



# Baldwin County Commission

## Legislation Details (With Text)

**File #:** 20-0961      **Version:** 1  
**Type:** Action Items      **Status:** Passed  
**File created:** 3/10/2020      **In control:** Baldwin County Commission Regular  
**On agenda:** 3/17/2020      **Final action:** 3/17/2020  
**Title:** Resolution #2020-072 Amending Resolution #2002-31 and Settlement Agreements - Service Area Amendment for East Central Baldwin County Water, Sewer and Fire Protection Authority

**Indexes:**

**Attachments:** 1. Resolution 2020-072 Reducing ECBC WSF Protection Authority Service Area 20200317, 2. Exhibit A - BCC Resolution 2002-31 dated Feb. 19, 2002, with Exhibits 1 and 2, 3. Exhibit B - City of Robertsdale Mediation Settlement Agreement, 4. Exhibit C - Town of Summerdale Settlement Agreement, 5. Exhibit D - Public Notice, 6. Legal Ad GCN, March 11, 2020, Affidavit Proof of Publication, 7. \*BA4 - Resolution 2020-072 SIGNED

Date	Ver.	Action By	Action	Result
3/17/2020	1	Baldwin County Commission Regular	Approved	

**Meeting Type:** BCC Regular Meeting  
**Meeting Date:** 3/17/2020  
**Item Status:** New  
**From:** Wayne Dyess, County Administrator  
**Submitted by:** Anu Gary, Administrative Services Manager

### ITEM TITLE

Resolution #2020-072 Amending Resolution #2002-31 and Settlement Agreements - Service Area Amendment for East Central Baldwin County Water, Sewer and Fire Protection Authority

### STAFF RECOMMENDATION

Related to Case No. CV-2009-901240.80, take the following actions:

- 1) Adopt Resolution #2020-072, which amends Resolution #2002-31, reducing a portion of the service area granted to East Central Baldwin County Water, Sewer and Fire Protection Authority; and
- 2) Authorize the Chairman to execute the City of Robertsdale Mediation Settlement Agreement related to Case No. CV-2009-901240.80; and
- 3) Authorize the Chairman to execute the Town of Summerdale Settlement Agreement related to Case No. CV-2009-901240.80.

### BACKGROUND INFORMATION

**Previous Commission action/date:** February 19, 2002 - Agenda Item E-16

**Background:** On February 19, 2002, the Commission, as required by Section 11-88-5 Code of Alabama 1975, adopted Resolution #2002-31 which granted an application to amend the certificate of incorporation of the East Central Baldwin County Water and Fire Protection Authority to enlarge/expand the service area by adding additional territory to the East Central Baldwin County Water and Fire Protection Authority.

### **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?**  
Yes, Hope Hicks and County Attorney review and approval is required.

**Reviewed/approved by:** Approved by Hope Hicks 03/11/2020.

**Additional comments:** N/A

### **ADVERTISING REQUIREMENTS**

**Is advertising required for this recommendation?** Yes, see attached affidavit proof of publication.

One-time ad was published in the Gulf Coast Newspapers on March 11, 2020.

**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 - Follow up with Hope Hicks. Email copy of fully executed resolution and agreements to:

Hope Hicks, Attorney  
Ball, Ball, Matthews & Novak, P.A.  
(334) 387-7680, Ext 176  
Via email: hhicks@ball-ball.com

Cc: Brad Hicks and Nancy Hannah, County Attorney's Office  
Wayne Dyess, County Administrator

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

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