Administration - Send correspondence to: **TBD**

Cc:

Mr. Jason M. Padgett  
President, North Baldwin County Health Care Authority  
P. O. Box 1463  
Bay Minette, Alabama 36507

Ms. Jennifer Harrison  
Executive Assistant, North Baldwin Infirmary

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1815 Hand Avenue  
Bay Minette, Alabama 36507

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

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