



# Baldwin County Commission

## Legislation Text

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**File #:** 19-1574, **Version:** 1

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**Meeting Type:** BCC Regular Meeting

**Meeting Date:** 7/2/2019

**Item Status:** New

**From:** Wayne A. Dyess, County Administrator

**Submitted by:** Miranda N. McKinnon, Administrative Support Specialist

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### **ITEM TITLE**

Baldwin County Board of Human Resources - Board Appointment

### **STAFF RECOMMENDATION**

Related to the Baldwin County Board of Human Resources, Board of Directors, take the following actions:

- 1) Accept the resignation of Mr. Bruce Stone as a member, effective May 15, 2019, and thank him for his prior civic service as a member of the board; and
- 2) Appoint Ms. Cindy Haber as a member, to the vacant place seat formerly held by Mr. Bruce Stone, for a pro-rata reduced six (6) year term, said term to commence July 2, 2019, and expire September 1, 2019.

### **BACKGROUND INFORMATION**

**Previous Commission action/date:** 08/15/2017, Last BCC appointment to this board.

#### **Background:**

On June 12, 2019, Commissioner Underwood submitted the name of Ms. Cindy Haber for consideration to fill the vacant place seat of Mr. Bruce Stone. Staff has confirmed Ms. Haber meets the qualifications to serve on the board.

At the June 11, 2019, Work Session, the Commissioners selected Ms. Tommie Conaway to replace Mr. Bruce Stone's vacant place seat on the board. After checking the qualification criteria for Ms. Conaway, it was discovered that Ms. Conaway did not qualify due to her position as an elected official.

Staff received correspondence from Ms. Pamela Kyzar, Baldwin County Department of Human Resources, on June 4, 2019, informing the Commissioners of the resignation of Mr. Bruce Stone of the Baldwin County Department of Human Resources Board, and providing two names to be

considered for possible appointments to replace Mr. Stone's vacant place seat on the board:

- 1) Tommie Conaway
- 2) Samuel Watson

Ms. Kyzar also requested the re-appointments of Ms. Virginia Chaudron and Ms. Christi King, whose terms to expire September 1, 2019. Staff will bring the re-appointments for the Commission's consideration closer to the expiration date, along with the reappointment of Ms. Cindy Haber since her appointment on July 2, 2019 is to cover the remaining term of Mr. Bruce Stone's term which would have expired on September 1, 2019.

#### GENERAL BACKGROUND - APPOINTMENT OF BOARD OF DIRECTORS OF COUNTY BOARDS OF HUMAN RESOURCES:

§38-2-7, Code of Alabama 1975, sets forth the background on the appointment of, by the Baldwin County Commission, the seven (7) member Board of Directors of County Boards of Human Resources which provides as follows: §38-2-7, Code of Alabama 1975, there is hereby created in each county a county board of human resources, which shall consist of seven members, not less than two of whom shall be women, selected by the county commission from the citizenship of the county on the basis of their recognized interest in the public welfare; provided that in counties in which there are cities having a population of 60,000 or more, according to the last federal census, the city commission or other governing body of the city shall have equal authority with the county commission in selecting the membership of the county board of human resources.

No person holding an elective public office, no person who is a candidate for election to a public office, no person who is an employee of the county department of human resources and no person who is related by consanguinity or affinity within the fourth degree or nearer under the civil law to any such officer or employee shall be a member of such county board of human resources. The members of said board shall be appointed for a term of six years, and vacancies shall be filled for the unexpired term in the same manner as above provided. The county board shall elect from its members a chairman and a secretary to serve at its pleasure. The county board shall hold meetings under rules to be established by it in conformity with the regulations of the state board, and such additional meetings as may be called by the chairman. The presence of four members at any regular or special meeting shall constitute a quorum for the transaction of all business. Members of the county board shall serve without compensation for their services as members, but shall be reimbursed for the amount of their traveling and other expenses actually paid out while in attendance at the meetings of the county board or on business of the department.

The county board, subject to the provisions of the merit system, shall appoint a county director, who shall be the executive officer of the county department, and the appointment shall be made without regard to political affiliation. The tenure of the county director shall be at the pleasure of the county board. Upon request of the local board, the state personnel department shall establish a county register of eligible who are residents of the county in which the vacancy exists. If no appointment is made from the local register or there is no local register, then appointment shall be made from the statewide register.

It shall be the further duty of the county board to meet from time to time with the county director and to point up unmet needs in the county, to advise concerning economic conditions in the county which might affect the welfare program, to assist in informing the citizens of the public welfare program, to cooperate with other agencies, individuals and organizations in the community in the development of facilities designed for human betterment, and to advise concerning changes which would make for a more effective and efficient public welfare program.

(Acts 1951, No. 703, p. 1211, §7; Acts 1955, No. 341, p. 763, §5; Acts 1989, No. 89-853, p. 1702, §1.)

Therefore, the qualifications required of the prospective nominee to be appointed, by the Baldwin County Commission, for service on such seven (7) member Board of Directors of the Baldwin County Board of Human Resources are that such respective persons:

- 1) be a citizen of Baldwin County; and
- 2) have a recognized interest in the public welfare; and
- 3) not hold an elective public office; and
- 4) not be a candidate for election to a public office; and
- 5) not be an employee of the Baldwin County Department of Human Resources; and
- 6) not be a citizen who by consanguinity (of the same blood or origin or of close relation to) or affinity (related by marriage) within the fourth degree or nearer under the civil law to any such officer or employee; and
- 7) at least two (2) of the members of the Board of Directors of the Baldwin County Board of Human Resources must be women.

Further, §38-2-7, Code of Alabama 1975, states "The members of the Board shall be appointed for a term of six (6) years, and vacancies shall be filled for the unexpired term in the same manner as above provided."

### **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

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

Thank you Letter to:

Mr. Bruce Stone  
Post Office Box 1188  
Fairhope, Alabama 36533

Appointment Letter to:

Ms. Cindy Haber  
28352 Burkart Drive  
Orange Beach, Alabama 36561

cc: ReMigja Coleman, Board Director - [ReMigja.Coleman@dhr.alabama.gov](mailto:ReMigja.Coleman@dhr.alabama.gov)  
<<mailto:ReMigja.Coleman@dhr.alabama.gov>>

Pamela Kyzar - [Pamela.Kyzar@dhr.alabama.gov](mailto:Pamela.Kyzar@dhr.alabama.gov) <<mailto:Pamela.Kyzar@dhr.alabama.gov>>  
O'Neal Messick, Board Chairman - 304 W. 11<sup>th</sup> Street, Bay Minette, Alabama 36507

Additional instructions/notes: N/A