



Baldwin County Commission

Legislation Text

File #: 22-0146, Version: 1

Meeting Type: BCC Regular Meeting

Meeting Date: 11/2/2021

Item Status: New

From: Wayne Dyess, County Administrator

Submitted by: Kristen M. Rawson, Assistant Administrative Services Manager

ITEM TITLE

Perdido Bay Water, Sewer and Fire Protection District - Correction to October 5, 2021, Board Appointment

STAFF RECOMMENDATION

Due to a scrivener's error in Agenda Item BA3, approved by the Baldwin County Commission during its October 5, 2021, Regular meeting, more specifically staff recommendation #2 listing the expiration date of Mr. Lee Hoffman's term on the Perdido Bay Water, Sewer and Fire Protection District Board of Directors, correct for the record as follows:

"2) Appoint Mr. Lee Hoffman as a member of the Board of Directors to fill the vacant place seat formerly held by Mr. Rucker Staggers, for a pro-rata reduced four (4) year term, said term to commence on October 5, 2021, and expire on October 6, 5, 2025."

BACKGROUND INFORMATION

Previous Commission action/date: N/A

Background:

October 5, 2021, BCC Regular meeting - Agenda Item BA3 - Perdido Bay Water, Sewer and Fire Protection District - Board Appointment(s): Staff recommendation #2 listed an incorrect expiration date of October 6, 2025, for the board appointment for Mr. Lee Hoffman. The expiration date should have been listed as October 5, 2025. The action recommended to the Commission at this time corrects the record to accurately reflect Mr. Hoffman's dates of service on the board.

PART I - GENERAL BACKGROUND:

The Perdido Bay Water, Sewer and Fire Protection District is a public corporation established in 1976, pursuant to Act No. 20, 1970 Special Session of the Legislature of Alabama, which is now codified at §11-89-1, et seq., Code of Alabama, 1975. Further, when the Perdido Bay Water, Sewer and Fire Protection District was established in 1976, the Board of Directors was composed of thirteen (13) members. Today, this District is composed of a five (5) member Board of Directors appointed by

the County Commission to serve, respectively, terms of four (4) years each. Please note that there remain required qualifications set forth in §11-89-6, et seq., Code of Alabama, 1975, for citizens to be appointed to the District.

The required qualifications are:

- 1) Nominee must be a duly qualified elector (i.e. registered voter) in Baldwin County.
- 2) Nominee must be a subscriber on the District System (i.e. member of the corporation).
- 3) Nominee cannot be an officer of the State, County or municipality during tenure of office.

Lastly, there is a provision in §11-89-6, et seq., Code of Alabama, 1975, which requires appointments be made no earlier than thirty (30) days prior to the date such person will take office.

PART II - BACKGROUND APPOINTMENT(S):

The Perdido Bay Water, Sewer and Fire Protection District has proposed for Mr. Lee Hoffman to be appointed as a member of the Board of Directors. Through correspondence from the Perdido Bay Water, Sewer and Fire Protection District, staff has verified that Mr. Hoffman is 1) a duly qualified elector (i.e. registered voter) of Baldwin County, Alabama, 2) a subscriber or member of the corporation, and 3) is not an officer of the State, County or municipality.

Therefore, staff confirms Mr. Hoffman meets the requirements set forth in §11-89-6, et seq., Code of Alabama, 1975, to be re-appointed to the Board of Directors of the Perdido Bay Water, Sewer and Fire Protection District.

Staff asserts this appointment is at the discretion of the County Commission and the Commission can either appoint Mr. Hoffman or another qualified citizen of its choice.

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 prepare correspondence as follows:

Send corrected appointment letter to:

Mr. Lee Hoffman
34148 Kathryn Drive
Lillian, Alabama 36549

Send copies of letter to:

Ms. Jean Ray
Madam Chairman, Board of Directors
Perdido Bay Water District
28171 Freshwater Lane
Elberta, Alabama 36530

Additional instructions/notes: Update current board list and upload to BCAP